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WASHINGTON, DC

[Two Sessions]

WHEN: October 17 at 9:00 am and 1:30 pm

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

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

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 400

RIN 0563–AB10

General Administrative Regulations; Sanctions; Correction

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Correction to final regulation.

SUMMARY: This document contains a correction to the final regulation which was published Thursday, July 20, 1995 (60 FR 37323). The regulation pertains to the sanctions made available under the Federal Crop Insurance Act (the ''Act''), as amended by the Federal Crop Insurance Reform Act of 1994.

EFFECTIVE DATE: July 20, 1995.

FOR FURTHER INFORMATION CONTACT: Diana Moslak, Regulatory and Procedural Development Staff, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, DC 20250. Telephone (202) 254–8314.

SUPPLEMENTARY INFORMATION: The final regulation that is the subject of this correction superseded certain provisions contained in the general administrative regulations with respect to civil penalties and added provisions with respect to ineligibility to participate in any program administered under the Act as a result of the adoption of a material scheme or device to obtain benefits or indebtedness to the Federal Crop Insurance Corporation (''FCIC'') or an approved insurance provider.

As published, the final regulation contained errors which may prove to be misleading and are in need of clarification.

Accordingly, the publication on July 20, 1995 of the final regulations at 60 FR 37323 is corrected as follows:

1. On page 37324 in the first column, § 400.459 is corrected to read as follows:

§ 400.459 Indebtedness. [Corrected]

Any person who owes a debt to FCIC, or an approved insurance provider, arising from any program administered under the Act, and that debt is delinquent, will be ineligible to participate in all such programs until the debt is paid in full or the person enters into an agreement, acceptable to FCIC or the approved insurance provider, to repay the debt. If the person provides adequate evidence to demonstrate that the amount of debt is in dispute, the person's application will be accepted or their insurance will remain in effect, but no indemnity payment will be made, until the disputed issue is resolved between that person and FCIC or the approved insurance provider through the available appeal process.

Done in Washington, DC, on September 22, 1995.

Suzette M. Dittrick,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 95–24367 Filed 9–29–95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–NM–107–AD; Amendment 39–9368; AD 95–19–06]

Airworthiness Directives; Jetstream Model ATP Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to all British Aerospace Model ATP series airplanes, that currently requires inspections to detect cracking of the aft end of the wing rib boom angles on the left and right engine, and repair or replacement of the wing rib boom angle assemblies, if necessary. That AD was prompted by the detection of cracks in the engine outboard rib boom angles at the main landing gear (MLG) actuator attachment point. The actions specified by that AD are intended to prevent structural failure of the actuator attachment point, which could lead to collapse of the MLG. This amendment limits the applicability of the rule to only a certain number of airplanes; revises the initial inspection threshold, depending on whether or not certain modifications have been accomplished on the boom angles; and requires that modified boom angles be installed whenever replacement is necessary.

DATES: Effective November 1, 1995.

The incorporation by reference of certain publications, as listed in the regulations, is approved by the Director of the Federal Register as of November 1, 1995.

The incorporation by reference of British Aerospace Service Bulletin ATP–57–13, Revision 1, dated January 15, 1993 was approved previously by the Director of the Federal Register as of September 8, 1993 (58 FR 42194, August 9, 1993).

ADDRESSES: The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2148; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 93–14–08, amendment 39–8632 (58 FR 42194, August 9, 1993), which is applicable to all British Aerospace Model ATP series airplanes, was published as a supplemental notice of proposed rulemaking in the Federal Register on May 9, 1995 (60 FR 24589). The action proposed to continue to require repetitive detailed visual inspections to detect cracking of the aft end of the wing rib boom angles on the wing rib outboard of the left and right engine, and repair or replacement of cracked rib boom angle assemblies. It also proposed to limit the applicability of the rule, revise the initial inspection threshold, and require that modified boom angles

be installed whenever replacement of the boom angles is necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

The FAA has revised the final rule to reflect the corporate name change of British Aerospace to Jetstream Aircraft Limited.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 10 airplanes of U.S. registry will be affected by this AD. The inspections that are currently required by AD 93–14–08 take approximately 2 work hours per airplane to accomplish. The average labor rate is $60 per work hour. Based on these figures, the total cost impact of the current inspection requirements AD on U.S. operators is estimated to be $1,200, or $120 per airplane, per inspection cycle.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. However, since AD 93–14–08 became effective on September 3, 1993, the FAA assumes that at least the initial inspection already has been performed on several of the affected airplanes. Thus, the total cost impact of this AD may be reduced by the amount of the costs associated with those inspections that have already been accomplished.

Additionally, since this AD will extend the compliance time for the initial inspection of some airplanes, it has the effect of reducing the economic burden for operators of those airplanes, since it will preclude scheduling an airplane for inspection at a time earlier than is necessary.

Should replacement of the boom angles with modified boom angles be necessary, it will require approximately 150 work hours to accomplish, at an average labor charge of $60 per work hour. Required parts will cost approximately $3,800 per airplane.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–8632 (58 FR 42194, August 9, 1993), and by adding a new airworthiness directive (AD), amendment 39–9368, to read as follows:

95–19–06 Jetstream Aircraft Limited (Formerly British Aerospace Commercial Aircraft Limited): Amendment 39–9368. Docket 94–NM–107–AD. Supersedes AD 93–14–08, Amendment 39–8632.

Applicability: Model ATP series airplanes; serial numbers 2002 through 2063, inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (j) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent structural failure of the actuator attachment point, which could lead to collapse of the main landing gear (MLG), accomplish the following:

(a) Conduct a detailed visual inspection to detect cracking of the aft end of the engine outboard rib boom angles under the wing rib outboard of the left and right engine, in accordance with British Aerospace Service Bulletin ATP–57–13, Revision 1, dated January 15, 1993; or Jetstream Service Bulletin ATP–57–13, Revision 5, dated June 3, 1994; at the applicable time indicated below.

(1) For airplanes on which Modification 10313A (reference British Aerospace Service Bulletin ATP–56–16–1013A, Revision 1, dated July 2, 1994) has not been accomplished: Conduct the initial inspection within 400 hours time-in-service after September 8, 1993 (the effective date of AD 93–14–08, amendment 39–8632), or within 12 months since airplane manufacture, whichever occurs later.

(2) For airplanes on which Modification 10313A has been accomplished (modified inboard and outboard boom angles on both the left wing and right wing): Conduct the initial inspection prior to the accumulation of 30,000 landings on the boom angle assembly or within 12 months after the effective date of this AD, whichever occurs later.

(b) For the purposes of compliance with this AD, the following apply:

(1) *Repair* of cracked rib boom angles shall be accomplished in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(2) *Replacement* of cracked rib boom angle assemblies with modified assemblies shall be accomplished in accordance with Jetstream Service Bulletin ATP–57–16–10313A, Revision 1, dated July 2, 1994 (as corrected by Erratum 2, dated August 30, 1994). Prior to the accumulation of 30,000 landings on the replaced (modified) boom angle assembly, repeat the inspection in accordance with paragraph (a) of this AD.

(c) If no crack is detected: Repeat the detailed visual inspection at intervals not to exceed 3,000 landings or 12 months, whichever occurs first.

(d) If any crack is detected on only one rib boom angle, and that crack does not extend beyond bolt hole X: Repeat the detailed visual inspection of the rib boom angle for additional crack propagation at intervals not to exceed 300 hours time-in-service.

(1) If no additional crack propagation is detected during any of the repetitive inspections: Within 6 months after discovery of the crack, either repair the rib boom angle or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(2) If any of the repetitive inspections reveal that crack propagation has reached or extends beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angle or replace the rib boom assembly in accordance with paragraph (b) of this AD.

(e) If any crack is detected on only one rib boom angle, and that crack extends beyond bolt hole X, but not beyond bolt hole Y or down towards bolt hole A: Repeat the detailed visual inspection of the rib boom angle for additional crack propagation at intervals not to exceed 100 hours time-in-service.

(1) If no additional crack propagation is detected during any of the repetitive inspections: Within 3 months after discovery of the crack, either repair the rib boom angle or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(2) If any of the repetitive inspections reveal that crack propagation has reached or extends beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angle or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(f) If any crack is detected on only one rib boom angle, and that crack extends beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angle or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(g) If any crack is detected on both rib boom angles, and cracks do not extend beyond bolt hole X: Repeat the detailed visual inspection of the rib boom angles for additional crack propagation at intervals not to exceed 100 hours time-in-service.

(1) If no additional crack propagation is detected during any of the repetitive inspections: Within 3 months after discovery of the cracks, either repair the rib boom angles or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(2) If any of the repetitive inspections reveal that crack propagation has reached or extends beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angles or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(h) If any crack is detected on both rib boom angles, and cracks extend beyond bolt hole X, but not beyond bolt hole Y or down towards bolt hole A: Repeat the detailed visual inspection of the rib boom angles for additional crack propagation at intervals not to exceed 50 hours time-in-service.

(1) If no additional crack propagation is detected during any of the repetitive inspections: Within 1 month after discovery of the cracks, either repair the rib boom angles or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(2) If any of the repetitive inspections reveal that crack propagation has reached or extends beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angles or replace the rib boom angle assembly in accordance with paragraph (b) of this AD.

(i) If any crack is detected on both rib boom angles, and cracks extend beyond bolt hole Y or into bolt hole A: Prior to further flight, either repair the rib boom angles or replace the rib boom angle assembly in accordance with paragraph (b) of this AD

(j) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

Note 3: Alternative methods of compliance previously granted for amendment 39–8632, AD 93–14–08, continue to be considered as acceptable alternative methods of compliance with this amendment.

(k) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(l) The inspections shall be done in accordance with Jetstream Service Bulletin ATP–57–13, Revision 5, dated June 3, 1994. Revision 5 of Jetstream Service Bulletin ATP–57–13 contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1–3, 5	5	June 3, 1994.
4, 6	4	May 31, 1994.
7–12	3	Mar. 23, 1994.

The replacement shall be done in accordance with British Aerospace Service Bulletin ATP–57–13, Revision 1, dated January 15, 1993, or Jetstream Service Bulletin ATP–57–16–10313A, Revision 1, dated July 2, 1994 (as corrected by Erratum 2, dated August 30, 1994). The incorporation by reference of British Aerospace Service Bulletin ATP–57–13, Revision 1, dated January 15, 1993, was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of September 8, 1993 (58 FR 42194, August 9, 1993). The incorporation by reference of the remainder of the service documents listed above is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(m) This amendment becomes effective on November 1, 1995.

Issued in Renton, Washington, on September 6, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–22589 Filed 9–29–95; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 36

Section 4(c) Contract Market Transactions

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rules.

SUMMARY: Pursuant to section 4(c) of the Commodity Exchange Act, the Commission is promulgating final rules to exempt certain contract market transactions from specified requirements of the Commodity Exchange Act, 7 U.S.C. 1 *et seq.* (''CEA'' or ''Act''), and Commission regulations thereunder. The Commission proposed these rules after considering the public comments on petitions for exemptive relief submitted by the Chicago Mercantile Exchange (''CME'') and by the Board of Trade of the City of Chicago (''CBT'').

Based upon its consideration of the comments received in response to its Notice of Proposed Rulemaking, and upon its independent analysis, the Commission is promulgating final rules establishing a three-year pilot program to permit certain transactions to trade on section 4(c) contract markets exempt from specified requirements of the Act and Commission rules. The Commission believes that permitting, on a pilot basis, the trading of this new class of contract market transaction, which can be offered only to specified categories of individuals or entities, is in the public interest.

The final rules will permit these exchange-traded products greater flexibility in competing with foreign exchange-traded products and with both foreign and domestic over-the-counter transactions, while maintaining basic customer protection, financial integrity and other protections associated with trading in an exchange environment. In particular, new Part 36 permits greater flexibility with respect to trading rules (section 36.3); listing of transactions (section 36.4); reporting requirements

(section 36.5); registration requirements (section 36.36) and risk disclosure (section 36.7). It also reserves the anti-manipulation prohibitions in the Act and Commission Rule 33.9 and provides for anti-fraud prohibitions in addition to those otherwise applicable to section 4(c) contract market transactions under the Act and Commission Rule 33.10.

Finally, although the Commission requested comment relating to the advisability of making certain conforming changes to its Part 35 Exemption of Swap Agreements, the Commission has determined to make no changes herein to Part 35.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Paul M. Architzel, Chief Counsel, Division of Economic Analysis; Alan L. Seifert, Deputy Director, or Lawrence B. Patent, Associate Chief Counsel, Division of Trading and Markets; or Ellyn S. Roth, Attorney, Office of the General Counsel; Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581, (202) 418–5260, 418–5450, and 418–5120, respectively.

SUPPLEMENTARY INFORMATION:

I. Statutory Background

The Futures Trading Practices Act of 1992, P.L. No. 102–546 (October 28, 1992) (''1992 Act''), added new subsections (c) and (d) to section 4 of the Act. These new provisions authorize the Commission, by rule, regulation, or order, to exempt any agreement, contract or transaction, or class thereof, when entered into between ''appropriate persons'' from the exchange-trading, or any other, requirement of the Act other than section 2(a)(1)(B), 7 U.S.C. 2.[1] Before granting such an exemption, the Commission must determine that its action would be consistent with the public interest and would not have a material adverse effect on the ability of the Commission to discharge its regulatory responsibilities or of any contract market to discharge its self-regulatory responsibilities under the Act.[2]

II. The Petitions for Exemptive Relief

On August 16, 1993, the Commission published in the Federal Register notice of, and a request for comment on, petitions for exemption under section 4(c) of the Act submitted by the CME and the CBT.[3] As detailed in that Federal Register notice, the CME sought an exemption from most of the provisions of the Act and Commission regulations with regard to the purchase and sale of its Rolling Spot™ futures and options contracts. The CBT's petition, submitted on June 30, 1993 (''section 4(c) petition''), and subsequently joined by the New York Mercantile Exchange (''NYMEX''),[4] requested that the Commission establish a ''professional trading market exemption'' from most of the provisions of the Act and regulations for trading in any instrument of the CBT and other boards of trade, including those designated previously as contract markets by the Commission. Under both petitions, trading in exempted instruments would have been limited to certain participants, and trades would have been cleared through an exchange clearing system approved by the Commission.

The substance of the comments on the petitions is discussed in the Notice of Proposed Rulemaking, 59 FR 54139 at 54140–54141 (Oct. 28, 1994). The CBT, as part of its comments responding to the Notice of Proposed Rulemaking, offered several amendments to its section 4(c) petition. Of these, the most notable would limit the transactions eligible for exemptive relief to ''swap agreements'' as defined by Commission Rule 35.1(b).[5]

III. The Proposed Rules

In light of the comments received on the exchange petitions, and based on its own analysis, the Commission proposed a new Part 36 of its rules.[6] The proposed rules would establish a pilot program to provide more streamlined procedures for listing new exchange-traded products and greater flexibility in the trading procedures for those products, the offer and sale of which would be limited to specified categories of individuals or entities. In addition, the proposed rules would provide greater flexibility to qualified market users in certain areas, particularly relating to registration and account opening procedures.

A. Duration and Scope of Exemption

The Commission proposed to implement these rules under the framework of a three-year pilot program, providing the exchanges and the Commission an opportunity to test whether actual trading under the proposed rules, in fact, was, and remained, in the public interest, and to determine the effect of such trading on the integrity of the marketplace as a whole. The Commission specifically requested comment on the concept and feasibility of such a pilot program. Given the pilot nature of this program, the Commission also proposed that the exemption could be revoked at any time, following notice and an opportunity for hearing, upon a determination that the continued operation of the exemption was no longer consistent with the public interest.

With regard to the scope of the exemption, proposed section 36.1(b) provided that boards of trade listing section 4(c) contract market transactions for trading would be deemed to be ''contract markets'' which must comply with all provisions of the Act and

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[1] Section 2(a)(1)(A) of the Act grants the Commission exclusive jurisdiction over ''accounts, agreements (including any transaction which is of the character of * * * an 'option' * * *), and transactions involving contracts of sale of a commodity for future delivery traded or executed on a contract market * * * or any other board of trade, exchange, or market. * * *'' 7 U.S.C. 2. The CEA and Commission regulations require that transactions in commodity futures contracts and commodity option contracts, with narrowly defined exceptions, occur on or subject to the rules of contract markets designated by the Commission.

Specifically, Section 4(c)(1), 7 U.S.C. 6(c)(1), provides:

In order to promote responsible economic or financial innovation and fair competition, the Commission by rule, regulation, or order, after notice and opportunity for hearing, may (on its own initiative or on application of any person, including any board of trade designated as a contract market for transactions for future delivery in any commodity under section 5 of this Act) exempt any agreement, contract, or transaction (or class thereof) that is otherwise subject to subsection (a) (including any person or class of persons offering, entering into, rendering advice or rendering other services with respect to, the agreement, contract, or transaction), either unconditionally or on stated terms or conditions or for stated periods and either retroactively or prospectively, or both, from any of the requirements of subsection (a), or from any other provision of this Act (except Section 2(a)(1)(B)), if the Commission determines that the exemption would be consistent with the public interest.

[2] Specifically, Section 4(c)(2), 7 U.S.C. 6(c)(2), states:

The Commission shall not grant any exemption under paragraph (1) from any of the requirements of subsection (a) unless the Commission determines that—

(A) The requirement should not be applied to the agreement, contract, or transaction for which the exemption is sought and that the exemption would be consistent with the public interest and the purposes of this Act; and

(B) the agreement, contract, or transaction—

(i) will be entered into solely between appropriate persons; and

(ii) will not have a material adverse effect on the ability of the Commission or any contract market to discharge its regulatory or self-regulatory duties under this Act.

[3] 58 FR 43414 (Aug. 16, 1993); 58 FR 44402 (Aug. 20, 1993) (correction); 58 FR 52948 (Oct. 13, 1993) (extension of comment period to Dec. 15, 1993).

[4] By letter dated September 20, 1994, subsequent to the close of the comment period, the NYMEX joined in the CBT's petition.

[5] *See* Comment letter of the Board of Trade of the City of Chicago, dated December 13, 1994.

[6] 59 FR 54139 (Oct. 28, 1994); 59 FR 64359 (Dec. 14, 1994) (extension of comment period to January 31, 1995).

Commission regulations, except for those provisions which are ''specifically inconsistent'' with the proposed rules. Transactions in these instruments were proposed to be limited to ''eligible participants,'' the definition of which was based upon the list of ''appropriate persons'' set forth in section 4(c)(3) (A) through (J) of the Act, with certain revisions tailored to this particular market and reflecting the Commission's experience in applying similar concepts in the context of other exemptions. In this regard, the Commission asked commenters to address the issue of whether certain of the proposed revisions should be applied to the Commission's previously-granted exemption under Part 35,[7]as well.

Proposed section 36.2 limited the potential breadth of the exemption, specifying that section 4(c) contract market transactions must be: (1) cash-settled, or that delivery be by ''means other than the transfer or receipt of any commodity, except a major foreign currency;'' (2) cleared through a clearing organization subject to Commission oversight; and, (3) based on commodities other than the agricultural commodities enumerated in section 1a of the Act, except for a broad-based index thereof. Proposed section 36.2(a)(4) further would have limited section 4(c) contract market transactions to those transactions which could ''reasonably be distinguished'' based upon the contract's hedging function or pricing function from futures or option contracts already designated by the Commission at the time of application to trade a section 4(c) contract market transaction.[8] Finally, any transaction subject to section 2(a)(1)(B) of the Act, 7 U.S.C. 2, including stock index futures contracts, was proposed to be excluded from the scope of the exemptive rules.

B. Trading Rules and Procedures

Section 36.3 proposed to permit section 4(c) contract markets greater flexibility in trading procedures and systems and to establish a streamlined procedure for Commission review of the contract market rules implementing those procedures. As proposed, section 36.3 would have permitted significant flexibility for trading procedures and systems. In particular, by permitting upstairs or other forms of off-floor execution if certain broad criteria were met, the proposed rule departed profoundly from current regulatory constraints. The limiting criteria included: meeting certain Commission recordkeeping and audit trail requirements; maintaining customer protection standards under Commission Rules 155.2, 155.3, and 155.4, to the extent applicable; providing for post-trade transparency of the transactions, including specified reporting requirements identifying section 4(c) contract market transactions from non-section 4(c) contract market transactions; and clearing such transactions on the same schedule as products traded on non-section 4(c) contract markets. Further, any submission made under the proposed rule would have been required to describe fully the contract market procedures and systems to assure compliance with sections 4b and 4c(a) of the Act, which prohibit the abuse of customer orders. Such abuses include frontrunning customer orders, misuse of information, wash sales and fictitious trades. Procedurally, the Commission proposed that such trading rules be submitted for its review prior to being put into effect. Absent notification to the contrary, these rules would become effective ten days after receipt.

C. Listing Procedures

The Commission proposed that section 4(c) contract market transactions be listed for trading ten days after submission to the Commission of their terms and conditions, unless the Commission notified the board of trade in writing during that period that the transactions did not meet the conditions specified by the rules. In that event, the terms and conditions of the transaction would be subject to the usual rule approval procedures under section 5a(a)(12)(A) of the Act.

D. Reporting Requirements

The Commission proposed that, in lieu of its current reporting requirements under Parts 16–19 of its rules, section 4(c) contract markets, futures commission merchants (''FCMs''), and large traders comply with reporting requirements specifically geared toward these markets. Most notably, in addition to publishing daily information on total open interest, transactions, and prices for each commodity or type of contract, the Commission proposed that section 4(c) contract markets provide open interest and transaction information for each clearing member similar to that required under current Rule 16.00. However, although required to be maintained in a manner that is readily accessible, contract markets would be required to supply information concerning large traders conducting section 4(c) contract market transactions only on call by the Commission. The actual frequency of those reports would be determined based upon market developments.

E. Special Temporary License, Registration or Principal Listing Procedures; Risk Disclosure Requirements

The Commission also proposed, in section 36.6, to allow special registration procedures for persons associated with an FCM or introducing broker (''IB'') whose activities were limited to instruments specified by the Commission in an Appendix to Part 36. These special procedures would be established upon the petition of a contract market and under approved procedures of the National Futures Association (''NFA''). The Commission noted in the Notice of Proposed Rulemaking that particular areas of flexibility in the registration process might include the waiver of NFA's fingerprint requirement and acceptance of alternative proficiency tests. With regard to risk disclosure, the Commission proposed, when accounts for section 4(c) contract market transactions were opened, allowing the use of disclosure statements appropriate to a customer's expertise and financial capacity and tailored to a particular product. This disclosure requirement would have replaced the basic risk disclosure statements generally required when opening accounts. *See, e.g.,* Commission Rules 1.55, 1.65, 33.7, and 190.10.

[7] Part 35 of the Commission's rules exempts swap agreements, as defined in Section 35.1(b), from,

all provisions of the Act (except * * * Sections 2(a)(1)(B), 4b, and 4o of the Act and § 32.9 of this chapter * * *, and the provisions of Sections 6(c) and 9(a)(2) of the Act to the extent these provisions prohibit manipulation of the market price of any commodity in interstate commerce or for future delivery on or subject to the rules of any contract market), provided the following terms and conditions are met:

(a) the swap agreement is entered into solely between eligible swap participants * * *;

(b) the swap agreement is not part of a fungible class of agreements that are standardized * * *;

(c) the creditworthiness of any party having an actual or potential obligation under the swap agreement would be a material consideration * * *; and

(d) the swap agreement is not entered into and traded on or through a multilateral transaction execution facility.

[8] As proposed, Section 36.2(a)(4) specifically identified the following as eligible Section 4(c) contract market transactions: flexible commodity options (which trade under contract market option rules, but are not separately designated); contracts in foreign currency known as Rolling Spot™ Contracts; five- and ten-year interest rate swaps contracts; and foreign currency forward futures contracts and options thereon.

F. Fraud and Manipulation in Connection With Section 4(c) Contract Market Transactions

Finally, the Commission proposed that section 4(c) contract market transactions be subject to the anti-fraud proscriptions of sections 4b(a) and 4*o* of the Act, those provisions of sections 6(c), 6(d), and 9(a) of the Act that prohibit price manipulation, and Commission Rules 33.9 and 33.10, which prohibit fraudulent conduct and price manipulation in connection with commodity option transactions. The Commission also proposed to include in Part 36 a free-standing anti-fraud rule modeled after Commission Rule 33.10, the anti-fraud rule applicable to exchange-traded commodity options, and requested comment on the need for a free-standing anti-manipulation rule. In this regard, the Commission specifically requested comment on whether such stand-alone anti-fraud and anti-manipulation rules were appropriate and whether the swaps exemption also should be amended to include similar rules.

IV. Comments Received

The Commission received 34 comment letters from 29 different commenters[9] in response to its Notice of Proposed Rulemaking. The commenters included: four futures exchanges; two clearing organizations; a securities exchange; seven trade associations; four federal regulatory agencies; a Commission Administrative Law Judge; three bar association committees; two industry lawyers; three investment firms; and two other futures professionals.

The comments carefully analyzed the proposed rules and many responded to the specific questions raised by the Commission. The vast majority of the commenters favored the general concept of the proposed rules, although many recommended clarifications, revisions or modifications to particular provisions. Several industry associations, a state bar association subcommittee, and others, in supporting the proposal, opined that introducing these changes through the framework of a pilot program would be a prudent step toward accommodating and meeting changes that are occurring in the traditional markets.

In this regard, one commenter noted that this proposal is consistent with the Commission's sustained efforts to enhance the competitiveness of the U.S. futures markets. A second commenter noted favorably that the proposal recognizes that certain sophisticated market participants, although enjoying the benefits and enhanced safety of exchange trading, do not necessarily require the full panoply of protections and regulatory provisions.

Significantly, the NYMEX, a futures exchange which joined in the original CBT section 4(c) petition, stated its belief that the structure of the program set forth by the Commission generally strikes the correct balance for establishing an exempt exchange-style market. In its view,

> [s]everal of the areas from which the Commission declined to grant exemptive relief are areas that * * * require regulation in the context of an exchange-traded marketplace, where participants are brought together in a blind-match system and the clearinghouse provides the ultimate source of credit and financial backing.

Other commenters, including, in particular, the other futures exchanges which commented on the proposal, were of the opinion that the Commission did not go far enough in extending relief under the proposed rules, particularly in light of the restrictions on market access. The CME commented, in particular, that the proposed scope of the exemption was too narrow to allow U.S. futures exchanges to compete effectively against over-the-counter (''OTC'') markets and foreign futures exchanges.

One commenter, a commodity trading advisor (''CTA''), urged the Commission to consider expanding the proposed relief to reduce any unwarranted regulatory costs that might be imposed on an exchange-style swaps trading and clearing facility. A futures industry trade association noted that the proposed Part 36 rules would provide relief predominately in the relatively narrow context of trading practices, and recommended that the Commission consider implementing broader exemptive relief for institutional users of the futures markets.

Finally, certain government regulators commenting on the proposed rules, although generally urging caution, recognized that a pilot program was an appropriate framework for proceeding. In particular, the Board of Governors of the Federal Reserve System (''Federal Reserve Board'' or ''Board'') noted that it supported the Commission's use of its authority to grant exemptions to classes of products and market participants for which many of the Act's requirements are unnecessary or burdensome. The Board further stated, however, that exemptions of the breadth contemplated by the exchange petitions could have unintended effects on market integrity, and urged the Commission to take a cautious approach in applying its exemptive authority to exchange-traded instruments.

The Securities and Exchange Commission (''SEC'') also urged caution, stating that although the SEC would not support every element of proposed Part 36, a pilot program would offer the Commission an opportunity to evaluate the entire Part 36 approach in a controlled environment. The United States Department of Labor (''Department of Labor'') stressed that, although the Department of Labor believed that the exemption, as proposed, raises several issues regarding ERISA plan investment in the exempted transactions, by purchasing contracts covered by this exemption rather than over-the-counter (OTC) contracts, plan fiduciaries may secure additional protection for plan assets. The Pilot program would offer several of the advantages of OTC transactions, while operating in an exchange-type environment with its clearinghouse function, transparent pricing, reporting requirements, daily settlement, heightened liquidity and reduced credit risk.

In general, although opinion was divided between those commenters who urged caution in proceeding and those who urged the Commission to provide greater regulatory relief, few, if any, were of the opinion that the Commission should refrain from according some form of the proposed relief to markets that limit access to eligible participants. Based upon the agreement of the commenters that the proposed exemption's general direction was correct, the Commission is promulgating final rules adding a new Part 36. These final rules establish a three-year pilot program to permit limited-access contract markets which have differing regulatory requirements, tailored to the nature of the market's participants. However, based upon its careful consideration of all of the comments received, and particularly in light of the many comments received raising technical issues or making specific recommendations regarding various of the proposed rules, the Commission has determined to make various modifications to the proposed rules. These specific modifications are highlighted below, along with a discussion of the corresponding public comment.

[9] Morgan Stanley & Co., Inc. (''Morgan Stanley''), the Securities and Exchange Commission (''SEC''), and the Futures Industry Association (''FIA'') each sent two letters, one on Part 36 and one on Part 35; the CBT sent three.

V. Final Rules

A. Duration and Scope of Exemption

1. Pilot Program

A key feature of the Commission's proposal was its implementation as a three-year pilot program, beginning when the first contract trades pursuant to these rules. *See* Proposed section 36.1(a). The Commission noted that a pilot program would provide an opportunity to test the operation of the exemption, determine the effect of section 4(c) contract market transactions on the integrity of the marketplace as a whole, and determine whether continued trading under the exemption would be in the public interest. The Commission further noted in the Notice of Proposed Rulemaking that it and other agencies had successfully used the concept of a pilot program. For example, the Commission used a pilot program to reintroduce exchange-traded commodity options.[10]

Most commenters supported the concept of implementing the Part 36 exemption provisions on a trial basis. Many agreed with the Commission's reasoning that a pilot program would allow the exchanges to test the operation of the exemption, while also allowing the Commission to assess the impact of the exemption on the operation of the markets as a whole. Some commenters stated that, in light of the legitimate potential regulatory concerns in exempting exchange-traded transactions from substantive provisions of the Act, the use of a pilot program would be an appropriate means of encouraging market innovation without limiting the Commission's ability to add later limitations or modifications as needed to maintain market integrity.

While generally endorsing the concept of a pilot program, several commenters asked the Commission to clarify that ongoing trading activity would not terminate automatically at the end of the three-year period and to clarify the effect on outstanding section 4(c) contract market transactions should it determine to terminate the pilot program. These commenters noted that section 4(c) contract market transactions could be listed for maturities of five years or longer. Market participants, they reasoned, would not be comfortable trading these new instruments if trading possibly could be suspended or terminated prior to the instruments' maturity, leaving no opportunity to unwind open positions. These commenters suggested that the Commission begin its evaluation during the probationary three-year period to avoid any potential disruptions in an established market, and, if the program were not made permanent, provide a mechanism for a smooth transition into the traditional contract market framework. Finally, one commenter suggested that the Commission clarify the criteria it plans to use in evaluating the success of the pilot program.

The Commission continues to believe that the introduction of section 4(c) contract markets on a pilot basis is appropriate. As the Commission stated previously, the trial nature of this program reflects the Commission's belief that the exemption constitutes a significant departure from the regulatory scheme under which futures and option contracts have been trading for over 70 years. The pilot program will enable the Commission to obtain market experience on which to base any permanent program. A pilot program also will permit the Commission to make modifications or adjustments consistent with the program's trading and regulatory experience.

Since section 4(c) contract market transactions might have terms providing for expiration beyond the end of the three-year pilot program, the Commission agrees with the commenters' views on the need for market certainty. Accordingly, the Commission plans to review the program and whether to make it permanent well before the end of the three-year pilot period. As part of its review, the Commission intends to evaluate whether to extend or otherwise alter the exemptive relief granted herein. The Commission also will consider whether to expand the exemptive relief provided by these rules to other transactions or markets. Any Commission decision to terminate the program will be based on a finding that trading in section 4(c) contract market transactions has adversely affected the ability of the Commission to discharge its regulatory responsibilities or the ability of a contract market to discharge its self-regulatory duties under the Act or that a permanent program for such transactions would not be consistent with the public interest and the purposes of the Act. Should the Commission determine to terminate the program, all previously listed section 4(c) contract market transactions would be permitted to continue trading until their expiration; however, no new section 4(c) contract market transactions with more distant expirations could be listed.

2. Scope of the Exemption

a. Scope of the Relief

The Commission set forth the proposed scope of the exemption with respect to section 4(c) contract market transactions in proposed section 36.1(b), stating that each board of trade on which such transactions are traded would be deemed to be a contract market.[11] As such, they would be required to comply with all provisions of the Act and Commission rules, except for those provisions which are ''specifically inconsistent'' with Part 36.[12]

The three petitioning exchanges (CBT, CME and NYMEX) commented that the structure of the proposed exemption created ambiguity with regard to what was included within its scope. The CBT requested that the Commission specify all of the statutory and regulatory provisions superseded by Part 36. In contrast, NYMEX requested that the Commission specify only those sections of the Act and Commission rules to which the section 4(c) exemption would be inapplicable. At a minimum, the CBT suggested that the word ''specifically'' be deleted from the phrase ''specifically inconsistent,'' stating that without that deletion, market participants might be less able to ascertain what legal requirements apply.

The Commission has considered carefully these comments and has determined that the scope of the exemption is generally appropriate, as proposed. If Part 36 does not specifically exempt section 4(c) contract market transactions from a statutory or regulatory provision, there is no exemption from that provision. However, the provisions of Part 36 govern the trading of section 4(c) contract market transactions in the following specified areas: section 36.3 (trading rules); section 36.4 (listing of transactions); section 36.5 (reporting requirements); section 36.6 (registration requirements); and section 36.7 (risk disclosure). Also, section 36.9 provides for anti-fraud and anti-manipulation prohibitions in addition to those

[10] 46 FR 54500 (Nov. 3, 1981).

[11] The Commission's proposal did not limit contract markets eligible to provide a facility for trading in Section 4(c) contract market transactions to current contract markets. New markets wishing to offer a facility for such transactions would be required to comply with those provisions of the Act and Commission rules governing a board of trade seeking an initial designation as a contract market. Accordingly, among other things, a prospective Section 4(c) market must submit all rules relative to matters such as governance, disciplinary and arbitration proceedings, and financial requirements under the current provisions of Section 5a(a)(12) of the Act, 7 U.S.C. 7a(a)(12). 59 FR 54139, 54143, 54144.

[12] 59 FR 54139, 54143, 54151.

applicable to section 4(c) contract market transactions under the Act and Commission Rules 33.9 and 33.10.[13] All other provisions of the Act and Commission rules, including those related to, among other things, segregation of customer funds, adjusted net capital (except for the capital requirements of certain IBs as discussed *infra*), supervision, bankruptcy (see discussion *infra*), exchange emergency actions, reparations proceedings and private rights of action, will continue to apply.

Nevertheless, the Commission, as discussed below, is modifying section 36.3 to provide greater specificity with respect to the trading procedures that are permissible under this exemptive relief. Moreover, in responding to the public comment on the proposed rules, the Commission has provided guidance on the scope and operation of the exemption beyond that which was provided in the Notice of Proposed Rulemaking.

b. Definitions

Several commenters held opposing views regarding the nature of the instruments to be included within the proposed broad definition of ''section 4(c) contract market transaction,''[14] In adopting Part 36, the Commission is exercising its authority under section 4(c) of the Act, 7 U.S.C. 6(c), to exempt certain instruments and transactions from certain provisions of the Act and Commission rules. Accordingly, the proposed definition of ''section 4(c) contract market transaction'' is included to make clear that an election by a contract market to trade an instrument on a section 4(c) contract market pursuant to the Part 36 exemptive system will be deemed to be an election to submit that instrument to the Act and Commission rules in accordance with this Part.[15]

In addition, an industry trade association expressed concern that proposed section 36.1(b) may have created an ambiguity regarding the treatment of these transactions under the United States Bankruptcy Code. According to the commenter, the absence in proposed section 36.1(b) of the words ''designated as'' before the phrase ''a contract market within the meaning of the Act'' could leave open to question the applicability of the special protective provisions[16] of the Bankruptcy Code with respect to commodity broker bankruptcies in the context of section 4(c) contract market transactions.[17]

The Commission intends that its Part 190 Bankruptcy Rules will apply in the context of Part 36.[18] To remove any perceived ambiguity, the Commission is modifying the language of the final rule as suggested by the commenter. Accordingly, the Commission is adding to section 36.1(b) the words ''designated as'' before the phrase ''a contract market within the meaning of the Act.''

c. Eligible Participants

As proposed, the definition of a ''section 4(c) contract market transaction'' included the requirement that an agreement, contract, or transaction be executed by, or on behalf of, an ''eligible participant.'' Proposed section 36.1(c)(2) defined ''eligible participant,'' by setting forth a list of those individuals and entities permitted to trade section 4(c) contract market transactions. This list, with several additions tailored to the operation and structure of this particular market, was modeled on the list of ''appropriate persons'' set forth in section 4(c)(3) (A) through (J) of the Act, and on the definition of ''eligible swap participant'' under Part 35 of the Commission's Rules. However, as proposed, the definition of ''eligible participant'' under Part 36 differed in several respects from the definition of ''eligible swap participant'' under Part 35. The proposed differences related to employee benefit plans, municipalities, and certain types of investment vehicles. The Commission also sought comment on whether the definition of ''eligible swap participant'' under Part 35 should be conformed to the proposed revisions. Many of the comments focused on these proposed revisions, which are discussed in greater detail below.

i. Employee Benefit Plans

As proposed, section 36.1(c)(2)(vii) would have limited employee benefit plans eligible to participate in section 4(c) contract market transactions to those subject to the Employee Retirement Income Security Act of 1974 (''ERISA''), or similar foreign plans, with total assets exceeding $5 million and (rather than the ''or'' provided in section 4(c)(3)(G) of the Act and in section 35.1(b)(2)(vii)) whose investment decisions were made by a bank, trust company, insurance company, investment adviser (''IA'') under the Investment Advisers Act of 1940, or a CTA under the Act.[19] The Commission specifically sought comment concerning whether there is an asset level for an employee benefit plan which should qualify it as an eligible participant irrespective of whether its investment decisions are made by a bank, trust company, insurance company, IA or CTA and whether Part 36 should be conformed to Part 35 in this regard.

Several commenters, including three exchanges, an industry trade association and a bar association committee, stated the view that Part 36 should conform to the existing language of Part 35, so that those currently eligible to participate in swap transactions also could participate in section 4(c) contract market transactions. Moreover, the Department of Labor and the FIA opposed this revision in the proposed rule, reasoning that requiring an employee benefit plan to use a bank, trust company, insurance company, IA or CTA to make its investment decisions with respect to section 4(c) contract market transactions would create burdens for large sophisticated plans that manage plan assets in-house.

The Commission has carefully considered these comments in the context of the Act and Part 35 and does not believe that it should be more difficult for an employee benefit plan to

[13] The remainder of Part 36 sets forth the duration of the exemption (36.1(a)), definitions for purposes of Part 36 (36.1(c)), mandatory conditions and prohibited transactions (36.2) and a procedure for suspension or revocation of the exemption (36.8).

[14] Proposed Section 36.1(c)(1) defined a ''Section 4(c) contract market transaction'' as ''[a]ny agreement, contract, or transaction (or class thereof) entered into on or subject to the rules of a contract market in accordance with the provisions of this Part, and that is executed by a member of the Section 4(c) contract market that is an eligible participant for its own account, or a futures commission merchant or floor broker for its own account or on behalf of an eligible participant.''

[15] Any instrument meeting the criteria of Part 36, except for those specifically excluded thereunder, could be eligible to trade under these rules. *See* H.R. Rep. No. 978, 102d Cong., 2d Sess. 82–83 (1992).

[16] The commenter noted that these provisions are designed to enhance the integrity of the futures markets by preventing the trustee of an insolvent customer or FCM from, among other things, (1) avoiding contractual obligations, (2) rescinding transfers of margins and positions, or (3) impeding the liquidation of defaulted contracts.

[17] *See* 11 U.S.C. 761–766. Presumably, this conclusion could be based upon the Commission's definition of ''commodity contract'' for purposes of its Bankruptcy Rules, which incorporates by reference Section 761(4) of the Bankruptcy Code. *See,* Commission Rule 190.01(g). The Bankruptcy Code defines ''commodity contract'' as a ''contract for the purchase or sale of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade'' (11 U.S.C. 761(4) (A) and (D)) and defines a ''contract market'' as a ''board of trade *designated* as a contract market by the Commission under the Act.'' 11 U.S.C. 761(7) (emphasis added).

[18] *See* 59 FR 54139, 54144.

[19] The Commission's proposed asset floor for an eligible employee benefit plan in this context, $5 million, was five times the $1 million asset floor for an employee benefit plan set forth in section 4(c)(3)(G) of the Act, but the same as specified under the Part 35 swaps exemption.

participate in a transaction under Part 36 than in an exempt swap transaction under Part 35. In adopting section 36.1(c)(2)(vii), therefore, the Commission is substituting the word ''or'' for the proposal's ''and.'' Accordingly, employee benefit plans with total assets exceeding $5 million will not be required to have their investment decisions with respect to section 4(c) contract market transactions made by a bank, trust company, insurance company, IA or CTA.

The Department of Labor also objected to the level of the asset floor set forth in proposed Rule 36.1(c)(2)(vii). Although it recognized that this threshold is five times that set forth in section 4(c)(3)(G) of the Act, it stated its belief that $5 million is too low a threshold to be an accurate gauge of sophistication or understanding of complex financial instruments. The Department recommended that the asset floor for an employee benefit plan be $50 million if an outside investment advisor is used and $100 million, otherwise. The SEC, without setting forth a specific dollar amount, also advocated a substantially higher threshold.

The Commission has carefully considered these comments, but does not believe that it is appropriate to make the threshold amount higher for section 4(c) contract market transactions than for OTC transactions exempted under Part 35. However, it should be emphasized that Rule 36.1(c)(2)(vii) sets forth *minimum* standards for eligibility. As the administrator of ERISA, the Department of Labor can establish a higher, controlling standard of eligibility for participation in section 4(c) contract market transactions by employee benefit plans subject to ERISA.[20]

ii. Municipalities

In proposing section 36.1(c)(2)(viii), the Commission questioned whether municipalities should be included as eligible participants and, if so, whether any limitations on their participation would be appropriate. All of those commenting on the issue, except for the SEC, strongly supported the proposed inclusion of municipalities as eligible participants without limitation. An association of state and local government finance officials opined that, although certain government entities have experienced trading losses, municipalities as a class are no more or less sophisticated than other types of eligible investors.[21] Several commenters further reasoned that limitation of the investment authority of municipalities is a function more appropriately reserved to the various states. In contrast, the SEC expressed concern that there are no qualifying standards for municipalities, noting that municipalities are not included in the definitions of ''qualified institutional buyer'' under SEC Rule 144A or ''accredited investor'' under SEC Regulation D.[22]

After carefully considering the comments, the Commission is persuaded that, as a matter of state/Federal comity, it should continue to refrain from precluding the participation of municipalities in exempt transactions. This policy applies both to section 4(c) contract market transactions and to exempt swap agreements under Part 35 of the Commission's rules. Accordingly, the Commission is adopting section 36.1(c)(2)(viii) as proposed.

Nevertheless, the Commission has emphasized in several reports, Congressional testimony and administrative proceedings, that all institutions, including municipalities, need to establish and implement strong internal controls and risk management practices with respect to financial market transactions. The Commission also notes that representatives of the President's Working Group on Financial Markets[23] have met with representatives of various state and local government associations to discuss sharing and disseminating information on appropriate investment guidelines for governmental entities, and to promote their use. The Commission and its staff stand ready to meet with such associations or any other appropriate entity to pursue the development of such guidelines or to otherwise provide information concerning risk management practices relevant to the exchange markets subject to its supervision. The Commission also will provide further guidance on the responsibilities of FCMs for supervision of such accounts.

iii. Other Entities

Proposed Part 36 specifying the list of eligible participants for section 4(c) contract market transactions also included certain technical or clarifying changes from that used in defining eligible swap participants under Part 35. Many, if not all, commenters were of the view, however, that conformity between the two exemptions should be maintained, to the greatest degree possible. In light of these views, the Commission, in adopting section 36.1(c)(2) has attempted to conform the substance, and the language, of Part 36 to that of Part 35, wherever possible. In a few instances, however, the final Part 36 rules do not mirror precisely their counterparts in Part 35.

For example, as proposed, section 36.1(c)(2)(iv) required that to be an eligible participant, investment companies be *regulated* under the Investment Company Act of 1940 (''ICA'') or subject to foreign regulation, provided that such investment company was not formed solely for the purpose of constituting an eligible participant and has total assets exceeding $5 million. This proposed rule differs from its Part 35 counterpart defining investment companies as eligible swap participants by including a $5 million asset floor and by the language requiring that the investment company be *regulated* under the ICA, rather than *subject* to regulation.[24]

In adopting section 36.1(c)(2)(iv), the Commission has modified the proposal to refer to investment companies *subject to regulation* under the ICA, more closely conforming the provision to its Part 35 counterpart.[25] This modification

[20] An association representing state and local finance officers requested clarification whether proposed Section 36.1(c)(2)(vii) included both private and public employee benefit plans. In adopting Section 36.1(c)(2)(vii), the Commission notes that the rule includes the phrase ''subject to ERISA.'' Because ERISA does not cover public employee benefit plans, such plans are not encompassed in Section 36.1(c)(2)(vii), but rather would be included under Section 36.1(c)(2)(viii), as an instrumentality, agency or department of a governmental entity or subdivision, thereof. *See* note 22 *infra*.

[21] Orange County, California, recently suffered trading losses of approximately $1.7 billion, primarily from transactions in government securities and governmental agency obligations and declared bankruptcy in December 1994. The commenter noted, in this regard, that Orange County would have been considered a sophisticated investor by any common measure.

[22] 17 CFR 230.144A and 230.501(1995), respectively. However, any plan established and maintained by a state, its political subdivisions, or any agency or instrumentality of a state or its political subdivisions, for the benefit of its employees, shall be deemed a ''qualified institutional buyer'' if it owns at least $100 million in securities of issuers that are not affiliated with the plan, and shall be deemed an ''accredited investor'' if it has total assets in excess of $5 million. 17 CFR 230.144A(a)(1)(i)(D) and 230.501(a)(1)(1995), respectively.

[23] The Working Group includes the Secretary of the Department of the Treasury and the Chairs of the Federal Reserve Board, the SEC and the CFTC.

[24] *Compare* proposed 36.1(c)(2)(iv) with Section 35.1(b)(iv).

[25] The Commission is also adopting similar conforming changes to the language of Section 36.1(c)(2)(v), relating to commodity pools. Specifically, the language requiring that, to be an eligible participant, a commodity pool be formed and operated by a person *regulated* under the Act, is being modified to read *subject to regulation*. The remaining conditions, that the commodity pool is not formed solely for the purpose of constituting an

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will permit hedge funds,[26] which although subject to the ICA are generally excluded from regulation under it, to qualify as eligible participants. The $5 million asset floor, however, which applies to commodity pools under both Part 36 and Part 35,[27] is being adopted under section 36.1(c)(2)(iv).[28] In all other respects the substance of section 36.1(c)(2)(iv), as adopted, conforms to its counterpart under Part 35.

The provisions of proposed section 36.1(c)(2)(vi), which would apply to a corporation, partnership, organization, trust, or other entity, would have required that such an entity not be formed solely for the purpose of constituting an eligible participant, and have either (1) assets exceeding $10 million, or (2) a net worth of $1 million and that the transaction be entered into in connection with the conduct of the entity's business or to manage the risk of an asset or liability owned or incurred in the conduct of the entity's business or reasonably likely to be owned or incurred in the conduct of its business. The proposed Part 36 rule differed from the Part 35 provision in two respects. First, proposed section 36.1(c)(2)(vi) did not include a provision similar to that of section 35.1(b)(2)(vi), which permits the entity to be an eligible swap participant by obtaining a guarantee of the obligation of the party under the swap agreement in lieu of meeting the $10 million asset test. However, because all section 4(c) contract market transactions will be guaranteed by a clearing organization, the ability to obtain a guarantee is not a measure of counterparty creditworthiness, and hence the alternative guarantee test of swap eligibility is inapplicable to section 4(c) contract market transactions. Accordingly, the final Part 36 rule continues, as proposed, to differ in this respect from Part 35.[29]

The second difference between the proposed Part 36 rule and its Part 35 counterpart was a clarification in section 36.1(c)(2)(vi) that commodity pools, investment companies or hedge funds qualify for exemptive relief under the specific eligibility provision applicable to them, and not under the more general provision of subsection (vi). The Commission's inclusion of the phrase ''other than a commodity pool or other collective investment vehicle'' in proposed subsection (vi) was a technical clarification, and was not intended as a substantive change to the exemptive framework.

However, in order to maintain consistency between the language of Parts 36 and 35 to the greatest degree possible, the Commission is not including this additional, clarifying language in section 36.1(c)(2)(vi). Nevertheless, the Commission intends that to be deemed an eligible participant in a section 4(c) contract market transaction, an investment company or a hedge fund must qualify under section 36.1(c)(2)(iv), and a commodity pool must qualify under section 36.1(c)(2)(v). The Commission interprets Part 35 similarly, so that to qualify as an eligible swap participant, an investment company or hedge fund must meet the standards of section 35.1(b)(2)(iv), and a commodity pool must meet the standards of section 35.1(b)(2)(v). These specific provisions are the only avenues through which a commodity pool, investment company or hedge fund can qualify as an eligible participant for section 4(c) contract market transactions under Part 36, or as an eligible swap participant under Part 35.[30]

B. Conditions on Transactions Which Are Included Under Part 36

As summarized above, transactions included within the proposed Part 36 exemption were required to meet a number of additional conditions. Specifically, proposed section 36.2 required that section 4(c) contract market transactions provide for cash settlement, be cleared through a clearing organization, not involve domestic agricultural commodities, not involve a previously designated futures or option contract, and not involve futures or option contracts subject to the provisions of section 2(a)(1)(B) of the Act. The comments submitted on each of these conditions are discussed below.

1. Cash Settlement

The Coffee, Sugar & Cocoa Exchange, Inc. (''CSCE'') objected to the requirement as proposed in section 36.2(a)(1) that the settlement or delivery of section 4(c) contract market transactions be in cash or by means other than transfer or receipt of a commodity. The CSCE opined that requiring cash settlement would limit section 4(c) contract market transactions to economically inferior contracts in those instances where a physical delivery contract may be superior to a cash settled contract. The CSCE further reasoned that because access to section 4(c) contract markets is limited to sophisticated traders, who presumably have greater familiarity with the procedures for making or taking physical delivery, there is less reason to restrict the availability of physical delivery contracts under the exemption.[31]

The Commission disagrees with this view. To the contrary, the Commission notes that, in its experience, most surveillance problems have arisen in the context of market congestion relating to the delivery of physical commodities. Generally, in order to minimize the possibility of market congestion or manipulation, the Commission evaluates the adequacy of deliverable supplies and delivery procedures during its review of contract market

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eligible participant and has total assets exceeding $5 million are already consistent with Part 35, and are being adopted as proposed.

[26] The term ''hedge fund'' is now commonly used to refer to a wide array of private collective investment vehicles, usually organized as limited partnerships and organized so as to avoid the application of most securities laws.

[27] *See,* 17 CFR 35.1(b)(2)(v) (1995).

[28] The $5 million asset floor being adopted under Section 36.1(c)(2)(iv) will apply to hedge funds even though there is no comparable requirement for eligibility under Part 35. The Commission believes, however, that this slight difference in the definitions will not disadvantage any hedge funds seeking to participate in Section 4(c) contract market transactions and provides for consistent treatment under Part 36 for commodity pools and hedge funds with respect to the imposition of an asset floor.

[29] The proposed rules also differed from Part 35 to the extent they did not impose specific financial requirements on floor brokers and floor traders. Such requirements were not imposed based on the Commission's understanding that any floor broker or floor trader would, by necessity, be a member in good standing of the 4(c) contact market whose transactions thereon would be guaranteed by an exchange clearing member. The Commission's understanding in this regard was confirmed by one exchange. A second exchange expressed its view that exchange rules adequately address such financial matters. Accordingly, at this time, the Commission sees no need to impose explicit clearing member guarantee or financial requirements on floor brokers and floor traders.

[30] Section 36.1(c)(2)(vi) cannot be used to abrogate the limits on commodity pool or other collective investment vehicle eligibility. Section 36.1(c)(2)(vi)(B) and (C) only apply to an entity engaged in risk management or commercial conduct that has a principal business other than serving as a passive investment vehicle and is not intended to be available to passive investment vehicles like commodity pools, investment companies or hedge funds. *See also,* Section 35.1(b)(2)(vi)(C).

[31] A commenter stated that a physical delivery commodity futures contract, in fact, may require that certain documents, rather than the actual commodity itself, be transferred at the time of delivery. The commenter noted that these documents create a subsequent contractual agreement to deliver the physical commodity and therefore such contracts should be eligible to trade as Section 4(c) transactions. The Commission disagrees. Most ''physical delivery'' contracts provide for the transfer of documents (*e.g.,* warehouse receipts, shipping certificates, vault receipts, etc.) as part of the delivery process. However, the ultimate satisfaction of such contracts is by physical delivery of the commodity pursuant to exchange-specified rules. Thus, the fact that documents are transferred as a means of executing the delivery process does not qualify such contracts for Section 4(c) transactions, because settlement ultimately would *not* be in cash or means other than transfer or receipt of a commodity, as required by Rule 36.2(a)(1).

applications for designation. Section 4(c) contracts, however, will not be required to undergo such a review process. Accordingly, the Commission believes that restricting eligible section 4(c) contract market transactions to those that do not involve physical delivery of a commodity is a prudent measure to mitigate concerns regarding the delivery process and deliverable supplies. That is not to say, however, that after gaining experience with the trading of section 4(c) contract market transactions during the pilot program, the Commission will not revisit this issue for all, or certain classes of, commodities.

The proposed limitation on the physical delivery of commodities on section 4(c) contract market transactions did contain an exception for the physical delivery of a ''major foreign currency.'' The CME suggested that the restriction of this exception to ''major'' foreign currencies should be removed from the final regulations. It reasoned that the need for risk management by participants in markets for many of the ''non-major'' currencies is as great, if not greater, than in the major currency markets. In its view, the rule, at a minimum, should be revised to clarify the meaning of ''major currency,'' a term otherwise undefined in the proposed rules. The CME suggested that ''major'' currencies include all currencies for which there are no legal impediments to delivery or cash settlement and in which a sufficiently liquid spot market exists.

The Commission disagrees with the commenter that physical delivery should be permitted on a section 4(c) contract market for any foreign currency, no matter how thin its cash market. To the contrary, the cash market for a foreign currency must be sufficiently liquid and unimpeded by legal restraints to permit its ready delivery. Otherwise, the contract would be susceptible to manipulation, price distortion or default. Indeed, it was based upon this reasoning that the Commission initially proposed to limit the exception to physical delivery of ''major foreign currencies.''

However, the Commission agrees that the proposed rule's use of the undefined term ''major currency'' needs clarification. The final rule, therefore, substitutes the descriptive criteria suggested by the commenter for the term ''major currency.'' That is, physical delivery is permitted in section 4(c) contract market transactions for foreign currencies which have no legal impediment to such a delivery and for which there exists a sufficiently liquid cash market.

2. Clearing and Related Financial Integrity Issues

a. Clearing

Because the exemption deems all section 4(c) contract markets to be designated as contract markets, the Commission also proposed to require that section 4(c) contract markets maintain a clearing facility subject to Commission oversight, and that the rules of the clearing organization be submitted to the Commission for approval pursuant to section 5a(a)(12)(A) of the Act.[32] The Philadelphia Stock Exchange (''PHLX''), commented that the Commission should apply this requirement ''flexibly.'' According to the PHLX, the Commission should permit, for example, transactions cleared by a registered securities clearing agency pursuant to a comparable regulatory scheme.

As the Commission noted in its Notice of Proposed Rulemaking, in proposing these rules it did not intend:

> to limit contract markets in section 4(c) contract market transactions to current contract markets or exchanges. In order to qualify, such an entity would be treated similarly to a board of trade seeking an initial designation as a contract market.

59 FR at 54144. Nevertheless, the Commission believes that all section 4(c) contract markets should be subject to direct Commission oversight and enforcement of all of the self-regulator's rules, particularly those regarding the financial integrity of the transactions. Accordingly, although a clearing agency registered under a comparable regulatory scheme such as that administered by the SEC would be eligible to clear section 4(c) contract market transactions under Part 36, the entity would, nonetheless, also be required to qualify as a clearing organization under the CEA and Commission rules, clear for a board of trade which has been designated as a section 4(c) contract market, and submit its rules for approval to the Commission pursuant to section 5a(a)(12)(A) of the Act.

In addition to those questions relating to the clearing of section 4(c) contract market transactions,[33] several commenters raised a variety of issues relating to the financial integrity requirements applicable to all designated contract markets. Under the proposed pilot program, these financial integrity requirements would be applied to section 4(c) contract markets. Commenters noted that the Commission did not propose, in the context of this section 4(c) exemption, any modifications to these requirements and requested various forms of relief.

b. Segregation of Customer Funds

For example, the CME, both in its petition and in its comments on proposed Part 36, asserted that the requirement of Commission Rule 1.20 to segregate all customer funds is not necessary to ''the smooth and safe functioning of the Rolling Spot Futures Contracts.''[34] However, segregation of customer funds is a cornerstone of the Commission's customer protection and financial integrity framework. In light of its importance to safeguarding customer funds, the Commission is not prepared to grant relief from the segregation requirement.

The CBT requested that the Commission grant an exemption for section 4(c) contract market transactions from Commission Rule 1.25, which the CBT describes as a rule prohibiting an FCM from investing customer funds in anything other than U.S. government securities.[35] The CBT views the permissible investments under Rule 1.25 as unduly restrictive and stated that there are other liquid investments, such as corporate investment grade bonds, that would be safe, appropriate investments of customer funds. The CBT stated that exchanges should be allowed to determine how customer funds deposited with an FCM in connection with trading on these exempt markets can be invested.[36]

[32] The term ''contract market'' includes a clearing organization that clears trades for the contract market. Commission Rule 1.41(a)(3).

[33] The CME suggested that the Commission permit the clearing of Part 36 transactions on a faster schedule or otherwise in a more innovative fashion than that provided for traditional designated contract markets. This issue is discussed below, as it relates to trading rules. As a general matter, however, the Commission believes that, for all markets, whether traditional or exempt under Part 36, an expeditious clearing system, by reducing the time during which transactions are unsettled and the parties at risk, is crucial to minimizing systemic risks. Accordingly, although Section 4(c) transactions generally may be part of the same clearing regimen as non-exempt transactions, nothing in the Part 36 rules would prohibit faster or more innovative clearance of these instruments.

[34] 58 FR 43424–25.

[35] In fact, Rule 1.25 also permits customer funds to be invested in certain municipal securities, subject to staff interpretations that such investments must be liquid. Rule 1.25 provides in pertinent part that ''[n]o [FCM] and no clearing organization shall invest customer funds except in obligations of the United States, in general obligations of any State or any political subdivision thereof, or in obligations fully guaranteed as to principal and interest by the United States.'' *See also* CFTC Interpretative Letter No. 86–21, [1986–1987 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶23,266 (Sept. 17, 1986).

[36] As an alternative to exemption from Rule 1.25, the CBT suggested that the Commission specify an expanded range of permissible investments of customer funds. If this approach were adopted, the

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The Commission believes that it is inappropriate to grant the requested relief from Rule 1.25 at this time. That rule derives from the statutory limitations set forth in the final proviso of section 4d(2) of the Act. The investment limitations are intended to assure that the pool of customers' funds remains safe, liquid and available for distribution to customers on demand or, following an FCM's bankruptcy, to facilitate transfers to another firm should that become necessary.

The Commission envisions that customer funds related to section 4(c) contract market transactions will be commingled with other customer funds in a combined pool of segregated funds and would be treated as funds of customers involved in traditional futures contracts in the event of an FCM's bankruptcy. Therefore, it is inappropriate and impracticable to apply provisions different from the general provisions of section 4d(2) of the Act and Commission Rules 1.20–1.30, 1.32 and 1.36 concerning segregation of customer funds to section 4(c) contract market transactions. However, as a consequence of the failure of Barings PLC, the Commission, joined by regulators and self-regulators worldwide, currently is reviewing the safeguarding of customer funds, both domestically and internationally, to determine if statutory or regulatory changes are appropriate.

Two commenters also suggested that required subordination agreements relating to customer funds held in foreign depositories be limited. In 1988, the Division of Trading and Markets issued Financial and Segregation Interpretation No. 12 to permit funds of United States-domiciled customers to be segregated in foreign depositories subject to conditions intended generally to prevent the dilution of customer funds held in segregation in the United States in the event that an FCM holding segregated funds offshore became bankrupt.[37] Among other requirements, the FCM must obtain a customer's authorization to deposit its funds into a foreign depository. The customer also must agree in writing that, in the event the FCM is placed in bankruptcy and there are insufficient funds in a foreign currency to satisfy customer claims in that currency, the customer will subordinate its claim attributable to funds held offshore in that particular foreign currency to the claims of customers whose funds are held in dollars or other foreign currencies.

Commenters also suggested that the Commission limit the applicability of the subordination requirement of Interpretation No. 12 with respect to section 4(c) funds. Specifically, one commenter suggested that a subordination agreement should be required only in ''cases where access to funds held in a foreign depository is subject to potential restriction by foreign governmental authorities or agencies.''

The Commission believes that there is no basis for applying a different standard in requiring subordination of section 4(c) and non-section 4(c) segregated funds. However, as noted above, the Commission is reviewing this and other requirements contained in Interpretation No. 12 in response to the recent collapse of Barings and to address issues that have developed since Interpretation No. 12 was first published.[38] Any revision of the current safeguards for funds held outside the United States on behalf of customers trading on futures exchanges in the United States likely will be uniform across section 4(c) and non-section 4(c) contract markets.

c. Margining of Customer and Proprietary Accounts

Two commenters raised issues regarding the margining of section 4(c) contract market transactions. One commenter recommended that the Commission permit eligible participants initially to cross-margin section 4(c) contracts, and subsequently to cross-margin section 4(c) and non-section 4(c) contracts. Although the Commission has not provided for cross-margining as part of this rulemaking, the Commission would consider such a feature as part of the pilot program. In this connection, the Commission notes that it has approved numerous cross-margining plans for exchange trading, beginning in 1988. Accordingly, the Commission encourages interested persons to submit a detailed petition for such a plan during the course of the Part 36 pilot program.

The second commenter suggested that the Commission allow ''futures-style'' margining for option contracts. Futures-style margining would permit the initial purchase of option contracts with a performance bond or margin payment as currently permitted for futures contracts, rather than with full payment of the option premium.

Commission Rule 33.4(a) requires payment of the full amount of each option premium at the time the option is purchased. After that rule was adopted, the issue of whether ''futures-style'' margining is also appropriate for options was raised, culminating in publication in the Federal Register of two petitions to repeal Rule 33.4(a)(2).[39] Although a number of supportive comments were submitted, many also opposed the concept. The pilot program for the trading of section 4(c) contract market transactions presents an ideal opportunity to test prudently, within the confines of a limited-access market, the potential benefits and risks of futures-style margining. Accordingly, the Commission has determined, in principle, to permit ''futures-style'' margining for section 4(c) option transactions under the Part 36 pilot program, and will consider any such proposals submitted.

Finally, an investment banking firm requested clarification of several technical issues relating to financial integrity requirements. Specifically, it inquired regarding the terms on which an FCM may transfer excess funds[40] belonging to the same customer from an account containing section 4(c) contract market transactions to an account containing traditional contracts, *e.g.*, whether a separate signature is required. Because the Commission will treat customer funds related to section 4(c) contract market transactions the same as those of traditional futures contracts for segregation purposes, it would be unnecessary to maintain separate accounts for section 4(c) and traditional contracts of the same customer.

The commenter also expressed the view that although customer and proprietary positions in section 4(c) contract market transactions should be accounted for in the same fashion as in non-exempt futures and option contracts, to the extent that positions in section 4(c) contract market transactions may be margined differently than non-exempt futures and options transactions, a different adjusted net capital treatment might be appropriate. The Commission reiterates that the general financial and segregation rules applicable to non-exempt futures and

CBT believes it should be available with respect to all funds deposited with an FCM by an eligible participant under Part 36, without regard to whether the customer is trading exempt or traditional contracts.

[37] 53 FR 46911 (Nov. 21, 1988), *reprinted in 1* Comm. Fut. L. Rep. (CCH) ¶7122. Prior to 1988, the Commission required segregated funds to be held in the United States except for certain funds of foreign-domiciled customers.

[38] For example, the Federal Reserve Board did not allow banks in the U.S. to accept deposits denominated in foreign currencies until January 1990.

[39] See 54 FR 11233 (March 17, 1989).

[40] The commenter did not define the term ''excess funds.'' The Commission uses the terms ''excess funds'' and ''free funds'' to mean the amount by which the net liquidating equity in an account exceeds the initial margin requirement for the positions in that account.

option contracts will apply in the same manner to section 4(c) contract market transactions.[41]

3. Excluded Commodities

The scope of the section 4(c) exemption was proposed to be further limited by its inapplicability to transactions in certain, identified commodities and by the general restriction that a section 4(c) contract market transaction could not be offered for a contract previously designated as a traditional contract market. Two commenters objected to section 36.2(a)(3)'s proposed prohibition of section 4(c) contract market transactions on specified domestic agricultural commodities.[42] The CME and the CSCE noted that the Commission did not propose to prohibit section 4(c) trading in many other physical commodities already trading as non-exempt futures and options, such as sugar, coffee, copper, crude oil, lumber, and scrap metal. Any distinction between these two classes of physical commodities, according to the commenters, would be artificial.

The Commission disagrees. The commodities excluded from eligibility under proposed section 36.2(a)(3) are those agricultural commodities specifically enumerated in section 1a of the Act. The Commission is of the opinion that these commodities share certain characteristics relating to their underlying cash markets and the seasonality of their production, which make different treatment appropriate. As the Commission noted in the Notice of Proposed Rulemaking, the enumerated agricultural commodities are treated differently, as a class, in other contexts, as well. For example, the Commission directly administers speculative position limits under Part 150 of its rules only for these commodities. In light of the apparent ability of the currently designated contract markets in these commodities to fulfill the price basing and hedging needs of market users and the untested operation of the Part 36 rules, the Commission believes that caution requires that these commodities be excluded from the pilot program. The Commission will reconsider this determination when it evaluates the success of the pilot program.

The Commission also proposed to exclude any transaction subject to section 2(a)(1)(B) of the Act, 7 U.S.C. 2, including stock index futures contracts, from the scope of the exemptive rules.[43] In contrast to the SEC, which specifically concurred with this part of the proposal, PHLX commented that:

> nothing in the section 2(a)(1)(B) limitation on section 4(c) [prevents] the Commission from permitting a securities exchange that obtains a designation tailored to its special circumstances or a contract market affiliate of a securities exchange to trade stock index futures contracts or analogous products meeting the special criteria for futures contracts on groups or indexes of securities in a securities-style environment pursuant to the requirements of the 1934 Act, as long as the SEC has an opportunity to express its views on such contracts in accordance with the provisions of section 2(a)(1)(B).

Accordingly, PHLX asserted that the proposed exclusion of section 2(a)(1)(B) commodities was overly broad and should be narrowed or deleted in the final rules and that these issues be addressed in the context of individualized requests for exemptive relief.

Section 2(a)(1)(B) commodities raise particular issues in light of the nature of the underlying cash market and the special procedures that apply to designation of these commodities. Accordingly, the Commission continues to believe that inclusion of these commodities in a pilot program is inappropriate and has determined not to further revise section 36.2(a)(5) at this time. The Commission may reconsider the issue in the future, depending upon its regulatory experience.

More generally, the Commission proposed to limit section 4(c) contract market transactions to transactions which do

> not involve any commodity futures contract or commodity option for which any board of trade has been designated by the Commission * * * prior to its application to trade as a section 4(c) market transaction, unless it can reasonably be distinguished * * * based on its hedging function and/or pricing basis.[44]

The Commission explained that it will base determinations as to whether proposed section 4(c) contract market transactions can be ''reasonably distinguished'' from existing contracts on the same considerations that it now applies in deciding whether proposed futures and options contracts are treated as separate designation applications, and provided several examples of instruments that are ''reasonably distinguishable'' from existing contracts. 59 FR 54145.[45] Nevertheless, several commenters complained that the Commission's inclusion of examples of acceptable section 4(c) contract market transactions is not adequate to prevent misapplication or misinterpretation of the rule's terms. They suggested that the rule be amended to set forth a brighter line delineating those transactions which could be traded under Part 36.

The Commission believes that further enumeration of specific standards or commodity characteristics defining the universe of permissible section 4(c) contract market transactions would unnecessarily restrict the exchanges' and the Commission's flexibility for innovation under the proposed rules. Because the universe of eligible section 4(c) contract market transactions is so broad—including a wide range of diverse tangible commodities, financial instruments and indexes—a comprehensive listing of eligibility standards likely would be incomplete, failing to address questions regarding novel section 4(c) contract market transactions that may be designed in the future. Moreover, a detailed listing of eligibility requirements could have the unintended effect of excluding certain types or classes of contracts or commodities from the exemption. For these reasons, the Commission believes that a broad standard based on two fundamental economic characteristics of futures contracts—their hedging function or the basis on which they are priced—will provide maximum flexibility to the exchanges in

[41] For example, the same distinctions between customer and proprietary transactions will apply for segregation and adjusted net capital purposes, so that the amount of customer funds related to Section 4(c) transactions will be included in the calculation of an FCM's minimum adjusted net capital requirement. Proprietary positions in such transactions will be subject to the same haircuts as proprietary positions in traditional contracts when an FCM computes its adjusted net capital. To the extent that Section 4(c) contract market transactions result in more long-dated transactions or in transactions with features, such as embedded options, which are substantially different from customary futures contracts, the Commission will reassess the continued efficacy of its capital requirements and make appropriate adjustments. Separately, the Commission may consider whether adjustments are appropriate in light of responses to the SEC's concept release on capital. 58 FR 27486 (May 10, 1993). In addition, the Commission recently held a roundtable on capital issues, generally.

[42] The rule, however, does allow for Section 4(c) transactions on a broad index of these enumerated commodities.

[43] See Proposed Section 36.2(a)(5). See also 59 FR at 54145.

[44] Proposed Section 36.2(a)(4) is intended to address, among other things, the concerns expressed by some commenters regarding the problems of a two-tier marketplace. Although the CME and CBT have indicated that they do not intend to trade the same contract on both a Section 4(c) contract market and a traditional contract market, this provision would prevent a Section 4(c) contract market transaction from trading if the same traditional contract were already trading on a contract market.

[45] In that regard, however, Section 36.2(a)(4) specifically states that five- and ten-year interest swap futures and option contracts, rolling spot and currency forward futures and option contracts and flexible options may be listed as Section 4(c) transactions.

developing new section 4(c) contract market transactions, while maintaining the goal of the rule to avoid two-tiered, identical markets trading under two differing regulatory regimes.[46]

On a related issue, the CME suggested that even if the Commission concludes that the proposed standard separating exempt and non-exempt markets were appropriate, the mere existence of a similar, previous contract market designation is an overly-broad criterion. The comment suggested that the prohibition should apply only to contracts that have open interest at the time a Part 36 market proposes to list the section 4(c) transaction; otherwise, competing exchanges could stymie innovation by obtaining traditional contract market designations for markets which are never listed for trading.

The Commission agrees that this comment has merit. The Commission intends that the above provision only limit the trading of two-tiered markets, and does not intend for it to be a means of forestalling competition. Accordingly, the Commission is modifying the restriction, limiting the availability of the Part 36 exception only to contracts that are trading at the time a board of trade proposes to list for trading a section 4(c) contract market, rather than to all designated contract markets. Traded contracts are those in which any transactions occurred during the six complete consecutive calendar months preceding the date of application to trade a section 4(c) contract market.[47]

4. Speculative Position Limits

Finally, an exchange commenter opined that the Commission should exempt section 4(c) contract markets from the requirement under Rule 1.61 that they set and administer speculative position limits. The commenter reasoned that enforcing speculative limits would serve little purpose in light of the requirement that all section 4(c) contract markets (except for foreign currencies) be cash-settled.

As the Commission articulated in the Notice of Proposed Rulemaking, Commission Rule 1.61 already is applied quite flexibly, permitting the exchanges to substitute various position accountability rules for speculative position limits for many futures and option contracts. However, commenters have argued forcefully that OTC markets and foreign exchanges enjoy a competitive advantage by generally not providing for any type of position accountability or position limit rules. The Commission, nevertheless, continues to believe that these types of rules provide the exchanges with a useful and flexible tool for addressing market surveillance concerns.

In any event, based upon the continuing perception of some industry sources that the existence of these rules on U.S. futures exchanges is an actual source of competitive disadvantage, the Commission, by adding a new subsection (b) to section 36.2, is exempting section 4(c) contract markets from the requirements of Rule 1.61. However, the decision of an exchange to discard this particular device from its surveillance tool chest does not, in any way, diminish the exchange's responsibilities under the Act to assure orderly markets. Accordingly, exchanges remain free, as a matter of exchange discretion, to apply position accountability or speculative position limit rules to section 4(c) contract markets.

C. Trading Rules and Procedures

1. The Proposed Rule

Proposed section 36.3 would have permitted a board of trade to submit for Commission approval flexible trading procedures for section 4(c) contract market transactions which were not required to comply in all respects with existing competitive trading requirements and other trading standards relative to the exposure of orders and trades. The proposal represented a substantial change in the principles underlying the required method of trading futures and futures option contracts in that it would have allowed the execution of section 4(c) contract market transactions without exposing such transactions to competition in the pit. The proposal would have permitted exchanges, under a pilot program that would provide some relaxation in competitive trading requirements for certain market participants, to develop new trading procedures designed to address the needs of their increasingly institutional market participants and to compete more aggressively with the OTC market. The proposal also would have required exchange compliance with certain regulatory safeguards in order to maintain essential market and appropriate customer protection.

After reviewing the comments to proposed section 36.3 and customer protection rules in other markets, the Commission has determined to adopt section 36.3, modifying it from the proposal to address certain comments. As adopted, section 36.3 provides a framework of safeguards intended to set forth non-exclusive conditions for the execution of section 4(c) contract market transactions. Section 36.3 would permit expeditious review of exchange rules without prejudicing the ability of the exchanges to request Commission approval of other procedures pursuant to the usual rule approval procedures under section 5a(a)(12)(A) of the Act and Commission Rule 1.41(b). Effectively, the Commission is establishing a framework of safeguards for transparent, negotiated off-floor/ex-pit trading. Experience with the permitted procedures may be required to determine whether other or different limitations are necessary or whether the type of activity that should be deemed to be in violation of the applicable anti-fraud rule should be further specified. Therefore, the Commission intends to evaluate its experience with contract market rules adopted under section 36.3 twelve months after such rules become effective and to propose, if necessary, modifications or limitations to the parameters for section 4(c) trading rules set forth herein to address any market problems which it observes.

Paragraph (a) of proposed section 36.3 provided that a board of trade could submit for Commission approval section 4(c) contract market trading rules to permit trading procedures for section 4(c) contract market transactions that do not satisfy all of the requirements of Commission Rules 1.38(a), 1.39, 155.2, 155.3 and 155.4. Paragraph (b)(3) of the proposed regulation, however, required compliance with Commission Rules 155.2, 155.3 and 155.4 to the extent applicable.

[46] One commenter specifically requested that the Commission clarify whether a contract based on cash-settled North Sea crude oil or a contract based on cash-settled West Texas Intermediate (WTI) crude oil would be considered ''reasonably distinguished'' from the existing light sweet crude oil futures contract which provides for physical delivery of, and for which the pricing basis represents, WTI. Regarding the former, North Sea crudes are distinct from WTI, having different (albeit related) pricing characteristics, so that a WTI-based crude oil contract may not meet the hedging needs of firms having positions in North Sea crudes. Accordingly, Section 4(c) transactions would be permitted for cash-settled North Sea crude oil, since the hedging and pricing functions of these transactions would be distinguished from the existing designated WTI-based crude oil contract. In contrast, a cash-settled WTI crude oil contract would not be permissible, since there should be no material difference in the pricing basis of the contracts (both would reflect the value of WTI crude oil at Cushing, OK) and the hedging uses provided by each contract would be identical.

[47] The six-month period is consistent with the time period specified in Commission Rule 5.2 for classifying designated contract markets as ''dormant,'' after which Commission approval is required to reactivate trading. However, the Commission is not including as a condition for Section 4(c) eligibility, Rule 5.2's five-year grace period, which commences at designation, during which a designated market is exempt from being considered ''dormant.''

2. Specific Exemptive Relief

Two commenters requested that the Commission provide increased specificity with regard to the kinds of transactions that could be executed using section 4(c) contract market trading procedures. Specifically, the FIA stated that it would be helpful ''if the Commission would further set out the kinds of core trading practices it believes would be acceptable in the exempt exchange markets.'' The CBT stated that the ''proposal would be greatly improved if the agency could provide some concrete idea of the kinds of procedures that would be acceptable under the exemption.'' The CBT further recommended that the Commission make explicit in its exemptive relief whether trading opposite customer orders and matching trades between customers or between customers and FCMs would be permitted.

The Commission believes that these comments have merit and has modified the trading rules requirements to provide explicit relief in the form of a safe harbor from the requirements of sections 4b(a)(iv), 4b(b) and 4c(a) of the Act, 7 U.S.C. 6b(a)(iv), 6b(b), and 6c(a), and Commission Rules 1.38(a), 1.39, 155.2, 155.3 and 155.4 for section 4(c) contract market transactions executed using ''special execution procedures'' in accordance with exchange rules that meet certain standards and are permitted to become effective by the Commission. For section 4(c) contract market transactions, such special execution procedures could permit noncompetitive bids, offers, negotiation and/or execution of such orders and transactions.

Subject to the requirement that they satisfy certain specified Commission recordkeeping and audit trail requirements, the Commission would allow exchange rules providing special execution procedures to become effective. These special procedures would permit a member to trade for his own account opposite the account of another member,[48] permit an FCM or floor broker to take the opposite side of a customer order for its own account, or permit the execution of customer orders of different principals directly between customer accounts.[49] The Commission also would allow to become effective exchange rules that permitted the execution of section 4(c) contract market transactions using any combination of special execution procedures and competitive on-floor trading procedures provided that certain additional requirements were satisfied.[50]

Exchanges also may submit for Commission review and approval, pursuant to the usual rule approval procedures contained in section 5a(a)(12)(A) of the Act, and Commission Rule 1.41(b), other section 4(c) contract market rules which do not conform to the specific trading standards set forth in section 36.3 and which do not satisfy the requirements of the Act and Commission regulations with regard to competitive trading requirements and other trading standards relative to the exposure of orders and trades.

In this regard, the Commission has provided greater specificity to give further content to the type of flexibility it intends to provide the exchanges to adapt trading procedures to new products, technology and market circumstances without sacrificing important customer and market protections. For example, it is the Commission's belief that boards of trade designated as section 4(c) contract markets could have market makers with affirmative obligations, specialist systems, ''all or nothing'' large-trader execution procedures and other trading procedures currently not necessarily consistent with Rules 1.38 and 1.39. The Commission would, however, expect the exchanges to have procedures to protect the integrity of pricing and to monitor compliance with the conditions and limitations of the relief as set forth herein, consistent with the affirmative obligations of exchanges to enforce compliance with existing exchange and Commission rules.

a. Recordkeeping and Audit Trail Requirements

As previously stated, all transactions executed using special execution procedures must satisfy certain recordkeeping and audit trail requirements. Paragraph (e)(1) of section 36.3 requires that the contract market provide for record maintenance and retention consistent with Commission Rule 1.31. The audit trail for all transactions executed using special execution procedures must meet the books and records, trade register, trade timing, and contract market oversight requirements of Rules 1.35(a), (e), (g) and (i), respectively.[51] In addition, the recordkeeping requirements set forth in Commission Rule 1.38(b), which requires the special identification of such transactions, must be satisfied for all transactions executed using special execution procedures. This is intended to permit identification of such transactions as different from regular contract market transactions for price discovery purposes.

b. Customer Orders and Disclosure Requirements

Customer orders that could be executed using special execution procedures, *i.e.,* where the FCM or floor broker takes the opposite side of a customer order for its own account or executes orders directly between customer accounts of different principals, would be required to satisfy certain recordkeeping and disclosure requirements in lieu of those now set forth in Commission Rules 1.39, 155.2, 155.3 and 155.4, but in addition to those required where members trade opposite each other.

The exchanges' rules must prohibit the FCM or floor broker from disclosing customer order information for purposes other than to facilitate the execution of that order. The exchanges' rules also must require that an FCM or floor broker provide certain disclosure to affected customers. Before the FCM or floor broker executes the first transaction using special execution procedures for a particular customer, he must provide the customer with a description of such procedures and, in particular, describe how such procedures differ from competitive on-floor trading procedures. The Commission believes that the FCM or floor broker should be required to make such disclosure to the customer only once, prior to the first transaction executed under such procedure for that customer, and that the disclosure should focus primarily on the differences relative to the method of determining the price at which the transaction is to be executed. Thus, although permitting certain practices which currently are prohibited in the exchange environment, these rules nevertheless will provide a greater degree of regulatory protection than is the case for similar OTC transactions.

FCMs and floor brokers executing customer orders also would be required to satisfy certain audit trail and recordkeeping requirements in that the FCM or floor broker must create and maintain a written record, such as an office order ticket, reflecting each customer order. The record must

[48] Section 36.3(b).

[49] Section 36.3(c).

[50] Section 36.3(d). Any section 4(c) contract market transactions executed competitively on-floor must comply with applicable Commission regulations and exchange rules that currently govern competitive on-floor trading.

[51] In order to meet the trade timing requirement for transactions executed using special execution procedures, the contract market rule must specify that the actual time of execution must be recorded and reported to the exchange immediately following the execution.

include customer account identification, order number, time of order receipt and, in addition, must include in the terms of the order, some price-specific instruction provided by the customer.

The Commission is adding the requirement that the customer provide some price-specific instructions or indications to assure that the customer has had an opportunity to determine a price at which the transaction should be executed, in that exchange markets, unlike OTC markets, contemplate agency as well as principal-to-principal transactions. The Commission notes that, unlike trading on most other markets and the futures exchanges,[52] there will be no published or otherwise open or publicly, readily available bid or offer prices for transactions executed using special execution procedures.[53] The only pricing data that would be publicly available to the customer is the post-execution report of previous transactions, required to be disseminated by paragraph (e)(2) of Rule 36.3.[54]

Under these circumstances, the Commission believes that requiring some price indication, rather than just specifying ''market price,'' for instance, provides a means to help the customer determine whether the FCM or floor broker is fulfilling his fiduciary duty to exercise due diligence in the execution of the customer's order. It also is intended to improve the enforceability of section 36.9, which prohibits fraud and manipulation in connection with section 4(c) contract market transactions.

The customer-provided, price-specific information could take various forms. A ''limit order'' or an order that contains a specific, negotiated price at which the customer wants the order to be executed may be examples of such information. A customer-provided maximum price on a buy order or minimum price on a sell order also would fulfill the requirement. In addition, where special execution procedures may be used to fill large orders that cannot be filled in a single transaction, thereby requiring partial executions at different times and prices to obtain a complete fill, a customer-provided range of acceptable prices at which transactions could be executed to fill the order would meet the requirement.

In proposing section 36.3, the Commission indicated that regulations for which exchange alternatives could be submitted include the audit trail requirements of Commission Rule 1.35.[55] A Commission Administrative Law Judge urged the Commission not to amend Commission Rule 1.35(a–1), which generally requires FCMs, introducing brokers and contract market members to identify customer accounts upon receipt before the trades are executed.[56] According to this commenter, ''[e]ven the most sophisticated clients will be unable to protect their own interest if the Commission omits th[is] very tool such clients would use to detect fraud.''

The Commission agrees that customer account identification can be an important component in detecting customer abuse. The information required to be recorded on the written record that must be created by the FCM or floor broker for each section 4(c) contract market customer order exceeds that required by Commission Rule 1.35(a–1). In addition to account identification, order number and time of order receipt, the written record must include the terms of the order, including, as previously discussed, some price-specific instructions from the customer.

c. Combination Transactions

Paragraph (d) of section 36.3 provides that if they meet certain additional requirements, section 4(c) contract market rules could permit transactions to be executed using a combination of special execution procedures and competitive on-floor procedures. The exchange could require, for example, that some, or all, of any section 4(c) contract market transactions negotiated using special execution procedures be exposed to the floor for execution.[57] In this regard, the CSCE commented

The Commission believes, however, that the exchanges should be free to develop approaches that would best serve the identified needs of their customers consistent with the rule. In this connection, exchange rules permitting the use of combined procedures would be required to set forth the circumstances under which such transactions could or should occur competitively on-floor, *i.e.*, under what conditions, when, and to what extent any portion of a section 4(c) contract market order should be exposed to the pit.

Of course, each exchange will continue to have an affirmative obligation under sections 5 and 5a of the Act and Commission Rules 1.51 and 1.52 to carry out a program for the enforcement of its rules relating to the trading of section 4(c) contract market transactions. This includes, in particular, those rules relating to special execution procedures and the associated procedures that the exchange has in place to address the maintenance of orderly markets which are free from fraud and other abuses. As stated above, the Commission will evaluate its experience with section 4(c) contract market transaction special execution procedures after their implementation and determine whether further specific guidance is necessary or appropriate.

In addition, exchange rules that permit section 4(c) contract market transactions to be executed using any combination of special execution procedures and competitive on-floor procedures must provide that any transaction executed using special execution procedures must be in compliance with the requirements of paragraphs (b) and (c) of section 36.3, discussed above. As previously stated, any section 4(c) contract market transaction executed competitively on-floor must comply with applicable

[52] Trades executed directly between customers, in the securities ''fourth market,'' do not have any price reporting or other pricing requirements.

[53] Unlike auction markets or markets with designated market makers, prices for transactions using special execution procedures would be determined through negotiation. Nonetheless, Exchange rules could require that members maintain and disseminate bid and offer prices.

[54] Certain trades executed by affiliated investment companies, however, have a pricing restriction imposed by Regulation 17a–7, 17 CFR § 270.17a–7 (1995). Under this regulation, transactions that are (1) at current market prices, (2) between certain affiliates, and (3) reviewed by the affiliates' boards, are exempt from the prohibition against affiliated investment company transactions contained in Section 17 of the Investment Company Act of 1940. Pension law also imposes some restrictions on transactions between affiliated entities. The exchanges may want to impose their own restrictions on the pricing of affiliated transactions in this market in order to attract customers who operate under such restrictions.

[55] 59 FR at 54145.

[56] This commenter also made a passing reference to Rule 1.35(a-2), but did not provide any further explanation.

[57] New York Stock Exchange (''NYSE'') Rule 76, which governs cross trading, requires that a member who has set up a block trade and is bringing it to the floor to be crossed first announce the proposed bid, offer, and transaction size to the floor. The member must then wait a reasonable amount of time to allow the ''crowd'' (including specialists) to trade against either side before completing the transaction. In addition, NYSE Rule 127 provides that members who bring block trades to the floor that are priced outside current quotations must permit the crowd to participate in a portion of the block. *See also* NYSE Rule 72, which provides priority to an agency cross transaction where both orders consist of 25,000 shares or more. *See also* SEC Release No. 34–35837 (June 12, 1995)(order approving proposed NYSE rule changes that prevent members with knowledge of block orders for execution after the close from effecting transactions in that stock with the intention of reversing the position by participating in the contra-side of the block trade and that require members to establish and maintain procedures reasonably designed to review block trading activities). that ''it is inappropriate, in the case where transactions can occur both in the pit and off the floor, to not require a potential trade to be exposed to the pit.''

Commission regulations and exchange rules that currently govern competitive on-floor trading. Finally, an exchange rule that permits transactions to be executed using such a combination of procedures must include a specific prohibition against frontrunning between the on- and off-floor markets.[58]

Morgan Stanley, among others, commented that the Commission should clarify the extent to which its relaxation of trading restrictions and, in particular, the relaxation of restrictions on off-floor discussions permitted under proposed section 36.3 is applicable to the execution of positions in non-exempt futures or option contracts which are related to section 4(c) contract market transactions. For example, although, under proposed Rule 36.2(a)(4), an exchange would not be able to trade identical section 4(c) and non-exempt futures or option contracts, traders may seek to trade on spread relationships between exempt and non-exempt 4(c) contracts.

The commenter suggested that the trading rules governing section 4(c) contract market transactions should be applicable in instances where a trading strategy involves both exempt and non-exempt transactions. The Commission disagrees. Where a trading strategy involves transactions executed under both special execution procedures and on-floor competitive procedures, the trader may not rely on its safe harbor for special execution trading procedures to govern both,[59] although other exchange rules which address this situation could be submitted for Commission consideration.

3. Price Transparency

As the Commission stated in proposing section 36.3, transactions under this provision must be transparent.[60] In that regard, paragraph (e)(2) of section 36.3 requires the immediate post-execution report of each purchase and sale transaction executed using special execution procedures by the member specified by exchange rule and the dissemination thereof. The required information includes, at a minimum, price, quantity and contract. The Commission believes that the dissemination of this information is critical for price basing purposes and, therefore, has noted in paragraph (e)(2) of the regulation that special execution transactions may be executed only during hours in which such immediate post-execution dissemination of price basing information is available.[61] The Commission believes that the exchanges should determine how best to structure their proposals so as to assure the integrity of the prices set pursuant to special execution procedures. The Commission wishes to provide the exchanges significant flexibility to address this issue. In addition to other appropriate steps, an exchange could establish a minimum transaction size or could combine special execution procedures and on-floor procedures. The Commission also believes that to fulfill their other self-regulatory obligations, exchanges will have to define monitoring or other surveillance procedures to ensure compliance with these transaction reporting requirements.

4. Clearing

Paragraph (b)(5) of proposed section 36.3 would require that transactions be reported to clearing, and be cleared, on the same schedule as trades subject to Commission Rules 1.38 and 1.39 or otherwise be immediately reported to clearing. The CME commented that the proposal, taken literally, ''would prohibit an exchange from using a Part 36 product as a testing ground to develop faster and more accurate procedures for clearing transactions.'' The Commission believes that this comment has merit and, in paragraph (e)(3) of this regulation, requires the report to clearing, and clearing, of each special execution transaction as quickly as practicable, but in no event later than that required for trades subject to Commission Rules 1.38 and 1.39.[62]

5. Price Reporting for Block Trades

The Commission also requested comment on whether to require the dissemination of separate pricing information for block trades.[63] The FIA commented that ''an exchange submitting a proposed block trading procedure should be afforded the alternatives of including a separate price reporting system or explaining why one is not appropriate or necessary to protect the public interest.'' The CME commented that ''the requirement of a separate ticker for non-standard trades would be both unnecessary and potentially burdensome.'' The Commission has determined that the reporting and dissemination of special execution transactions under existing reporting systems should be satisfactory so long as special execution transactions are clearly identified as such when reported and disseminated and such transactions are executed only during hours when existing reporting systems are available to make immediate post-execution dissemination. Of course, exchanges may choose to operate a separate but comparable ticker for section 4(c) contract market transactions.

6. Prohibition Against Fraud and Manipulation

Paragraph (c) of proposed section 36.3 would require that rules submitted under this section describe the manner in which the rules or procedures would assure compliance with the provisions of sections 4b and 4c(a) of the Act prohibiting false reports, frontrunning, misuse of information, fictitious sales, wash sales, and abuse of customer orders. This paragraph has been replaced by paragraph (e)(4) of section 36.3.[64] This new paragraph requires that rules submitted under this section provide for compliance with section 36.9, which prohibits fraud and manipulation in connection with section 4(c) contract market transactions, except that any trade executed using special execution procedures need not be executed in

[58] Commission staff reviewed frontrunning prohibitions on other markets. *See, e.g.,* NYSE/CME Joint Frontrunning Interpretation (November 27, 1989)(prohibiting trading to take advantage of material non-public information about a trade in the option, stock, or stock index futures markets that can be expected to have a favorable impact on the trading); SEC Release No. 34–27047 (July 19, 1989)(order approving proposed NYSE rule changes that relate to the Joint CME/NYSE Frontrunning Interpretation); NASD Frontrunning Policy (prohibiting trading to take advantage of material non-public information about a trade in the option or stock markets that can be expected to have a favorable impact on the trading); and NASD Schedule G, Section 4(f)(1), Trading Practices (prohibiting members from buying or selling securities while holding unexecuted market or limit orders).

[59] For example, in the case of a spread, the trader could comply with the competitive on-floor trading procedures applicable to the non-exempt portion of the spread for both sides, or the trader could leg into the spread transaction using the particular trading procedures which are available to each side of the spread. In any event, the trader could not rely upon the existence of special execution procedures as the basis for non-compliance with the rules which are applicable to trading traditional designated futures and option contracts.

[60] 59 FR at 54147.

[61] In proposing Rule 36.3, the Commission stated the following: ''To the extent that a proposal for section 4(c) contract market transactions might provide for trading when the exchange floor is closed, the Commission would still require the immediate report and dissemination of that transaction information.'' 59 FR at 54147.

[62] The section 4(c) contract market clearing organization would have an affirmative duty under the Act and Commission Regulations to enforce its rules, and would be subject to recordkeeping, documentation, and other applicable requirements.

[63] As an example, the Commission noted that the NYSE and its vendors maintain a separate ''block trade'' ticker which runs throughout the day and reflects only the size and price of block trades.

[64] With regard to customer orders, paragraphs (c) and (d) of the regulation provide more guidance as to what activity the Commission would consider to be prohibited.

compliance with section 4b(a)(iv) of the Act.

Section 36.9 provides, among other things, that it shall be unlawful to cheat, defraud or deceive or attempt to cheat, defraud or deceive any other person or to willfully make any false report or statement. The Commission believes that compliance with these provisions, when combined with compliance with the other specific customer protection provisions included in section 36.3, should provide for appropriate customer protection safeguards. Rules submitted pursuant to paragraph (c) of section 36.3, which would permit customer order transactions to be executed using special execution procedures, require a specific prohibition against the improper disclosure of customer order information. Rules submitted pursuant to paragraph (d) of Rule 36.3 which would permit transactions to be executed using combined special execution and on-floor competitive procedures, require a specific prohibition against frontrunning. Further, these safeguards apply in a market already limited to specified eligible participants.

In addition, the Commission believes that it is important to provide examples of trading activity that would be permissible and activity that could constitute fraud and customer abuse in violation of section 36.9. It would be permissible to engage in anticipatory hedging. An FCM or floor broker would be allowed to cover when he took the opposite side of a customer order. It would not be permissible for an FCM or floor broker executing transactions using special execution procedures to take the opposite side of a customer order when doing so would deny the fill to another customer. For example, if an FCM or floor broker were to receive matching buy and sell orders from different customers, the FCM or floor broker should not take the opposite side of one of the customer orders if doing so would result in the inability to fill the order of the other customer. It also would continue to be impermissible for an FCM or floor broker to trade ahead of a customer order to the disadvantage of that order.[65]

7. Safe Harbor Provision

Paragraph (f) of section 36.3 enunciates the ''safe harbor'' provisions of the regulation. Transactions in exempt contracts executed in compliance with special execution procedures contained in exchange rules that are permitted to become effective shall not be deemed to be in violation of sections 4b(a)(iv), 4b(b) or 4c(a) of the Act or Commission Rules 1.38(a), 1.39, 155.2, 155.3 and 155.4. Transactions in exempt contracts that are not executed in compliance with such exchange rules shall be deemed to be in violation of section 36.3.

8. Procedures for Permitting Rules to Become Effective

Section 36.3 provides for expedited procedures under which section 4(c) contract market trading rules may be permitted to become effective. Pursuant to paragraphs (g) (1) and (2) of the regulation, section 4(c) contract market trading rules must be submitted to the Commission for review prior to becoming effective. Such rules may become effective ten days after receipt by the Commission unless the Commission, within that ten-day period, notifies the submitter that the proposal does not meet the conditions of this section. Pursuant to paragraph (g)(4) of section 36.3, any subsequent proposed modifications of such rules consistent with this section shall be subject to the same expedited Commission review procedures. In the event that the trading rules, or subsequent modifications thereof, are not permitted to become effective, they shall be subject to the usual rule approval procedures under section 5a(a)(12)(A) of the Act, 7 U.S.C. 7a(12), and Commission Rule 1.41(b).

Paragraph (g)(3) of section 36.3 provides for expedited review of certain large order execution procedures. If a contract market submits for review large order execution procedures for section 4(c) contracts which are substantially similar to procedures approved by the Commission pursuant to Commission Rule 1.39 for non-section 4(c) contracts, then such procedures shall be deemed effective upon Commission receipt thereof.

Proposed exchange clearing and financial integrity rules are not eligible for review under these expedited procedures and, thus, are subject to the usual rule approval procedures under section 5a(a)(12)(A) of the Act, 7 U.S.C. 7a(12), and Commission Rule 1.41(b). In addition, pursuant to paragraph (g)(5), exchanges may submit for Commission review and approval, pursuant to the usual rule approval procedures contained in section 5a(a)(12)(A) of the Act and Rule 1.41(b), other section 4(c) contract market rules which do not conform to the specific trading standards set forth in section 36.3 and which do not satisfy the requirements of the Act and Commission regulations.

D. Listing Procedures

The proposed rules specify a 10-day notification requirement prior to listing new section 4(c) contract market transactions. Most commenters supported the proposed 10-day notification requirement. Several commenters further suggested that a 10-day period should apply to all exchange-traded contracts or to certain categories of such contracts, such as financial futures and options. One commenter stated that the Commission should allow new section 4(c) contract market transactions to become effective, and to begin trading, immediately following the Commission's receipt of notice. This commenter further noted that, if the Commission thereafter determines that trading in a new section 4(c) transaction violates the listing standards in Rule 36.2, the Commission could take appropriate measures, suspending trading without a prior adjudication, pending further review.

The Commission believes that a 10-day advance notification requirement is appropriate. This limited period should allow flexibility in listing new eligible products without impairing exchanges' ability to respond rapidly to market situations. The Commission will evaluate whether the notification period should be eliminated or revised, and whether the 10-day notification provision should be extended to certain non-section 4(c) contract market transactions, when it evaluates trading experience under the pilot program.

[65] With certain exceptions, trading ahead of customer orders recently has been restricted in the OTC securities markets. On May 22, 1995, the SEC issued Securities Exchange Act Release No. 35751 (May 22, 1995), 60 FR 27997 (May 26, 1995), an order approving a proposed rule change submitted by the National Association of Securities Dealers, Inc., (''NASD'') relating to limit order protection on NASDAQ. The rule change amended NASD's interpretation to Article III, Section 1 of the NASD Rules of Fair Practice. The interpretation generally provides that a member firm cannot accept a limit order in a NASDAQ security from its own customer, or from a customer of another member, and continue to trade that security for its own account at prices that would satisfy the customer limit order without filling that order at the limit order price or at a price more favorable to the customer. Limit orders for retail customers that involve 10,000 shares or more and a value of $100,000 or greater are exempt from this prohibition, as are limit orders of any size for institutional accounts. The NASD Rules of Fair Practice define an institutional account as an account of a bank, savings and loan association, insurance company, or registered investment company; a registered investment adviser; or any other entity (whether a natural person, corporation, partnership, trust, or otherwise) with total assets of at least $50 million. (''Release 34–35751''). *See also* NYSE Rule 92 (limiting members' trading when they hold an unexecuted customer order); NASD Schedule G, Section 4(f)(1), Trading Practices (prohibiting members from buying or selling securities while holding unexecuted market or limit orders); and CBOE Rule 6.73 (requiring a floor broker to handle an order using due diligence to execute the order at the best price available to him).

E. Reporting

Proposed section 36.5(f)(2) would require traders to provide to the Commission information specified in Commission Rule 18.04 within one business day following receipt of a special call. Commission Rule 18.04 relates to reports regarding a trader's positions and transactions in a particular market as well as identifying, and other, information contained on CFTC Form 40. One commenter questioned whether it is realistic, and necessary, to expect such information to be furnished by a large trader in that time frame. The commenter stated that it would be preferable to rely upon the contract markets and FCMs to provide the data in such a time-sensitive fashion, noting that a federal regulatory requirement for recordkeeping by reportable traders would discourage participation in section 4(c) contract market transactions.

As suggested by the commenter, the Commission normally would rely on clearing member reports in conducting routine oversight of the section 4(c) contract markets. However, the Commission believes that the special call provisions in proposed Rule 36.5(f) are necessary in order to preserve its ability to respond fully and flexibly to concerns it may have regarding potential or developing market congestion, disruptions or other anomalies in section 4(c) contract market transactions. The Commission plans further to review its information needs during the course of the pilot program, but notes that prompt access to large-trader information also has been fundamental to its effective response to market disruptions posed by financial problems at firms holding large concentrations of positions.

F. Risk Disclosure, Temporary Licensing, and Dispute Resolution

1. Risk Disclosure

The Commission proposed, in section 36.7, to permit accounts to be opened for section 4(c) contract market transactions without furnishing an eligible participant with the basic risk disclosure statements applicable generally to non-exempt futures and option contracts under Commission Rules 1.55, 1.65, 33.7 and 190.10,[66] or the Commission's generic risk disclosure statement.[67] In lieu of requiring a specific statement or format, the proviso to proposed section 36.7(a) would require an FCM or, in the case of an introduced account, an IB, to furnish an eligible participant with disclosure appropriate to the particular instrument and the eligible participant prior to the eligible participant's entry into the first section 4(c) contract market transaction involving a particular instrument.[68] Proposed section 36.7(b) makes clear, however, that these provisions do not relieve an FCM or IB from any other disclosure obligation it may have under applicable law.[69]

Several commenters addressed this issue. The CBT stated that proposed section 36.7 leaves to an FCM or IB the flexibility to determine what level of risk disclosure is appropriate for eligible participants, thereby freeing FCMs and IBs from having to provide the CFTC-mandated disclosure forms to new customers, and reducing the competitive advantage foreign firms now enjoy in the risk disclosure area. NYMEX also supported proposed section 36.7 as a sensible approach given the fact that the likely customers of the section 4(c) contract market will be sophisticated entities.

Other commenters, however, expressed concerns about proposed section 36.7. A futures industry association stated that because persons who qualify as eligible participants in section 4(c) contract market transactions are capable of obtaining whatever information they need before engaging in such transactions, a specific requirement to provide disclosure is unnecessary. It also expressed concern, however, that customers would be bombarded with differing disclosure documents that could become the basis of lawsuits or arbitration claims. Others agreed that proposed section 36.7 might create uncertainty, increasing the risk of litigation without decreasing the burden and volume of disclosure. They urged the Commission to follow here an approach similar to Commission Rule 4.7.

The CME recommended that to the extent that any disclosure is required for eligible Part 36 participants, FCMs and IBs be given the choice of using either a specially-prepared disclosure document or the current generic, two-page disclosure statement available for non-exempt products. Morgan Stanley suggested that FCMs and IBs would prefer a safe harbor which required them to furnish the basic risk disclosure statements that are currently generally required, supplemented as specified by the section 4(c) contract market.

The Department of Labor noted that while the proposed Part 36 rules would provide relief from providing certain disclosure requirements to sophisticated investors, pension plan fiduciaries may nonetheless be required by ERISA to request and obtain much of the otherwise required information in order to meet their statutory obligations. The Department further noted that to the extent such information is either unavailable or difficult to obtain, pension plan investment in exempt transactions may be adversely affected.

The Commission has carefully considered these comments and has determined to adopt section 36.7 as proposed. The Commission believes that this rule provides FCMs and IBs with sufficient flexibility concerning risk disclosure with respect to section 4(c) contract market transactions, yet still requires, in accordance with section 4b of the Act, that all material information be disclosed. The Commission believes this approach is consistent with that set forth in Rule 4.7. For those FCMs and IBs seeking guidance in this area, the Commission believes, as a general proposition, that providing the generic risk disclosure statement approved in July 1994, together with any additional risk disclosure developed by the contract market upon which the section 4(c) contracts are traded, as required hereunder for special execution procedures, would be appropriate.[70]

The Commission reiterates, however, that all material information must be disclosed. Thus, the circumstances relating to a particular instrument and customer should be considered by an FCM or IB. For example, to the extent instruments are priced ex-pit, how

[66] The basic risk disclosure statements are intended to provide a brief description of some of the risks attendant to futures and options trading and are designed to be understood by all customers.

[67] 59 FR 34376 (July 5, 1994). This statement currently can be used in the U.S., in the United Kingdom and in Ireland. Several other jurisdictions are considering its adoption.

[68] Because Section 4(c) contract market transactions may be different from traditional futures and option contracts, and are limited to the eligible participants specified in the rule, the Commission expressed its belief in proposing Section 36.7 that it may be preferable to substitute for standard disclosure statements, such disclosure as may be appropriate to the customer's expertise and financial capacity. *See,* 59 FR 54139, 54149–54150.

[69] The Commission explained that this provision was included as a reminder that Section 4b of the Act requires all material information to be disclosed. 59 FR 54139, 54150 & n.47.

[70] The Commission notes a general trend toward the use of generic risk disclosure statements for newer products. For example, the *Framework For Voluntary Oversight* published by the Derivatives Policy Group in March 1995 includes on page 37 thereof a guideline for professional intermediaries on generic risk disclosure which states that ''[a] professional intermediary should consider providing new nonprofessional counterparties with disclosure statements generally identifying the principal risks associated with OTC derivatives transactions and clarifying the nature of the relationship between the professional intermediary and its counterparties.''

prices are obtained may be relevant in certain cases. This requirement does not change existing requirements under sections 4b and 4o of the Act. The Commission particularly notes that the primary relief accorded to customers trading only in section 4(c) contract market transactions is the waiver of the acknowledgment requirement otherwise applicable to non-section 4(c) customers. This relief should materially facilitate access to such transactions, particularly for offshore customers and securities customers who are unaccustomed to acknowledging disclosures. For business or internal control purposes, of course, firms would be free to retain the acknowledgment procedure.

With respect to ERISA concerns, the Commission notes that section 36.7 does not relieve an FCM or IB from any other disclosure obligation it may have under applicable law. Thus, to the extent ERISA requirements pertain to a particular customer, the Commission's rules should not inhibit an FCM or IB from making appropriate disclosures to a pension plan fiduciary. Moreover, in contrast to privately created trading vehicles or instruments, whose specialized characteristics can be meaningfully disclosed only by their creators, information on the mechanics of trading of section 4(c) contract market transactions will be readily available from the listing exchange.

2. Limited Registrations

The Commission proposed section 36.6 to allow special temporary license, registration or principal listing procedures to be available to a person associated with an FCM or IB who limits his or her activities under the Act to section 4(c) contract market transactions. Proposed section 36.6 would require the person to certify that he or she is licensed or otherwise authorized to do business and in good standing with another federal financial regulatory authority or a foreign financial regulatory authority with which the Commission has comparability arrangements under the Part 30 rules, and is not subject to a statutory disqualification from registration under section 8a(2) of the Act. The Commission indicated that a contract market and NFA could develop procedures applicable to these persons that would not require submission of fingerprints and could provide for proficiency testing requirements other than those generally applicable to registrants under the Act.[71]

Several commenters addressed the registration issue. The NFA, which has been delegated a substantial portion of registration functions by the Commission, although commending the Commission's desire to streamline the proficiency testing and fingerprint requirements for persons who limit activities to section 4(c) contract market transactions and recognizing the need for flexibility, expressed the concern that different registration procedures ultimately could be time-consuming, confusing, and administratively cumbersome. The FIA agreed, noting, in addition, that it would be difficult for the industry to develop compliance procedures. The CME reasoned further, that although such special procedures may be useful in the longrun, initially they would be costly to develop and would apply to only a small subset of the industry.

The FIA stated that it was unclear whether the CFTC was conferring on the NFA the ability to waive proficiency testing completely for the individuals involved in the sale of section 4(c) products or merely to establish different tests for different people selling the same product. In its view, requiring registration and full testing for certain individuals involved in selling futures and exempt futures products, yet requiring little or no testing for others, raised issues of fairness and fair competition. The SEC expressed concern that securities training for registered representatives of securities broker-dealers may not be sufficient for purposes of participating in section 4(c) contract market transactions, and stated that the registration requirements should be designed to assure that those licensed have sufficient training to participate in such transactions.

The CBT stated that the Commission should permit the same unregistered sales force as is permitted to vend OTC swaps under Part 35 to market section 4(c) contract market transactions. Alternatively, the CBT urged the Commission to grant limited registration to individuals who intend to sell section 4(c) contract market transactions upon a showing that the individual or his or her employer is in good standing with another federal financial regulatory authority, without requiring Commission registration for the sponsoring employer.

The CBT further commented that proposed section 36.6 should be expanded, in any event, because it applies only to associated persons (''APs'') of an FCM or IB. Employees of non-FCMs or non-IBs, such as securities broker-dealers or banks, would have to be sponsored by entities other than their employers. The CBT stated that this would unduly restrict the potential number of limited registrants able to market section 4(c) contract market transactions and suggested, as a remedy, the creation of a ''limited'' IB registration category for securities broker-dealers or banks in good standing under their respective federal regulatory schemes.[72]

The Commission disagrees with various commenters' recommendation to delete registration requirements for section 4(c) contract market transactions sales persons. Registration is a key element in an effective regulatory and enforcement program. In addition, the Commission believes that fitness checks and a proficiency testing, training or experience requirement are necessary.

However, the Commission has determined to adopt the CBT's alternative suggestion for a ''limited'' IB registration category. Rule 36.6 will allow entities to qualify for limited IB status if they are in good standing with a federal financial regulator or a foreign financial regulator. Banks and securities broker-dealers would be eligible for this special treatment. Insurance companies would not be eligible under Rule 36.6 because of the large number of state insurance regulators and the diverse nature of the applicable regulations. However, the Commission may be willing to entertain proposals developed by contract markets and NFA to permit flexible procedures for insurance company participation in section 4(c) contract market transactions.

As the Commission envisions the process, an entity would provide the NFA with basic identifying information about the firm and its principals and pay the appropriate processing fee. The applicant would also certify that (1) it is in good standing with its other regulator, (2) its principals have filed their fingerprints with the other regulator, (3) neither it nor its principals are subject to statutory disqualification from registration under section 8a(2) of the Act, (4) it will restrict its activities under the Act to section 4(c) contract market transactions, and (5) it will be liable for all acts, omissions and failures, and responsible for the diligent supervision, of its APs, employees and agents in connection with its activities as a limited IB involving section 4(c) contract market transactions.[73]

[71] 59 FR 54139, 54149.

[72] Under this approach, a securities broker-dealer, for example, could qualify as a ''limited IB'' to sponsor its own employees for limited AP registration status under Part 36. The securities broker-dealer would have direct supervisory responsibility over its APs.

[73] Registration, of course, could continue to be denied, conditioned, suspended, restricted or

A firm would not need to submit fingerprints for its principals if it provided similar information to its primary regulator and this information were accessible to the Commission, nor would it be subject to the minimum financial requirements applicable generally to independent IBs provided it met the capital requirements of, and was otherwise in good standing with, its primary regulator. The Commission believes that the limited nature of an IB's activities, its responsibility for its employees and good standing with another financial regulator with such requirements permit waiver of the IB financial requirements.[74]

Customers of a ''limited'' IB, like customers of a regular IB, would be required to transmit funds for trading directly to an FCM, which would carry all customer positions on a fully-disclosed basis.[75] The IB would be required to sponsor its salespersons, who would be subject to a proficiency testing, training or experience requirement, as discussed below. The NFA and the section 4(c) contract markets would determine the specific format of the information to be supplied to the NFA.[76]

As discussed above, certain commenters viewed different registration requirements for each section 4(c) product as potentially administratively unwieldy. Similar concerns were expressed when the Commission adopted Rule 3.12(j), upon which proposed section 36.6 was modeled.[77] Despite the fact that the Commission has permitted section 4(c) contract markets and the NFA, subject to Commission approval, the discretion to vary registration procedures on a contract-by-contract basis, the Commission believes that the special registration procedures ideally would be substantially identical for the various section 4(c) contracts, and that it would be preferable to implement uniform procedures for all such contracts at the outset. As when the Commission adopted Rule 3.12(j), a contract market seeking special registration procedures with respect to persons limiting their activities to section 4(c) contract market transactions may consult and develop the applicable procedures with the NFA and submit them for Commission consideration in conjunction with the other submissions which must be filed under this Part. Of course, if a particular contract market or firm found administration of the alternative procedures too difficult, it could follow the general provisions applicable to any IB or AP.[78]

3. Dispute Resolution

As proposed, all of the provisions of the Act and Commission rules concerning reparations and private rights of action will continue to apply under Part 36. 59 FR at 54144. The CBT commented that section 4(c) contract market transactions should be exempt from Commission Rule 180.3(b)(6), 17 CFR 180.3(b)(6)(1995), which prescribes language that must be included in any pre-dispute arbitration agreement between an FCM and its customers. The prescribed language essentially notifies the customer that, notwithstanding the agreement to arbitrate, the customer can pursue a claim against the FCM through the Commission's reparations forum.

The CBT reasoned that institutional customers do not need this protection, ''either negotiat[ing] such rights or elect[ing] not to sign the pre-dispute arbitration agreement.'' The NYMEX agreed, arguing that the availability of the reparations forum was unnecessary because disputes involving section 4(c) contract market transactions would be ''more than adequately addressed by existing exchange arbitration procedures and comparable NFA procedures.''

The Commission has determined to retain the availability of reparations as a forum for section 4(c) contract market transaction participants as well as the notice provisions of Rule 180.3(b)(6). Although section 4(c) contract market transactions will be entered into by institutional or relatively ''sophisticated'' participants, the reparations program was designed as an inexpensive forum where any customer may seek redress for violations of the Act committed by industry professionals registered with the Commission. The Commission sees no reason to eliminate the availability of this dispute resolution forum.

G. Anti-fraud and Anti-manipulation

The Commission proposed in section 36.9 to apply to section 4(c) contract market transactions the proscriptions against fraud and manipulation found in the Act,[79] and Commission Rules 33.9(d) and 33.10, 17 CFR 33.9(d) and 33.10, which prohibit price manipulation and fraud, respectively, in connection with commodity option transactions. In addition, proposed section 36.9 included a stand-alone prohibition of fraudulent misconduct in connection with section 4(c) contract market transactions.

Commenters expressed varying views on the need for a stand-alone prohibition of fraud in connection with section 4(c) contract market transactions. Some supported including in Part 36 an anti-fraud provision separate and independent from the provisions of the Act and Commission regulations that would, in any event, continue to apply. Others, however,

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revoked under Sections 8a(3) or 8a(4) of the Act, 7 U.S.C. 12a(3) or 12a(4).

[74] Thus, such an IB would not need to raise its own capital or enter into a guarantee agreement with an FCM as generally required for IBs by Commission Rules 1.17(a)(1)(ii) and (a)(2)(ii), respectively. The Commission believes this is consistent with a no-action letter issued on December 1, 1994 by the Division of Trading and Markets, wherein an IB that is a member of various U.K. futures exchanges and a wholly-owned subsidiary of a U.S. FCM was permitted to continue to introduce U.S. contract market transactions based on substituted compliance with U.K. regulatory requirements in lieu of a guarantee agreement under Commission Rule 1.10(j). The Division based its position upon, among other things, the IB's status as a registrant under the Act pursuant to which it is subject to CFTC requirements including, but not limited to, registration, sales practice and other conduct of business rules, recordkeeping, reporting and anti-fraud provisions.

[75] Commission Rule 1.57, 17 CFR 1.57 (1995).

[76] The CBT also stated that the term ''temporary,'' used in proposed Section 36.6 could suggest impermanence or a transition period until a final license would be obtained, and that the term ''limited'' more accurately depicts the registration status of those APs eligible only to market Section 4(c) transactions. The Commission agrees that, in light of its adoption of the provision for limited IBs referred to above, it is also appropriate to refer to APs confining their activities to Section 4(c) contract market transactions as ''limited APs.'' The Commission notes that limited APs may also be eligible for a temporary license during the period that background checks are performed by the NFA.

With respect to testing requirements for limited APs, the NFA could substitute participation in a training module developed by the contract market offering the Section 4(c) transactions or an experience requirement in lieu of the regular, generally applied proficiency test. This is consistent with the Commission's previous approval of NFA Registration Rules 401(b), (c), and (d), permitting persons registered as general securities representatives who restrict their activities under the Act to register as APs without taking the generally required National Commodity Futures Examination (''Series 3 test'') and permitting persons to register if they have passed the regulatory portions of the Series 3 test and the test of a foreign futures authority. The Commission expects that the regulatory portions of the Series 3 test would be included in any modified testing or training module developed for limited APs referred to herein. Further, the Commission will entertain applications to substitute training received in connection with other regulatory requirements, or to recognize specialized ethics training, in satisfaction of the training required under Commission Rule 3.34.

[77] *See* 57 FR 23136, 23141–23142 (June 2, 1992).

[78] Persons following the registration procedures which are generally applicable to transactions under the Act, as well as all of those already registered under the Act, can be involved in the offer and sale of Section 4(c) contract market transactions without being subject to additional registration requirements.

[79] Specifically, proposed Section 36.9 applied to Section 4c contract market transactions Sections 4b and 4*o* of the Act, 7 U.S.C. 6b and 6*o*, and those provisions of Sections 6(c), 6(d), and 9(a) of the Act, 7 U.S.C. 9, 15, 13b and 13(a), that prohibit price manipulation.

asserted that the existing statutory anti-fraud provisions, i.e., sections 4b and 4*o*, would be adequate as applied to section 4(c) contract market transactions, and questioned whether it was appropriate in any event to include a stand-alone anti-fraud provision in Part 36.

In addition, many commenters noted that the text of proposed section 36.9 could be construed as eliminating the scienter requirement which has been held to exist in section 4b of the Act. These commenters observed that the Commission had suggested no policy basis for eliminating scienter as an element of fraud in connection with section 4(c) contract market transactions, thus imposing a lesser standard of proof than applicable for futures transactions in general.

The Commission has concluded that a free-standing anti-fraud rule for section 4(c) contract market transactions is appropriate. Effective prohibition of fraud is a cornerstone of any fair and efficient market. While section 4b of the Act provides an adequate tool to address fraud in traditional futures contract trading, and section 4*o* adequately addresses fraud in connection with commodity pool and trading advisor activities, section 4(c) contract market transactions may involve innovative trading methods and resources that the courts have not addressed previously under the statutory provisions. The Commission is aware of no reason why an additional, comprehensive prohibition of fraud should not apply to section 4(c) contract market transactions across the board. Under the rule as adopted, section 4(c) contract market transactions would be subject to existing prohibitions of fraud and manipulation whenever applicable and the specific prohibitions in Rule 36.9.

However, the Commission agrees with commenters who questioned whether it would be appropriate to have a disparity in scienter requirements applicable to section 4(c) contract market transactions and futures markets in general. Accordingly, section 36.9 as adopted includes the term ''willfully'' in paragraphs (a)(2) and (3), providing a scienter requirement in section 36.9 parallel to that of section 4b.[80] In all other substantive respects, section 36.9 is being adopted as proposed.[81] The Commission notes that actions brought under section 4*o*(1)(B) of the Act, whether involving section 4(c) contract market transactions or other transactions subject to the Commission's jurisdiction, would continue to be governed by existing legal standards, which do not require proof of scienter.[82]

VI. Related Matters

A. Regulatory Flexibility Act

The Regulatory Flexibility Act (''RFA''), 5 U.S.C. 601 *et seq.*, requires that agencies, in proposing rules, consider the impact of those rules on small business. The Commission previously determined that contract markets,[83] futures commission merchants,[84] registered commodity pool operators,[85] and large traders[86] should not be considered ''small entities'' for purposes of the RFA. The Chairman, on behalf of the Commission, previously certified that the proposed rules would not have a significant economic impact on a substantial number of small entities. 59 FR 54151.

In certifying pursuant to section 3(a) of the RFA that the proposed addition to its rules of Part 36—Exemption of section 4(c) Contract Market Transactions would not have a significant economic impact on a substantial number of small entities, the Commission invited comments from any firm which believed that the proposed rules, if adopted, would have a significant economic impact on its activities. No such comments were received.

B. Paperwork Reduction Act

The Paperwork Reduction Act of 1980, (''PRA'') 44 U.S.C. 3501 *et seq.*, imposes certain requirements on federal agencies (including the Commission) in connection with their conducting or sponsoring any collection of information as defined by the PRA. In compliance with the PRA, the Commission previously submitted these rules in proposed form and their associated information collection requirements to the Office of Management and Budget. The Office of Management and Budget approved the collection of information associated with these rules on Jan. 20, 1995, and assigned OMB control number 3038–0047 to the rules. The burden associated with these specific final rules, is as follows:

Average burden hours per response: 2.88
Number of respondents: 300
Frequency of response: on occasion

Copies of the OMB approved information collection package associated with this rule may be obtained from Jeff Hill, Office of Management and Budget, Room 3220, NEOB, Washington, D.C. 20503, (202) 395–7340.

List of Subjects in 17 CFR Part 36

Commodity futures, Commodity options, Prohibited transactions.

In consideration of the foregoing, and pursuant to the authority contained in the Commodity Exchange Act, and in particular, sections 2, 4, 4c, and 8a, 7 U.S.C. 2, 6, 6c, and 12a, as amended, the Commission hereby adds Part 36 to Chapter I of Title 17 of the Code of Federal Regulations as follows:

PART 36—EXEMPTION OF SECTION 4(c) CONTRACT MARKET TRANSACTIONS

Sec.
36.1 Exemption and definitions.
36.2 Trading of section 4(c) contract market transactions.
36.3 Section 4(c) contract market trading rules.
36.4 Listing of section 4(c) contract market transactions.
36.5 Reporting requirements.
36.6 Special procedures relating to registration and listing of principals.
36.7 Risk disclosure.
36.8 Suspension or revocation of section 4(c) contract market transaction exemption.
36.9 Fraud and manipulation in connection with section 4(c) contract market transactions.

Authority: 7 U.S.C. 2, 6, 6c, and 12a.

§ 36.1 Exemption and definitions.

(a) *Duration of Exemption.* The provisions of this Part apply to any section 4(c) contract market transaction entered into on or after November 1, 1995. The provisions of this Part expire, and are no longer valid as to any such transaction entered into on or after three years following the date the first contract trades pursuant to this Part.

(b) *Scope of Exemption.* Each board of trade on which section 4(c) contract market transactions are permitted to be traded pursuant to this Part shall be deemed for such purposes to be designated as a contract market within the meaning of the Act and, with respect to section 4(c) contract market transactions, shall comply with and be subject to all of the provisions of the Act and the Commission's regulations

[80] *See Hammond* v. *Smith Barney, Harris Upham and Co., Inc.*, [1987–1990 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶24,617 (CFTC March 1, 1990).

[81] In a related matter, the Commission's proposal requested comment on adopting a stand-alone prohibition of fraud in connection with swap transactions exempt under Part 35 of the Commission's rules. The Commission is not at this time adopting such a provision.

[82] *See Messer* v. *E.F.Hutton & Co.*, 847 F.2d 673, 679 (11th Cir. 1988); *CFTC* v. *Savage*, 611 F.2d 270, 285 (9th Cir. 1979); and *In re Kolter*, [1992–1994 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶26,262, at 42198 (CFTC Nov. 8, 1994).

[83] 47 FR 18618 (April 30, 1982).

[84] *Id.* at 18619.

[85] *Id.*

[86] *Id.* at 18620.

applicable to a contract market other than those provisions which are specifically inconsistent with this Part, in which case the provisions of this Part shall govern.

(c) Definitions. As used in this Part:

(1) *''Section 4(c) contract market transaction''* means:

Any agreement, contract, or transaction (or class thereof) entered into on or subject to the rules of a contract market in accordance with the provisions of this Part, and that is executed by a member of the section 4(c) contract market that is an eligible participant for its own account, or a futures commission merchant or floor broker for its own account or on behalf of an eligible participant.

(2) *''Eligible Participant''* means:

(i) A bank or trust company;

(ii) A savings association or credit union;

(iii) An insurance company;

(iv) An investment company subject to regulation under the Investment Company Act of 1940 (15 U.S.C. § 80a-1, *et seq.*) or an investment company performing a similar role or function subject as such to foreign regulation, *provided* that such investment company or foreign person is not formed solely for the purpose of constituting an eligible participant and has total assets exceeding $5,000,000;

(v) A commodity pool formed and operated by a person subject to regulation under the Act or a foreign person performing a similar role or function subject as such to foreign regulation, *provided* that such commodity pool or foreign person is not formed solely for the purpose of constituting an eligible participant and has total assets exceeding $5,000,000;

(vi) A corporation, partnership, proprietorship, organization, trust, or other entity not formed solely for the purpose of constituting an eligible participant (A) which has total assets exceeding $10,000,000; or (B) which has a net worth of $1,000,000 and enters into a section 4(c) contract market transaction in connection with the conduct of its business; or (C) which has a net worth of $1,000,000 and enters into a section 4(c) contract market transaction to manage the risk of an asset or liability owned or incurred in the conduct of its business or reasonably likely to be owned or incurred in the conduct of its business;

(vii) An employee benefit plan subject to the Employee Retirement Income Security Act of 1974 or a foreign person performing a similar role or function subject as such to foreign regulation with total assets exceeding $5,000,000 or whose investment decisions are made by a bank, trust company, insurance company, investment adviser subject to regulation under the Investment Advisers Act of 1940 (15 U.S.C. § 80b-1, *et seq.*), or a commodity trading advisor subject to regulation under the Act;

(viii) Any governmental entity (including the United States, any state, or any foreign government) or political subdivision thereof, or any multinational or supranational entity or any instrumentality, agency, or department of any of the foregoing;

(ix) A broker-dealer subject to regulation under the Securities Exchange Act of 1934 (15 U.S.C. § 78a, *et seq.)* or a foreign person performing a similar role or function subject as such to foreign regulation, acting on its own behalf: *Provided, however,* that if such broker-dealer is a natural person or proprietorship, the broker-dealer must also meet the requirements of paragraph (c)(2)(vi) or (xi) of this section;

(x) A futures commission merchant, floor broker, or floor trader subject to regulation under the Act or a foreign person performing a similar role or function subject as such to foreign regulation; or

(xi) Any natural person with total assets exceeding at least $10,000,000.

(3) *''Section 4(c) contract market trading rules''* means: Contract market rules prescribing trading procedures applicable only to section 4(c) contract market transactions.

(4) *''Terms and conditions''* has the same meaning as in § 1.41(a)(2) of this chapter.

§ 36.2 Trading of section 4(c) contract market transactions.

A section 4(c) contract market transaction may be traded pursuant to the provisions of this Part provided the following conditions are met:

(a) The section 4(c) contract market transaction:

(1) Provides that settlement or delivery shall be in cash (at a cash settlement price that reflects the cash market for the underlying commodity and is based on a price series that is reliable, publicly available, and timely) or by means other than the transfer or receipt of any commodity, except a foreign currency for which there is no legal impediment to delivery and for which there exists a liquid cash market; *provided however,* that the terms and conditions of such transaction are in conformity with the underlying cash market (or, in the absence of conformity, are necessary or appropriate) and that trading is not readily susceptible to price manipulation, nor to causing or being used in the manipulation of the price of any underlying commodity;

(2) Is cleared through a clearing organization subject to Commission oversight;

(3) Except with respect to a broad-based index, does not involve any, or the price of any, wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, millfeed, butter, eggs, onions, solanum tuberousum (Irish potatoes), wool, wool tops, fats and oils (including lard, tallow, cottonseed oil, peanut oil, soybean oil, and all other fats and oils), cottonseed meal, cottonseed, peanuts, soybeans, soybean meal, livestock, livestock products, or frozen concentrated orange juice;

(4) Does not involve any commodity futures contract or commodity option contract in which there is any open interest and in which there has been any trading on any board of trade during the six consecutive complete calendar months preceding the date of application to trade as a section 4(c) contract market transaction, unless the transaction can reasonably be distinguished from any such futures contract or commodity option contract based on its hedging function and/or pricing basis; *provided however,* that (i) the five- and ten-year interest rate swaps futures contracts, the Rolling Spot Contracts in foreign currency, and the foreign currency forward futures contracts and options thereon, may be traded as section 4(c) contract market transactions, and (ii) a flexible commodity option may be listed as a section 4(c) contract market transaction prior to listing such option for trading otherwise; and

(5) Does not involve any contracts of sale (or options on such contracts) subject to the provisions of section 2(a)(1)(B) of the Act, including contracts for future delivery of a group or index of securities (or any interest therein or based upon the value thereof).

(b) The contract market on which the section 4(c) contract market transaction is traded need not satisfy the requirements of § 1.61 of this chapter.

(c) The contract market on which the section 4(c) contract market transaction is traded or executed complies with the provisions of this Part.

§ 36.3 Section 4(c) contract market trading rules.

A board of trade may submit for Commission review, pursuant to the expedited procedures set forth in this paragraph, trading rules for section 4(c) contract market transactions (''special execution procedures'') that need not meet the requirements of sections 4b(a)(iv), 4b(b) and 4c(a) of the Act and

§§ 1.38(a), 1.39, 155.2, 155.3 and 155.4 of this chapter, provided that such section 4(c) contract market trading rules satisfy the terms and conditions of this section.

(a) Definition. ''Special execution procedures'' means contract market rules permitting noncompetitive bids, offers, negotiation, and/or execution of orders and transactions.

(b) Special execution procedures that permit a member to trade for his own account opposite the account of another member must provide for an audit trail that meets the requirements of § 1.35(a), (e), (g) and (i) and § 1.38(b) of this chapter.

(c) Special execution procedures that permit a futures commission merchant or floor broker to take the opposite side of a customer order for its own account or permit the execution of orders directly between customer accounts of different principals must provide for an audit trail that meets the requirements of paragraph (b) of this section and that also requires a written record of each customer order which must consist of customer account identification, terms of the order, including price-specific instruction from the customer, order number, and time of order receipt. No order shall be executed without price-specific instruction from the customer. Procedures submitted under this paragraph also must include a specific prohibition against disclosure of customer order information other than to facilitate execution thereof and a requirement that members provide to their customers, in writing, prior to the initial execution for that customer of any transaction using these procedures, a description of the special execution procedures and, in particular, how they vary from on-floor competitive trading procedures.

(d) Section 4(c) contract market trading rules that provide that transactions may be executed using any combination of special execution procedures and competitive on-floor trading procedures must set forth the circumstances under which such transactions could occur competitively on-floor, provided that any transaction executed using special execution procedures be in compliance with paragraphs (b) and (c) of this section, and include a specific prohibition against frontrunning.

(e) Section 4(c) contract market trading rules also must provide for the following:

(1) Record maintenance and retention in accordance with § 1.31 of this chapter;

(2) The immediate post-execution report of each purchase and each sale transaction and dissemination on the relevant market floor, trading screen, and/or vendor service through the board of trade's market quotation system of the price, quantity, and contract traded pursuant to this section. Transactions may be executed pursuant to this section only during hours in which such immediate post-execution dissemination is available;

(3) The report to clearing, and clearing, of each transaction concluded pursuant to this section as quickly as practicable, but in no event later than required for trades subject to §§ 1.38 and 1.39 of this chapter; and

(4) Compliance with § 36.9 of this Part, except that any trade executed using special execution procedures in compliance with this section need not be in compliance with section 4b(a)(iv) of the Act.

(f) (1) Transactions offered or entered into in compliance with special execution procedures submitted to the Commission and permitted to become effective pursuant to the terms of this Part shall not be deemed to violate sections 4b(a) (iv), 4b(b), or 4c(a) of the Act or § § 1.38(a), 1.39, 155.2, 155.3 or 155.4 of this chapter.

(2) No person shall offer or enter into any section 4(c) contract market transaction, unless it meets all requirements of the applicable special execution procedures submitted to the Commission and permitted to become effective pursuant to the terms of this Part.

(g) Submission Procedures

(1) A board of trade seeking review of a section 4(c) contract market trading rule shall furnish one copy of the information set forth in paragraphs (b), (c) or (d) and (e) of this section, as applicable, to the Commission at its Washington, D.C. headquarters. One copy shall also be transmitted by the board of trade to the regional office of the Commission having local jurisdiction over the board of trade. Each submission shall be labeled as being submitted pursuant to this section.

(2) Section 4(c) contract market trading rules submitted by the contract market pursuant to this section shall become effective ten days after receipt of the submission (or such earlier time as may be determined by the Commission or its delegee) unless, within the ten-day period, the Commission or its delegee notifies the board of trade in writing that the submission does not meet the conditions of this section. Upon such notification by the Commission or its delegee, the submission will be subject to the usual procedures for rule approval under section 5a(a)(12)(A) of the Act and § 1.41(b) of this chapter.

(3) Notwithstanding the foregoing, if a contract market submits for review pursuant to this paragraph large order execution procedures that are substantially similar to procedures previously approved by the Commission pursuant to § 1.39 of this chapter for non-section 4(c) contract market transactions, then such procedures shall be deemed effective upon Commission receipt thereof.

(4) Once trading in a section 4(c) contract market transaction has commenced, any modification to any approved section 4(c) contract market trading rule must be submitted to the Commission for review pursuant to the standards and procedures for section 4(c) contract market trading rules set forth in this section.

(5) Other section 4(c) contract market trading rules, which do not conform to the specific trading standards set forth herein and which do not satisfy the requirements of the Act and Commission Rules, may be submitted for Commission approval in accordance with section 5(a)(12)(A) of the Act and § 1.41(b) of this chapter under the usual timeframes.

§ 36.4 Listing of section 4(c) contract market transactions.

(a) A board of trade which has been initially designated as a contract market and has otherwise met the requirements of sections 5 and 5a of the Act (other than section 5a(a)(12)(A)) seeking to permit trading in a section 4(c) contract market transaction shall furnish to the Commission at least ten days prior to its proposed effective date, the rules setting forth the terms and conditions of the proposed section 4(c) contract market transaction.

(b) The board of trade shall furnish one copy of the information set forth in paragraph (a) of this section to the Commission at its Washington, D.C. headquarters. One copy shall also be transmitted by the board of trade to the regional office of the Commission having local jurisdiction over the board of trade. Each submission shall be labeled as being submitted pursuant to this Part.

(c) A board of trade which has been initially designated as a contract market and has otherwise met the requirements of sections 5 and 5a of the Act (other than section 5a(a)(12)(A)) and which meets the requirements of § 36.2 shall be deemed to be designated as a contract market in section 4(c) contract market transactions, the rules submitted shall be deemed to be approved, and section 4(c) contract market transactions may be

traded or executed thereon ten days after receipt of the submission pursuant to this section unless, within the ten-day period, the Commission or its delegee notifies the board of trade in writing that the proposed transactions do not meet the requirements of § 36.2. Upon such notification by the Commission or its delegee, the submission will be subject to the usual procedures for rule approval under section 5a(a)(12)(A) of the Act and § 1.41(b) of this chapter.

(d) Any modification to the rules setting forth the terms and conditions of a section 4(c) contract market transaction shall be submitted to the Commission pursuant to the procedure set forth in this section.

§ 36.5 Reporting requirements.

(a) The reporting requirements set forth in this section shall govern section 4(c) contract market transactions in lieu of the requirements of Parts 16, 17, 18, and 19 of this chapter.

(b) The provisions of § 15.05 and Part 21 of this chapter shall apply to section 4(c) contract market transactions as though they were set forth herein and included specific references to eligible participants.

(c) *Reports by contract markets to the Commission*. Each contract market shall submit to the Commission in accordance with paragraph (d) of this section the following information with respect to section 4(c) contract market transactions by commodity or type of contract as specified by the Commission:

(1) For each commodity or type of contract,

(i) The total gross open contracts at the end of the day covered by the report,

(ii) Total transactions, by type of transaction, as specified by the Commission, which occurred during the day covered by the report, and

(iii) Prices, as specified by the Commission.

(2) For each clearing member by proprietary and customer account,

(i) The total of all long open contracts and the total of all short open contracts carried at the end of the day covered by the report, and

(ii) The quantity of contracts transacted during the day covered by the report, by type of transaction, as specified by the Commission.

(3) *Large trader reports*.

(i) *Reportable positions*. Reportable long and short positions of traders as defined by contract market rules and approved by the Commission, separately for each futures commission merchant or member of the contract market.

(ii) *Identification information*. For each reportable position, the information specified in § 17.01(b)(1)–(b)(8) of this chapter.

(d) *Form and manner of reporting; time and place of filing reports*. Unless otherwise approved by the Commission or its designee, each contract market operating pursuant to this Part shall submit the information required by paragraph (c) of this section as follows:

(1) A format and coding structure approved in writing by the Commission or its designee on compatible data processing media as defined in Part 15 of this chapter shall be used;

(2) The information contained in paragraphs (c)(1) and (c)(2) of this section must be filed daily when the data are first available, but not later than 3:00 p.m. on the business day following the day to which the information pertains. The information contained in paragraph (c)(3) must be filed on call by the Commission or its designee, at such times as specified in the call.

(3) Except for dial-up transmissions, the information should be submitted at the regional office of the Commission having local jurisdiction with respect to such contract market.

(e) *Reports by contract markets to the public*. Each contract market operating pursuant to this Part shall publish for each business day the following information for section 4(c) contract market transactions by commodity or type of contract as specified by the Commission:

(1) The total gross open contracts;

(2) The total number of transactions by transaction type as specified by the Commission; and

(3) Prices, as specified by the Commission.

(f) *Reports and maintenance of books and records by traders*. Every trader who owns, holds, or controls, or has held, owned, or controlled a reportable position, as defined by contract market rules, in contracts traded as section 4(c) contract market transactions shall:

(1) Keep books and records showing all details concerning all positions and transactions with respect to section 4(c) contract market transactions, all positions and transactions in any options traded thereon, and all positions and transactions in the underlying commodity, its products, and by-products and, in addition, commercial activities that the trader hedges in the underlying commodity, and shall upon request furnish to the Commission or the U.S. Department of Justice any pertinent information concerning such positions, transactions, or activities.

(2) File within one business day after a special call upon such trader by the Commission or its designee the following:

(i) Reports showing positions and transactions on such contract markets for the period of time that the trader held or controlled a reportable position, and in a form and manner as instructed in the call; and

(ii) The information specified in § 18.04 of this chapter as though it pertains to section 4(c) contract market transactions.

§ 36.6 Special procedures relating to registration and listing of principals.

(a) Notwithstanding any other provision of law, any person shall be granted a temporary license or registration as a limited introducing broker if such person:

(1) Certifies that it:

(i) Is licensed or otherwise authorized to do business and is in good standing with another federal financial regulatory authority or a foreign financial regulatory authority with which the Commission has comparability arrangements under Part 30 of this chapter and has received Part 30 relief;

(ii) Has filed the fingerprints of its principals with such other regulatory authority;

(iii) And its principals are not subject to a statutory disqualification from registration under section 8a(2) of the Act;

(iv) Will restrict its activities subject to regulation under the Act to section 4(c) contract market transactions; and

(v) Will be liable for all acts, omissions and failures, and responsible for the supervision, of its associated persons, employees and agents in connection with its activities as a limited introducing broker involving section 4(c) contract market transactions; and

(2) Complies with any special temporary licensing or registration procedures applicable to persons whose activities are limited to those specified in paragraph (a)(1)(iv) of this section that have been adopted by the National Futures Association and approved by the Commission.

(3) A person whose activities are limited to those specified in paragraph (a)(1)(iv) of this section shall not be subject to the minimum financial requirements set forth in § 1.17 of this chapter.

(b) Notwithstanding any other provision of law, any person associated with a futures commission merchant, an introducing broker, or a limited introducing broker described in paragraph (a) of this section shall be granted a temporary license or registration to act in the capacity of a limited associated person of such sponsor, or be listed as a principal

thereof, if such person and such person's sponsor:

(1) Certifies that he:

(i) Is licensed or otherwise authorized to do business and in good standing with another federal financial regulatory authority or a foreign financial regulatory authority with which the Commission has comparability arrangements under Part 30 of this chapter and the sponsor, if applicable, has received Part 30 relief;

(ii) Has filed his fingerprints with such other regulatory authority;

(iii) Is not subject to a statutory disqualification from registration under section 8a(2) of the Act; and

(iv) Will restrict his activities subject to regulation under the Act to section 4(c) contract market transactions; and

(2) Complies with any special temporary licensing, registration or principal listing procedures applicable to persons whose activities are limited to those specified in paragraph (b)(1)(iv) of this section that have been adopted by the National Futures Association and approved by the Commission.

§ 36.7 Risk disclosure.

(a) A futures commission merchant or, in the case of an introduced account, an introducing broker, may open an account for a customer with respect to an instrument governed by this Part without furnishing such customer the disclosure statements required under §§ 1.55, 1.65, 33.7, and 190.10 of this chapter: *Provided, however,* that the futures commission merchant or, in the case of an introduced account, the introducing broker, does furnish the customer, prior to the customer's entry into the first section 4(c) contract market transaction with respect to a particular instrument, with disclosure appropriate to the particular instrument and the customer.

(b) This section does not relieve a futures commission merchant or introducing broker from any other disclosure obligation it may have under applicable law.

§ 36.8 Suspension or revocation of section 4(c) contract market transaction exemption.

The Commission may, after notice and opportunity for a hearing, suspend or revoke the exemption of any section 4(c) contract market transaction if the Commission determines that the exemption is no longer consistent with the public interest and the purposes of the Act.

§ 36.9 Fraud and manipulation in connection with section 4(c) contract market transactions.

(a) *Fraud.* The requirements of sections 4b(a) and 4*o* of the Act and § 33.10 of this chapter shall apply to section 4(c) contract market transactions. In any event, it shall be unlawful for any person, directly or indirectly, in or in connection with an offer to enter into, the entry into, the confirmation of the execution of, or the maintenance of any transaction entered into pursuant to this Part—

(1) To cheat or defraud or attempt to cheat or defraud any other person;

(2) Willfully to make or cause to be made to any other person any false report or statement thereof or cause to be entered for any person any false record thereof;

(3) Willfully to deceive or attempt to deceive any other person by any means whatsoever.

(b) *Manipulation.* The requirements of sections 6(c), 6(d), and 9(a) of the Act and § 33.9(d) of this chapter shall apply to section 4(c) contract market transactions.

Issued in Washington, D.C., this 21st day of September, 1995, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 95–23940 Filed 9–29–95; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF LABOR

Employment Standards Administration

20 CFR Parts 702 and 703

RIN 1215–AA92

Longshore and Harbor Workers' Compensation Act and Related Statutes

AGENCY: Employment Standards Administration, Labor.

ACTION: Final rule.

SUMMARY: On May 8, 1995, the Department of Labor published a proposal to amend the regulations implementing the Longshore and Harbor Workers' Compensation Act. The amendments are designed to improve administration and clarify existing policy by: Providing that the district jurisdictional boundaries would be changed by direct notice to affected parties; eliminating the requirement for using certified mail in most circumstances; clarifying that the Office of Workers' Compensation Programs fee schedule would be used to determine the reasonable and customary medical charge where there is a dispute; and modifying the requirement that an employer with geographically different work sites within one compensation district have only one insurance carrier. The final rules are being published essentially unchanged from the proposal.

EFFECTIVE DATE. The rule is effective on November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Joseph Olimpio, Director for Longshore and Harbor Workers' Compensation, Employment Standards Administration, U.S. Department of Labor, Room C–4315, Frances Perkins Building, 200 Constitution Avenue NW., Washington, DC 20210; Telephone (202) 219–8721.

SUPPLEMENTARY INFORMATION:

Introduction

The Longshore and Harbor Workers' Compensation Act (LHWCA; 33 U.S.C. 901, *et seq.*) establishes a federal workers' compensation system for certain workers in covered employment and sets forth the general parameters of the compensation scheme, including the system for filing claims, the benefit levels to be paid, and how the liability of the employer is to be secured. The preamble to the proposed rule published May 8, 1995 (60 FR 22537) sets forth in detail the bases for the changes to the existing rules, which streamline and improve certain administrative functions under the LHWCA.

The authority for the administration of the LHWCA granted to the Secretary of Labor has been delegated to the Office of Workers' Compensation Programs (OWCP). This authority includes initial adjudication of disputed claims, resolution of certain ancillary issues such as disputes involving the amount charged for medical treatment, and responsibility for authorizing private insurance carriers to underwrite coverage. In brief, the changes to the rules affect:

Compensation Districts

The rules will now provide that changes in the administrative compensation districts can be made by notice to all affected parties and not through a change in the regulations. This will ensure that, in this period of rapid change in the way government performs its functions, the program can rapidly reposition its resources as needed.

Certified Mail

The rules remove the requirement that the appropriate office (either the Longshore district office or the Administrative Law Judges (ALJs)) serve via certified mail the notice of deficiency of settlement applications (702.243(b)); Memoranda of the informal conference (702.316); and the notice of

claim given to the employer (702.224). This is an expensive and time consuming process which has been proven to be unnecessary.

Use of OWCP Fee Schedule

The rules make clear what has been the practice since the 1984 amendments to the Act: that the OWCP fee schedule may be used in determining the prevailing community rate for the purposes of enforcing the provision that authorizes OWCP to-direct a change of physician or the debarment of the physician who submits bills for medical treatment where the charge exceeds the prevailing community rate for such service.

Insurance Policies

The rule requiring an employer operating within any one OWCP compensation district to insure all operations within that district through a single insurance carrier has been eliminated. Each LHWCA district is comprised of a number of different states (see current 20 CFR 702.101), while insurance carriers, which are regulated by the individual states, may not do business or write LHWCA coverage in every state conforming to the LHWCA compensation districts in which an operator may have facilities. The result is that an employer's choice in carriers is limited and the employer could potentially be left uninsured for a portion of its operations.

Analysis of Comments

Two comments were received. One employer objected to the elimination of the certified mail requirement, and an individual raised general concerns with the rules and requested that they be made effective only prospectively.

The employer commented that the use of certified mail helps ensure that the employer is not subject to the fines and penalties provided in the LHWCA for failure to conform with various time requirements. The commentor suggests that if the Department is removing this requirement, then it should be the Director's burden to demonstrate when notice was accomplished.

Contrary to the implication in this comment, the LHWCA does not condition the employer's obligation to pay benefits (section 14(e)) or to controvert entitlement to compensation (section 14(d)), on its receiving written notice of the filing of a claim. Quite to the contrary, those obligations arise as soon as the employer has knowledge of the injury or death. Our experience indicates that receipt or non-receipt of written notice from the district directors, has little to do with an employer's timely compliance with the statutory obligations.

Further, our experience does not support the assertion that certified mail is necessary to protect an employer from an unjustified or unwarranted decision requiring it to pay claimant's attorney fees. An employer can protect itself from this liability by paying compensation no later than 30 days after receiving the written notice from the district director. Prior to receipt of such notice, an employer cannot be held liable. *See*: *Watkins* v. *Ingalls Shipbuilding, Inc.*, 26 BRBS 179 (1993), *appeal dismissed* No. 93–4367 (5th Cir. December 9, 1993).

In general, the postmark showing the date of mailing (and/or date-stamp showing receipt) may be used to establish a general time frame within which correspondence was received, if this is necessary to resolve disputes where time is relevant. For example, we are not aware of such penalties incurred as a result of not having the conference recommendation sent by certified mail. The commentor argues that receipt of notice of a deficiency in a settlement application must be timely, or the employer could pay the settlement, then not be able to recoup it. The scenario painted by the commentor (that the deficiency notice is not received in a timely manner because it is not sent by certified mail) simply is not relevant. Any delay could exist, whether or not certified mail is used, and the same problem with recoupment would exist, whatever the reason for the delay in receipt of notice of deficiency.

The remotely possible scenarios used to support the employer's objections are not sufficient to overcome the distinct advantages, particularly the savings in staff resources and mailing costs, associated with dropping this requirement. As noted in the preamble to the proposed rule, while certified mail does not add significantly to the security of the mail process, the requirement does increase costs and the amount of staff time it takes to mail a document. Approximately 9,000 pieces of mail per year must now be sent certified mail under these rules, at a cost of over $9,000 in extra mailing charges and more in staff time to complete the necessary Postal Service forms. The recipients should see an improvement in the level of service as resources now dedicated to certified mailings can be used elsewhere.

The individual, in his comments, requested that the regulatory changes be applicable only prospectively and that they not apply to injuries sustained or claims filed before the proposed rules were published in the Federal Register. It is not the intent of the Director, that the changes deleting the certified mail requirement be applied to relieve a party of liability already incurred or to impose liability where none existed. However, the Director does believe that it will be appropriate to apply the OWCP fee schedule to pending claims where such application will assist in resolving outstanding issues. For these reasons, no change needs to be made to the rules as written.

Conclusion

For the reasons set out in the preamble to the proposed rule, as amplified by these comments, the Department has determined to finalize the rule.

Statutory Authority

Subsections 39(a) and 39(b) of the Act, 33 U.S.C. 939 (a) & (b), provide the general statutory authority for the Secretary to prescribe rules and regulations necessary for administration and enforcement of the Longshore and Harbor Workers' Compensation Act. 33 U.S.C. 907(a) provides that the Secretary of Labor may supervise the medical treatment and care, including determining the appropriateness of charges.

Classification

The Department of Labor has concluded that the regulatory proposal is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866.

Paperwork Reduction Act

The information collection requirements entailed by the regulations have previously been approved by OMB.

Regulatory Flexibility Act

The Department believes that the rule will have ''no significant economic impact upon a substantial number of small entities'' within the meaning of section 3(a) of the Regulatory Flexibility Act. Pub. L. No. 96–354, 91 Stat. 1164 (5 U.S.C. 605(b)). Although this rule will be applicable to small entities it should not result in or cause any significant economic impact. The elimination of the requirement for insurance underwriting will provide increased flexibility and opportunity for covered employers to effect savings. The provision for determining medical charges is not expected to result in a significant difference in the outcome from that in the present method. The Secretary has so certified to the Chief Counsel for Advocacy of the Small Business Administration. Accordingly,

no regulatory impact analysis is required.

List of Subjects

20 CFR Part 702

Administrative practice and procedure, Claims, Insurance, Longshoremen, Vocational rehabilitation, and Workers' compensation.

20 CFR Part 703

Insurance, Longshoremen, Workers' compensation.

For the reasons set out in the preamble, part 702 and 703 of chapter VI of title 20 of the Code of Federal Regulations are amended as follows:

Subchapter A—Longshore and Harbor Workers' Compensation Act and Related Statutes

1. The authority citation for Part 702 and 703 are revised to read as follows:

Authority: 5 U.S.C. 301, 8171 et seq., Reorganization Plan No. 6 of 1950, 15 FR 3174, 3 CFR. 1949–1953, Comp. p. 1004, 64 Stat. 1263; 33 U.S.C. 939; 36 D.C. Code 501 et seq., 42 U.S.C. 1651 et seq., 43 U.S.C. 1331. Secretary's Order 1–93, 58 FR 21190.

PART 702—ADMINISTRATION AND PROCEDURE

§ 702.101 [Removed]

2. Section 702.101 removed and reserved.

3. Section 702.102 is amended by revising the section heading, and paragraphs (a) and (b) are redesignated as paragraphs (b) and (c) and a new paragraph (a) is added to read as follows:

§ 702.102 Establishment and modification of compensation districts, establishment of suboffices and jurisdictional areas.

(a) The Director has, pursuant to section 39(b) of the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. 939(b), established compensation districts as required for improved administration or as otherwise determined by the Director (see 51 FR 4282, Feb. 3, 1986). The boundaries of the compensation districts may be modified at any time, and the Director shall notify all interested parties directly by mail of the modifications.

(b) * * *

(c) * * *

§ 702.224 [Amended]

4. Section 702.224 is amended by removing the word ''certified.''

§ 702.243 [Amended]

§ 702.316 [Amended]

5. Sections 702.243(b) and 702.316 are amended by removing the words ''by certified mail.''

6. Section 702.413 is revised to read as follows:

§ 702.413 Fees for medical services; prevailing community charges.

All fees charged by medical care providers for persons covered by this Act shall be limited to such charges for the same or similar care (including supplies) as prevails in the community in which the medical care provider is located and shall not exceed the customary charges of the medical care provider for the same or similar services. Where a dispute arises concerning the amount of a medical bill, the Director shall determine the prevailing community rate using the OWCP Medical Fee Schedule (as described in 20 CFR 10.411) to the extent appropriate, and where not appropriate, may use other state or federal fee schedules. The opinion of the Director that a charge by a medical care provider disputed under the provisions of section 702.414 exceeds the charge which prevails in the community in which said medical care provider is located shall constitute sufficient evidence to warrant further proceedings pursuant to section 702.414 and to permit the Director to direct the claimant to select another medical provider for care to the claimant.

7. In section 702.414, paragraphs (a) and (c) are revised to read as follows:

§ 702.414 Fees for medical services; unresolved disputes on prevailing charges.

(a) The Director may, upon written complaint of an interested party, or upon the Director's own initiative, investigate any medical care provider or any fee for medical treatment, services, or supplies that appears to exceed prevailing community charges for similar treatment, services or supplies or the provider's customary charges. The OWCP medical fee schedule (see section 702.413) shall be used by the Director, where appropriate, to determine the prevailing community charges for a medical procedure by a physician or hospital (to the extent such procedure is covered by the OWCP fee schedule). The Director's investigation may initially be conducted informally through contact of the medical care provider by the district director. If this informal investigation is unsuccessful further proceedings may be undertaken. These proceedings may include, but not be limited to: an informal conference involving all interested parties; agency interrogatories to the pertinent medical care provider; and issuance of subpoenas duces tecum for documents having a bearing on the dispute.

(1) A claim by the provider that the OWCP fee schedule does not represent the prevailing community rate will be considered only where the following circumstances are presented:

(i) where the actual procedure performed was incorrectly identified by medical procedure code;

(ii) that the presence of a severe or concomitant medical condition made treatment especially difficult;

(iii) the provider possessed unusual qualifications (board certification in a specialty is not sufficient evidence in itself of unusual qualifications); or

(iv) the provider or service is not one covered by the OWCP fee schedule as described by 20 CFR 10.411(d)(1).

(2) The circumstances listed in paragraph (a)(1) of this section are the only ones which will justify reevaluation of the amount calculated under the OWCP fee schedule.

(b) * * *

(c) After any proceeding under this section the Director shall make specific findings on whether the fee exceeded the prevailing community charges (as established by the OWCP fee schedule, where appropriate) or the provider's customary charges and provide notice of these findings to the affected parties.

* * * * *

PART 703—INSURANCE REGULATIONS

§ 703.12 [Removed]

8. Section 703.121 is removed.

Signed at Washington, DC, this 22d day of September 1995.

Ida L. Castro,

Deputy Assistant Secretary for Workers' Compensation Programs.

[FR Doc. 95–24078 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–27–M

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Hearing Examiner Review Function

AGENCY: United States Parole Commission.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is changing the title of the agency official who is charged, by regulation,

with the duty of reviewing the recommended decision of the hearing examiner who conducts a parole hearing, and with casting the vote that forms a panel recommendation to the Regional Commissioner. The current regulation refers to this official as the Regional Administrator. In anticipation of the closing of the U.S. Parole Commission's regional offices and the consolidation of its operational staff, the title of Regional Administrator is changed to Executive Hearing Examiner.

EFFECTIVE DATE: January 31, 1996.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492–5959.

SUPPLEMENTARY INFORMATION: With the anticipated elimination of the U.S. Parole Commission's regional office structure, it will be necessary for the Commission to change the title, and some of the administrative functions, of the senior hearing examiners who currently serve as Regional Administrators. However, for the decisionmaking function described at 28 CFR 2.23, the role of the Regional Administrator will not change. Thus, the substitution of the title Executive Hearing Examiner for ''Regional Administrator'' in 28 CFR 2.23 reflects agency structural changes that are outside the scope of the function described by that regulation. The Executive Hearing Examiner will continue to provide, for each case to be decided by the Commission, the review and participation of a senior hearing examiner before a panel recommendation is finalized.

Implementation

This rule change will take effect upon the anticipated closing of the Commission's regional office, and the consolidation of agency operational staff at the Commission's Chevy Chase, Maryland Headquarters. Thereafter, Regional Commissioners will continue to decide cases arising in each Commissioner's respective region. However, Regional Commissioners will be served by a centralized operations staff.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendment to 28 CFR part 2:

Text of the Final Rule

PART 2—[AMENDED]

(1) The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

§ 2.23 [Amended]

(2) 28 CFR Part 2, § 2.23 is amended by deleting the words ''Regional Administrator'' and substituting ''Executive Hearing Examiner'' wherever the words ''Regional Administrator'' appear.

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95–24195 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–P

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28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Modification of Parole Conditions

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is revising the regulation that describes the statutory procedure that the Commission must follow whenever it changes a parolee's conditions of parole. The current regulation omits reference to an important exception to the statutory requirement that each parolee be given ten days to comment on any modification of the conditions of parole before it goes into effect. The Commission may waive the ten-day notice procedure when it determines that an immediate modification of the conditions of parole is necessary to prevent harm to the parolee or the public. Although the Commission presently has the statutory authority to apply this exception, and does so when circumstances warrant, the Commission has determined that its regulation should be amended to describe this authority.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492–5959.

SUPPLEMENTARY INFORMATION: In 1976, Congress enacted 18 U.S.C. 4209, which authorizes the Commission to impose conditions of parole, and to modify those conditions provided that notice is given to the parolee, and ten days to provide comment, before such modification takes effect. The ten-day notice provision could only be waived following a revocation hearing, or in response to a request by the parolee. In 1986, Congress amended 18 U.S.C. 4209 to permit the Parole Commission to waive the ten-day notice provision whenever necessary to prevent immediate harm to the parolee or the public.

The Parole Commission has made use of that statutory authority to order modifications of parole conditions when urgently needed to protect the public safety. However, the Commission did not amend its regulation at 28 CFR 2.40(g), in order to update the description of the Commission's statutory authority that is contained in that regulation. The revised regulation promulgated herein corrects that omission.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendment to 28 CFR Part 2:

PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. 28 CFR Part 2, § 2.40(g) is revised to read as follows:

§ 2.40 Conditions of release.

* * * * *

(g) The ten-day notice provision of paragraph (b) of this section shall not

apply to a modification of the conditions of parole

(1) Following a revocation hearing,

(2) Upon a finding that immediate modification of the conditions of parole is required to prevent harm to the parolee or the public, or

(3) In response to a request by the parolee under paragraph (f) of this section.

* * * * *

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95–24196 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–P

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Pre-Release Reviews of Parole Dates

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is changing the definition of the term ''effective date of parole'' to refer to a parole that has been given final approval, without further review, within nine months of the prisoner's scheduled release. Under the current rule, the final review and approval of a parole date can only occur within six months of the prisoner's release. Until such final review and approval, a parole date is presumptive only. The purpose of this rule change is to streamline the review process, and to avoid delays in the release planning efforts of prison staff. It does not otherwise change the paroling practices of the Commission.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492–5959.

SUPPLEMENTARY INFORMATION: Under the federal parole system, an eligible prisoner (*i.e.*, a prisoner whose crime was committed prior to November 1, 1987), may be given a presumptive parole date up to fifteen years in advance. The date is ''presumptive'' because it is subject to periodic interim hearings under 18 U.S.C. 4208(h), and to a final pre-release review and approval six months prior to the scheduled release of the prisoner. 28 CFR 2.14(b).

The Bureau of Prisons submits a progress report on each prisoner who has a presumptive parole date, six to nine months in advance of that date. Because 28 CFR 2.1(h) requires the Commission to delay its review until 180 days prior to the date, delays can occur in the release planning efforts of Bureau of Prisons staff. In order to avoid such delays, the Commission has decided to amend 28 CFR 2.1(h) to permit the Commission to convert a presumptive date of parole to an effective date of parole (*i.e.*, a parole date that is not subject to further review) nine months prior to that date. Certain other rules are also amended, in order to conform with this change.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendments to 28 CFR Part 2:

The Final Rule

PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. 28 CFR Part 2, § 2.1(h) is revised to read as follows:

§ 2.1 Definitions.

* * * * *

(h) The term *effective date of parole* refers to a parole date that has been approved following an in-person hearing held within nine months of such date, or following a pre-release record review.

* * * * *

§ 2.12 [Amended]

3. 28 CFR Part 2, § 2.12(a) is amended by substituting ''nine months'' for ''six months.''

§ 2.14 [Amended]

4. 28 CFR Part 2, § 2.14(a)(1)(ii) is amended by substituting ''nine months'' for ''six months'' wherever the latter words occur.

5. 28 CFR Part 2, § 2.14(a)(2)(iv) is amended by substituting ''nine months'' for ''six months.''

6. 28 CFR Part 2, § 2.14(b)(3) is amended by substituting ''nine months'' for ''six months'' wherever the latter words occur.

§ 2.29 [Amended]

7. 28 CFR Part 2, § 2.29(b) is amended by substituting ''nine months'' for ''six months.''

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95–24194 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1602

Records and Reports

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of extension of deadline for filing report.

SUMMARY: Notice is hereby given that the deadline for filing the 1995 State and Local Government Information Report (EEO–4) required by 29 CFR 1602.32 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (i.e., payroll period which includes June 30, 1995).

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663–4958 (voice) or (202) 663–7063 (TDD).

For the Commission.

Dated: September 26, 1995.

Gilbert F. Casellas,

Chairman.

[FR Doc. 95–24432 Filed 9–29–95; 8:45 am]

BILLING CODE 6750–01–M

29 CFR Part 1602

Records and Reports

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of extension of deadline for filing report.

SUMMARY: Notice is hereby given that the deadline for filing the 1995 Employer Information Report (EEO–1) required by 29 CFR 1602.7 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (i.e., third quarter of the

calendar year or another period that has been or is approved by the Commission).

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663–4958 (voice) or (202) 663–7063 (TDD).

For the Commission.

Dated: September 26, 1995.

Gilbert F. Casellas,

Chairman.

[FR Doc. 95–24431 Filed 9–29–95; 8:45 am]

BILLING CODE 6750–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region II Docket No. 141; NJ21–1–7065a, FRL–5306–6]

Approval and Promulgation of Implementation Plans; The 1990 Base Year Ozone Emissions Inventory for New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving revisions to the New Jersey State Implementation Plan (SIP) pertaining to the 1990 base year ozone precursor emission inventory. The inventories were submitted by New Jersey as part of New Jersey's plan to attain the national ambient air quality standard (NAAQS) for ozone in the Atlantic City, New York/Northern New Jersey/Long Island, Philadelphia/Wilmington/ Trenton, and Allentown/Bethlehem/Easton areas of New Jersey.

DATES: This final rule is effective on December 1, 1995, unless adverse or critical comments are received by November 1, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: All comments should be addressed to: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway 20th Floor, New York, New York, 10007–1866.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region II Office, Air Programs Branch, 290 Broadway 20th Floor, New York, New York 10007–1866.

New Jersey Department of Environmental Protection, Office of Air Quality Management, Bureau of Air Quality Planning, 401 East State Street, CN418, Trenton, New Jersey 08625.

Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Demian Ellis, Air Programs Branch, Environmental Protection Agency, 290 Broadway 20th Floor, New York, New York 10007–1866, (212) 637–4249.

SUPPLEMENTARY INFORMATION:

Background

Under the Clean Air Act Amendments of 1990 (the Act), states have the responsibility to inventory emissions contributing to National Ambient Air Quality Standard (NAAQS) nonattainment, to track these emissions over time, and to ensure that control strategies are being implemented that reduce emissions and move areas towards attainment. The Act requires ozone nonattainment areas designated as marginal, moderate, serious, severe, and extreme to submit a SIP revision within three years of 1990 which contains a comprehensive, current, and accurate emission inventory. The 1990 base year emissions inventory is the primary inventory from which the periodic inventory, the Reasonable Further Progress (RFP) projection inventory, and the modeling inventory are derived. Further information on these inventories and their purpose can be found in the ''Emission Inventory Requirements for Ozone State Implementation Plans,'' U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, March 1991. The base year inventory may also serve as part of statewide inventories for purposes of regional modeling in transport areas. The base year inventory plays an important role in modeling demonstrations for areas classified as moderate and above outside transport regions.

The air quality planning requirements for marginal to extreme ozone nonattainment areas are set out in section 182 (a)–(e) of Title I of the Act. EPA has issued a General Preamble describing EPA's preliminary views on how EPA intends to review SIP revisions submitted under Title I of the Act, including requirements for the preparation of the 1990 base year inventory [see 57 FR 13502; April 16, 1992 and 57 FR 18070; April 28, 1992]. Because EPA is describing its interpretation here only in broad terms, the reader should refer to the General Preamble (57 FR 18070, Appendix B, April 28, 1992) for a more detailed discussion of the interpretations of Title I advanced in today's action and the supporting rationale. In today's rulemaking on the New Jersey ozone base year emissions inventory, EPA is applying its interpretations taking into consideration the specific factual issues presented.

Those states containing ozone nonattainment areas classified as marginal to extreme are required under section 182(a)(1) of the Act to submit a final, comprehensive, current, and accurate inventory of actual ozone season, weekday emissions from all sources by November 15, 1992. This inventory is for calendar year 1990 and is denoted as the base year inventory. It includes both anthropogenic and biogenic sources of volatile organic compound (VOC), nitrogen oxides (NO_X), and carbon monoxide (CO). The inventory is to address actual VOC, NO_X, and CO emissions for the area during a peak ozone season, which is generally comprised of the summer months. All stationary point and area sources, as well as highway mobile sources within the nonattainment area, are to be included in the compilation. Available guidance for preparing emission inventories is provided in the General Preamble (57 FR 13498, April 16, 1992).

Today's Rulemaking

Section 110(k) of the Act sets out provisions governing EPA's review of base year emission inventory submittals in order to determine approval or disapproval under section 182(a)(1) (see 57 FR 13565–66, April 16, 1992). EPA is approving the 1990 base year ozone emission inventory submitted to EPA for the Atlantic City, New York/ Northern New Jersey/Long Island, Philadelphia/Wilmington, Trenton, and Allentown/Bethlehem/Easton nonattainment areas, based upon the review procedures outlined in the next section.

A. Criteria for Approval

There are general and specific components of an acceptable emission inventory. In general, the emission inventory must meet certain minimum requirements for reporting each source category. Specifically, the source requirements are detailed below.

A Level I and II review process, which is described in supporting documentation, is used to determine that all components of the base year inventory are present. This review also evaluates the level of supporting

documentation provided by the state, assesses whether the emissions were developed according to current EPA guidance, and evaluates the quality of the data.

The level III review process is outlined here and consists of 10 points that the inventory must include. For a base year emission inventory to be acceptable it must pass all of the following acceptance criteria:

- Was there an approved Inventory Preparation Plan (IPP)? Was the QA program contained in the IPP implemented and was its implementation documented?
- Was documentation adequate to enable the reviewer to determine the emission estimation procedures and the data sources used to develop the inventory?
- Is the point source inventory complete?
- Were point source emissions prepared/calculated according to current EPA guidance?
- Is the area source inventory complete?
- Were the area source emissions prepared/calculated according to current EPA guidance?
- Were biogenic emissions prepared/calculated using PC–BEIS according to current EPA guidance?
- Was the method (e.g., Highway Performance Monitoring System (HPMS), network transportation planning model) used to develop Vehicles Miles Traveled (VMT) estimates in accordance with EPA guidance, and was it adequately described and documented in the inventory report?
- Was the MOBILE 4.1 vehicle emissions model correctly used to produce emission factors for each of the eight MOBILE 4.1 vehicle classes?
- Were the emission estimates for non-road source categories correctly prepared according to current EPA guidance?

The base year emission inventory is approvable if it passes Levels I, II, and III of the review process. Detailed Level I and II review procedures can be found in the following document: ''Quality Review Guidelines for 1990 Base Year Emission Inventories,'' U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, July 27, 1992. Level III review procedures are specified in a memorandum from David Mobley and G.T. Helms to the Regions ''1990 O_3/CO SIP Emission Inventory Level III Acceptance Criteria,'' October 7, 1992 and revised in a memorandum from John Seitz to the Regional Air Directors dated June 24, 1993.

B. Procedural Background

The Act requires states to observe certain procedural requirements in developing emission inventory submissions to EPA. Section 110(a)(2) of the Act provides that each emission inventory submitted by a state must be adopted after reasonable notice and public hearing.[1] Final approval of the inventory will not occur until the state revises the inventory to address public comments. EPA created a ''de minimis'' exception to the public hearing requirement for minor changes. EPA defines ''de minimis'' for such purposes to be those in which the 15 percent reduction calculation and the associated control strategy or the maintenance plan showing, do not change. States will aggregate all such ''de minimis'' changes together when making the determination as to whether the change constitutes a SIP revision. The states will need to make the change through a formal SIP revision process, in conjunction with the change to the control measure or other SIP programs. Section 110(a)(2) of the Act similarly provides that each revision to an implementation plan submitted by a state under the Act must be adopted by such state after reasonable notice and public hearing.

C. State Submittal

The State of New Jersey held a public hearing on October 14 and 19, 1993 to receive public comment on the 1990 base year emission inventory for the Atlantic City, New York/Northern New Jersey/Long Island, Philadelphia/Wilmington/Trenton, and Allentown/Bethlehem/Easton nonattainment areas of New Jersey. The inventory was adopted by the State and signed and submitted by the Commissioner on November 15, 1993 as a proposed revision to the SIP. On November 21, 1994, New Jersey submitted a technical amendment to its carbon monoxide SIP, which included revisions to the 1990 base year ozone emission inventory. In a letter dated April 16, 1994, EPA found the emission inventory to be complete.

Based on EPA's level III review findings, New Jersey has satisfied all of EPA's requirements for purposes of providing a comprehensive, accurate, and current inventory of actual emissions in the ozone nonattainment areas. A summary of EPA's level III findings is given below:

- New Jersey submitted an Inventory Preparation Plan for the Development of Ozone/CO SIP Inventory of Base Year 1990 Emissions, dated August 1991 and revised April 1992. This Plan contained a Quality Assurance Plan which was implemented and documented.
- The inventory is well documented. New Jersey provided documentation detailing the methods used to develop emissions estimates for each category. In addition, New Jersey identified the sources of data used in developing the inventory.
- The point and area source inventories are complete and were prepared/calculated in accordance with EPA guidance.
- New Jersey biogenic emissions were prepared/calculated using the July, 1991 version of PC–BEIS according to current EPA guidance.
- The method used to develop VMT estimates was in accordance with EPA guidance and was adequately described and documented in the inventory report.
- The most current version of the mobile model was used correctly for each of the eight vehicle classes.
- Emission estimates for the non-road mobile source categories were correctly prepared according to EPA guidance.

Based on EPA guidance, the inventory is complete and approvable. A more detailed discussion of how the emission inventory was reviewed and the results are presented in the supporting TSD.

A summary of the emission inventories broken down by point, area, biogenic, on-road, and non-road mobile sources are presented in the following tables:

[1] Also Section 172(c)(7) of the Act requires that plan provisions for nonattainment areas meet the applicable provisions of Section 110(a)(2).

NEW YORK/NORTHERN NEW JERSEY/LONG ISLAND OZONE NONATTAINMENT AREA (NEW JERSEY PORTION) EMISSIONS

[Tons/day]

Pollutant	Area source emissions	Point source emissions	On-road mobile source emissions	Non-road mobile source emissions	Biogenics	Total emissions
VOC	294	238	341	136	210	1,219
NO_X	53	451	397	140	N/A	1,041
CO	41	73	2162	974	N/A	3,250

ATLANTIC CITY MSA OZONE NONATTAINMENT AREA (NEW JERSEY PORTION) EMISSIONS

[Tons/day]

Pollutant	Area source emissions	Point source emissions	On-road mobile source emissions	Non-road mobile source emissions	Biogenics emissions	Total emissions
VOC	17	1	23	11	54	106
NO_X	2	62	29	13	N/A	106
CO	4	3	148	67	N/A	222

ALLENTOWN/BETHLEHEM MSA OZONE NONATTAINMENT AREA (NEW JERSEY PORTION) EMISSIONS

[Tons/day]

Pollutant	Area source emissions	Point source emissions	On-road mobile source emissions	Non-road mobile source emissions	Biogenics emissions	Total emissions
VOC	6	3	7	4	24	44
NO_X	1	11	10	2	N/A	24
CO	1	1	45	18	N/A	65

PHILADELPHIA/WILMINGTON/TRENTON CMSA OZONE NONATTAINMENT AREA (NEW JERSEY PORTION) EMISSIONS

[Tons/day]

Pollutant	Area source emissions	Point source emissions	On-road mobile source emissions	Non-road mobile source emissions	Biogenics emissions	Total emissions
VOC	100	112	108	46	203	569
NO_x	12	308	132	40	N/A	492
CO	15	55	701	314	N/A	1,085

Conclusion

EPA is fully approving the SIP ozone precursor emission inventory submitted to EPA by the State of New Jersey on November 15, 1993 and amended on November 21, 1994. The State has submitted a complete inventory containing point, area, biogenic, on-road, and non-road mobile source data, and adequate documentation.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

EPA is publishing this rule without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. Thus, this direct final action will be effective December 1, 1995, unless, by November 1, 1995, adverse or critical comments are received.

If the EPA receives such comments, this rule will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this

rule should do so at this time. If no adverse comments are received, the public is advised that this rule will be effective in 60 days. (See 47 FR 27073 and 59 FR 24059).

Under the Regulatory Flexibility Act, 5 U.S.C. § 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. §§ 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under Section 110 and Subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moveover, due to the nature of the federal-state relationship under the Act, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v *US EPA*, 427 US 246, 256–66 (S.Ct. 1976); 42 U.S.C. § 7410(a)(2).

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a federal mandate that may result in estimated annual costs of $100 million or more to the private sector, or to state, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, the state and any affected local or tribal governments have elected to adopt the program provided for under sections 110 and 182 of the Clean Air Act. These rules may bind state, local and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules being approved by this action would impose any mandate upon the state, local or tribal governments either as the owner or operator of a source or as a regulator, or would impose any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these regulations under state law. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this direct final action does not include a mandate that may result in estimated annual costs of $100 million or more to state, local, or tribal governments in the aggregate or to the private sector.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

Under section 307(b)(l) of the Act, petitions for judicial review of this rule must be filed in the United States Court of Appeals for the appropriate circuit within 60 days from date of publication. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This rule may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

List of Subjects in 40 CFR Part 52

Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Volatile organic compounds.

Dated: September 18, 1995.

William J. Muszynski,

Deputy Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart FF—New Jersey

2. Section 52.1582 is amended by adding paragraph (d) to read as follows:

§ 52.1582 Control strategy and regulations: Ozone (volatile organic substances) and carbon monoxide.

* * * * *

(d) The base year ozone precursor emission inventory requirement of section 182(a)(1) of the 1990 Clean Air Act Amendments has been satisfied for the Atlantic City, New York/ Northern New Jersey/Long Island, Philadelphia/ Wilmington/ Trenton, and Allentown/ Bethlehem/Easton areas of New Jersey. The inventory was submitted on November 15, 1993 and amended on November 21, 1994 by the New Jersey Department of Environmental Protection as a revision to the ozone State Implementation Plan (SIP).

[FR Doc. 95–24461 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Parts 52 and 81

[LA–15–1–6073a; FRL–5307–4]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Approval of the Maintenance Plan for the New Orleans Consolidated Metropolitan Statistical Area (CMSA); Redesignation of the New Orleans CMSA To Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On October 15, 1994, the State of Louisiana submitted a revised maintenance plan and request to redesignate the New Orleans CMSA ozone nonattainment area to attainment. The New Orleans CMSA is comprised of six parishes: Jefferson, Orleans, St. Charles, St. Bernard, St. John the Baptist, and St. Tammany. Maintenance and contingency plans are not included in the action for the parishes of St. John the Baptist and St. Tammany. St. John the Baptist Parish was previously redesignated to attainment, and St. Tammany Parish has never been designated as nonattainment.

This maintenance plan and redesignation request was initially submitted to the EPA on April 23, 1993. Although the EPA deemed this initial submittal complete on September 10, 1993, certain approvability issues existed. The State of Louisiana addressed these approvability issues and has revised its submissions. Under the Clean Air Act (CAA), nonattainment areas may be redesignated to attainment if sufficient data are available to warrant the redesignation and the area meets the other CAA redesignation requirements. In this action, EPA is approving Louisiana's redesignation request because it meets the maintenance plan and redesignation requirements set forth in the CAA, and EPA is approving the 1990 base year emissions inventory. The approved maintenance plan will become a federally enforceable part of

the State Implementation Plan (SIP) for Louisiana.

DATES: This final rule is effective on December 1, 1995, unless notice is postmarked by November 1, 1995, that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register (FR).

ADDRESSES: Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6PD-L), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

Louisiana Department of Environmental Quality, Office of Air Quality, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana 70810.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Mick Cote, Air Planning Section (6PD–L), U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7219.

SUPPLEMENTARY INFORMATION:

Background

The CAA, as amended in 1977 required areas that were designated nonattainment based on a failure to meet the ozone National Ambient Air Quality Standards (NAAQS) to develop SIPs with sufficient control measures to expeditiously attain and maintain the standard. The New Orleans CMSA was designated under section 107 of the 1977 CAA as nonattainment with respect to the ozone NAAQS on September 11, 1978 (40 CFR 81.319). In accordance with section 110 of the 1977 CAA, the State of Louisiana submitted an ozone SIP as required by part D on December 10, 1979. EPA fully approved this ozone SIP on October 29, 1981 (46 FR 53412). The most recent revision to the ozone SIP occurred on May 5, 1994, when the EPA approved a SIP revision for the State of Louisiana to correct certain enforceability deficiencies in its volatile organic compounds (VOC) rules (59 FR 23164). For purposes of redesignations, the State of Louisiana has an approved ozone SIP for these parishes being considered for redesignation.

On November 15, 1990, the CAA Amendments of 1990 were enacted (Public Law 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q). The ozone nonattainment designation for Jefferson, Orleans, St. Charles, and St. Bernard Parishes continued by operation of law according to section 107(d)(1)(C)(i) of the CAA, as amended in 1990 (See 56 FR 56694, November 6, 1991). Since the State had collected the required three years of ambient air quality data necessary to petition for redesignation to attainment, and these data demonstrate that the ozone standard had not been violated, the New Orleans CMSA was designated as transitional for ozone.

The Louisiana Department of Environmental Quality (LDEQ) has continued to collect ambient monitoring data that show no violations of the ozone NAAQS of .12 parts per million. The State developed maintenance plans for Jefferson, Orleans, St. Bernard, and St. Charles Parishes, and solicited public comment. Subsequently, the State of Louisiana submitted a request, through the Governor's office, to redesignate these parishes to attainment with respect to the ozone NAAQS. The initial redesignation request and maintenance plans for the New Orleans CMSA were submitted to the EPA on April 23, 1993. Although these maintenance plans and the redesignation request were deemed complete, several approvability issues existed. The State of Louisiana addressed these approvability issues, and submitted revised maintenance plans and a redesignation request accordingly. The revised redesignation request for the New Orleans CMSA was received on October 14, 1994.

Evaluation Criteria

The 1990 Amendments revised section 107(d)(3)(E) to provide five specific requirements that an area must meet in order to be redesignated from nonattainment to attainment: (1) The area must have attained the applicable NAAQS; (2) the area must meet all applicable requirements under section 110 and part D of the CAA; (3) the area must have a fully approved SIP under section 110(k) of the CAA; (4) the air quality improvement must be permanent and enforceable; and, (5) the area must have a fully approved maintenance plan pursuant to section 175A of the CAA. Section 107(d)(3)(D) allows a Governor to initiate the redesignation process for an area to apply for attainment status.

Please see EPA's Technical Support Document (TSD) contained in the docket for a detailed discussion of these requirements.

(1) Attainment of the NAAQS for Ozone

Attainment of the ozone NAAQS is determined based on the expected number of exceedances in a calendar year. The method for determining attainment of the ozone NAAQS is contained in 40 CFR 50.9 and appendix H to that section. The simplest method by which expected exceedances are calculated is by averaging actual exceedances at each monitoring site over a three year period. An area is in attainment of the standard if this average results in expected exceedances for each monitoring site of 1.0 or less per calendar year. When a valid daily maximum hourly average value is not available for each required monitoring day during the year, the missing days must be accounted for when estimating exceedances for the year. Appendix H provides the formula used to estimate the expected number of exceedances for each year.

The State of Louisiana's request is based on an analysis of quality-assured ozone air quality data which is relevant to both the maintenance plan and to the redesignation request. The data come from the State and Local Air Monitoring Station network. This request is based on ambient air ozone monitoring data collected for more than 3 consecutive years in the area. Jefferson, Orleans, St. Bernard, and St. Charles Parishes have collected ozone data since 1982, 1981, 1981, and 1991, respectively. The data clearly show an expected exceedance rate of less than 1 for all these parishes. Please see the TSD for the detailed air quality monitoring data.

In addition to the demonstration discussed above, EPA required completion of air network monitoring requirements set forth in 40 CFR part 58. This included a quality assurance plan revision and a monitoring network review to determine the adequacy of the ozone monitoring network. The LDEQ fulfilled these requirements to complete documentation for the air quality demonstration. The LDEQ has also committed to continue monitoring in the New Orleans CMSA in accordance with 40 CFR part 58.

In summary, EPA believes that the data submitted by the LDEQ provides an adequate demonstration that the New Orleans CMSA attained the ozone NAAQS. Moreover, the monitoring data continue to show attainment to date.

If the State's monitoring data demonstrates a valid violation of the NAAQS before the direct final action is effective, the direct final approval of the redesignation will be withdrawn and a proposed disapproval substituted for the direct final approval.

(2) Section 110 Requirements

For purposes of redesignation, to meet the requirement that the SIP contain all applicable requirements under the CAA, EPA has reviewed the SIP to ensure that it contains all measures that were due under the CAA prior to or at the time the State submitted its redesignation request, as set forth in EPA policy. EPA interprets section 107(d)(3)(E)(v) of the CAA to mean that, for a redesignation request to be approved, the State must have met all requirements that applied to the subject area prior to or at the same time as the submission of a complete redesignation request. In this case, the date of submission of a complete redesignation request is April 23, 1993. Requirements of the CAA that come due subsequently continue to be applicable to the area at later dates (see section 175A(c)) and, if redesignation of any of the areas is disapproved, the State remains obligated to fulfill those requirements. These requirements are discussed in the following EPA documents: ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' John Calcagni, Director, Air Quality Management Division, September 4, 1992; ''State Implementation Plan (SIP) Actions Submitted in Response to Clean Air Act (CAA) Deadlines,'' John Calcagni, Director, Air Quality Management Division, October 28, 1992; and ''State Implementation Plan (SIP) Requirements for Areas Submitting Requests for Redesignation to Attainment of the Ozone and Carbon Monoxide (CO) National Ambient Air Quality Standards (NAAQS) on or after November 15, 1992,'' Michael H. Shapiro, Acting Assistant Administrator, September 17, 1993.

EPA has analyzed the Louisiana SIP and determined that it is consistent with the requirements of amended section 110(a)(2). The SIP contains enforceable emission limitations; requires monitoring, compiling, and analyzing ambient air quality data; requires preconstruction review of new major stationary sources and major modifications to existing ones; provides for adequate funding, staff, and associated resources necessary to implement its requirements; and requires stationary source emissions monitoring and reporting.

(3) Part D Requirements

Before the New Orleans CMSA can be redesignated to attainment, the Louisiana SIP must have fulfilled the applicable requirements of part D of the CAA. Under part D, an area's classification indicates the requirements to which it will be subject. Subpart 1 of part D sets forth the basic nonattainment requirements applicable to all nonattainment areas, classified as well as nonclassifiable. Subpart 2 of part D establishes additional requirements for nonattainment areas classified under table 1 of section 181(a)(1). Since the New Orleans CMSA is considered nonclassifiable, the State is only required to meet the applicable requirements of subpart 1 of part D—specifically sections 172(c) and 176. As long as EPA did not determine that any of the pertinent section 172(c) requirements were applicable prior to the submission of these redesignation requests in 1993, none of these requirements are applicable for purposes of this redesignation action.

Section 176(c) of the CAA requires States to revise their SIP's to establish criteria and procedures to ensure that Federal actions, before they are taken, conform to the air quality planning goals in the applicable State SIP. The requirement to determine conformity applies to transportation plans, programs and projects developed, funded, or approved under title 23 U.S.C. or the Federal Transit Act (''transportation conformity''), as well as to all other Federal actions (''general conformity'').

Section 176 further provides that the conformity revisions to be submitted by the States must be consistent with Federal conformity regulations that the CAA required EPA to promulgate. Congress provided for the State revisions to be submitted one year after the date for promulgation of final EPA conformity regulations. When that date passed without such promulgation, EPA's General Preamble for the implementation of title I informed the State that its conformity regulations would establish a submittal date (see 57 FR 13498, 13557 (April 16, 1992)). The EPA promulgated final transportation conformity regulations on November 24, 1993 (58 FR 62118) and general conformity regulations on November 30, 1993 (58 FR 63214). These conformity rules require that States adopt both transportation and general conformity provisions in the SIP for areas designated nonattainment or subject to a maintenance plan approved under CAA section 175A.

Pursuant to 40 CFR 51.396 of the transportation conformity rule and 40 CFR 51.851 of the general conformity rule, the State of Louisiana was required to submit a SIP revision containing transportation conformity criteria and procedures consistent with those established in the Federal rule by November 25, 1994. Similarly, Louisiana was required to submit a SIP revision containing general conformity criteria and procedures consistent with those established in the Federal rule by December 1, 1994. Louisiana submitted both its transportation and general conformity rules to EPA on November 10, 1994. As these requirements did not come due until after the original submission date of this redesignation request, these conformity rule submissions need not be approved prior to taking action on this redesignation request.

(3) Fully Approved SIP

The EPA finds that the State of Louisiana has a fully approved SIP for the New Orleans CMSA for the purposes of redesignating the area to attainment for ozone.

(4) Permanent and Enforceable Measures

Under the CAA, EPA approved Louisiana's SIP control strategy for the New Orleans CMSA, satisfied that the rules and the emission reductions achieved as a result of those rules were enforceable. Several Federal and Statewide rules are in place which have significantly improved the ambient air quality in this area. Existing Federal programs, such as the Federal Motor Vehicle Control Program and the Reid Vapor Pressure limit of 7.8 pounds per square inch for gasoline, will not be lifted upon redesignation. These programs will counteract emissions growth as the area experiences economic growth over the life of their maintenance plans.

The State adopted volatile organic compound (VOC) rules such as oil/water separation; degreasing and solvent clean-up processes; surface coating rules for large appliances, furniture, coils, paper, fabric, vinyl, cans, miscellaneous metal parts and products, and factory surface coating of flat wood paneling; solvent-using rules for graphic arts; and miscellaneous industrial source rules such as for cutback asphalt. The applicable reasonably available control technology (RACT) rules will also remain in place. In addition, the State permits program, the Prevention of Significant Deterioration permits program, and the Federal Operating

Permits program will help counteract emissions growth.

The EPA finds that the combination of existing EPA-approved SIP and Federal measures ensure the permanence and enforceability of reductions in ambient ozone levels that have allowed the area to attain the NAAQS.

(5) Fully Approved Maintenance Plan Under Section 175A

In today's document, EPA is approving the State's maintenance plan for the New Orleans CMSA because EPA finds that the LDEQ's submittal meets the requirements of section 175A. Thus, the area will have a fully approved maintenance plan in accordance with section 175A as of the effective date of this redesignation. Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The plan must demonstrate continued attainment of the applicable NAAQS for at least ten years after the Regional Administrator approves a redesignation to attainment. Eight years after the redesignation, the State must submit a revised maintenance plan which demonstrates that attainment will continue to be maintained for the ten years following the initial ten-year period. To provide for the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, with a schedule for implementation, adequate to assure prompt correction of any air quality problems. Each of the section 175A plan requirements is discussed below.

Demonstration of Maintenance

The requirements for an area to redesignate to attainment are discussed in the memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' John Calcagni, Director, Air Quality Management Division, September 4, 1992 (Calcagni memo). One aspect of a complete maintenance demonstration discussed in the Calcagni memo is the requirement to develop an emissions inventory from one of the three years during which the area has demonstrated attainment. This inventory should include VOC's, oxides of nitrogen (NOx), and CO emissions from the area in tons per day measurements.

Attainment Inventory

The LDEQ adopted a comprehensive inventory of VOC, NO_X, and CO emissions from area, stationary, and mobile sources using 1990 as the base year to demonstrate maintenance of the ozone NAAQS. EPA has determined that 1990 is an appropriate year on which to base attainment level emissions because EPA policy allows States to select any one of the three years in the attainment period as the attainment year inventory. The State's submittal contains the detailed inventory data and summary by source category.

The LDEQ provided the stationary source estimates for each company meeting the emissions criteria by requiring the submission of complete emissions inventory questionnaires which had been designed to obtain site-specific data. The LDEQ generated area source emissions for each source category based on EPA's ''Procedures for the Preparation of Emissions Inventories for Precursors of Carbon Monoxide and Ozone, Volume I'', and the EPA document entitled ''Compilation of Air Pollutant Emission Factors''. The nonroad mobile source inventory was developed using methodology recommended in EPA's ''Procedures for Emission Inventory Preparation. Volume IV: Mobile Sources''. Additional data were provided with reference to an EPA-sponsored study entitled ''Nonroad Engine Emission Inventories for CO and Ozone Nonattainment Boundaries.'' Onroad emissions of VOC, N_X, and CO were calculated on a county-wide basis using EPA's MOBILE5a computer model. Growth projections were derived from the United States Department of Commerce, Bureau of Economic Analysis statistics. These projections represent growth for Louisiana for each emission source category.

The following table is a summary of the revised average peak ozone season weekday VOC and NO_X emissions for the major anthropogenic source categories for the 1990 attainment year inventory.

	Tons per day			
	1990	1995	2000	2005
Jefferson Parish				
Point Source CO	4.64	4.79	4.97	5.04
Point Source VOC	6.28	6.41	6.54	6.62
Point Source NO_X	55.12	57.74	60.63	62.07
Area Source CO	2.78	2.85	2.84	2.85
Area Source VOC	25.85	26.41	26.33	26.42
Area Source NO_X	1.75	1.79	1.78	1.79
Nonroad Source CO	118.08	120.60	120.27	120.67
Nonroad Source VOC	13.58	13.87	13.83	13.88
Nonroad Source NO_X	13.63	13.92	13.88	13.93
Onroad Source CO	255.87	179.03	147.19	132.46
Onroad Source VOC	31.47	21.34	18.08	16.14
Onroad Source NO_X	27.90	24.61	21.53	19.35
Total CO	381.37	307.26	275.26	258.45
Total VOC	77.18	68.02	64.78	63.05
Total NO_X	98.41	98.06	97.82	97.14
Orleans Parish				
Point Source CO	2.04	2.10	2.18	2.21
Point Source VOC	.47	.47	.48	.47
Point Source NO_X	22.30	23.32	24.38	24.89
Area Source CO	3.24	3.11	3.27	3.30
Area Source VOC	23.21	22.25	23.42	23.67
Area Source NO_X	1.38	1.32	1.39	1.40
Nonroad Source CO	130.89	125.53	132.11	133.48

	Tons per day			
	1990	1995	2000	2005
Nonroad Source VOC	15.05	14.43	15.19	15.35
Nonroad Source NO_X	15.05	14.43	15.19	15.35
Onroad Source CO	262.15	192.22	157.38	139.77
Onroad Source VOC	32.16	22.90	19.50	17.29
Onroad Source NO_X	30.01	27.65	24.08	21.44
Total CO	398.32	322.96	294.94	278.75
Total VOC	70.89	60.06	58.59	56.78
Total NO_X	68.79	66.72	65.04	63.08
St. Bernard Parish				
Point Source CO	53.80	53.76	54.28	53.21
Point Source VOC	16.35	16.32	16.47	16.16
Point Source NO_X	29.44	29.44	29.79	29.46
Area Source CO	.73	.78	.76	.75
Area Source VOC	3.43	3.59	3.52	3.49
Area Source NO_X	.27	.29	.28	.28
Nonroad Source CO	17.55	18.41	18.00	17.88
Nonroad Source VOC	2.02	2.12	2.07	2.06
Nonroad Source NO_X	2.02	2.12	2.08	2.06
Onroad Source CO	30.18	21.04	17.37	16.04
Onroad Source VOC	3.69	2.50	2.08	1.88
Onroad Source NO_X	2.82	2.45	2.16	1.99
Total CO	102.26	93.99	90.41	87.88
Total VOC	25.49	24.53	24.15	23.59
Total NO_X	34.56	34.30	34.31	33.79
St. Charles Parish				
Point Source CO	10.68	10.79	11.01	10.98
Point Source VOC	30.44	30.19	30.23	29.73
Point Source NO_X	118.05	120.85	124.57	125.41
Area Source CO	.29	.31	.30	.75
Area Source VOC	2.14	2.29	2.23	2.21
Area Source NO_X	.15	.16	.16	.16
Nonroad Source CO	11.18	11.95	11.64	11.57
Nonroad Source VOC	1.28	1.38	1.34	1.33
Nonroad Source NO_X	1.29	1.38	1.34	1.33
Onroad Source CO	46.85	35.80	29.56	26.60
Onroad Source VOC	5.42	3.99	3.55	3.35
Onroad Source NO_X	7.75	7.08	6.49	6.22
Total CO	69.00	59	52.51	51.42
Total VOC	39.28	37.84	37.53	36.63
Total NO_X	127.24	129.47	131.55	133.11

It should be noted that although the NO_X projections for St. Charles Parish increase by 2,143 tons per year in 2005, the overall four parish NO_X inventory decreases by 682 tons per year overall. The attainment inventories submitted by the LDEQ for Jefferson, Orleans, St. Bernard, and St. Charles Parishes meet the redesignation requirements as discussed in the Calcagni memo. Therefore, the EPA is today approving the emissions inventory component of the maintenance plan for these parishes.

Continued Attainment

Continued attainment of the ozone NAAQS in the New Orleans CMSA will depend, in part, on the Federal and State control measures discussed previously. However, the ambient air monitoring sites will remain active at their present locations during the maintenance period. These data will be quality assured and submitted to the Aerometric Information and Retrieval System (AIRS) on a monthly basis. Certain monitored ozone levels will provide the basis for triggering measures contained in the contingency plans. Additionally, as discussed above, during year 8 of the maintenance period, the LDEQ is required to submit a revised plan to provide for maintenance of the ozone standard in these parishes for the next ten years.

Contingency Plan

Section 175A of the CAA requires that a maintenance plan include contingency provisions, as necessary, to promptly correct any violation of the NAAQS that occurs after redesignation of the area to attainment. The contingency plan should clearly identify the measures to be adopted, a schedule and procedure for adoption and implementation, and a specific time limit for action by the State. The State should also identify specific triggers which will be used to determine when the measures need to be implemented.

The LDEQ has selected VOC offsets and new Control Techniques Guidelines (CTG) or Alternative Control Technology (ACT) rule implementation as its contingency measures. At any time during the maintenance period, if any one of the four parishes included in the maintenance area record a second exceedance of the ozone NAAQS within any consecutive three-year period (a level below the NAAQS), the LDEQ will promulgate a rule change to implement VOC offsets in that parish. This rule will be submitted to EPA within 9 months of the second exceedance. Implementation

will occur if a third exceedance of the ozone standard is recorded during any consecutive 3 year period.

Should any parish experience a third exceedance of the ozone standard during any consecutive 3 year period, the LDEQ will promulgate a rule revision to place new CTG and ACT VOC rules (where applicable) in that parish. These rules will be submitted to the EPA within 9 months of the third exceedance. Implementation will occur if a violation of the ozone standard is recorded during any consecutive 3 year period. These contingency measures and schedules for implementation satisfy the requirements of section 175A(d).

Final Action

The EPA has evaluated the State's redesignation request for the New Orleans CMSA for consistency with the CAA, EPA regulations, and EPA policy. The EPA believes that the redesignation request and monitoring data demonstrate that this area has attained the ozone standard. In addition, the EPA has determined that the redesignation request meets the requirements and policy set forth in the General Preamble and policy memorandum discussed in this notice for area redesignations, and today is approving Louisiana's redesignation request for the New Orleans CMSA.

The EPA is publishing this action without prior proposal because the EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective December 1, 1995, unless adverse or critical comments are postmarked by November 1, 1995. If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received on this action, the public is advised that this action will be effective December 1, 1995.

The EPA has reviewed this redesignation request for conformance with the provisions of the CAA and has determined that this action conforms to those requirements.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, the EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, under 5 U.S.C. 605(b), the EPA may certify that the rule will not have a significant impact on a substantial number of small entities (see 46 FR 8709). Small entities include small businesses, small not-for-profit enterprises, and governmental entities with jurisdiction over populations of less than 50,000.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 1, 1995. Filing a petition for reconsideration of this final rule by the Administrator does not affect the finality of this rule for purposes of judicial review; nor does it extend the time within which a petition for judicial review may be filed, or postpone the effectiveness of this rule. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

Nothing in this action shall be construed as permitting, allowing, or establishing a precedent for any future request for a revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

SIP approvals under section 110 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on small entities. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The CAA forbids EPA from basing its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. E.P.A.*, 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2). The Office of Management and Budget has exempted this action from review under Executive Order 12866.

Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of $100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of this SIP or plan revision approved in this action, the State and any affected local or tribal governments have elected to adopt the program provided for under section 175A of the Clean Air Act. The rules and commitments approved in this action may bind State, local and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules and commitments being approved by this action will impose or lead to the imposition of any mandate upon the State, local, or tribal governments, either as the owner or operator of a source or as a regulator, or would impose or lead to the imposition of any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Therefore, EPA has determined that this final action does not include a mandate that may result in estimated costs of $100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

Table 3 SIP Actions Exempt From OMB Review

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Area designations, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, National Parks, Reporting and recordkeeping, Ozone, Volatile organic compounds, Wilderness areas.

Dated: September 22, 1995.

Allyn M. Davis,

Acting Regional Administrator (6RA).

40 CFR Parts 52 and 81 are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart T—Louisiana

2. Section 52.975 is amended by adding paragraph (c) to read as follows:

§ 52.975 Redesignations and maintenance plans: Ozone.

* * * * *

(c) Approval—The Louisiana Department of Environmental Quality (LDEQ) submitted a redesignation request and maintenance plan for the New Orleans CMSA on April 23, 1993. The EPA deemed this request complete on September 10, 1993. Several approvability issues existed, however. The LDEQ addressed these approvability issues in a supplemental ozone redesignation request and revised maintenance plan. This supplemental submittal was received on October 14, 1994. The redesignation request and maintenance plans meet the redesignation requirements in section 107(d)(3)(E) of the Act as amended in 1990. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State Implementation Plan for Jefferson, Orleans, St. Bernard, and St. Charles Parishes. The EPA therefore approved the request for redesignation to attainment with respect to ozone for Jefferson, Orleans, St. Bernard, and St. Charles Parishes on December 1, 1995.

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. In § 81.319, the ozone table is amended by revising the entries for Jefferson, Orleans, St. Bernard, and St. Charles Parishes to read as follows:

§ 81.319 Louisiana.

* * * * *

LOUISIANA—OZONE

Designated area	Designation		Classification	
	Date	Type	Date[1]	Type
* * *	*	*	*	*
Jefferson Parish	December 1, 1995	Attainment.		
Orleans Parish	December 1, 1995	Attainment.		
St. Bernard Parish	December 1, 1995	Attainment.		
St. Charles Parish	December 1, 1995	Attainment.		
* * *	*	*	*	*

[1] This date is November 15, 1990, unless otherwise noted.

* * * * *

[FR Doc. 95–24413 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 81

[MI39–02–7202; FRL–5307–7]

Designation of Areas for Air Quality Planning Purposes; Correction of Designation of Nonclassified Ozone Nonattainment Areas; State of Michigan: Withdrawal of Direct Final Action

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final action.

SUMMARY: On August 8, 1995, the EPA published a proposed rule (60 FR 40338) and a direct final rule (60 FR 40297) announcing the USEPA decision to correct the ozone designations for the Allegan County, Barry County, Battle Creek (Calhoun County), Benton Harbor (Berrien County), Branch County, Cass County, Gratiot County, Hillsdale County, Huron County, Ionia County, Jackson (Jackson County), Kalamazoo (Kalamazoo County), Lapeer County, Lenawee County, Montcalm (Montcalm County), Sanilac County, Shiawassee County, St. Joseph County, Tuscola County, and Van Buren County nonattainment nonclassified/incomplete data areas and the Lansing-East Lansing (Clinton County, Eaton County, and Ingham County) nonattainment nonclassified/transitional area pursuant to section 110(k)(6) of the Clean Air Act. The EPA is withdrawing the final rule due to adverse comments and will summarize and address all public comments received in a subsequent final rule (based upon the proposed rule cited above).

EFFECTIVE DATE: This withdrawal of the direct final action will be effective October 2, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

FOR FURTHER INFORMATION CONTACT: Jacqueline Nwia, Regulation Development Section, Air Toxics and Radiation Branch (AT–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604. Telephone: (312) 886–6081.

List of Subjects in 40 CFR Part 81

Air pollution control, Hydrocarbons, National parks, Ozone, Volatile organic compounds, Wilderness areas.

Authority: 42 U.S.C. 7401–7671q.

Dated: September 25, 1995.

Carol M. Browner,

Administrator.

[FR Doc. 95–24452 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7627]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program

(NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

EFFECTIVE DATES: The effective date of each community's suspension is the third date (''Susp.'') listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646–3619.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 et seq., unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 et seq. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Deputy Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Deputy Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Classification

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region III				
Pennsylvania:				
Aleppo, township of, Allegheny County.	421266	January 16, 1976, Emerg.; September 1, 1986, Reg.; October 4, 1995, Susp.	October 4, 1995	October 4, 1995.
Aspinwall, borough of, Allegheny County.	420005	April 11, 1975, Emerg.; December 18, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Avalon, borough of, Allegheny County.	420006	July 7, 1975, Emerg.; December 12, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Baldwin, borough of, Allegheny County.	420007	November 19, 1973, Emerg.; August 15, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Bell Acres, borough of, Allegheny County.	420008	June 12, 1975, Emerg.; May 1, 1985, Reg.; October 4, 1995, Susp.	.....do	Do.
Bellvue, borough of, Allegheny County.	420009	February 17, 1977, Emerg.; December 15, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Ben Avon, borough of, Allegheny County.	420010	June 2, 1976, Emerg.; July 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Bethel Park, Municipality of, Allegheny County.	420012	September 3, 1974, Emerg.; June 15, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Blawnox, borough of, Allegheny County.	420013	November 1, 1974, Emerg.; September 3, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Brackenridge, borough of, Allegheny County.	420014	November 26, 1974, Emerg.; August 15, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Braddock, borough of, Allegheny County.	420015	January 21, 1975, Emerg.; September 30, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Bradford Woods, borough of, Allegheny County.	421262	March 9, 1977, Emerg.; November 6, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Bridgeville, borough of, Allegheny County.	420018	October 15, 1974, Emerg.; January 5, 1984, Reg.; October 4, 1995, Susp.	.....do	Do.
Carnegie, borough of, Allegheny County.	420019	July 23, 1973, Emerg.; May 1, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Cheswick, borough of, Allegheny County.	420022	July 30, 1975, Emerg.; June 18, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Churchill, borough of, Allegheny County.	420023	July 2, 1974, Emerg.; December 15, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Clairton, city of, Allegheny County.	420024	July 31, 1975, Emerg.; October 16, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Collier, township of, Allegheny County.	421058	July 7, 1975, Emerg.; March 15, 1982, Reg.; October 4, 1995, Susp.	.....do	Do.
Coraopolis, borough of, Allegheny County.	420025	July 9, 1973, Emerg.; June 15, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Crafton, borough of, Allegheny County.	420026	April 15, 1974, Emerg.; December 19, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Crescent, township of, Allegheny County.	421060	January 24, 1975, Emerg.; July 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Dravosburg, borough of, Allegheny County.	420027	February 7, 1975, Emerg; June 15, 1979; Reg.; October 4, 1995, Susp.	.....do	Do.
East Deer, township of, Allegheny County.	421061	February 5, 1975, Emerg.; August 15, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Edgeworth, borough of, Allegheny County.	420032	August 5, 1974, Emerg.; May 1, 1980, Reg.; October 4, 1995; Susp.	.....do	Do.
Elizabeth, borough of, Allegheny County.	421263	April 7, 1976, Emerg.; July 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Elizabeth, township of, Allegheny County.	420033	May 19, 1972, Emerg.; March 15, 1977, Reg.; October 4, 1995, Susp.	.....do	Do.
Emsworth, borough of, Allegheny County.	420034	June 20, 1975, Emerg.; September 30, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Etna, borough of, Allegheny County.	421062	March 27, 1974, Emerg.; September 1, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Fawn, township of, Allegheny County.	421285	February 20, 1975, Emerg.; January 18, 1984, Reg.; October 4, 1995, Susp.	.....do	Do.
Findlay, township of, Allegheny County.	421286	July 16, 1975, Emerg.; November 18, 1988, Reg.; October 4, 1995, Susp.	.....do	Do.
Forest Hills, borough of, Allegheny County.	420035	October 15, 1973, Emerg.; September 1, 1986, Reg.; October 4, 1995, Susp.	.....do	Do.
Forward, township of, Allegheny County.	421064	September 27, 1974, Emerg.; February 1, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Franklin Park, borough of, Allegheny County.	420037	January 10, 1975, Emerg.; January 1, 1982, Reg.; October 4, 1995, Susp.	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Glassport, borough of, Allegheny County.	420038	January 30, 1975, Emerg.; June 15, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Glenfield, borough of, Allegheny County.	420039	July 9, 1975, Emerg.; March 18, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Green Tree, borough of, Allegheny County.	420040	June 27, 1974, Emerg.; July 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Hampton, township of, Allegheny County.	420978	September 17, 1973, Emerg.; May 1, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Harmar, township of, Allegheny County.	421068	June 3, 1974, Emerg.; July 2, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Harrison, township of, Allegheny County.	420041	April 18, 1973, Emerg.; September 29, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Haysville, borough of, Allegheny County.	420042	July 3, 1974, Emerg.; March 18, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Heidelberg, borough of, Allegheny County.	420043	February 21, 1975, Emerg.; June 15, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Homestead, borough of, Allegheny County.	420044	January 10, 1975, Emerg.; May 25, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Indiana, township of, Allegheny County.	421070	March 17, 1975, Emerg.; October 18, 1983, Reg.; October 4, 1995, Susp.	.....do	Do.
Kennedy, township of, Allegheny County.	421072	April 26, 1974, Emerg.; February 15, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Kilbuck, township of, Allegheny County.	421073	August 18, 1975, Emerg.; February 1, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Leet, township of, Allegheny County.	421075	July 5, 1974, Emerg.; September 14, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Leetsdale, borough of, Allegheny County.	420047	April 23, 1974, Emerg.; November 19, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Liberty, borough of, Allegheny County.	420048	August 13, 1975, Emerg.; November 1, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Lincoln, borough of, Allegheny County.	420049	April 2, 1975, Emerg.; September 28, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
McCandless, township of, Allegheny County.	421081	October 4, 1974, Emerg.; June 18, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
McDonald, borough of, Allegheny County.	420855	January 24, 1975, Emerg.; August 15, 1983, Reg.; October 4, 1995, Susp.	.....do	Do.
McKeesport, city of, Allegheny County.	420051	June 6, 1973, Emerg.; January 3, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
McKees Rocks, borough of, Allegheny County.	420052	November 3, 1972, Emerg.; May 16, 1977, Reg.; October 4, 1995, Susp.	.....do	Do.
Millville, borough of, Allegheny County.	420053	May 21, 1973, Emerg.; July 16, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Monroeville, municipality of, Allegheny County.	420054	May 23, 1973, Emerg.; August 1, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Mt. Lebanon, municipality of, Allegheny County.	421272	October 8, 1975, Emerg.; June 30, 1976, Reg.; October 4, 1995, Susp.	.....do	Do.
Munhall, borough of, Allegheny County.	420056	March 6, 1975, Emerg.; April 24, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Neville, township of, Allegheny County.	425385	March 19, 1971, Emerg.; July 7, 1972, Reg.; October 4, 1995, Susp.	.....do	Do.
North Braddock, borough of, Allegheny County.	420058	January 30, 1975, Emerg.; February 16, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
North Fayette, township of, Allegheny County.	421085	March 23, 1978, Emerg.; October 18, 1983, Reg.; October 4, 1995, Susp.	.....do	Do.
North Versailles, township of, Allegheny County.	421231	November 22, 1974, Emerg.; April 1, 1981 Reg.; October 4, 1995, Susp.	.....do	Do.
O'Hara, township of, Allegheny County.	421088	December 3, 1978, Emerg.; July 2, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Oakdale, borough of, Allegheny County.	420059	July 22, 1975, Emerg.; August 15, 1983, Reg.; October 4, 1995, Susp.	.....do	Do.
Oakmont, borough of, Allegheny County.	420060	July 25, 1974, Emerg.; January 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Ohio, township of, Allegheny County.	421089	September 26, 1975, Emerg.; November 4, 1988, Reg.; October 4, 1995, Susp.	.....do	Do.
Osborne, borough of, Allegheny County.	420061	February 16, 1973, Emerg., November 15, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Penn Hills, municipality of, Allegheny County.	421092	July 24, 1974, Emerg.; June 15, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Pine, township of, Allegheny County.	421094	May 12, 1975, Emerg.; September 22, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Pitcairn, borough of, Allegheny County.	420062	November 8, 1974, Emerg.; April 1, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Pittsburgh, city of, Allegheny County.	420063	April 13, 1973, Emerg.; December 15, 1981, Reg.; October 4, 1995, Susp.;.	.....do	Do.
Plum, borough of, Allegheny County.	420065	July 2, 1975, Emerg.; September 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Port Vue, borough of, Allegheny County.	420066	April 30, 1974, Emerg.; September 28, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Rankin, borough of, Allegheny County.	420067	February 10, 1975, Emerg.; July 2, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Reserve, township of, Allegheny County.	420068	June 30, 1972, Emerg.; April 15, 1977; Reg.; October 4, 1995, Susp.	.....do	Do.
Richland, township of, Allegheny County.	421199	December 24, 1974, Emerg.; September 21, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Robinson, township of, Allegheny County.	421097	March 17, 1976, Emerg.; February 3, 1982, Reg.; October 4, 1995, Susp.	.....do	Do.
Ross, township of, Allegheny County.	420979	October 24, 1973, Emerg.; December 18, 1979; Reg.; October 4, 1995, Susp.	.....do	Do.
Rosslyn Farms, borough of, Allegheny County.	420069	February 7, 1975, Emerg.; May 19, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Scott, township of, Allegheny County.	421100	October 9, 1974, Emerg.; May 3, 1982; Reg.; October 4, 1995, Susp.	.....do	Do.
Sewickley Heights, borough of, Allegheny County.	420071	December 21, 1978, Emerg.; May 1, 1986, Reg.; October 4, 1995, Susp.	.....do	Do.
Sewickley Hills, borough of, Allegheny County.	420072	December 10, 1976, Emerg.; September 1, 1986, Reg.; October 4, 1995, Susp.	.....do	Do.
Sewickley, borough of, Allegheny County.	420070	November 22, 1974, Emerg.; September 14, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Shaler, township of, Allegheny County.	421101	April 22, 1974, Emerg.; March 18, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Sharpsburg, borough of, Allegheny County.	420073	September 4, 1973, Emerg.; September 29, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
South Fayette, township of, Allegheny County.	421106	October 30, 1974, Emerg.; February 3, 1982, Reg.; October 4, 1995, Susp.	.....do	Do.
South Park, township of, Allegheny County.	421165	April 26, 1974, Emerg.; November 5, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
South Versailles, township of, Allegheny County.	421281	August 7, 1975, Emerg.; August 1, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Springdale, borough of, Allegheny County.	421282	October 30, 1974, Emerg.; July 16, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Springdale, township of, Allegheny County.	420074	December 5, 1974, Emerg.; July 16, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Stowe, township of, Allegheny County.	421110	December 5, 1974, Emerg.; February 15, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Swissvale, borough of, Allegheny County.	420075	January 21, 1975, Emerg.; June 30, 1976, Reg.; October 4, 1995, Susp.	.....do	Do.
Tarentum, borough of, Allegheny County.	420076	April 7, 1975, Emerg.; August 15, 1980, Reg.; October 4, 1995, Susp.;.	.....do	Do.
Turtle Creek, borough of, Allegheny County.	420079	August 6, 1975, Emerg.; November 19, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Upper St. Clair, township of, Allegheny County.	421119	June 11, 1974, Emerg.; March 15, 1984, Reg.; October 4, 1995, Susp.	.....do	Do.
Verona, borough of, Allegheny County.	422611	December 13, 1974, Emerg.; January 16, 1981, Reg.; October 4, 1995, Susp.	.....do	Do.
Versailles, borough of, Allegheny County.	420081	June 11, 1976, Emerg.; October 18, 1988, Reg.; October 4, 1995, Susp.	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Wall, borough of, Allegheny County.	420082	February 17, 1977, Emerg.; November 19, 1987, Reg.; October 4, 1995, Susp.	.....do	Do.
West Deer, township of, Allegheny County.	421299	March 6, 1975, Emerg.; October 18, 1983, Reg.; October 4, 1995, Susp.	.....do	Do.
West Elizabeth, borough of, Allegheny County.	420083	January 26, 1973, Emerg.; September 29, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
West Homestead, borough of, Allegheny County.	420084	May 14, 1975, Emerg.; August 15, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
West Mifflin, borough of, Allegheny County.	420085	August 7, 1974, Emerg.; February 15, 1980, Reg.; October 4, 1995 Susp.	.....do	Do.
West View, borough of, Allegheny County.	420086	April 26, 1974, Emerg.; June 30, 1976, Reg.; October 4, 1995, Susp.	.....do	Do.
Whitaker, borough of, Allegheny County.	420087	July 24, 1975, Emerg.; May 25, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
White Oak, borough of, Allegheny County.	420089	January 30, 1975, Emerg.; September 14, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Wilkins, township of, Allegheny County.	420090	March 16, 1973, Emerg.; September 29, 1978, Reg.; October 4, 1995, Susp.	.....do	Do.
Wilmerding, borough of, Allegheny County.	420091	November 16, 1973, Emerg.; August 1, 1979, Reg.; October 4, 1995, Susp.	.....do	Do.
Virginia: Hampton, independent city.	515527	March 27, 1970, Emerg.; January 15, 1971, Reg.; October 4, 1995, Susp.	.....do	Do.
Region V				
Illinois: Old Mill Creek, village of, Lake County.	170385	August 8, 1975, Emerg.; August 1, 1980, Reg.; October 4, 1995, Susp.	.....do	Do.
Region I				
Maine: Auburn, city of, Androscoggin County.	230001	August 27, 1971, Emerg.; February 4, 1981, Reg.; October 18, 1995, Susp.	Oct. 18, 1995	Oct. 18, 1995
Region III				
Maryland: Oakland, town of, Garrett County.	240039	April 18, 1975, Emerg.; July 16, 1979, Reg.; October 18, 1995, Susp.	.....do	Do.
Pennsylvania:				
Dunlevy, borough of, Washington County.	422133	December 5, 1974, Emerg.; July 16, 1981, Reg.; October 18, 1995, Susp.	.....do	Do.
East Bethlehem, township of, Washington County.	422140	March 18, 1975, Emerg.; July 16, 1981, Reg.; October 18, 1995, Susp.	.....do	Do.
Elco, borough of, Washington County.	420852	October 30, 1974, Emerg.; July 16, 1981, Reg.; October 18, 1995, Susp.	.....do	Do.
Henderson, township of, Huntingdon County.	420960	January 21, 1974, Emerg.; August 3, 1989, Reg.; October 18, 1995, Susp.	.....do	Do.
Monongahela, township of, Greene County.	421673	July 6, 1979, Emerg.; August 24, 1995, Reg.; October 18, 1995, Susp.	.....do	Do.
Roscoe, borough of, Washington County.	420858	March 20, 1975, Emerg.; July 16, 1981, Reg.; October 18, 1995, Susp.	.....do	Do.
Virginia:				
Roanoke County, unincorporated areas.	510190	October 11, 1973, Emerg.; October 17, 1978, Reg.; October 18, 1995, Susp.	.....do	Do.
Salem, independent city	510141	March 8, 1974, Emerg.; September 2, 1981, Reg.; October 18, 1995, Susp.	.....do	Do.
West Virginia:				
Fairmont, city of, Marion County.	540099	February 14, 1977 Emerg.; July 2, 1987 Reg.; October 18, 1995 Susp.	.....do	Do.
Marion County, unincorporated areas.	540097	August 21, 1975 Emerg.; July 4, 1988 Reg.; October 18, 1995 Susp.	.....do	Do.
Morgantown, city of, Marion County.	540141	January 23, 1975 Emerg.; August 1, 1979 Reg.; October 18, 1995 Susp.	.....do	Do.
Star City, town of, Monongalia County.	540273	April 18, 1975 Emerg.; August 1, 1978 Reg.; October 18, 1995 Susp.	.....do	Do.
Region IV				
Mississippi: Philadelphia, city of, Neshoba County.	280120	November 2, 1974 Emerg.; September 29, 1986 Reg.; October 18, 1995 Susp.	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region V				
Ohio: Hamilton County, unincorporated areas.	390204	July 2, 1973 Emerg.; June 1, 1982 Reg.; October 18, 1995 Susp.	.....do	Do.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.— Reinstatement; Susp.—Suspension.

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Issued: September 27, 1995.

Robert H. Volland,

Acting Deputy Associate Director, Mitigation Directorate.

[FR Doc. 95–24425 Filed 9–29–95; 8:45 am]

BILLING CODE 6718–21–P

FEDERAL COMMUNICATIONS COMMISSION

57 CFR Parts 43 and 63

[CC Docket No. 93–157, FCC 95–280]

Reports of Communications Common Carriers and Certain Affiliates; Filing Requirements for International Circuit Status Reports

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission adopted a Report and Order that will reduce the regulatory burden on facilities-based international carriers. The Commission's decision will reduce the filing frequency for international circuit status reports from monthly to annually and will require all facilities-based international common carriers to file such reports to assure that the Commission has available industry-wide international circuit use data. This decision also exempts nondominant facilities-based carriers from filing circuit addition reports. The Commission's decision also will reduce the filing frequency for international circuit addition reports for resellers of international private lines from semi-annually to annually. The Commission stated that the information compiled from these reports will provide valuable information to current industry members, potential new entrants into the industry, and the Commission. In addition, the information will allow the Commission to comply with the Omnibus Budget Reconciliation Act of 1993 that requires it to collect annual regulatory fees on active equivalent 64 Kilobits per second (Kb/s) international circuits. In its decision, the Commission has: codified in the Commission's Rules requirements for the filing of international circuit status reports; reduced the frequency of filing such reports from monthly to annually; required all facilities-based international common carriers to file such reports; exempted nondominant facilities-based carriers from filing semi-annual circuit addition reports; reduced the frequency of filing by resellers of international private lines of the circuit addition reports from semi-annually to annually; provided for the preparation of a filing manual with reporting instructions; directed a format to be specified for the filing of those reports; and required the filing of such reports on computer diskettes.

EFFECTIVE DATE: December 29, 1995.

FOR FURTHER INFORMATION CONTACT: Robert E. Gosse, Attorney, International Bureau, Telecommunications Division, or Frances Eisenstein, Attorney, International Bureau, Telecommunications Division, (202) 418–1460.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order adopted on July 12, 1995, and released on August 9, 1995 (FCC 95–280). The full text of this Report and Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., NW., Washington, DC. The complete text also may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Paperwork Reduction Act

The final rule imposes reporting requirements on additional entities. We recognize that the implementation of any such requirements will be subject to review of the Office of Management and Budget (OMB). Upon receipt of comments on the manual, we will submit the final version of the filing manual to the OMB for review and approval.

Synopsis of Report and Order

On July 2, 1993, the Commission adopted a Notice of Proposed Rulemaking (NPRM) to consider possible rule changes that would reflect the reductions and streamlining of regulatory requirements that have occurred since the early 1970s (58 FR 42992 (August 12, 1993)). In the NPRM, the Commission sought comments on proposals that would reduce the filing frequency of circuit status reports. The Commission has found that these reports provide information that is useful in discharging its obligation to authorize the construction and use of international common carrier transmission facilities, but it no longer required that this information be filed monthly. Therefore, it proposed to require the filing of circuit status reports on an annual rather than a monthly basis.

On August 9, 1995, the Commission released its Report and Order (10 FCC Rcd 8605 (1995)) adopting the proposals contained in the NPRM. The Commission codified its rules to require the filing of international circuit status reports. This will inform all international carriers of the requirement. The information contained in the reports will be useful to current industry members, potential new entrants into the industry, and the Commission because this information is not available from any other reliable source. Since the Commission initiated the NPRM, Congress adopted the Omnibus Budget Reconciliation Act of 1993 (Budget Act) which requires the Commission to collect annual fees for active 64 Kb/s circuits. The annual circuit status reports will serve as a database for verifying and monitoring the payment of these fees.

The Commission also adopted its proposal to reduce the frequency of filing circuit status reports from monthly to annually. The Commission required the reports to be filed on or before March 31 of each year and provide the circuit status information as of December 31 of the immediately preceding year. The Commission required all facilities-based

international common carriers to file such reports. Since the annual circuit status reports will now serve as the database for the regulatory fees mandated by Congress, the Commission modified the types of circuits that are commonly reported in the monthly circuit status reports. Circuits for Canada and Mexico are international circuits included in the regulatory fees. Thus, they now will have to be included in the annual circuit status reports. The Commission denied Commenters' requests that nondominant carriers be exempt from all reporting requirements or, in the alternative, be required to file only the circuit addition reports. The Commission determined that there are numerous nondominant international facilities-based common carriers and these carriers account for a substantial use of international facilities. Therefore, the Commission's ability to monitor circuit status reports filed by nondominant facilities-based international common carriers will be useful to assure proper payment of the Budget Act's fees on active 64 Kilobits per second (Kb/s) equivalent circuits. The Commission also modified its rules to remove the requirement that circuit status information be filed on a transmission facility-by-facility basis. Instead, the Commission required that international facilities based carriers include the total number of activated and the total number of idle circuits by the following categories: submarine cable, satellite, and terrestrial facilities.

The Commission also adopted the suggestion of several of the Commenters and exempted nondominant facilities-based carriers from filing semi-annual circuits addition reports pursuant to Section 63.15(b) of the Commission's Rules, because information contained in the semi-annual circuit addition reports will be derivable from the annual circuit status reports.

Since the Commission did not require international private line resellers to file annual status reports, it will continue to require that private line resellers file circuit addition reports. The Commission, however, reduced the frequency of filing of the circuit addition reports from semiannually to annually and required that the reports be filed not later than March 31 of each year and show the circuit additions for the preceding year.

The Commission directed the Chief, International Bureau, to prepare a filing manual specifying reporting requirements for the annual circuit status reports. The Commission also agreed with Commenters that the International Bureau seek industry input on the filing manual. The Commission stated that, to the extent possible, every effort should be made to collect the necessary information consistent with the ways the carriers maintain such information for their own purposes. The Commission determined that a common format for the reports will permit a more efficient use of the information. Thus, the Commission directed the Chief, International Bureau, to specify a format for the reports. The Commission required that the reports be filed on a common type and format of computer diskettes to enable it to combine data from the various carriers' reports.

Commenters in this proceeding strongly favored the actions taken because of the significant reduction in the previous filing requirements.

Final Regulatory Flexibility Act Analysis

Pursuant to Section 603 of Title 5, United States Code, 5 U.S.C. § 603, an Initial Regulatory Flexibility Analysis was incorporated in the Notice of Proposed Rule Making in CC Docket No. 93–157. Written comments on the proposals in the Notice, including the Regulatory Flexibility Analysis, were requested.

A. Need and Purpose of Rules

This rulemaking proceeding was initiated in order to reduce the burden on those international facilities-based common carriers filing monthly circuit status reports by reducing the frequency of filing such reports from monthly to annually. The rulemaking also sought to make the information derived from the annual circuit reports more complete and, therefore, more useful to the Commission by requiring all international facilities-based common carriers to file them. In addition, the rulemaking sought to make handling of the information provided by the annual circuit reports easier by requiring the development of a filing manual setting forth the requirements for such reports, establishing a common format for the reports, and requiring the filing of the reports on computer diskettes.

B. Issues Raised By the Public in Response to the Initial Analysis

A number of the Commenters proposed that nondominant international facilities-based common carriers that will be required to file annual circuit status reports be exempted from filing semi-annual circuit addition reports required by Section 63.15(b) of the Commission's Rules. The Commission adopted this proposal. One Commenter suggested that nondominant international carriers be exempted from all reporting requirements. The Commission did not adopt that proposal because to do so would prevent it from developing a database of active 64 kb/s circuits that it needed for monitoring regulatory fees. A number of Commenters also proposed that the carriers be permitted input to the formulation of the filing manual and format for the annual circuit status reports. The Commission adopted that proposal.

C. Significant Alternatives Considered

The Commission considered and adopted the Commenters' proposal that nondominant international facilities-based carriers that are required to file annual circuit status reports not be required to file semi-annual circuit addition reports. The Commission also reduced the frequency of filing circuit addition reports from semi-annually to annually for those international carriers that must still file such reports. The Commission also considered and adopted the Commenters' proposal that facilities-based international carriers be given an opportunity to provide input to the formulation of the filing manual and format for the annual circuit status reports.

Ordering Clauses

Accordingly, it is ordered that the rule changes as specified below are adopted.

It is further ordered that the rule changes made herein will become effective ninety (90) days after publication in the Federal Register. This action is taken pursuant to Sections 4, 214, 219, 303(r) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154, 214, 219, 303(r) and 403 (1995).

It is further ordered that the Chief, International Bureau, shall develop a filing manual for the submission of international circuit status reports.

It is further ordered that the Chief, International Bureau, shall direct the International Bureau Staff to meet with the facilities-based international common carriers on the development of the filing manual.

It is further ordered that this Report and Order does not alter the requirement that MCI Communications Corporation file monthly circuit status reports for U.S.–U.K. circuits as required by paragraph 65 of our Declaratory Ruling and Order, *MCI Communications Corporation,* 9 FCC Rcd 3960 (1994).

It is further ordered that the Request to Submit Late-Filed Comments filed by GE Americom IS GRANTED.

It is further ordered that this proceeding is hereby terminated.

List of Subjects

47 CFR Part 43

Communication common carriers, Reporting and recordkeeping requirements.

47 CFR Part 63

Communication common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission

William F. Caton,

Acting Secretary.

Parts 43 and 63 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

1. The authority citation for Part 43 continues to read as follows:

Authority: Secs. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs., 211, 219, 220, 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219, 220.

2. New Section 43.82 is added to read as follows:

§ 43.82 International circuit status reports.

(a) Each facilities-based common carrier engaged in providing international telecommunications service between the area comprising the continental United States, Alaska, Hawaii, and off-shore U.S. points and any country or point outside that area shall file a circuit status report with the Chief, International Bureau, not later than March 31 each year showing the status of its circuits used to provide international services as of December 31 of the preceding calendar year.

(b) The information contained in the reports shall include the total number of activated and the total number of idle circuits by the categories of submarine cable, satellite and terrestrial facilities to geographic points outside the United States for the services designated by the Chief, International Bureau.

(c) The information required under this section shall be furnished in conformance with instructions and reporting requirements prepared under the direction of the Chief, International Bureau, prepared and published as a manual.

(d) Authority is hereby delegated to the Chief, International Bureau to prepare instructions and reporting requirements for the filing of the annual international circuit status reports.

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

1. The authority citation for Part 63 continues to read as follows:

Authority: Sections 1, 4(i), 4(j), 201–205, 218 and 403 of the Communications Act of 1934, as amended, 47 U.S.C. secs. 151, 154(i), 154(j), 201–205, 218 and 403, unless otherwise noted.

2. Section 63.15(b) is revised to read as follows:

§ 63.15 Special procedures for non-dominant international services.

* * * * *

(b) Any non-dominant party certified to provide international resold private lines to a particular geographic market shall report its circuit additions on an annual basis. Circuit additions should indicate the specific services provided (*e.g.*, IMTS or private line) and the country served. This report shall be filed on a consolidated basis not later than March 31 for the preceding calendar year.

* * * * *

[FR Doc. 95–24530 Filed 9–29–95; 8:45 am]

BILLING CODE 6712–01–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1871

RIN 2700–AC18

Modification of Test of MidRange Procurement Procedures

AGENCY: Office of Procurement, National Aeronautics and Space Administration (NASA).

ACTION: Temporary rule.

SUMMARY: The Office of Federal Procurement Policy approved a test of NASA's MidRange Procurement Procedures in 1993. This rule changes the procedures to reflect the Federal Acquisition Streamlining Act and minor changes as a result of an additional year of testing the procedures.

EFFECTIVE DATE: This regulation is effective October 1, 1995, and expires June 30, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. T. Deback, (202) 358–0431.

SUPPLEMENTARY INFORMATION: The MidRange Procurement Procedures were published in 59 FR 59378, November 17, 1994. The following substantive changes are being made to the MidRange Procurement Procedures: (1) The thresholds for all MidRange procedures, with the exception of the synopsis waiver, are increased to $1M for an individual contract and $5M for a contract plus options, and (2) all procurements of commercial items are considered MidRange procurement regardless of dollar value. In addition, all procedures other than the NASA Acquisition Internet Service and Best Value Selection have proven to be successful. NASA will continue to use these successful procedures. They are no longer considered to be undergoing testing. The NASA Acquisition Internet Service and Best Value Selection are still undergoing testing as part of the MidRange Procedure.

List of Subjects in 48 CFR 1871

Government Procurement.

Tom Luedtke,

Deputy Associate Administrator for Procurement.

Accordingly, 48 CFR part 1871 is amended as follows.

1. The authority citation for 48 CFR part 1871 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

PART 1871—MIDRANGE PROCUREMENT PROCEDURES

2. Section 1871.000 is revised to read as follows:

1871.000 Scope of part.

This part prescribes policies and procedures for the acquisition of supplies, including commercial items, and services.

Subpart 1871.1—General

1871.101 [Amended]

3. Section 1871.101 is amended by removing the second sentence.

4. Section 1871.103 is revised to read as follows:

1871.103 Applicability.

(a) This part applies to all acquisitions, as described in 1871.103(b), conducted at NASA installations.

(b) This part applies to all contract actions the aggregate amount of which is greater than the simplified acquisition threshold (SAT) (FAR part 13) and not more than $1,000,000 in basic value and for commercial items (FAR part 12) regardless of dollar value. For service contracts, up to four annual options of not more than $1,000,000 each are permitted where the option requirements are substantially the same as the basic requirement. For R&D

contracts, options are permitted not to exceed $1,000,000 in total value (basic contract plus options). For supply contracts, four options of not more than $1,000,000 each are permitted when not more than $1,000,000 in funding is to be required in any fiscal year. The total amount of the basic award plus options may not exceed $5,000,000 in either the case of supplies or services except as provided in paragraph (c) of this section. For commercial item contracts, options are permitted regardless of dollar value.

(c) For other than commercial items, if the Government estimate for the basic award amount or any option amount, if any, exceeds the limits of 1871.103(b), the procurement will be processed under FAR and NFS procurement procedures applicable to large procurements (see FAR parts 14 and 15). When the estimate is within the range of 1871.103(b) and the procurement was started using these procedures but the offered prices/costs exceed the MidRange ceiling, the procurement may continue under MidRange procedures, provided that:

(1) The price/cost can be determined to be fair and reasonable,

(2) The successful offeror accepts incorporation of required FAR and NFS clauses applicable to large procurements, and

(3) The procurement does not exceed $1,500,000 for the basic requirement (and each option, if any) or $7,500,000 for the total requirement.

5. Section 1871.104 is amended by revising paragraph (a) and adding paragraphs (g) and (h) to read as follows:

1871.104 Definitions.

* * * * *

(a) *NASA Acquisition Internet Services* or *NAIS* means a computer system through which users may access documents available in electronic format.

* * * * *

(g) *Commercial item* is used as defined in FAR 2.101.

(h) *Presolicitation notice* is used interchangeably with the term *synopsis.*

6. Section 1871.105 is amended by revising paragraphs (d), (e) and (f) to read as follows:

1871.105 Policy.

* * * *

(d) Options may be included in the acquisition provided they conform to 1871.103(b) or do not exceed $5,000,000 for the total requirement, options included.

(e) The appropriate part 1871 post-selection processes (negotiation, award, and publication of award) may be used to the extent applicable for Small Business Innovation Research (SBIR), broad agency announcements, unsolicited proposals, and Small Business Administration 8(a) procurement actions within the applicability of 1871.103(b).

(f) The NAIS will be used to the maximum extent practicable to disseminate advance procurement information and conduct part 1871 procurements.

* * * * *

Subpart 1871.3—Publicizing of Solicitation

7. Section 1871.301 is amended by revising the last sentence to read as follows:

1871.301 Publicizing policy.

* * * As soon as practicable after a requirement has been finalized and before the RFO is ready for release, a presolicitation notice of the procurement action shall be published on the NAIS.

8. Section 1871.302 is revised to read as follows:

1871.302 Publicizing procedure.

(a) Synopses are not to be sent to or published in the Commerce Business Daily except where the basic award is expected to exceed $500,000, the total amount of the basic award plus options is expected to exceed $2,500,000, or annual obligations are expected to exceed $500,000 in any one year.

(b) A separate pre-solicitation notice for each requirement shall be published on the NAIS. The pre-solicitation notice shall be published prior to the actual release of the solicitation, except as set forth in paragraph (d) of this section.

(c) The presolicitation notice will comply with the requirements set forth in FAR 5.207(b).

(1) Include a statement that the solicitation will be released via the NAIS, that potential offerors will be responsible for downloading their own copy of the solicitation, and that hard copies of the solicitation shall be made available on request, but the closing date will be the same as that required for the NAIS released solicitation; and

(2) State the projected solicitation release date, provide notice that it is the offeror's responsibility to monitor the NAIS for solicitation release as the solicitation will be released as soon as practicable whether prior or subsequent to the projected date, and identify the name, telephone number, and e-mail address of a point of contact. The presolicitation notice shall be updated to reflect significant changes to the original notice.

(d) For commercial item purchases, the streamlined solicitation (combined presolicitation notice and solicitation described in FAR part 12) may be used.

Subpart 1871.4—Request for offer (RFO)

9. Section 1871.401 is amended by revising the fourth sentence to read as follows:

1871.401 Types of RFO's.

* * * If the conditions FAR 6.401(a) are met, the RFO's described in 1871.401–1 and 1871.401–2 shall be used; otherwise, RFO's described in 1871.401–3, 1871.401–4, 1871.401–5, or 1871.401–6 may be used. * * *

10. Section 1871.401–1 is amended by revising the fourth sentence in paragraph (b)(2) to read as follows:

1871.401–1 Sealed Offers.

* * * * *

(b) * * *

(2) * * * For unclassified acquisitions, a summary abstract, containing offerors, prices and any essential information specific to that procurement shall be posted on the NAIS. * * *

* * * * *

11. Section 1871.401–5 is amended by revising paragraph (b)(1) to read as follows:

1871.401–5 Noncompetitive negotiations.

* * * * *

(b) * * * (1) Within the dollar thresholds specified in 1871.302(a), posting a presolicitation notice on the NAIS meets the requirement of FAR 5.201 and complies with the notice required by the Competition in Contracting Act. A presolicitation notice is not required if one of the exceptions of FAR 5.202 is met.

* * * * *

12. Section 1871.401–6 is added to read as follows:

1871.401–6 Commercial items.

(a) *Policy.* (1) The RFO may be used as the solicitation method for commercial items.

(2) MidRange Procedures may be used for commercial item procurements to the extent they are applicable.

(b) *Procedures.* (1) Offerors shall be requested to provide both a technical and a price offer by the closing date specified.

(2) The offers will be evaluated in accordance with applicable procedures.

13. Section 1871.406 is amended by revising the section heading to read as follows:

1871.406 RFO by NAIS.

14. Section 1871.406–1 is revised to read as follows:

1871.406–1 Methods of disseminating information (applicable to procurements meeting the thresholds in 1871.302(a)).

(a) In accordance with 1871.302, presolicitation notices of solicitations for MidRange procurements shall be posted on the NAIS. The presolicitation notice shall include the information required by 1871.302(c).

(b) Solicitations for MidRange Procurements shall be made available on the NAIS. Paper copies shall be mailed within 5 working days from the date the RFO is posted on the NAIS or receipt of the request, whichever is later.

(c) Solicitations available on the NAIS are exempt from the requirement in FAR 14.203–1 that delivery of the solicitations be made pursuant to FAR 14.205.

(d) For the purposes of FAR 15.402(a), a solicitation posted on the NAIS is a written solicitation.

(e) Solicitations posted on the NAIS in accordance with these regulations are exempt from the requirement in FAR 15.408(a) to issue solicitations using the procedures in FAR part 5.

15. Section 1871.406–3 is revised to read as follows:

1871.406–3 Publicizing and response time.

In accordance with 18.403, contracting activities shall allow at least 15 calendar days response time for receipt of offers from the date of posting of the solicitation on the NAIS. Contracting activities shall check the NAIS immediately after uploading a solicitation to assure that the solicitation is properly posted.

16. Section 1871.406–4 is revised to read as follows:

1817.406–4 Method of soliciting offers.

(a) Solicitations and solicitation amendments for MidRange procurements shall be generated in, or converted to, electronic files and uploaded to the NAIS.

(b) Amendments to a solicitation posted on the NAIS shall be uploaded to the NAIS, and the solicitation and amendment number shall be added to the index of amended solicitations.

Subpart 1871.5—Award

17. Section 1871.505 is revised to read as follows:

1871.505 Notifications to unsuccessful offerors.

For solicitations that were posted on the NAIS, a preaward notice shall be electronically transmitted to the offerors. This notice meets the requirements of FAR 15.1001. However, the preaward notice in a small business set-aside must allow unsuccessful offerors 5 working days to challenge the small business status of the successful offeror. The procedures of FAR 15.1001(c)(2) shall be followed for procurements subject to the Trade Agreements Act.

18. Section 1871.506 is revised to read as follows:

1871.506 Publication of award.

An award notice shall be posted on the NAIS for seven (7) calendar days after posting, if the contract offers subcontracting opportunities or if it is subject to the Trade Agreements Act. The information required by FAR 5.207 shall be included in the award notice in abbreviated form.

19. Section 1871.605 is amended by revising the first sentence in paragraph (a)(1) to read as follows:

1871.605 Negotiation methods and procedures.

(a) * * *

(1) The buying team may choose to conduct parallel negotiations of complete contracts with those offerors determined to be finalists or with all acceptable offerors.* * *

* * * * *

[FR Doc. 95–24430 Filed 9–29–95; 8:45 am]

BILLING CODE 7510–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

[Docket No. 950410096–5098–01; I.D. 032295C]

RIN 0648–AH66

Northeast Multispecies Fishery; Framework 9; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Correction to final regulation.

SUMMARY: This document contains a correction to the final regulation [I.D. 032295C], which was published Tuesday, April 18, 1995 (60 FR 19364). The final rule implemented several measures on a permanent basis that were previously in effect through an emergency rule for the Northeast Multispecies Fishery.

EFFECTIVE DATE: September 29, 1995.

FOR FURTHER INFORMATION CONTACT: Susan A. Murphy, NMFS, Fishery Policy Analyst, 508–281–9252.

SUPPLEMENTARY INFORMATION:

Need for Correction

As published, Framework Adjustment 9 inadvertently omitted a prohibition from the regulations (formerly specified under § 651.9(e)(35)), which makes it unlawful for a dealer to purchase, possess, or receive regulated species from a vessel issued a Federal multispecies permit in excess of the possession limit allowed under § 651.27.

Correction of Publication

Accordingly, the publication on April 18, 1995, of the final regulation [I.D. 032295C] of Framework Adjustment 9, which was the subject of FR Doc. 95–9404, is corrected as follows:

On page 19371, in the third column, in § 651.9, paragraph (e)(40) is added, to read as follows:

§ 651.9 Prohibitions.

* * * * *

(e) * * *

(40) To purchase, possess, or receive as a dealer, or in the capacity of a dealer, regulated species in excess of the possession limit specified in § 651.27 applicable to a vessel issued a Federal multispecies permit.

* * * * *

Dated: September 27, 1995.

Nancy Foster,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 95–24422 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–22–F

Proposed Rules

Federal Register
Vol. 60, No. 190
Monday, October 2, 1995

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 251

RIN 3206–AG38

Agency Relationships With Organizations Representing Federal Employees and Other Organizations

AGENCY: Office of Personnel Management.

ACTION: Proposed rule with request for comments.

SUMMARY: The Office of Personnel Management (OPM) is issuing proposed regulations governing agency relations with managerial, supervisory, professional, and other organizations that are not labor organizations. These regulations are being issued as part of the implementation of the Federal Personnel Manual (FPM) sunset. The regulations incorporate certain provisions that existed in former FPM chapters 251 and 252.

DATES: Comments on the proposed regulations must be received on or before December 1, 1995.

ADDRESSES: Send or deliver written comments to Phyllis Foley, Chief, Labor-Management Relations Division, Office of Personnel Management, Room 7412, 1900 E Street NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Hal Fibish at 202–606–1170.

SUPPLEMENTARY INFORMATION: One of the recommendations of the September 1993 Report of the National Performance Review (*From Red Tape to Results: Creating a Government that Works Better and Costs Less*) was that the FPM should be ''sunset.'' Following consultation with agencies and other interested parties, the Director of the Office of Personnel Management (OPM) issued a memorandum abolishing the FPM as of December 31, 1993, except for certain provisionally retained materials.

The proposed regulations would continue, with some modifications, certain provisions that were in former FPM chapters 251 (Intramanagement Communications and Consultation) and 252 (Agency Relationships with Professional Associations and Other Organizations). These chapters were sunset as of December 31, 1993; but they contained material that does not exist elsewhere and that were of assistance to agencies in dealing with the affected associations and organizations. OPM, mindful of the need to keep regulations to a minimum, has nevertheless determined that it is necessary to issue regulations because of the significance of this matter.

Subpart A provides a general framework for dealing with organizations other than labor organizations that represent Federal employees and with other organizations. Criteria for establishing consultative relationships with organizations that are covered by this part are primarily derived from section 1–3a of former FPM chapter 251 and section 1–5 of former FPM chapter 252. In addition, section 251.101(f) reminds employees that 18 U.S.C. §§ 201–216, as interpreted by the Office of Government Ethics and the Department of Justice, places restrictions on a wide range of activities by Federal employees, including representational activities on behalf of organizations that are not labor organizations, and advises them to consult with their designated agency ethics official for guidance regarding any conflicts of interest which may arise.

Subpart B provides instructions on dealing with organizations representing Federal employees. Section 251.201, based on subchapter 1 of former FPM chapter 251, requires agencies to establish systems for intramanagement communications and consultation with supervisors and managers and associations of supervisors and managers. Section 251.202, based on former FPM chapter 252, provides a framework for dealing with organizations that are not supervisory or managerial. Note that while agencies are required to communicate and consult with associations of supervisors and managers, such dealings with other organizations representing Federal employees are discretionary. Such dealings, however, can be mutually beneficial to the agency and the members of the organizations. Section 251.203 provides information on what support may be granted organizations.

Subpart C provides information on dues withholding. Section 251.301 references 5 CFR 550.331, which requires agencies to provide for dues withholding for supervisory and managerial associations. Section 251.302 indicates that agencies may, but are not required to, provide dues withholding for other organizations.

E.O. 12866, Regulatory Planning and Review

This rule has been reviewed by the Office of Management and Budget in accordance with E.O. 12866.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it will only affect Federal Government employees and non-labor organizations representing such employees.

List of Subjects in 5 CFR Part 251

Government employees.

U.S. Office of Personnel Management.

James B. King,

Director.

Accordingly, OPM is proposing to add 5 CFR Part 251 as follows:

1. Part 251 is added to read as follows:

PART 251—AGENCY RELATIONSHIPS WITH ORGANIZATIONS REPRESENTING FEDERAL EMPLOYEES AND OTHER ORGANIZATIONS

Subpart A—General Provisions

Sec.
251.101 Introduction.
251.102 Coverage.
251.103 Definitions.

Subpart B—Relationships With Organizations Representing Federal Employees and Other Organizations

251.201 Associations of supervisors and management officials.
251.202 Agency support to organizations representing Federal employees and other organizations.

Subpart C—Dues Withholding

251.301 Associations of supervisors and management officials.
251.302 All other organizations.

Authority: 5 U.S.C. § 1104; 5 U.S.C. chap. 71; 5 U.S.C. § 7135; 5 U.S.C. § 7301; and E.O. 11491

Subpart A—General Provisions

§ 251.101 Introduction.

(a) These regulations apply to all Federal executive branch departments and agencies and their officers and employees.

(b) This part provides a framework for consulting and communicating with non-labor organizations representing Federal employees and with other organizations on matters related to agency operations and personnel management.

(c) The purposes of consultation and communication are: the improvement of agency operations, personnel management, and employee effectiveness; the exchange of information (e.g., ideals, opinions, and proposals); and the establishment of policies that best serve the public interest in accomplishing the mission of the agency.

(d) An agency's consultation and communication with organizations representing Federal employees and with other organizations under this part may not take on the character of negotiations or consultations regarding conditions of employment of bargaining unit employees, which is reserved exclusively to labor organizations as provided for in Chapter 71 of title 5 of the U.S. Code.

(e) The head of a Federal agency may determine that it is in the interest of the agency to consult, from time to time, with organizations other than labor organizations and supervisory and managerial associations to the extent permitted by law. Under section 7(d)(2) and (3) of Executive Order 11491, as amended, recognition of a labor organization does not preclude an agency from consulting or dealing with a veterans organization, or with a religious, social, fraternal, professional, or other lawful association, not qualified as a labor organization, with respect to matters or policies which involve individual members of the organization or association or are of particular applicability to it or its members.

(f) Federal employees, including management officials and supervisors, may communicate with any Federal agency, officer, or other Federal entity on the employee's own behalf. However, Federal employees should be aware that 18 U.S.C. § 205, in pertinent part, restricts Federal employees from acting, other than in the proper discharge of their official duties, as agents for any organization other than a labor organization, before any Federal agency or other Federal entity in connection with any matter in which the United States is a party or has a direct and substantial interest. Agency officials and employees are therefore advised to consult with their designated agency ethics official for guidance regarding any conflicts of interest that may arise.

§ 251.102 Coverage.

To be covered by this part, an association or organization:

(a) Must be a lawful, nonprofit organization whose constitution and bylaws indicate that it subscribes to minimum standards of fiscal responsibility and employs democratic principles in the nomination and election of officers.

(b) Must not discriminate in terms of membership or treatment because of race, color, religion, sex, national origin, age, or handicapping condition.

(c) Must not assist or participate in a strike, work stoppage, or slowdown against the Government of the United States or any agency thereof or impose a duty or obligation to conduct, assist, or participate in such strike.

(d) Must not advocate the overthrow of the constitutional form of Government of the United States.

§ 251.103 Definitions.

(a) *Organization representing Federal employees and other organizations* means an organization other than a labor organization that can provide information, views, and services which will contribute to improved agency operations, personnel management, and employee effectiveness. Such an organization may be an association of Federal management officials and/or supervisors, a professional association, civic and consumer groups, organizations concerned with special social interests (for instance, veterans' affairs, problems of the aged, personal preference or orientation, etc.), and the like.

(b) *Association of management officials and/or supervisors* means an association comprised primarily of management officials and/or supervisors, which is not eligible for recognition under Chapter 71 of title 5 of the U.S. Code, and which is not affiliated with a labor organization or federation of labor organizations.

(c) *Labor organization* means an organization as defined in 5 U.S.C. § 7103(a)(4), which is in compliance with 5 U.S.C. § 7120.

Subpart B—Relationships With Organizations Representing Federal Employees and Other Organizations

§ 251.201 Associations of supervisors and management officials.

(a) As part of agency management, supervisors and managers should be included in the decision-making process and notified of executive-level decisions on a timely basis. Each agency must establish and maintain a system for intra-management communication and consultation with its supervisors and managers. They must also establish consultative relationships with associations whose membership is primarily supervisory and/or managerial, provided that such associations are not affiliated with any labor organization and that they have sufficient agency membership to assure a worthwhile dialogue with executive management.

(b) Consultations should have as their objectives the improvement of managerial effectiveness and the working conditions of supervisors and managers, as well as the identification and resolution of problems affecting agency operations and employees, including supervisors and managers.

(c) The system of communication and consultation should be designed so that individual supervisors and managers are able to participate if they are not affiliated with an association of supervisors or managers. At the same time, the voluntary joining together of supervisory and management personnel in groups of associations shall not be precluded or discouraged.

§ 251.202 Agency support to organizations representing Federal employees and other organizations.

(a) Agencies may facilitate employee membership and participation in organizations representing Federal employees and in other organizations in ways such as:

(1) Permitting employees, in appropriate cases, to use agency equipment or administrative support services for preparing papers to be presented at conferences or symposia or published in journals.

(2) Using the authority under 5 CFR part 410 to pay expenses of employees to attend professional organization meetings when such attendance is for the purpose of employee development or directly concerned with agency functions or activities and the agency can derive benefits from employee attendance at such meetings.

(3) Following a liberal policy in authorizing excused absence for other employees who are willing to pay their own expenses to attend a meeting of a professional association or other organization from which an agency could derive some benefit.

(b) Agencies may provide Government resources support to organizations (such as space in Government facilities for meeting purposes and the use of agency

bulletin boards, internal agency mail distribution systems, electronic bulletin boards and other means of informing agency employees about meetings and activities) in accordance with appropriate General Services Administration regulations contained in title 41 of the Code of Federal Regulations. The mere provision of such support to any organization is not to be construed as Federal sponsorship, sanction, or endorsement of the organization or its activities.

Subpart C—Dues Withholding

§ 251.301 Associations of supervisors and management officials.

Dues withholding for associations of supervisors and/or management officials is covered in 5 CFR 550.331.

§ 251.302 All other organizations.

Under 5 CFR 550.311(b), an agency may permit an employee to make an allotment for any legal purpose deemed appropriate by the head of the agency. Agencies may provide for the allotment of dues for organizations representing Federal employees under that section.

[FR Doc. 95–24387 Filed 9–29–95; 8:45 am]

BILLING CODE 6325–01–M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 300 and 318

[Docket No. 95–028–1]

Sharwil Avocados From Hawaii

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to allow Sharwil avocados to be moved interstate from Hawaii after undergoing cold treatment for fruit flies under the supervision of an inspector of the Animal and Plant Health Inspection Service. Currently, the only authorized treatments for avocados to be moved interstate from Hawaii are methyl bromide fumigation and a combination of methyl bromide fumigation and refrigeration. This proposed action would facilitate the interstate movement of Sharwil avocados from Hawaii while continuing to provide protection against the spread of injurious plant pests from Hawaii to other parts of the United States.

DATES: Consideration will be given only to comments received on or before November 1, 1995.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 95–028–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 95–028–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Peter M. Grosser or Mr. Frank E. Cooper, Senior Staff Officers, Port Operations, PPQ, APHIS, 4700 River Road Unit 139, Riverdale, MD 20737–1236, (301) 734–8295.

SUPPLEMENTARY INFORMATION:

Background

The Hawaiian Fruits and Vegetables regulations, contained in 7 CFR 318.13 through 318.13–17 (referred to below as the regulations), govern, among other things, the interstate movement from Hawaii of avocados in a raw or unprocessed state. Regulation is necessary to prevent the spread of the Mediterranean fruit fly (*Ceratitis capitata*), the melon fly (*Dacus cucurbitae*), and the Oriental fruit fly (*Bactrocera dorsalis*). These types of fruit flies are collectively referred to as Trifly.

The current regulations allow avocados to be moved interstate from Hawaii to any destination in the United States only if, among other things, they have been treated in accordance with a treatment specified in either § 318.13–4d or § 318.13–4e of the regulations. The regulations allow untreated avocados from Hawaii to be moved interstate to Alaska only, provided that they meet conditions specified in § 318.13–4g to ensure that avocados moved to Alaska are free from Trifly.

Section 318.13–4d provides for treatment of avocados by fumigation with methyl bromide. This treatment causes pitting and internal and external discoloration, and reduces the shelf life of the avocado by 2–4 days, all of which adversely affect the marketability of the avocados. Section 318.13–4e provides for treatment of mature green avocados by fumigation with methyl bromide followed by refrigeration for 7 days. This treatment is not commercially feasible, because after avocados are refrigerated for 7 days the remaining shelf life is not sufficient for marketing purposes. For these reasons, avocados from Hawaii are not being treated and shipped interstate.

We are proposing to amend the regulations governing the interstate movement of Hawaiian fruits and vegetables to allow the interstate movement of Sharwil avocados from Hawaii provided they undergo cold treatment for Trifly. The authorized cold treatment would be as follows:

Treatment	Exposure period (days)
32 °F (0.00 °C) or below	10
33 °F (0.56 °C) or below	11
34 °F (1.11 °C) or below	12
35 °F (1.67 °C) or below	14

This treatment has been determined to be effective against the insects listed above, based on research evaluated and approved by the U.S. Department of Agriculture. Information on this research may be obtained from the Oxford Plant Protection Center, AQI Branch, Plant Protection and Quarantine, APHIS, USDA, 901 Hillsboro Street, Oxford, NC, 27575. Pest risk analyses conducted by the Animal and Plant Health Inspection Service (APHIS) have determined that any other injurious plant pests that might be carried by Sharwil avocados would be readily detectable upon examination by an inspector of Plant Protection and Quarantine (PPQ), APHIS.

Cold treatment of avocados generally causes discoloration and pitting. However, the Agricultural Research Service, U.S. Department of Agriculture, has tested a method of pretreatment conditioning for Sharwil avocados that induces tolerance to cold treatment, making cold treatment for the Sharwil variety commercially feasible (HortScience 29(10):1166–1168.1994.). Only the Sharwil variety of avocado would be approved for cold treatment, since the pretreatment conditioning has been tested only on the Sharwil variety. Pretreatment conditioning would be recommended but not required.

The cold treatment procedures for Sharwil avocado would be added to the Plant Protection and Quarantine (PPQ) Treatment Manual, which has been incorporated by reference into the Code of Federal Regulations at 7 CFR part 300.1.

Sharwil avocados moved interstate from Hawaii would continue to be subject to other applicable provisions of the regulations. These include, among other things, that a certificate issued in accordance with § 318.13–4(b) must be attached to the container of the

regulated article moved interstate from Hawaii, and that the movement must comply with any applicable compliance agreement under § 318.13–4(d). Section 318.13–4(b) provides, among other things, that a certificate may be issued if the article is treated under the observation of a PPQ inspector in accordance with an administratively approved procedure, and is subsequently handled either under such supervision as the inspector may require or in accordance with a compliance agreement.

Nonsubstantive Changes

We are also proposing two nonsubstantive editorial changes to simplify the regulations. Section 318.13–4d provides that avocados from Hawaii may be eligible for interstate movement if treated with methyl bromide fumigation in accordance with that section. Section 318.13–4e provides that avocados from Hawaii may be eligible for interstate movement if treated with a combination of methyl bromide fumigation and refrigeration in accordance with that section. We are proposing to remove these treatment provisions from the regulations at §§ 318.13–4d and 318.13–4e. These treatments are already included in the PPQ Treatment Manual. Instead, proposed § 318.13–4d would state that avocados may be moved interstate from Hawaii if treated in accordance with the PPQ Treatment Manual. Thus, the treatments listed in §§ 318.13–4d and 318.13–4e would remain as options but would appear in the PPQ Treatment Manual.

We are also proposing to amend the definition of ''Inspector'' to read ''An inspector of Plant Protection and Quarantine, Animal and Plant Health Inspection Service, United States Department of Agriculture.''

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

Hawaii produced approximately 500,000 pounds of avocados during 1993, down approximately 29 percent from the 1992 level due, in part, to the interruption of avocado shipments to the U.S. mainland because of Oriental fruit fly infestation in 1992. Sharwil variety accounted for 75 percent of this total, or 375,000 pounds. Shipments of Sharwil avocados from Hawaii to the U.S. mainland and to Canada before the 1992 suspension peaked at 100,000 pounds.

Total production of avocados in the United States, excluding Hawaii, was approximately 302.8 million pounds in 1993. Of this total, California accounted for approximately 97 percent of the production. California continues to supply the major share of the U.S. avocado market. Total Hawaiian avocado production in 1993 accounted for less than two-tenths of a percent of the total U.S. production.

The total value of Hawaiian avocado production ($220,000 in 1993) is less than three-tenths of a percent of the total U.S. production, and all of the Hawaiian entities involved are considered small. The proposed rule could reverse the downward trend in Hawaiian avocado production by providing a commercially feasible method of treating Sharwil avocados to be moved interstate. This would have a positive economic effect on Hawaiian avocado producers. Although a major share of the U.S. market is supplied by California producers, the addition of a Hawaiian supply would be unlikely to have a significant negative impact upon California producers, as the two dominant avocado varieties, Sharwil (Hawaii) and Hass (California) have different peak seasons of production. The peak season for the Sharwil variety is between November and May; the peak season for the Hass variety is April through October. As a result, the proposed rule would be expected to have a complementary rather than competitive effect. The change would not be expected to have any significant impact upon supply and price. Nevertheless, it would be expected to have a positive impact upon consumers by providing for a more continuous and varied avocado supply.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects

7 CFR Part 300

Incorporation by reference, Plant diseases and pests, Quarantine.

7 CFR Part 318

Cotton, Cottonseeds, Fruits, Guam, Hawaii, Plant diseases and pests, Puerto Rico, Quarantine, Transportation, Vegetables, Virgin Islands.

Accordingly, 7 CFR parts 300 and 318 would be amended as follows:

PART 300—INCORPORATION BY REFERENCE

1. The authority citation for part 300 would continue to read as follows:

Authority: 7 U.S.C., 150ee, 154, 161, 162, and 167; 7 CFR 2.17, 2.51, and 371.2(c).

2. In § 300.1, paragraph (a) would be revised to read as follows:

§ 300.1 Materials incorporated by reference; availability.

(a) *Plant Protection and Quarantine Treatment Manual.* The Plant Protection and Quarantine Treatment Manual, which was reprinted on November 30, 1992, and includes all revisions through [insert date], has been approved for incorporation by reference in 7 CFR chapter III by the Director of the Office of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

* * * * *

PART 318—HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

3. The authority citation for part 318 would continue to read as follows:

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, 164a, and 167; 7 CFR 2.17, 2.51, and 371.2(c).

4. Section 318.13–1 would be amended by revising the definition for *Inspector* to read as follows:

§ 318.13–1 Definitions.

* * * * *

Inspector. An inspector of Plant Protection and Quarantine, Animal and Plant Health Inspection Service, United States Department of Agriculture.

* * * * *

5. Section 318.13–4d would be revised to read as follows:

§ 318.13–4d Administrative instructions concerning the interstate movement of avocados from Hawaii.

(a) Subject to the requirements of §§ 318.13–3 and 318.13–4 and all other applicable provisions of this subpart, avocados may be moved interstate from Hawaii only if they are treated under the supervision of an inspector with a treatment authorized by the Administrator for the following pests: the Mediterranean fruit fly (*Ceratitis capitata*), the melon fly (*Dacus cucurbitae*), and the Oriental fruit fly (*Bactrocera dorsalis*).

(b) Treatments authorized by the Administrator are listed in the Plant Protection and Quarantine Treatment Manual, which is incorporated by reference at § 300.1 of this chapter.

§ 318.13–4e [Removed and Reserved]

6. Section 318.13–4e would be removed and reserved.

Done in Washington, DC, this 25th day of September 1995.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–24351 Filed 9–29–95; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–ANE–25]

Airworthiness Directives; PTC Seating Products Division, B/E Aerospace, Model 950 Series Passenger Seats Equipped With Footrest Assembly

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to PTC Seating Products Division, B/E Aerospace (PTC), formally known as PTC Aerospace, Model 950 series passenger seats with footrest assembly. This proposal would require the removal of the footrest assembly arms and the installation of a conversion kit on each PTC Model 950 series passenger seat equipped with footrest assembly. This proposal is prompted by two incidents of finger injuries that occurred during attempts to either extend or retract the footrest system on PTC Model 950 series passenger seats equipped with footrest assembly. The actions specified by the proposed AD are intended to prevent injury to hands during the operation of a PTC Model 950 series passenger seat equipped with footrest assembly.

DATES: Comments must be received by December 1, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–ANE–25, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from B/E Aerospace, PTC Seating Products Division, 607 Bantam Road, Litchfield, CT 06759. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Richard Noll, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7160, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 95–ANE–25.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–ANE–25, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

The FAA received two reports of incidents of finger injuries that occurred during attempts to either extend or retract the footrest system on PTC Seating Products Division, B/E Aerospace (PTC) Model 950 series passenger seats equipped with footrest assembly. The first incident resulted in an injury to a passenger's finger when reportedly reaching down to try to pull the footrest out by hand. The second incident resulted in injury to a passenger's finger when that passenger tried to help another passenger and got a finger caught in the footrest mechanism. This condition, if not corrected, could result in injury to hands during operation of PTC Model 950 series passenger seats equipped with footrest assembly.

The FAA has reviewed and approved the technical contents of PTC Aerospace Model 950 Series Service Bulletin (SB) 25–1192, Revision A, dated March 16, 1992, and PTC Seating Products Division, B/E Aerospace SB 25–1330, dated July 27, 1994, that describes procedures for removal and installation of PTC Model 950 series passenger seats equipped with footrest assembly.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require a mandatory removal of PTC Model 950 series footrest assembly arms, and the installation of a conversion kit on PTC Model 950 series passenger seats equipped with a footrest. The actions would be required to be accomplished in accordance with the service bulletins described previously.

There are approximately 5800 seats equipped with footrest assembly of the affected design in the worldwide fleet. The FAA estimates that 5000 seats equipped with footrest assembly installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately .3/4 work hours per seat to accomplish the proposed actions, and that the average labor rate is $60 per work hour.

Required parts would cost approximately $30 per seat. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $225,000.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 106(g); 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

PTC Seating Products Division, B/E Aerospace: Docket No. 95–ANE–25.

Applicability: PTC Seating Products Division, B/E Aerospace (PTC) Model 950 series passenger seat equipped with footrest assembly.

Note: This AD applies to each seat identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For seats equipped with footrest assembly that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any seat from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent injury to hands during operation of the PTC Model 950 series passenger seats equipped with footrest assembly, accomplish the following:

(a) Within nine calendar months after the effective date of this AD.

(1) Remove seat footrest assembly arms, P/N 98440–1 or –2, in accordance with the Accomplishment Instructions of PTC Aerospace Service Bulletin (SB) 25–1192, Revision A, dated March 16, 1992.

(2) Install conversion kit, P/N 122966–1, in accordance with Section 2, Accomplishment Instructions of PTC Seating Products Division, B/E Aerospace SB 25–1330, dated July 27, 1994.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Boston Aircraft Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Boston Aircraft Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Boston Aircraft Certification Office.

Issued in Burlington, Massachusetts, on September 18, 1995.

James C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95–24439 Filed 9–29–95; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 94–ANE–43]

Airworthiness Directives; Rolls-Royce plc Dart Series Turboprop Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to Rolls-Royce plc (R–R) Dart series turboprop engines, that currently establishes a life limit for propeller low torque switches. This action adds two propeller low torque switch part numbers and two R–R Dart engine models that were omitted from the current AD, and establishes a calendar end-date for removal of propeller low torque switches from service. This proposal is prompted by the need to add omitted part numbers and engine models to the AD. The actions specified by the proposed AD are intended to prevent cracking of the snap diaphragm in the propeller low torque switch, which could delay propeller auto-feathering and thereby adversely affect aircraft controllability.

DATES: Comments must be received by December 1, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94–ANE–43, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Rolls-Royce plc, Attn: Dart Engine Service Manager, East Kilbride, Glasgow G74 4PY, Scotland. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Diane Cook, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7134, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of

the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 94–ANE–43.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94–ANE–43, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

On January 4, 1990, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 90–08–12, Amendment 39–6473 (55 FR 12477, April 4, 1990), to establish a life limit for propeller low torque switches on Rolls-Royce plc (R–R) Dart series turboprop engines. That action was prompted by the FAA's determination that propeller low torque switch snap diaphragms had continued to crack in service despite the inspection and overhaul requirements of a previous AD, 77–20–04 R1. That condition, if not corrected, could result in cracking of the snap diaphragm in the propeller low torque switch, which could delay propeller auto-feathering and thereby adversely affect aircraft controllability.

Since the issuance of AD 90–08–12, the FAA has determined that two propeller low torque switch part numbers, L944772 and L944774, and two R–R Dart engine models, Mk. 551 and 552, were omitted from that AD.

This engine model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated of operation in the United States.

Rolls-Royce plc has issued R–R Dart Aero Engine Service Bulletin (SB) No. Da61–12, Revision 2, dated September 1978, that describes procedures for removal from service of propeller low torque switches.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 90–08–12 to add two propeller low torque switch part numbers and two R–R Dart engine models that were omitted from AD 90–08–12. In addition, the proposed AD establishes 30 days after the effective date of the AD as a calendar end-date for removal of propeller low torque switches.

There are approximately 2,880 engines of the affected design in the worldwide fleet. The FAA estimates that 450 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 1.5 work hours per engine to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts would cost approximately $3,800 per engine. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $1,750,500.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–6473 (55 FR 12477, April 4, 1990) and by adding a new airworthiness directive to read as follows:

Rolls-Royce plc: Docket No. 94–ANE–43. Supersedes AD 90–08–12, Amendment 39–6473.

Applicability: Rolls-Royce plc (R–R) Dart Mk. 506, 510, 511, 514, 515, 520, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 542, 543, 551, and 552 turboprop engines, installed on but not limited to the following aircraft: Gulfstream Aerospace Corp. G–159, British Aerospace HS 748, Fokker Aircraft F.27, Mitsubishi Heavy Industries YS–11, General Dynamics (Convair) 600, and Vickers Armstrongs (Aircraft) Limited Viscount.

Note: This airworthiness directive (AD) applies to each engine identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (e) to request approval from the Federal Aviation Administration (FAA). This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent cracking of the snap diaphragm in the propeller low torque switch, which could delay propeller auto-feathering and thereby adversely affect aircraft controllability, remove from service propeller low torque switch Part Numbers (P/N) 3700892, 3700895, 3701232, 3500355, 3500356, 3500410 through 412, L944707

through 709, L944738 through 740, L944742 through 744, L944769, L944772, and L944774, in accordance with R–R Dart Aero Engines Service Bulletin (SB) No. Da61–12, Revision 2, dated September 1978, as follows:

(a) Remove from service propeller low torque switches that have accumulated 5 or more calendar years time in service (TIS) on the effective date of this AD, within 30 days after the effective date of this AD, and replace with a serviceable part.

(b) Remove from service propeller low torque switches that have accumulated less than 5 calendar years TIS on the effective date of this AD, within 5 calendar years total TIS, or within 30 days after the effective date of this AD, whichever occurs later, and replace with a serviceable part.

(c) Remove from service propeller low torque switches that cannot have their in-service calendar time established within 30 days after the effective date of this AD, and replace with a serviceable part.

(d) Thereafter, remove from service new or overhauled propeller low torque switches at or prior to accumulating 5 calendar years TIS since initial installation on an engine. This limit includes storage or on-shelf time accumulated after initial installation on an engine. Overhaul of the propeller low torque switch zero-times the part.

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on September 21, 1995.

James. C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95–24438 Filed 9–29–95; 8:45 am]

BILLING CODE 4910–13–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 85

[FRL–5305–6]

Inspection/Maintenance Program Requirement—On-Board Diagnostic Checks

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of public comment period.

SUMMARY: This action extends the comment period to the proposed rule published on August 18, 1995 (60 FR 43092), which concerns inspection/maintenance program requirements for on-board diagnostic checks. EPA is extending the comment period to October 13, 1995.

DATES: Written comments on the proposed rule must be received no later than October 13, 1995. A public hearing is not scheduled for this rule.

ADDRESSES: Interested parties may submit written comments (in duplicate if possible) to Public Docket No. A–94–21. It is requested that a duplicate copy be submitted to Eugene J. Tierney at the Office of Mobile Sources, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, Ann Arbor, Michigan 48105. The docket is located at the Air Docket, Room M–1500 (6102), Waterside Mall SW., Washington, DC 20460. The docket may be inspected between 8:30 a.m. and 12 noon and between 1:30 p.m. until 3:30 p.m. on weekdays. A reasonable fee may be charged for copying docket material.

FOR FURTHER INFORMATION CONTACT: Eugene J. Tierney, Office of Mobile Sources, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, Ann Arbor, Michigan, 48105. Telephone (313) 668–4456.

SUPPLEMENTARY INFORMATION:

Background

EPA announced its intent to establish requirements for the inspection of on-board diagnostic systems as part of Inspection/Maintenance (I/M) programs in the proposed rule (NPRM) published on August 18, 1995. The purpose of this NPRM is to propose amendments to those sections of the Inspection/Maintenance Program Requirements in Subpart S, 40 CFR Part 51 (November 5, 1992) that were reserved for OBD requirements and elsewhere, as needed. The proposed revisions include additions and confirming modifications regarding requirements that I/M inspectors check the on-board diagnostic system as part of the overall inspection. This NPRM proposes the minimum requirements for inspecting vehicles equipped with on-board diagnostic systems as part of the inspections required in basic and enhanced Inspection/Maintenance programs.

Dated: September 21, 1995.

Mary Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 95–24360 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[Region II Docket No. 141; NJ21–1–7065b; FRL–5306–7]

Approval and Promulgation of Implementation Plans; The 1990 Base Year Ozone Emissions Inventory for New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve revisions to the New Jersey State Implementation Plan (SIP) pertaining to the 1990 base year ozone precursor emission inventory. The inventories were submitted by New Jersey as part of New Jersey's plan to attain the national ambient air quality standard (NAAQS) for ozone in the Atlantic City, New York/Northern New Jersey/Long Island, Philadelphia/ Wilmington/Trenton, and Allentown/Bethlehem/Easton areas of New Jersey. In the final rules section of this Federal Register, EPA is approving the State's emission inventory as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this proposed rule. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing on or before November 1, 1995.

ADDRESSES: All comments should be addressed to: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway 20th Floor, New York, New York, 10007–1866.

Copies of the state submittal(s) are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region II Office, Library 16th Floor, 290 Broadway 20th Floor, New York, New York 10007–1866.

New Jersey Department of Environmental Protection, Office of Air Quality Management, Bureau of Air Quality Planning, 401 East State Street, CN418, Trenton, New Jersey 08625.

FOR FURTHER INFORMATION CONTACT: Demian Ellis, Air Programs Branch, Environmental Protection Agency, 290 Broadway 20th Floor, New York, New York 10007–1866, (212) 637–4249.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: September 18, 1995.

William J. Muszynski,

Deputy Regional Administrator.

[FR Doc. 95–24462 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 52

[Region II Docket No. 145; NJ16–1–6470, FRL–5309–3]

Approval and Promulgation of Implementation Plans; Reasonably Available Control Technology for Oxides of Nitrogen for the State of New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: The EPA proposes approval of revisions to the State Implementation Plan (SIP) for ozone submitted by the State of New Jersey. This portion of the implementation plan was submitted by the State to satisfy Clean Air Act (the Act) requirements for adoption of rules for the application of reasonably available control technology (RACT) for oxides of nitrogen (NO_X) in the entire State. The Act requires implementation of NO_X RACT at major stationary sources of NO_X emissions in the State of New Jersey by May 31, 1995.

DATES: Comments must be received on or before November 1, 1995.

ADDRESSES: All comments should be addressed to: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway, Twentieth Floor, New York, New York 10007–1866.

Copies of the state submittal and other information are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region II Office, Air Programs Branch, 290 Broadway, Twentieth floor, New York, New York 10007–1866.

New Jersey Department of Environmental Protection, Office of Air Quality Management, Bureau of Air Quality Planning, 401 East State Street, CN418, Trenton, New Jersey 08625.

FOR FURTHER INFORMATION CONTACT: Ted Gardella, Air Programs Branch, Environmental Protection Agency, 290 Broadway, Twentieth floor, New York, New York 10007–1866, (212) 637–4249.

SUPPLEMENTARY INFORMATION:

I. Background

The air quality planning requirements for the reduction of NO_X emissions through RACT are set out in Section 182(f) of the Act. Section 182(f) requirements are described by EPA in a notice, ''State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule,'' published November 25, 1992 (57 FR 55620). The November 25, 1992 notice should be referred to for detailed information on the NO_X requirements. Additional guidance memoranda which have been released subsequent to the NO_X Supplement should also be referred to.

The EPA has defined RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53762; September 17, 1979).

Section 182(f) of the Act requires states within moderate or above ozone nonattainment areas or the ozone transport region to apply the same requirements to major stationary sources of NO_X (''major'' as defined in Section 302 and Section 182(c), (d), and (e)) as are applied to major stationary sources of volatile organic compounds (VOCs). For more information on what constitutes a major source, see Section 2 of the NO_X Supplement to the General Preamble.

Section 182(b)(2) requires submittal of RACT rules for major stationary sources of VOC emissions (not covered by a pre-enactment control technique guidelines (CTG) document or a post-enactment CTG document) by November 15, 1992. There were no NO_X CTGs issued before enactment and EPA has not issued a CTG document for any NO_X sources since enactment. States, in their RACT rules, are expected to require final installation of the actual NO_X controls by May 31, 1995 from those sources for which installation by that date is practicable.

States within the Northeast ozone transport region established by section 184(a) should have revised their SIPs to include the RACT measures by November 15, 1992. Because states in a transport region are generally subject to at least the moderate area requirements, EPA believes that the schedule for implementing these RACT rules in the ozone transport region should be consistent with the requirements of Section 182(b)(2) and will be expected to require final installation of the actual NO_X controls by May 31, 1995 on those sources for which installation by that date is practicable. Based on Section 182(f), New Jersey is required to apply the NO_X RACT requirements Statewide.

II. State Submittal

On November 15, 1993 New Jersey submitted to EPA as a revision to the SIP, Subchapter 19, ''Control and Prohibition of Air Pollution From Oxides of Nitrogen'' of Chapter 27, Title 7 of the New Jersey Administrative Code with an effective date of December 20, 1993. Subchapter 19 contains the NO_X RACT requirements for the State. New Jersey held public hearings on Subchapter 19 in March 1993 and it was adopted on November 15, 1993. EPA reviewed the plan to determine completeness in accordance with criteria set out at 40 CFR 51. The submittal was found to be administratively and technically complete, and a letter dated December 29, 1993 was forwarded to the Commissioner indicating the completeness of the submittal and the next steps to be taken in the review process.

It is important to note that New Jersey is a member of the Northeast States for Coordinated Air Use Management (NESCAUM) and the Ozone Transport Commission (OTC), which seek to develop a consistent NO_X reduction strategy for ozone attainment in the Northeast. New Jersey's NO_X RACT plan is consistent with the recommendations of these groups, which are generally more stringent than EPA requirements.

For a more detailed discussion of New Jersey's submittal and EPA's proposed action on the submittal, the reader should refer to the Technical Support Document developed as part of this proposed action and found at the previously mentioned addresses.

III. Analysis of New Jersey's SIP Submission

A. RACT Determination and Implementation

1. Utility Boilers

Section 19.4 of Subchapter 19 specifies the emission limitations for utility boilers and three alternative ways for utility boilers to comply: averaging, fuel switching, and repowering. Maximum allowable NO_X emission rates, expressed as pounds NO_X per million BTUs (lb. NO_X/MM BTU), range from 0.2 to 1.0 depending on the type of boiler and the type of fuel. Section 19.4 also requires utility boilers to install a continuous emission monitoring system. The emission limits specified by New Jersey are consistent with those recommended by the EPA in the NO_X Supplement. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

New Jersey's provisions allow utilities to comply with the NO_X RACT requirements by using an averaging plan throughout the State including areas with different nonattainment classifications. This alternative is further reviewed in Part III.A.3. of this document.

New Jersey's fuel switching provision is consistent with EPA guidance which basically states that annual emissions of NO_X must be less than or equal to annual emissions that would result from continuous compliance with presumptive NO_X RACT.

New Jersey's repowering provision meets all of the requirements in EPA's guidance. Repowering is simply the replacement of the steam generator in a steam generating unit. New Jersey's provision requires interim RACT to begin by May 1, 1995 and for the repower to be completed by May 15, 1999. New Jersey defines interim RACT as annual adjustments to the combustion process.

2. Stationary Gas Turbines

Section 19.5 specifies the maximum allowable NO_X emission rates (lb. NO_X/MM BTU) ranging from 0.15 to 0.4 depending on the type of turbine and the type of fuel. Alternatively, compliance can be met through an averaging plan or where it can be shown that there is an insufficient supply of water to the turbine and that there is no commercially available dry low-NO_X combustor suitable. In this latter case, the owner/operator must obtain approval of this waiver from New Jersey in accordance with Section 19.14 and in addition, the combustion process of the turbine must be annually adjusted.

New Jersey's emission limitations are consistent with EPA's general guidance. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

3. Emissions Averaging

Section 19.6 allows sources to comply with the regulation with an averaging plan. Any person owning or operating at least two items of equipment or source operations may request the Department's approval of an averaging plan. The person developing an averaging plan must identify the equipment and source operations to be included in the plan. The averaging units included in the plan may be located at one or more sites throughout the State, but must be owned and operated by the same person. The central part of the application for an averaging plan is the demonstration that if all averaging units included in the designated set are operating at maximum design capacity, their total emissions will be no greater than the total emissions which would be allowed from all of the averaging units if they were subject to the 'presumptive' RACT emission limits.

This averaging provision is not intended to be a generic trading rule covering all pollutants but is a limited trading rule for meeting NO_X RACT requirements. The New Jersey regulation is limited in scope, time, and types of sources which can trade and is intended to be an interim step in achieving future ozone attainment. New Jersey's averaging provision met the general EPA guidance (NO_X Preamble) when these rules were proposed and adopted by the State. New Jersey, in consultation with the OTC states and EPA, is currently developing future trading rules which will have broader applicability. New Jersey's averaging provision is satisfactory in that it meets EPA's policy that was in existence at the time it was adopted by the State, however there are some differences from current EPA trading policy. These differences include: (1) definition of a violation, (2) improved audit procedures, (3) a reconciliation procedure, (4) specification of baseline emissions, and (5) the effects on credits of newly adopted rules. The State's revisions will address these areas and strengthen the NO_X RACT regulations.

New Jersey's averaging plan is consistent with EPA's general guidance (NO_X Preamble). The averaging plan is enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

4. Non-Utility Boilers

Section 19.7 specifies the requirements for non-utility boilers. The control strategy depends on the maximum gross heat input rate of the non-utility boiler, the type of boiler and the type of fuel used. Smaller boilers are required to annually adjust the combustion process to minimize NO_X emissions, while the larger size boilers must meet emission limits (lb. NO_X/MM BTU) ranging from 0.1 to 1.0. Also, any non-utility boilers with a maximum gross heat input rate of at least 250 million BTUs per hour shall install a continuous emissions monitoring system.

The emission limits specified by New Jersey are consistent with those recommended by the EPA in the NO_X Supplement. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

5. Stationary Internal Combustion Engines

Section 19.8 establishes NO_X emission limits for stationary internal combustion engines. The emission limitations, expressed as grams NO_X per horsepower-hour, range from 1.5 to 8.0 depending on the type of engine and the type of fuel used.

New Jersey's emission limits are consistent with EPA's general guidance and with those suggested by NESCAUM. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

6. Asphalt Plants

Section 19.9 establishes NO_X emission limits for asphalt plants depending on the type of plant. The emission limit for these sources is 200 parts per million (dry, volume basis) at seven percent oxygen content. In addition to establishing emission limits, the regulation requires the burner of an aggregate dryer to be adjusted annually to reduce emissions of all pollutants.

New Jersey's emission limitations are consistent with EPA's general guidance. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

7. Glass Manufacturing Furnaces

Section 19.10 establishes NO_X emission limits for glass manufacturing furnaces. The limitations depend on the type of glass manufactured by the furnace.

The emission limits, expressed as pounds NO_X per ton of glass removal from the furnace, for commercial container and specialty container glass manufacturing are 5.5 and 11.0 respectively. In the case of borosilicate recipe glass manufacturing furnaces, a baseline NO_X emission rate must be determined by January 1, 1994 and a plan must be submitted by July 1, 1994 explaining how those baseline emissions will be reduced by 30 percent. The furnace must then implement the plan and reduce its emissions accordingly. In addition, the owner or operator of a glass manufacturing furnace must annually adjust the combustion process of the furnace beginning in May 1994.

The Department has determined that glass furnaces will become subject to the specific emission limitations on May 1, 1997, unless the furnace is 'rebricked' before that date, in which case the furnace becomes subject to the emission limitations upon the date the rebricking is completed.

EPA accepts the technical and economic rationale presented by New Jersey in their proposed rule for the emission limits as adopted. EPA's policy allows states to extend the repowering guidance to other source categories. New Jersey's rebricking provisions meet all of the requirements in EPA's guidance. New Jersey's provision requires interim RACT to begin on May 1, 1994 and to rebrick and comply with the emission limits by May 1, 1997 or the first date after rebricking is completed, whichever is earlier. New Jersey defines interim RACT as annual adjustments to the combustion process.

New Jersey's emission limitations are consistent with EPA's general guidance and therefore, acceptable to the Agency. The emission limits are enforceable through appropriate averaging times, test methods, compliance schedules and reporting and recordkeeping requirements.

8. Facility-Specific NO_X Emission Limits

Section 19.13 establishes a procedure for a case-by-case determination of what represents RACT for a particular facility, item of equipment or source operation. This procedure is applicable in two situations: (1) if a major NO_X facility contains any source operation or item of equipment not listed in 19.2, or (2) if the owner or operator of a source operation or item of equipment that is listed in 19.2 seeks approval of an alternative maximum allowable emission rate.

New Jersey's procedure entails the owners and/or operators of the effected facility to propose a NO_X control plan or request for an alternative maximum allowable emission rate. The owners/operator are to include a technical and economic feasibility analysis of the possible alternative control measures. For each case, the regulations provide for the Department to establish emission limits based upon a RACT determination specific to the facility in question. The resulting control plan or alternate maximum allowable emission rate would be submitted for approval as a SIP revision.

Section 19.13(l) identifies the reasons why the State ''may'' revoke an approval of a NO_X control plan. One reason would be an EPA disapproval of the plan after EPA rulemaking action. The State indicates that ''may'' does not apply to EPA disapprovals and that in a forthcoming amendment to Subchapter 19, New Jersey will clarify this. They will revise Sections 19.13(l)(3) and 19.13(h) to say that upon EPA disapproval of a specific NO_x plan, New Jersey will revoke the plan. EPA is proposing to approve this provision because the New Jersey explanation is acceptable and, regardless, EPA has adequate authority under the Act to require the state to correct any EPA identified deficiencies.

For sources not subject to specific emission limitations or work practice standards, Section 19.13 provides a procedure and schedule which must be followed in order to comply with Subchapter 19. Should a source not comply with this procedure it would constitute a violation of Subchapter 19 and would subject the source owner or operator to civil and applicable criminal penalties. EPA believes this is sufficient to insure that sources comply and should EPA have to take enforcement action, it could use the same provisions to obtain compliance.

9. Exemptions

Section 19.2 contains provisions to exempt equipment and source operations. The following summarizes these exemptions:

1. Emergency generators which operate less than 500 hours annually and have a potential to emit less than 25 tons of NO_X. This exemption provision is consistent with the Act since all sources with a potential to emit less than 25 tons per year of NO_X are not subject to NO_X emission limitations.

2. Equipment or source operations where the EPA Administrator determines that the net air quality benefits are greater in the absence of NO_X reductions. This provision conforms to Section 182(f) of the Act providing for this NO_X RACT exemption.

3. NO_X sources with a potential to emit less than 25 tons per year and with the potential to emit less than 137 pounds per day during the ozone season. This provision is consistent with the Act as indicated in the first exemption above.

10. Other Provisions

The following are administrative and procedural provisions to Subchapter 19 which were reviewed by EPA: definitions; general provisions; procedures for obtaining approvals and demonstrating compliance; requirements for adjusting the combustion process; emission testing, monitoring, and recordkeeping; and civil penalties. EPA has evaluated these provisions in Subchapter 19 for consistency with EPA policy and has determined that they meet the requirements and are therefore acceptable to the Agency.

IV. Summary

The EPA is proposing full approval of Subchapter 19, ''Control and Prohibition of Air Pollution From Oxides of Nitrogen'' submitted by the State of New Jersey on November 15, 1993 for the marginal, moderate, and severe ozone nonattainment areas. New Jersey has applied Subchapter 19 to the entire State.

Nothing in this proposed rule should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. § 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. §§ 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under Section 110 and Subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected.

Moveover, due to the nature of the federal-state relationship under the Clean Air Act, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v *US EPA*, 427 US 246, 256–66 (S.Ct. 1976); 42 U.S.C. § 7410(a)(2).

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a federal mandate that may result in estimated annual costs of $100 million or more to the private sector, or to state, local, or tribal governments in the aggregate.

Through submission of this state implementation plan revision, the state and any affected local or tribal governments have elected to adopt the program provided for under Section 182(f) of the Clean Air Act. These rules may bind state, local and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules being proposed for approval by this action would impose any mandate upon the state, local or tribal governments either as the owner or operator of a source or as a regulator, or would impose any mandate upon the private sector, EPA's action would impose no new requirements; such sources are already subject to these regulations under state law. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this proposed action does not include a mandate that may result in estimated annual costs of $100 million or more to state, local, or tribal governments in the aggregate or to the private sector.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C 7401–7671q.

Dated: September 15, 1995.

William J. Muszynski,

Deputy Regional Administrator.

[FR Doc. 95–24451 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Parts 52 and 81

[LA–15–1–6073b; FRL–5307–5]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Approval of the Maintenance Plan for the New Orleans Consolidated Metropolitan Statistical Area (CMSA); Redesignation of the New Orleans CMSA to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On October 15, 1994, the State of Louisiana submitted a revised maintenance plan and request to redesignate the New Orleans CMSA ozone nonattainment area to attainment. The New Orleans CMSA is comprised of six parishes: Jefferson, Orleans, St. Charles, St. Bernard, St. John the Baptist, and St. Tammany. Maintenance and contingency plans are not included in the action for the parishes of St. John the Baptist and St. Tammany. St. John the Baptist Parish was previously redesignated to attainment, and St. Tammany Parish has never been designated as nonattainment.

This maintenance plan and redesignation request was initially submitted to the EPA on April 23, 1993. Although the EPA deemed this initial submittal complete on September 10, 1993, certain approvability issues existed. The State of Louisiana addressed these approvability issues and has revised its submissions. Under the Clean Air Act (CAA), nonattainment areas may be redesignated to attainment if sufficient data are available to warrant the redesignation and the area meets the other CAA redesignation requirements. In this action, EPA is approving Louisiana's redesignation request because it meets the maintenance plan and redesignation requirements set forth in the CAA, and EPA is approving the 1990 base year emissions inventory. The approved maintenance plan will become a federally enforceable part of the State Implementation Plan (SIP) for Louisiana.

In the Final Rules Section of this Federal Register, the EPA is approving this redesignation request as a direct final rulemaking without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be postmarked by November 1, 1995. If no adverse comments are received, then the direct final rule will be effective on December 1, 1995.

ADDRESSES: Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6PD-L), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

Louisiana Department of Environmental Quality, Office of Air Quality, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana 70810.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Mick Cote, Air Planning Section (6PD-L), EPA Region 6, telephone (214) 665–7219.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the Rules Section of this Federal Register.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Area designations, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, National Parks, Reporting

and recordkeeping, Ozone, Volatile organic compounds, Wilderness areas.

Dated: September 22, 1995.

Allyn M. Davis,

Acting Regional Administrator (6RA).

[FR Doc. 95–24355 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 82

[FRL–5306–4]

Protection of Stratospheric Ozone

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes restrictions or prohibitions on substitutes for ozone depleting substances (ODSs) under the U.S. Environmental Protection Agency (EPA) Significant New Alternatives Policy (SNAP) program. SNAP implements section 612 of the amended Clean Air Act of 1990 which requires EPA to evaluate and regulate substitutes for the ODSs to reduce overall risk to human health and the environment. Through these evaluations, SNAP generates lists of acceptable and unacceptable substitutes for each of the major industrial use sectors. The intended effect of the SNAP program is to expedite movement away from ozone depleting compounds while avoiding a shift into high-risk substitutes posing other environmental problems.

On March 18, 1994, EPA promulgated a final rulemaking setting forth its plan for administering the SNAP program (59 FR 13044), and issued decisions on the acceptability and unacceptability of a number substitutes. In this Notice of Proposed Rulemaking (NPRM), EPA is issuing its preliminary decisions on the acceptability of certain substitutes not previously reviewed by the Agency. To arrive at determinations on the acceptability of substitutes, the Agency completed a cross-media evaluation of risks to human health and the environment by sector end-use.

DATES: Written comments or data provided in response to this document must be submitted by November 1, 1995.

ADDRESSES: Written comments and data should be sent to Docket A–91–42, Central Docket Section, South Conference Room 4, U.S. Environmental Agency, 401 M Street, S.W., Washington, D.C. 20460. The docket may be inspected between 8 a.m. and 4:00 p.m. on weekdays. Telephone (202) 260–7549; fax (202) 260–4400. As provided in 40 CFC part 2, a reasonable fee may be charged for photocopying. To expedite review, a second copy of the comments should be sent to Sally Rand, Stratospheric Protection Division, Office of Atmospheric Programs, U.S. EPA, 401 M Street, S.W., 6205–J, Washington, D.C. 20460. Information designated as Confidential Business Information (CBI) under 40 CFR, part 2 subpart B must be sent directly to the contact person for this notice. However, the Agency is requesting that all respondents submit a non-confidential version of their comments to the docket as well.

FOR FURTHER INFORMATION CONTACT: Sally Rand at (202) 233–9739 or fax (202) 233–9577, Substitutes Analysis and Review Branch, Stratospheric Protection Division, Office of Atmospheric Programs, Office of Air and Radiation, Washington, D.C. 20460

SUPPLEMENTARY INFORMATION:

I. Overview of This Action

This action is divided into five sections, including this overview:

I. Overview of This Action
II. Section 612 Program
A. Statutory Requirements
B. Regulatory History
III. Proposed Listing of Substitutes
IV. Administrative Requirements
V. Additional Information
Appendix A: Summary of Proposed Listing Decisions

II. Section 612 Program

A. Statutory Requirements

Section 612 of the Clean Air Act authorizes EPA to develop a program for evaluating alternatives to ozone-depleting substances. EPA is referring to this program as the Significant New Alternatives Policy (SNAP) program. The major provisions of section 612 are:

Rulemaking—Section 612(c) requires EPA to promulgate rules making it unlawful to replace any class I (chlorofluorocarbon, halon, carbon tetrachloride, methyl chloroform, methyl bromide, and hydrobromofluorocarbon) or class II (hydrochlorofluorocarbon) substance with any substitute that the Administrator determines may present adverse effects to human health or the environment where the Administrator has identified an alternative that (1) reduces the overall risk to human health and the environment, and (2) is currently or potentially available.

Listing of Unacceptable/Acceptable Substitutes—Section 612(c) also requires EPA to publish a list of the substitutes unacceptable for specific uses. EPA must publish a corresponding list of acceptable alternatives for specific uses.

Petition Process—Section 612(d) grants the right to any person to petition EPA to add a substitute to or delete a substitute from the lists published in accordance with section 612(c). The Agency has 90 days to grant or deny a petition. Where the Agency grants the petition, EPA must publish the revised lists within an additional six months.

90-day Notification—Section 612(e) requires EPA to require any person who produces a chemical substitute for a class I substance to notify the Agency not less than 90 days before new or existing chemicals are introduced into interstate commerce for significant new uses as substitutes for a class I substance. The producer must also provide the Agency with the producer's unpublished health and safety studies on such substitutes.

Outreach—Section 612(b)(1) states that the Administrator shall seek to maximize the use of federal research facilities and resources to assist users of class I and II substances in identifying and developing alternatives to the use of such substances in key commercial applications.

Clearinghouse—Section 612(b)(4) requires the Agency to set up a public clearinghouse of alternative chemicals, product substitutes, and alternative manufacturing processes that are available for products and manufacturing processes which use class I and II substances.

B. Regulatory History

On March 18, 1994, EPA published the Final Rulemaking (FRM) (59 FR 13044) which described the process for administering the SNAP program and issued EPA's first acceptability lists for substitutes in the major industrial use sectors. These sectors include: refrigeration and air conditioning; foam blowing; solvent cleaning; fire suppression and explosion protection; sterilants; aerosols; adhesives, coatings and inks; and tobacco expansion. These sectors comprise the principal industrial sectors that historically consume large volumes of ozone-depleting compounds.

The Agency defines a ''substitute'' as any chemical, product substitute, or alternative manufacturing process, whether existing or new, that could replace a class I or class II substance. Anyone who produces a substitute must provide the Agency with health and safety studies on the substitute at least 90 days before introducing it into interstate commerce for significant new use as an alternative. This requirement applies to chemical manufacturers, but may include importers, formulators or

end-users when they are responsible for introducing a substitute into commerce.

III. Proposed Listing of Substitutes

To develop the lists of unacceptable and acceptable substitutes, EPA conducts screens of health and environmental risks posed by various substitutes for ozone-depleting compounds in each use sector. The outcome of these risks screens can be found in the public docket, as described above in the **ADDRESSES** portion of this notice.

Under section 612, the Agency has considerable discretion in the risk management decisions it can make in SNAP. The Agency has identified five possible decision categories: acceptable, acceptable subject to use conditions; acceptable subject to narrowed use limits; unacceptable; and pending. Acceptable substitutes can be used for all applications within the relevant sector end-use. Conversely, it is illegal to replace an ODS with a substitute listed by SNAP as unacceptable. A pending listing represents substitutes for which the Agency has not received complete data or has not completed its review of the data.

After reviewing a substitute, the Agency may make a determination that a substitute is acceptable only if certain conditions of use are met to minimize risks to human health and the environment. Use of such substitutes in ways that are inconsistent with such use conditions renders these substitutes unacceptable.

Even though the Agency can restrict the use of a substitute based on the potential for adverse effects, it may be necessary to permit a narrowed range of use within a sector end-use because of the lack of alternatives for specialized applications. Users intending to adopt a substitute acceptable with narrowed use limits must ascertain that other acceptable alternatives are not technically feasible. Companies must document the results of their evaluation, and retain the results on file for the purpose of demonstrating compliance. This documentation shall include descriptions of substitutes examined and rejected, processes or products in which the substitute is needed, reason for rejection of other alternatives, e.g., performance, technical or safety standards, and the anticipated date other substitutes will be available and projected time for switching to other available substitutes. Use of such substitutes in application and end-uses which are not specified as acceptable in the narrowed use limit renders these substitutes unacceptable.

In this Notice of Proposed Rulemaking (NPRM), EPA is issuing its preliminary decision on the acceptability of certain substitutes not previously reviewed by the Agency. As described in the final rule for the SNAP program (59 FR 13044), EPA believes that notice-and-comment rulemaking is required to place any alternative on the list of prohibited substitutes, to list a substitute as acceptable only under certain use conditions or narrowed use limits, or to remove an alternative from either the list of prohibited or acceptable substitutes.

EPA does not believe that rulemaking procedures are required to list alternatives as acceptable with no limitations. Such listings do not impose any sanction, nor do they remove any prior license to use a substitute. Consequently, EPA is adding substitutes to the list of acceptable alternatives without first requesting comment on new listings. Updates to the acceptable and pending lists are published as separate Notices of Acceptability in the Federal Register.

Parts A. through C. below present a detailed discussion of the proposed substitute listing determinations by major use sector. Tables summarizing listing decisions in this Notice of Proposed Rulemaking are in Appendix A. The comments contained in Appendix A provide additional information on a substitute. Since comments are not part of the regulatory decision, they are not mandatory for use of a substitute. Nor should the comments be considered comprehensive with respect to other legal obligations pertaining to the use of the substitute. However, EPA encourages users of acceptable substitutes to apply all comments in their application of these substitutes. In many instances, the comments simply allude to sound operating practices that have already been identified in existing industry and/or building-code standards. Thus, many of the comments, if adopted, would not require significant changes in existing operating practices for the affected industry.

A. Refrigeration and Air Conditioning

1. Acceptable Subject to Use Conditions

a. CFC–12 Automobile and Non-automobile Motor Vehicle Air Conditioners, Retrofit and New

EPA is concerned that the existence of several substitutes in this end-use may increase the likelihood of significant refrigerant cross-contamination and potential failure of both air conditioning systems and recovery/recycling equipment. In addition, a smooth transition to the use of substitutes strongly depends on the continued purity of the recycled CFC–12 supply. In order to prevent cross-contamination and preserve the purity of recycled refrigerants, EPA is proposing several conditions on the use of all motor vehicle air conditioning refrigerants. For the purposes of this rule, no distinction is made between ''retrofit'' and ''drop-in'' refrigerants; retrofitting a car to use a new refrigerant includes all procedures that result in the air conditioning system using a new refrigerant. Please note that EPA only reviews refrigerants based on environmental and health factors.

In particular, when retrofitting a CFC–12 system to use any substitute refrigerant, the following conditions must be met:

• Each refrigerant may only be used with a set of fittings that is unique to that refrigerant. These fittings (male or female, as appropriate) must be used with all containers of the refrigerant, on can taps, on recovery, recycling, and charging equipment, and on all air conditioning system service ports. These fittings must be designed to mechanically prevent cross-charging with another refrigerant. A refrigerant may only be used with the fittings and can taps specifically intended for that refrigerant. Using an adapter or deliberately modifying a fitting to use a different refrigerant will be a violation of this use condition. In addition, fittings shall meet the following criteria, derived from Society of Automotive Engineers (SAE) standards and recommended practices:

—When existing CFC–12 service ports are to be retrofitted, conversion assemblies shall attach to the CFC–12 fitting with a thread lock adhesive and/or a separate mechanical latching mechanism in a manner that permanently prevents the assembly from being removed.

—All conversion assemblies and new service ports must satisfy the vibration testing requirements of sections 3.2.1 or 3.2.2 of SAE J1660, as applicable, excluding references to SAE J639 and SAE J2064, which are specific to HFC–134a.

—In order to prevent discharge of refrigerant to the atmosphere, systems shall have a device to limit compressor operation before the pressure relief device will vent refrigerant. This requirement is waived for systems that do not feature such a pressure relief device.

—All CFC–12 service ports shall be retrofitted with conversion assemblies or shall be rendered permanently

incompatible for use with CFC–12 related service equipment by fitting with a device attached with a thread lock adhesive and/or a separate mechanical latching mechanism in a manner that prevents the device from being removed.

• When a retrofit is performed, a label must be used as follows:

—The person conducting the retrofit must apply a label to the air conditioning system in the engine compartment that contains the following information:

* the name and address of the technician and the company performing the retrofit
*the date of the retrofit
*the trade name, charge amount, and, when applicable, the ASHRAE refrigerant numerical designation of the refrigerant
*the type, manufacturer, and amount of lubricant used
*if the refrigerant is or contains an ozone-depleting substance, the phrase ''ozone depleter''
*if the refrigerant displays flammability limits as blended, measured according to ASTM E681, the statement ''This refrigerant is FLAMMABLE. Take appropriate precautions.''

—This label must be large enough to be easily read and must be permanent.
—The background color must be unique to the refrigerant.
—The label must be affixed to the system over information related to the previous refrigerant, in a location not normally replaced during vehicle repair.
—Information on the previous refrigerant that cannot be covered by the new label must be permanently rendered unreadable.

• No substitute refrigerant may be used to ''top-off'' a system that uses another refrigerant. The original refrigerant must be recovered in accordance with regulations issued under section 609 of the CAA prior to charging with a substitute.

Since these use conditions necessitate unique fittings and labels, it will be necessary for developers of automotive refrigerants to consult with EPA about the existence of other alternatives. Such discussions will lower the risk of duplicating fittings already in use.

No determination guarantees satisfactory performance from a refrigerant. Consult the original equipment manufacturer or service personnel for further information on using a refrigerant in a particular system.

(a) HCFC Blend Delta

HCFC Blend Delta is proposed acceptable as a substitute for CFC–12 in retrofitted and new motor vehicle air conditioners, subject to the use conditions applicable to motor vehicle air conditioning described above. The composition of this blend has been claimed confidential by the manufacturer. This blend contains at least one HCFC, and therefore contributes to ozone depletion, but to a much lesser degree than CFC–12. Regulations regarding recycling and reclamation issued under section 609 of the Clean Air Act apply to this blend. Its production will be phased out according to the accelerated schedule (published 12/10/93, 58 FR 65018). The GWPs of the components are moderate to low. This blend is nonflammable, and leak testing has demonstrated that the blend never becomes flammable.

(b) Blend Zeta

Blend Zeta is proposed acceptable as a substitute for CFC–12 in retrofitted and new motor vehicle air conditioners, subject to the use conditions applicable to motor vehicle air conditioning described above. The composition of this blend has been claimed confidential by the manufacturer. This blend does not contribute to ozone depletion. The GWPs of the components are moderate to low. This blend is nonflammable, and leak testing has demonstrated that the blend never becomes flammable.

B. Solvents

1. Acceptable Subject to Use Conditions

a. Metals Cleaning

(1) Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC–113 and MCF in metals cleaning. These two classes of chemicals are being sold as blends for a variety of cleaning applications. Of all the structures of commercial interest, the only chemical with an Occupational Health and Safety Administration (OSHA) standard is orthochlorotoluene, one of the monochlorotoluenes. This substance has an OSHA Permissible Exposure Level (PEL) of 50 ppm. Using this standard as a proxy, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes as a group. None of the benzotrifluorides has a PEL. Based on a toxicological study recently completed by the company interested in commercialization of these chemicals, the Agency is proposing to set a workplace standard of 25 ppm for benzotrifluorides. Companies intending to use monochlorotoluene/ benzotrifluoride mixtures should take the inherent hazard of these chemicals into account in implementing applications.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

b. Electronics Cleaning

(1) Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC–113 and MCF in electronics cleaning. For the reasons described in the section on metals cleaning, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes and 25 ppm for benzotrifluorides.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

c. Precision Cleaning

(1) Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC–113 and MCF in precision cleaning. For the reasons described in the section on metals cleaning, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes and 25 ppm for benzotrifluorides.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under Pub. L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in Pub. L. 91–596.

C. Fire Suppression and Explosion Protection

As was discussed in the March 18, 1994 SNAP rulemaking, EPA in some cases finds acceptable the use of an agent only under certain conditions. In implementing its use of conditions, the Agency has sought to avoid overlap

with other existing regulatory authorities. EPA believes that section 612 clearly authorizes imposition of use conditions to ensure safe use of replacement agents. EPA's mandate is to list agents that ''reduce the overall risk to human health and the environment'' for ''specific uses.'' In light of this authorization, EPA is only intending to set conditions for the safe use of halon substitutes in the workplace until OSHA incorporates specific language addressing gaseous agents into OSHA regulation. Under OSHA Public Law 91–596, section 4(b)(1), OSHA is precluded from regulating an area currently being regulated by another federal agency. EPA is specifically deferring to OSHA, and has no intention to assume responsibility for regulating workplace safety especially with respect to fire protection. EPA's workplace use conditions will not bar OSHA from regulating under its Pub. L. 91–596 authority.

1. Proposed Acceptable Subject to Use Conditions

a. Total Flooding Agents

(1) IG–55 (Formerly [Inert Gas Blend] B)

IG–55 is proposed acceptable as a Halon 1301 substitute for total flooding applications. IG–55, which is comprised of 50% nitrogen and 50% argon, is designed to lower the oxygen level in a protected area to a level that does not support combustion, and, unlike pure carbon dioxide systems, sufficient oxygen remains to maintain life support.

The toxicological issues of concern with inert gas systems differ from those of halocarbon agents, in that the end-point for hypoxic (low oxygen) atmospheres is asphyxiation while the end-point for halocarbons is cardiosensitization leading to cardiac arrhythmias. Thus, EPA requested the manufacturers of the newly proposed inert gas systems to conduct a peer review by a panel of medical specialists to consider specific questions concerning exposing the typical working population to this agent. A similar review was conducted at EPA's request by the manufacturer of IG–541, which simultaneously lowers oxygen and raises CO_2 levels.

The results of the peer review and discussions with other medical specialists further convinces us that the SNAP conditions previously listed for IG–541 are appropriate for IG–55 and IG–01 as well. Specifically, while the terms No Observed Adverse Effect Level (NOAEL) and Lowest Observed Adverse Effect Level (LOAEL) refer to cardiotoxic effect levels which are not appropriate when discussing hypoxic atmospheres, EPA intends to propose a 'no effect level' for inert gas systems at 12% oxygen, and a 'lowest effect level' at 10% oxygen.

Thus, consistent with the Occupational Safety and Health Administration (OSHA) conditions used by EPA for all total flooding agents, EPA proposes that an IG–55 system could be designed to an oxygen level of 10% if employees can egress the area within one minute, but may be designed only to the 12% level if it takes longer than one minute to egress the area. If the possibility exists for the oxygen to drop below 10%, employees must be evacuated prior to such oxygen depletion. A design concentration of less than 10% oxygen may only be used in normally unoccupied areas, as long as any employee who could possibly be exposed can egress within 30 seconds.

EPA stresses that, even though the medical specialists concur that it is probably safe to expose the typical worker to 10% or 12% oxygen for up to five minutes, EPA does not encourage any employee to intentionally remain in the area, even in the event of accidental discharge. In addition, the system must include alarms and warning mechanisms as specified by OSHA.

The question has been raised concerning the benefits or dangers of added carbon dioxide in other inert gas systems. The added CO_2 induces increased respiration after an exposure of approximately 3 to 5 minutes, which ensures adequate oxygen uptake by the brain. EPA's review of IG–541 (59 FR 13044, March 18, 1994) considered this parameter, and the Agency believed that the CO_2 offered an added margin of safety. However, questions remain as to the relative 'risk balanced' distinction between an inert gas system with, and one without, added CO_2. Fire scenarios are unpredictable, and therefore the amount of combustion products are also unpredictable. It is difficult to evaluate whether deeper breathing due to added CO_2 under different fire circumstances may also be bringing in more combustion products and thus constitute an increased risk. EPA believes on the basis of the peer review that in the event of an accidental discharge where there is no fire, the added CO_2 in the mixture will serve as a margin of safety for protected populations. EPA also recognizes the known physiological benefits of added CO_2 to prevent brain hypoxia in other applications. Therefore, EPA will be working with other regulatory agencies and the technical community to further delineate appropriate use conditions for the use of the varying inert gas systems in the fire protection sector.

EPA intends that all personnel be evacuated from an area prior to, or quickly after, discharge. An inert gas system may not be designed with the intention of personnel remaining in the area unless appropriate protection is provided, such as self-contained breathing apparatus.

(2) IG–01 (Formerly [Inert Gas Blend] C)

IG–01 is proposed acceptable as a Halon 1301 substitute for total flooding applications. IG–01 is comprised 100% of argon, and as with IG–55, is designed to lower the oxygen level in a protected area to a level that does not support combustion, while maintaining sufficient oxygen for life support.

As with IG–55, EPA proposes that an IG–01 system may be designed to an oxygen level of 10% if employees can egress the area within one minute, but may be designed only to the 12% level if it takes longer than one minute to egress the area. If the possibility exists for the oxygen to drop below 10%, employees must be evacuated prior to such oxygen depletion. A design concentration of less than 10% may only be used in normally unoccupied areas, as long as any employee who could possibly be exposed can egress within 30 seconds.

EPA stresses that, even though the medical specialists concur that it is probably safe to expose the typical worker to 10% or 12% oxygen for up to five minutes, EPA does not encourage any employee to intentionally remain in the area, even in the event of accidental discharge. In addition, the system must include alarms and warning mechanisms as specified by OSHA.

Please refer to the discussion of IG–55 for a fuller description of inert gas systems.

2. Proposed Acceptable Subject to Narrowed Use Limits

a. Streaming Agents

(1) *CF_3I is proposed acceptable as a Halon 1211 substitute in nonresidential applications.* CF_3I (Halon 13001) is a fluoroiodocarbon with an atmospheric lifetime of only 1.15 days due to its rapid photolysis in the presence of light. Due to the short atmospheric lifetime of this chemical and the photolytic decomposition mechanism, the resulting GWP is essentially equivalent to that of CO_2, which is 1. The ODP when released at ground level is extremely low, with current conservative estimates ranging from .008 to .01. Detailed kinetic data and three dimensional modeling efforts are currently in progress, and are expected to reduce these values significantly.

CF_3I has a weight and volume equivalence to Halon 1211 of 0.94 and 0.97 respectively. While it is potentially a 'drop-in' replacement for Halon 1211, with some modifications in elastomers or other system materials, there exists a question as to whether current technical standards allow the reuse of halon 1211 canisters for other chemicals. Both the National Fire Protection Association (NFPA) standard and UL listings should be examined in this context.

Cardiosensitization data received by the Agency indicate that CF_3I has a NOAEL of 0.2 per cent and a LOAEL of 0.4 per cent. Previous studies of exposure to streaming agents indicate that actual exposure to a trained firefighter in a well-ventilated area will not exceed these values. However, the manufacturer is required to conduct personal monitoring tests to verify exposure levels in scenarios representative of its potential market prior to receiving a final SNAP acceptability listing. Because of the low cardiosensitization values, EPA is proposing to prohibit use of this agent in consumer residential applications where the possibility of incorrect use by untrained users is high.

D. Aerosols

1. Acceptable Subject to Use Conditions

a. Solvents

(1) *Monochlorotoluenes/ Benzotrifluorides*

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC–113 and MCF as aerosol solvents. These two classes of chemicals are being sold as blends for aerosol applications. Of all the structures of commercial interest, the only chemical with an Occupational Health and Safety Administration (OSHA) standard is orthochlorotoluene, one of the monochlorotoluenes. This substance has an OSHA Permissible Exposure Level (PEL) of 50 ppm. Using this standard as a proxy, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes as a group. None of the benzotrifluorides has a PEL. Based on a toxicological study recently completed by the company interested in commercialization of these chemicals, the Agency is proposing to set a workplace standard of 25 ppm for benzotrifluorides. Companies intending to use monochlorotoluene/ benzotrifluoride mixtures should take the inherent hazard of these chemicals into account in implementing applications.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

E. Adhesives, Coatings and Inks

1. Acceptable Subject to Use Conditions

a. Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC–113 and MCF in adhesives, coatings, and inks. These two classes of chemicals are being sold as blends for these applications. Of all the substances of commercial interest, the only chemical with an Occupational Health and Safety Administration (OSHA) standard is orthochlorotoluene, one of the monochlorotoluenes. This substance has an OSHA Permissible Exposure Level (PEL) of 50 ppm. Using this standard as a proxy, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes as a group. None of the benzotrifluorides has a PEL. Based on a toxicological study recently completed by the company interested in commercialization of these chemicals, the Agency is proposing to set a workplace standard of 25 ppm for benzotrifluorides. Companies intending to use monochlorotoluene/ benzotrifluoride mixtures should take the inherent toxicity of these chemicals into account in implementing applications.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

IV. Administrative Requirements

A. Executive Order 12866

Under Executive Order 12866, [58 FR 51735, October 4, 1993] the Agency must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may: (1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.''

Pursuant to the terms of Executive Order 12866, OMB notified EPA that it considers this a ''significant regulatory action'' within the meaning of the Executive Order and EPA submitted this action to OMB for review. Changes made in response to OMB suggestions or recommendations have been documented in the public record.

B. Unfunded Mandates Act

Section 202 of the Unfunded Mandates Reform Act of 1995 requires EPA to prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by state, local, and tribal governments, in aggregate, or by the private sector, of $100 million or more in any one year. Section 203 requires the Agency to establish a plan for obtaining input from and informing any small governments that may be significantly or uniquely affected by the rule. Section 205 requires that regulatory alternatives be considered before promulgating a rule for which a budgetary impact statement is prepared. The Agency must select the least costly, most cost-effective, or least burdensome alternative that achieves the rule's objectives, unless there is an explanation why this alternative is not selected or this alternative is inconsistent with law.

Because this final rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less than $100 million in any one year, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments. However, the rule has the net effect of reducing burden from part 82, Stratospheric Protection regulations, on regulated entities.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 604(a), applies to any rulemaking

that is subject to public notice and comment requirements. The Act requires that a regulatory flexibility analysis be performed or the head of the Agency certifies that a rule will not have a significant economic effect on a substantial number of small entities, pursuant to 5 U.S.C. 605(b).

The Agency believes that this final rule will not have a significant effect on a substantial number of small entities and has therefore concluded that a formal RFA is unnecessary. Because costs of the SNAP requirements as a whole are expected to be minor, the rule is unlikely to adversely affect businesses, particularly as the rule exempts small sectors and end-uses from reporting requirements and formal agency review. In fact, to the extent that information gathering is more expensive and time-consuming for small companies, this rule may well provide benefits for small businesses anxious to examine potential substitutes to any ozone-depleting class I and class II substances they may be using, by requiring manufacturers to make information on such substitutes available.

D. Paperwork Reduction Act

The EPA has determined that this final rule contains no information requirements subject to the Paperwork Reduction Act 44 S.S.C. 3501 et seq.

V. Additional Information

For copies of the comprehensive SNAP lists or additional information on SNAP contact the Stratospheric Protection Hotline at 1–800–296–1996, Monday-Friday, between the hours of 10:00 a.m. and 4:00 p.m. (EST).

For more information on the Agency's process for administering the SNAP program or criteria for evaluation of substitutes, refer to the SNAP final rulemaking published in the Federal Register on March 18, 1994 (59 FR 13044). Federal Register notices can be ordered from the Government Printing Office Order Desk (202) 783–3238; the citation is the date of publication. Notices and rulemaking under the SNAP program can also be retrieved electronically from EPA's Protection of Stratospheric Ozone Technology Transfer Network (TTN), Clean Air Act Amendment Bulletin Board. The access number for users with a 1200 or 2400 bps modem is (919) 541–5742. For users with a 9600 bps modem the access number is (919) 541–1447. For assistance in accessing this service, call (919) 541–5384 during normal business hours (EST).

List of Subjects in 40 CFR Part 82

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

Dated: September 25, 1995.

Carol M. Browner,

Administrator.

For the reasons set out in the preamble, 40 CFR part 82 is amended as follows:

PART 82—PROTECTION OF STRATOSPHERIC OZONE

1. The authority citation for part 82 continues to read as follows:

Authority: 42 U.S.C. Sec. 7414, 7601, 7671–7671q.

2. Section 82.180 is amended by revising paragraph (a)(8)(ii) to read as follows:

§ 82.180 Agency review of snap submissions.

(a) * * *

(8) * * *

(ii) *Communication of Decision to the Public.* The Agency will publish in the Federal Register on a quarterly basis a complete list of the acceptable and unacceptable alternatives that have been reviewed to date. In the case of substitutes proposed as acceptable with use restrictions, proposed as unacceptable or proposed for removal from either list, a rulemaking process will ensue. Upon completion of such rulemaking, EPA will publish revised lists of substitutes acceptable subject to use conditions or narrowed use limits and unacceptable substitutes to be incorporated into the Code of Federal Regulations. (See Appendices to this subpart.)

* * * * *

3. Subpart G is amended by adding the following Appendix C to read as follows:

Subpart G—Significant New Alternatives Policy Program

* * * * *

Appendix C to Subpart G—Substitutes Subject to Use Restrictions and Unacceptable Substitutes Listed in the [FR publication date of final rule] final rule, effective [30 days after FR publication date of rule].

REFRIGERANTS—PROPOSED ACCEPTABLE SUBJECT TO USE CONDITIONS

Application	Substitute	Decision	Comments
CFC–12 Automobile Motor Vehicle Air Conditioning (Retrofit and New Equipment/NIKS).	HCFC Blend Delta, Blend Zeta.	Proposed acceptable when (1) used with unique fittings and detailed labels and (2) all CFC–12 has been removed from the system prior to retrofitting. Refer to the text for a full description.	EPA is concerned that the existence of several substitutes in this end-use may increase the likelihood of significant refrigerant cross-contamination and potential failure of both air conditioning systems and recovery/recycling equipment. In addition, a smooth transition to the use of substitutes strongly depends on the continued purity of the recycled CFC–12 supply. For the purposes of this rule, no distinction is made between ''retrofit'' and ''drop-in'' refrigerants; retrofitting a car to use a new refrigerant includes all procedures that result in the air conditioning system using a new refrigerant.

SOLVENT CLEANING SECTOR—PROPOSED ACCEPTABLE SUBJECT TO USE CONDITIONS SUBSTITUTES

Application	Substitute	Decision	Conditions	Comments
Metals Cleaning with CFC–113, MCF and HCFC–141b.	Monochlorotoluenes and benzotrifluorides.	Acceptable	Subject to a 50 ppm workplace standard for monochlorotoluenes and a 25 ppm standard for benzotrifluorides.	The workplace standard for monochlorotoluenes is based on an OSHA PEL of 50 ppm for orthochlorotoluene. The workplace standard for benzotrifluorides is based on a recent toxicology study.
Electronics Cleaning w/ CFC–113, MCF and HCFC–141b.	Monochlorotoluenes and benzotrifluorides.	Acceptable	Subject to a 50 ppm workplace standard for monochlorotoluenes and a 25 ppm standard for benzotrifluorides.	The workplace standard for monochlorotoluenes is based on an OSHA PEL of 50 ppm for orthochlorotoluene. The workplace standard for benzotrifluorides is based on a recent toxicology study.
Precision Cleaning w/ CFC–113, MCF and HCFC–141b.	Monochlorotoluenes and benzotrifluorides.	Acceptable	Subject to a 50 ppm workplace standard for monochlorotoluenes and a 25 ppm standard for benzotrifluorides.	The workplace standard for monochlorotoluenes is based on an OSHA PEL of 50 ppm for orthochlorotoluene. The workplace standard for benzotrifluorides is based on a recent toxicology study.

FIRE SUPPRESSION AND EXPLOSION PROTECTION—PROPOSED ACCEPTABLE SUBJECT TO USE CONDITIONS: TOTAL FLOODING AGENTS

Application	Substitute	Decision	Conditions	Comments
Halon 1301—Total Flooding Agents.	IG–55 (formerly [Inert Gas Blend] B).	Proposed Acceptable.	Until OSHA establishes applicable workplace requirements: EPA proposes that an IG–55 system may be designed to an oxygen level of 10% if employees can egress the area within one minute, but may be designed only to the 12% oxygen level if it takes longer than one minute to egress the area. If the possibility exists for the oxygen to drop below 10%, employees must be evacuated prior to such oxygen depletion. A design concentration of less than 10% may only be used in normally unoccupied areas, as long as any employee who could possibly be exposed can egress within 30 seconds.	The Agency does not contemplate personnel remaining in the space after system discharge during a fire without Self Contained Breathing Apparatus (SCBA) as required by OSHA. EPA does not encourage any employee to intentionally remain in the area after system discharge, even in the event of accidental discharge. In addition, the system must include alarms and warning mechanisms as specified by OSHA. See additional comments 1, 2.
	IG–01 (formerly [Inert Gas Blend] C).	Proposed Acceptable.	Until OSHA establishes applicable workplace requirements: EPA proposes that an IG–55 system may be designed to an oxygen level of 10% if employees can egress the area within one minute, but may be designed only to the 12% oxygen level if it takes longer than one minute to egress the area. If the possibility exists for the oxygen to drop below 10%, employees must be evacuated prior to such oxygen depletion. A design concentration of less than 10% may only be used in normally unoccupied areas, as long as any employee who could possibly be exposed can egress within 30 seconds.	The Agency does not contemplate personnel remaining in the space after system discharge during a fire without Self Contained Breathing Apparatus (SCBA) as required by OSHA. EPA does not encourage any employee to intentionally remain in the area after system discharge, even in the event of accidental discharge. In addition, the system must include alarms and warning mechanisms as specified by OSHA. See additional comments 1, 2.

1—Must conform with OSHA 29 CFR 1910 Subpart L Section 1910.160 of the U.S. Code.
2—Per OSHA requirements, protective gear (SCBA) must be available in the event personnel must reenter the area.

PROPOSED ACCEPTABLE SUBJECT TO NARROWED USE LIMITS: STREAMING AGENTS

Application	Substitute	Decision	Comments
Halon 1211—Streaming Agents.	CF_3I	Proposed Acceptable in non-residential uses only.	The manufacturer intends to conduct personal monitoring tests to verify exposure levels.

AEROSOLS—PROPOSED ACCEPTABLE SUBJET TO USE CONDITIONS SUBSTITUTES

Application	Substitute	Decision	Conditions	Comments
CFC–113, MCF and HCFC–141b as solvent.	Monochlorotoluenes and benzotrifluorides.	Acceptable	Subject to a 50 ppm workplace standard for monochlorotoluenes and a 25 ppm standard for benzotrifluorides.	The workplace standard for monochlorotoluenes is based on an OSHA PEL of 50 ppm for orthochlorotoluene. The workplace standard for benzotrifluorides is based on a recent toxicology study.

ADHESIVES, COATINGS AND INKS—PROPOSED ACCEPTABLE SUBJECT TO USE CONDITIONS SUBSTITUTES

Application	Substitute	Decision	Conditions	Comments
CFC–113, MCF and HCFC–141b.	Monochlorotoluenes and benzotrifluorides.	Acceptable	Subject to a 50 ppm workplace standard for monochlorotoluenes and a 25 ppm standard for benzotrifluorides.	The workplace standard for monochlorotoluenes is based on an OSHA PEL of 50 ppm for orthochlorotoluene. The workplace standard for benzotrifluorides is based on a recent toxicology study.

[FR Doc. 95–24271 Filed 9–29–95; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5308–3]

National Priorities List for Uncontrolled Hazardous Waste Sites, Proposed Rule No. 19

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''CERCLA'' or ''the Act''), as amended, requires that the National Oil and Hazardous Substances Pollution Contingency Plan (''NCP'') include a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. The National Priorities List (''NPL'') which is Appendix B of 40 CFR part 300, constitutes this list.

This rule proposes 12 new sites to the General Superfund Section of the NPL. The NPL is intended primarily to guide the Environmental Protection Agency (''EPA'' or ''the Agency'') in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with the site and to determine what CERCLA-financed remedial action(s), if any, may be appropriate.

This document also proposes to withdraw an earlier proposal to list the Broward County, 21st Manor Dump Site, on the NPL. This proposed withdrawal is based on the results of a baseline risk assessment prepared for the site.

DATES: Comments must be submitted on or before December 1, 1995.

ADDRESSES: Mail original and three copies of comments (no facsimiles or tapes) to Docket Coordinator, Headquarters; U.S. EPA; CERCLA Docket Office; (Mail Code 5201G); 401 M Street, SW; Washington, DC 20460; 703/603–8917. Please note this is the mailing address only. If you wish to visit the HQ Docket to view documents, and for additional Docket addresses and further details on their contents, see Section I of the ''Supplementary Information'' portion of this preamble.

FOR FURTHER INFORMATION CONTACT: Terry Keidan, Hazardous Site Evaluation Division, Office of Emergency and Remedial Response (Mail Code 5204G), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460, or the Superfund Hotline, Phone (800) 424–9346 or (703) 412–9810 in the Washington, DC, metropolitan area.

SUPPLEMENTARY INFORMATION:

I. Introduction
II. Contents of This Proposed Rule
III. Executive Order 12866
IV. Unfunded Mandates
V. Governors' Concurrence

I. Introduction

Background

In 1980, Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601–9675 (''CERCLA'' or ''the Act''), in response to the dangers of uncontrolled hazardous waste sites. CERCLA was amended on October 17, 1986, by the Superfund Amendments and Reauthorization Act (''SARA''), Public Law No. 99–499, stat. 1613 *et seq.* To implement CERCLA, EPA promulgated the revised National Oil and Hazardous Substances Pollution Contingency Plan (''NCP''), 40 CFR Part 300, on July 16, 1982 (47 FR 31180), pursuant to CERCLA section 105 and Executive Order 12316 (46 FR 42237, August 20, 1981). The NCP sets forth the guidelines and procedures needed to respond under CERCLA to releases and threatened releases of hazardous substances, pollutants, or contaminants. EPA has revised the NCP on several occasions. The most recent comprehensive revision was on March 8, 1990 (55 FR 8666).

Section 105(a)(8)(A) of CERCLA requires that the NCP include ''criteria for determining priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action. . . and, to the extent practicable taking into account the potential urgency of such

action, for the purpose of taking removal action.'' ''Removal'' actions are defined broadly and include a wide range of actions taken to study, clean up, prevent or otherwise address releases and threatened releases. 42 USC 9601(23). ''Remedial actions'' are those ''consistent with permanent remedy, taken instead of or in addition to removal actions. * * *'' 42 USC 9601(24).

Pursuant to section 105(a)(8)(B) of CERCLA, as amended by SARA, EPA has promulgated a list of national priorities among the known or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. That list, which is Appendix B of 40 CFR Part 300, is the National Priorities List (''NPL'').

CERCLA section 105(a)(8)(B) defines the NPL as a list of ''releases'' and as a list of the highest priority ''facilities.'' CERCLA section 105(a)(8)(B) also requires that the NPL be revised at least annually. A site may undergo remedial action financed by the Trust Fund established under CERCLA (commonly referred to as the ''Superfund'') only after it is placed on the NPL, as provided in the NCP at 40 CFR 300.425(b)(1). However, under 40 CFR 300.425(b)(2) placing a site on the NPL ''does not imply that monies will be expended.'' EPA may pursue other appropriate authorities to remedy the releases, including enforcement action under CERCLA and other laws. Further, the NPL is only of limited significance, as it does not assign liability to any party or to the owner of any specific property. See Report of the Senate Committee on Environment and Public Works, Senate Rep. No. 96–848, 96th Cong., 2d Sess. 60 (1980), quoted above and at 48 FR 40659 (September 8, 1983).

Three mechanisms for placing sites on the NPL for possible remedial action are included in the NCP at 40 CFR 300.425(c). Under 40 CFR 300.425(c)(1), a site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (''HRS''), which EPA promulgated as Appendix A of 40 CFR Part 300. On December 14, 1990 (55 FR 51532), EPA promulgated revisions to the HRS partly in response to CERCLA section 105(c), added by SARA. The revised HRS evaluates four pathways: ground water, surface water, soil exposure, and air. The HRS serves as a screening device to evaluate the relative potential of uncontrolled hazardous substances to pose a threat to human health or the environment. As a matter of Agency policy, those sites that score 28.50 or greater on the HRS are eligible for the NPL.

Under a second mechanism for adding sites to the NPL, each State may designate a single site as its top priority, regardless of the HRS score. This mechanism, provided by the NCP at 40 CFR 300.425(c)(2), requires that, to the extent practicable, the NPL include within the 100 highest priorities, one facility designated by each State representing the greatest danger to public health, welfare, or the environment among known facilities in the State.

The third mechanism for listing, included in the NCP at 40 CFR 300.425(c)(3), allows certain sites to be listed regardless of their HRS score, if all of the following conditions are met:

- The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Public Health Service has issued a health advisory that recommends dissociation of individuals from the release.
- EPA determines that the release poses a significant threat to public health.
- EPA anticipates that it will be more cost-effective to use its remedial authority (available only at NPL sites) than to use its removal authority to respond to the release.

EPA promulgated an original NPL of 406 sites on September 8, 1983 (48 FR 40658). The NPL has been expanded since then, most recently on May 26, 1995 (60 FR 27896).

The NPL includes two sections, one of sites that are evaluated and cleaned up by EPA (the ''General Superfund Section''), and one of sites being addressed generally by other Federal agencies (the ''Federal Facilities Section''). Under Executive Order 12580 (52 FR 2923, January 29, 1987) and CERCLA section 120, each Federal agency is responsible for carrying out most response actions at facilities under its own jurisdiction, custody, or control, although EPA is responsible for preparing an HRS score and determining whether the facility is placed on the NPL. EPA is not the lead agency at these sites, and its role at such sites is accordingly less extensive than at other sites. The Federal Facilities Section includes facilities at which EPA is not the lead agency.

Facility (Site) Boundaries

The NPL does not describe releases in precise geographical terms; it would be neither feasible nor consistent with the limited purpose of the NPL (as the mere identification of releases), for it to do so.

CERCLA section 105(a)(8)(B) directs EPA to list national priorities among the known ''releases or threatened releases.'' Thus, the purpose of the NPL is merely to identify releases that are priorities for further evaluation. Although a CERCLA ''facility'' is broadly defined to include any area where a hazardous substance release has ''come to be located'' (CERCLA section 101(9)), the listing process itself is not intended to define or reflect the boundaries of such facilities or releases. Of course, HRS data upon which the NPL placement was based will, to some extent, describe which release is at issue. That is, the NPL site would include all releases evaluated as part of that HRS analysis (including noncontiguous releases evaluated under the NPL aggregation policy, described at 48 FR 40663 (September 8, 1983)).

When a site is listed, it is necessary to define the release (or releases) encompassed within the listing. The approach generally used is to delineate a geographical area (usually the area within the installation or plant boundaries) and define the site by reference to that area. As a legal matter, the site is not coextensive with that area, and the boundaries of the installation or plant are not the ''boundaries'' of the site. Rather, the site consists of all contaminated areas within the area used to define the site, and any other location to which contamination from that area has come to be located.

While geographic terms are often used to designate the site (e.g., the ''Jones Co. plant site'') in terms of the property owned by the particular party, the site properly understood is not limited to that property (e.g., it may extend beyond the property due to contaminant migration), and conversely may not occupy the full extent of the property (e.g., where there are uncontaminated parts of the identified property, they may not be, strictly speaking, part of the ''site''). The ''site'' is thus neither equal to nor confined by the boundaries of any specific property that may give the site its name, and the name itself should not be read to imply that this site is coextensive with the entire area within the property boundary of the facility or plant. The precise nature and extent of the site are typically not known at the time of listing. Also, the site name is merely used to help identify the geographic location of the contamination. For example, the ''Jones Co. plant site,'' does not imply that the Jones company is responsible for the contamination located on the plant site.

EPA regulations provide that the ''nature and extent of the threat presented by a release'' will be determined by a Remedial Investigation/Feasibility Study (RI/FS) as more information is developed on site

contamination (40 CFR 300.430(d)). During the RI/FS process, the release may be found to be larger or smaller than was originally thought, as more is learned about the source and the migration of the contamination. However, this inquiry focuses on an evaluation of the threat posed; the boundaries of the release need not be exactly defined. Moreover, it generally is impossible to discover the full extent of where the contamination ''has come to be located'' before all necessary studies and remedial work are completed at a site. Indeed, the boundaries of the contamination can be expected to change over time. Thus, in most cases, it may be impossible to describe the boundaries of a release with absolute certainty.

Further, as noted above, NPL listing does not assign liability to any party or to the owner of any specific property. Thus, if a party does not believe it is liable for releases on discrete parcels of property, supporting information can be submitted to the Agency at any time after a party receives notice it is a potentially responsible party.

For these reasons, the NPL need not be amended if further research into the extent of the contamination expands the apparent boundaries of the release.

Deletions/Cleanups

EPA may delete sites from the NPL where no further response is appropriate under Superfund, as explained in the NCP at 40 CFR 300.425(e). This section also provides that EPA shall consult with states on proposed deletions and shall consider whether the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required;

(ii) All appropriate Superfund-financed response has been implemented and no further response action is required;

(iii) The remedial investigation has shown the release poses no significant threat to public health or the environment, and taking of remedial measures is not appropriate.

To date, the Agency has deleted 84 sites from the final NPL.

EPA also has developed an NPL construction completion list (''CCL'') to simplify its system of categorizing sites and to better communicate the successful completion of cleanup activities (58 FR 12142, March 2, 1993). Sites qualify for the CCL when:

(1) any necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved;

(2) EPA has determined that the response action should be limited to measures that do not involve construction (e.g., institutional controls); or

(3) the site qualifies for deletion from the NPL.

Inclusion of a site on the CCL has no legal significance.

In addition to the 83 sites that have been deleted from the NPL because they have been cleaned up (the Waste Research and Reclamation site was deleted based on deferral to another program and is not considered cleaned up), an additional 221 sites are also in the NPL CCL. Thus, as of September 1995, the CCL consists of 304 sites.

Cleanups at sites on the NPL do not reflect the total picture of Superfund accomplishments. As of August 31, 1995, EPA had commenced 679 removal actions at NPL sites, and 2,108 removal actions at non-NPL sites. Information on removals is available from the Superfund hotline.

Public Comment Period

The documents that form the basis for EPA's evaluation and scoring of sites in this rule are contained in dockets located both at EPA Headquarters and in the appropriate Regional offices. The dockets are available for viewing, by appointment only, after the appearance of this rule. The hours of operation for the Headquarters docket are from 9:00 a.m. to 4:00 p.m., Monday through Friday excluding Federal holidays. Please contact individual Regional dockets for hours.

Docket Coordinator, Headquarters, U.S. EPA CERCLA Docket Office, (Mail Code 5201G), Crystal Gateway #1, 12th Floor, 1235 Jefferson Davis Highway, Arlington, VA 22202, 703/603–8917 (Please note this is visiting address only. Mail comments to address listed in **ADDRESSES** section above.)

Jim Kyed, Region 1, U.S. EPA Waste Management Records Center, HRC–CAN–7, J.F. Kennedy Federal Building, Boston, MA 02203–2211, 617/573–9656

Ben Conetta, Region 2, U.S. EPA, 290 Broadway, New York, NY 10007–1866, 212/637–4435

Diane McCreary, Region 3, U.S. EPA Library, 3rd Floor, 841 Chestnut Building, 9th & Chestnut Streets, Philadelphia, PA 19107, 215/597–7904

Kathy Piselli, Region 4, U.S. EPA, 345 Courtland Street, NE, Atlanta, GA 30365, 404/347–4216

Cathy Freeman, Region 5, U.S. EPA, Records Center, Waste Management Division 7–J, Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604, 312/886–6214

Bart Canellas, Region 6, U.S. EPA, 1445 Ross Avenue, Mail Code 6H-MA, Dallas, TX 75202–2733, 214/655–6740

Carole Long, Region 7, U.S. EPA, 726 Minnesota Avenue, Kansas City, KS 66101, 913/551–7224

Greg Oberley, Region 8, U.S. EPA, 999 18th Street, Suite 500, Denver, CO 80202–2466, 303/294–7598

Rachel Loftin, Region 9, U.S. EPA, 75 Hawthorne Street, San Francisco, CA 94105, 415/744–2347

David Bennett, Region 10, U.S. EPA, 11th Floor, 1200 6th Avenue, Mail Stop HW–114, Seattle, WA 98101, 206/553–2103

With the exception of LCP Chemicals (Brunswick, Georgia), which is being proposed based on its designation as the State's top priority, and Aircraft Components (D & L Sales, Benton Harbor, Michigan), H & K Sales (Belding, Michigan), and Little Valley (Little Valley, New York) which are being proposed based on ATSDR health advisory criteria, the Headquarters docket for this rule contains HRS score sheets for each proposed site; a Documentation Record for each site describing the information used to compute the score; information for any site affected by particular statutory requirements or EPA listing policies; and a list of documents referenced in the Documentation Record. The docket also contains the documentation supporting the State's designation of LCP Chemicals as a top priority and the ATSDR Health Advisories and nomination packages for the Aircraft Components, H & K Sales and Little Valley sites.

A general discussion of the statutory requirements affecting NPL listing, the purpose and implementation of the NPL, the economic impacts of NPL listing, and the analysis required under the Regulatory Flexibility Act is included as part of the Headquarters rulemaking docket in the ''Additional Information'' document.

Each Regional docket for this rule contains all of the information in the Headquarters docket for sites in that Region, plus the actual reference documents containing the data principally relied upon and cited by EPA in calculating or evaluating the HRS scores for sites in that Region. These reference documents are available only in the Regional dockets. Interested parties may view documents, by appointment only, in the Headquarters or the appropriate Regional docket or copies may be requested from the

Headquarters or appropriate Regional docket. An informal written request, rather than a formal request under the Freedom of Information Act, should be the ordinary procedure for obtaining copies of any of these documents.

EPA considers all comments received during the comment period. During the comment period, comments are placed in the Headquarters docket and are available to the public on an ''as received'' basis. A complete set of comments will be available for viewing in the Regional docket approximately one week after the formal comment period closes. Comments received after the comment period closes will be available in the Headquarters docket and in the Regional docket on an ''as received'' basis. Comments that include complex or voluminous reports, or materials prepared for purposes other than HRS scoring, should point out the specific information that EPA should consider and how it affects individual HRS factor values. See *Northside Sanitary Landfill* v. *Thomas*, 849 F.2d 1516 (D.C. Cir. 1988). EPA will make final listing decisions after considering the relevant comments received during the comment period.

In past rules, EPA has attempted to respond to late comments, or when that was not practicable, to read all late comments and address those that brought to the Agency's attention a fundamental error in the scoring of a site. (See, most recently, 57 FR 4824 (February 7, 1992)). Although EPA intends to pursue the same policy with sites in this rule, EPA can guarantee that it will consider only those comments postmarked by the close of the formal comment period. EPA has a policy of not delaying a final listing decision solely to accommodate consideration of late comments.

In certain instances, interested parties have written to EPA concerning sites which were not at that time proposed to the NPL. If those sites are later proposed to the NPL, parties should review their earlier concerns and, if still appropriate, resubmit those concerns for consideration during the formal comment period. Site-specific correspondence received prior to the period of formal proposal and comment will not generally be included in the docket.

II. Contents of This Proposed Rule

Table 1 identifies the 12 sites in the General Superfund Section being proposed to the NPL in this rule. This table follows this preamble. All sites are proposed based on HRS scores of 28.50 or above with the exception of LCP Chemicals (Brunswick, Georgia), which is being proposed based on its designation as the State's top priority, and Aircraft Components (D & L Sales, Benton Harbor, Michigan), H & K Sales (Belding, Michigan), and Little Valley (Little Valley, New York) which are being proposed based on ATSDR health advisory criteria. The sites in Table 1 and Table 2 are listed alphabetically by State, for ease of identification, with group number identified to provide an indication of relative ranking. To determine group number, sites on the NPL are placed in groups of 50; for example, a site in Group 4 of this proposal has a score that falls within the range of scores covered by the fourth group of 50 sites on the NPL.

This action along with a final rule published in the Federal Register issued of September 29, 1995, results in an NPL of 1,238 sites, 1,083 in the General Superfund Section and 155 in the Federal Facilities Section. An additional 52 sites are now proposed and are awaiting final agency action, 47 in the General Superfund Section and 5 in the Federal Facilities Section. Final and proposed sites now total 1,290.

Proposal, Based on Risk Assessment, To Withdraw an Earlier Proposal To List the Broward County, 21st Manor Dump Site on the NPL

Also in this rule, EPA is proposing to withdraw its earlier proposal to list the Broward County—21st Manor Dump site on the NPL. The site was proposed for listing on July 29, 1991 (56 F.R. 35840). The reason for the withdrawal of the Broward County site is the determination that the site as currently defined does not pose a significant threat to public health or the environment and, therefore, taking of remedial measures under CERCLA is not appropriate.

This decision is supported by the baseline risk assessment conducted in conjunction with the RI/FS for the site and represents the beginnings of an effort to develop a new policy for sites which have been proposed for NPL listing. Under this policy, EPA would use for sites proposed for NPL listing one of the criteria similar to those for deleting sites from the NPL. These criteria, described above, are found at 40 CFR 300.425(e). One criterion is found at 40 CFR 300.425(e)(1)(iii), which states that a site may be deleted from the NPL if ''the remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.'' The proposed action to withdraw the Broward site uses this approach for the proposed site.

The proposed withdrawal is site-specific, and represents the beginning of an evolving effort to apply criteria similar to the deletion criteria to sites not yet finalized to the NPL where appropriate. With the advent of the Superfund Accelerated Cleanup Model (SACM) more sites have been undergoing earlier response actions. Early action means that while in proposed status, a site might be characterized to the extent that EPA has sufficient data to issue a No Action Record of Decision. A risk assessment would generally be valid for this purpose if it is performed by the Agency, or by a contractor under the oversight and approval of EPA.

In December 1993, EPA issued the ''Baseline Risk Assessment for the 21st Manor Dump Site Broward County, Florida.'' The risk assessment was conducted in accordance with Subpart E, Section 300.430(d) of the National Contingency Plan (NCP) and characterized the current and potential threat to public health and the environment posed by chemicals at, or migrating from, the 21st Manor Dump Site in the absence of remedial (corrective) action. The risk assessment is available for viewing through the Superfund Docket, (703) 603–8917. For more detailed information on EPA's evaluation of the risk assessment, please refer to the *Superfund NPL Withdrawal Notification Report* for the Broward County site contained in the Superfund Docket.

The risk assessment considered toxicity and exposure information for each chemical of concern and potential exposure pathway. The assessment identified three areas of potential concern: soils (surface and subsurface), groundwater in the vicinity of the Broward site analyzed in temporary wells sunk by the investigator and used for sampling, and drinking water in the nearby Peele-Dixie Wellfield. This drinking water area of concern was analyzed by examining permanent (long-term monitoring, residential or municipal) wells and surface water/sediment from aeration ponds near a municipal well.

The risk assessment dismissed concerns for groundwater in the vicinity of the site based on the fact that this shallow groundwater is not likely to be tapped for potable use and any excavation at the site would use pumps to prevent exposure to workers at the site. Moreover, organic chemicals of concern were only found in one or two of nine samples analyzed. Also, it was not clear that any of the inorganic chemicals were detected above naturally occurring background levels.

While not dismissing concerns for chemicals in the drinking water caused by sources not listed as part of the site, EPA has determined that any risks from the drinking water would not be associated with the releases from the site. This is because none of the volatile inorganic compounds found in the drinking water wellfield, with the exception of carbon disulfide, were detected at the 21st Manor site, either in the temporary wells or in subsurface soils (which could affect groundwater). Carbon disulfide was detected at low levels or levels below background. Also, no inorganic chemicals detected in dump site subsurface soils were detected above naturally occurring levels.

Consequently, only soil exposure at the 21st Manor dump site was quantitatively evaluated in the risk assessment. This risk assessment considered the maximally exposed individual for each exposure pathway addressed, by using the maximum concentrations measured in environmental media at the site as the exposure point concentrations, along with reasonable maximum exposure (RME) case exposure assumptions. Thus, the greatest single chemical risk in the cancer risk assessment—that for benzo(a)pyrene—was based on a single surface soil measurement of 130 parts per billion (ppb) out of sixteen samples and a single subsurface soil measurement of 720 ppb out of 31 samples. (All other samples found no detectable levels of the chemical.) Each of these levels are within, or lower than, natural background measurements of the chemical reported in various literature sources. Contributions of all other chemicals to the cancer risk assessment were considerably lower, even for the most exposed individual, and risk calculations are in most cases based on one or two samples that detected any levels when all others resulted in no detectable levels.

Even with these extremely conservative assumptions as to the levels of toxic chemicals at the site, the risk assessment concluded that there were no significant current risks from site releases. Only potential exposure pathways assuming future residential land use had excess lifetime cancer risks greater than 10^{-6}, that is 1 in 1,000,000. The cumulative upper bound excess lifetime cancer risk to a young child resident was estimated to be 2×10^{-6}. The risk was based on incidental ingestion and dermal contact with soil contaminated with benzo(a)pyrene, the main chemical of concern at the level measured in one sample, when all others were not even detected. The site posed a similar risk to adults exposed via the same pathways.

The total hazard index values for both a young child resident and an adult resident were less than one, indicating that adverse noncarcinogenic effects are unlikely to occur. EPA also performed an ecological risk assessment. The Agency concluded that the urban setting of the site, combined with the distribution and concentration of the chemicals of concern were not likely to result in adverse environmental impacts.

The cancer risk numbers are at the lower end of the range of generally acceptable exposure levels for carcinogens in the NCP. The Agency's decision is further supported by the fact that the data supporting these cancer risk levels are obtained from the maximum exposure levels in circumstances where almost all other analyzed samples found no detectable levels of the carcinogenic chemicals. Indeed, the cancer risk for this site from exposure to soil could just as likely be zero.

The Agency intentionally performed the risk assessment for the 21st Manor Dump Site employing unusually conservative values (e.g., EPA used maximum measured soil concentrations). Moreover, the only exposure pathway that presented a risk greater than 10^{-6} assumed that a residence would be built directly on the dump area, which is unrealistic.

III. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

IV. Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), P.L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When a written statement is needed for an EPA rule, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, giving them meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising them on compliance with the regulatory requirements.

Today's rule contains no Federal mandates (within the meaning of Title II of the UMRA) for State, local, or tribal governments or the private sector. Nor does it contain any regulatory requirements that might significantly or uniquely affect small governments. This is because today's listing decision does not impose any enforceable duties upon any of these governmental entities or the private sector. Inclusion of a site on the NPL does not itself impose any costs. It does not establish that EPA necessarily will undertake remedial action, nor does it require any action by a private party or determine its liability for site response costs. Costs that arise out of site responses result from site-by-site decisions about what actions to take, not directly from the act of listing itself. Therefore, today's rulemaking is not subject to the requirements of sections 202, 203 or 205 of the Unfunded Mandates Act.

V. Governor's Concurrence

On July 27, 1995, Congress enacted Public Law (P.L.) 104–19, which made emergency supplemental appropriations and rescissions for the fiscal year ending September 30, 1995. Section 1006 of P.L. 104–19 provides that EPA may not use funds made available for fiscal year 1995

> for listing or to list any additional facilities on the National Priorities List . . . unless the Administrator receives a written request to propose for listing or to list a facility from the Governor of the State in which the facility is located. . . .

EPA has received letters from the appropriate governors requesting that the Agency propose for listing on the NPL all the facilities in this final rule. These letters are available in the docket

for this rulemaking. The letter from the Governor of Michigan states that he ''does not object'' to the listing of the sites located in Michigan. EPA believes this constitutes agreement with the Agency's decision to propose the listing and, thus, is a sufficient indication of the governor's concurrence in accordance with the provisions of P.L. 104–19.

NATIONAL PRIORITIES LIST PROPOSED RULE #19 GENERAL SUPERFUND SECTION

State	Site name	City/county	NPL Gr[1]
GA	LCP Chemicals Georgia	Brunswick	N/A
IL	Jennison-Wright Corporation	Granite City	13
KS	Wright Ground Water Contamination	Wright	5/6
ME	Eastern Surplus	Meddybemps	5/6
MI	Aircraft Components (D & L Sales)	Benton Harbor	N/A
MI	H & K Sales	Belding	N/A
NJ	Franklin Burn	Franklin Township	13
NJ	Welsback & General Gas Mantle (Camden Radiation)	Camden and Gloucester City	12
NY	Little Valley	Little Valley	N/A
PA	Breslube-Penn, Inc	Coraopolis	5/6
WV	Hanlin-Allied-Olin	Moundsville	5/6
WI	Penta Wood Products	Daniels	5/6

Number of Sites Proposed to General Superfund: 12

[1] Sites are placed in groups (Gr) corresponding to groups of 50 on the final NPL.

List of Subjects in 40 CFR Part 300

Air pollution control, Chemicals, Environmental Protection, Hazardous materials, Intergovernmental relations, Natural resources, Oil pollution, Reporting and recordkeeping requirements, Superfund, Waste treatment and disposal, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: September 25, 1995.

Elliott P. Laws,

Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 95–24414 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5309–1]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Arsenic Trioxide Site from the National Priorities List: Request for comments.

SUMMARY: The Environmental Protection Agency (EPA), Region VIII announces its intent to delete the Arsenic Trioxide Site (Site) from the National Priorities List (NPL) and requests public comment on this action. EPA and the State of North Dakota (State) have determined that all appropriate response actions have been implemented at the Site and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State have determined that remedial activities conducted at the Site are protective of public health, welfare, and the environment.

DATES: Comments concerning the propose deletion of the Arsenic Trioxide Site may be submitted to EPA by November 1, 1995.

ADDRESSES: Comments may be mailed to: Mr. Barry Levene (8HWM–SR), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202–2466.

Comprehensive information on this Site is available through the EPA, Region VIII public docker, which is located at EPA's Region VIII Administrative Records Center and is available for viewing from 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. Requests for documents should be directed to the EPA, Region VIII Records Center.

The address for the Regional Records Center is: Administrative Records Center, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, 5th Floor, Denver, Colorado 80202–2466, (303) 293–1807.

Background information from the Regional public docket is also available for viewing at the Arsenic Trioxide site information repositories located at the: North Dakota Department of Health, Missouri Office Building (Room 203), 1200 Missouri Avenue, Bismarck, North Dakota 58504.

Hours: 8 a.m. to 5 p.m., Monday through Friday.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. NPL Deletion Criteria
III. Deletion Procedures
IV. Basis for Intended Site Deletion
V. Summary of Community Relations Activities
VI. Site Summary

I. Introduction

The Environmental Protection Agency (EPA), Region VIII announces its intent to delete the Arsenic Trioxide Site (Site) located in Southeastern, North Dakota, from the National Priorities List (NPL) and requests comments on this deletion. The NPL constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), Title 40 of the Code of Federal Regulations (40 CFR), as amended. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment maintains the NPL as a list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that future conditions at the site warrant such action.

It is EPA's intent to delete the Arsenic Trioxide Site the NPL. EPA will accept comments on this proposed deletion for thirty days following publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the Arsenic Trioxide site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations with regard to an individual site. The NPL is designed primarily for informational

purposes and to assist EPA management.

II. NPL Deletion Criteria

The NCP establishes the criteria that EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider whether any of the following criteria have been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

For all Remedial Actions (RA) which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, it is EPA's policy that a review of such action be conducted no less than every five years after initiation of the selected RA. As stated under ''Basis for Intended Deletion,'' the selected remedy for the Arsenic Trioxide Site provides arsenic removal from groundwater in compliance with the Safe Drinking Water Act. Institutional Controls are required to ensure that the groundwater remedy remains protective. In accordance with 40 CFR 300.430 (f)(4)(ii), a five-year review is, therefore, required for this Site. A five-year review is scheduled for this site on September 1, 1998.

III. Deletion Procedures

EPA, Region VIII will accept and evaluate public comments before making a final decision to delete the Arsenic Trioxide Site. The following procedures were used for the intended deletion of this Site:

1. EPA, Region VIII has recommended deletion of the Arsenic Trioxide Site and has prepared the relevant documents.

2. The State of North Dakota has concurred with EPA's recommendation for deletion.

3. Concurrent with this National Notice of Intent to Delete, a local notice has been published in local newspapers and has been distributed to appropriate Federal, State and local officials, and other interested parties.

4. The Region has made all relevant documents available in the Regional Office and local site information repositories.

The comments received during the notice and comment period will be evaluated before making a final decision to delete. The Region will prepare a Responsiveness Summary, which will address the comments received during the public comment period.

Subsequent to the public comment period, a deletion will occur after EPA publishes a Notice of Deletion in the Federal Register. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by Region VIII.

IV. Basis for Intended Site Deletion

The following summary provides EPA's rationale for recommending deletion of the Arsenic Trioxide Superfund Site.

The Arsenic Trioxide Superfund Site is composed of 20 townships in the three counties of Richland, Ransom and Sargent, located in the southeastern corner of North Dakota and encompassing about 568 square miles. This area consists primarily of sparsely populated farmland and includes the small cities of Lidgerwood (Lidgerwood), Milnor (Milnor), and Wyndmere (Wyndmere). Approximately 4,500 people live in the entire study area with approximately 970 in Lidgerwood, 650 in Milnor, and 550 in Wyndmere. Ground water systems include the deeper Dakota Sandstone Aquifer (200 to 1,000 feet below land surface), and the more shallow glacial drift aquifers (3 to 156 feet below land surface).

Arsenic-laced bait was used extensively throughout North Dakota to combat grasshopper infestations in the 1930s and early 1940s. During routine water-quality monitoring of municipal supplies in 1979, the State detected elevated levels of arsenic in Lidgerwood. These levels exceeded the Maximum Contaminant Level (MCL) of 0.05 milligram/liter (mg/1), designated by EPA pursuant to the Safe Drinking Water Act (SDWA), and were determined to be a health risk by the State and EPA. Additional monitoring detected more widespread occurrence of arsenic within ground water below surrounding rural areas. In October 1981, the Site was proposed for listing on the National Priorities List (NPL) as a Superfund Site. Final listing of the Site on the NPL occurred on September 8, 1993.

The State and EPA concluded in a final Remedial Investigation (RI) Report dated December 1985, that the elevated levels of arsenic in ground water resulted both from use of arsenic-based grasshopper bait and naturally occurring sources. It was estimated that 330,000 pounds of arsenic trioxide bait may have been applied to the entire study area. Samples taken along a confirmed area of bait spreading indicated no evidence of remnant arsenic within the soils. The arsenic contamination in the ground water appears to be limited to the seven major unconfined glacial drift aquifers. The Feasibility Study (FS) was completed in September 1986.

During this same time, Lidgerwood was ordered to take appropriate measures to provide drinking water that met the MCL for arsenic. Lidgerwood built a new water treatment plant, overseen by the State under the SDWA, which was completed in 1986.

EPA issued a Record of Decision (ROD) on September 25, 1986. The purpose of the remedy was to reduce human exposure to arsenic-contaminated ground water by providing treated water to households with elevated arsenic levels within the Site through rural water distribution systems. The selected remedy was to provide arsenic removal to below the MCL for arsenic, pursuant to the SDWA. The remedy included:

(1) Expansion of the existing Richland Rural Water Treatment Plant located in Mantador, North Dakota and its associated distribution capacity to provide drinking water to rural households;

(2) ''No Action'' for Lidgerwood, which had constructed and was about to commence using a new water treatment plant built specifically to address arsenic contamination; and

(3) ''No Action'' for Wyndmere, whose water treatment plant was producing water within the SDWA limits for arsenic.

Institutional controls were also to be investigated further, including restrictions on existing well use, restrictions on well drilling, a well-permitting system, and economic incentives for participation in the new distribution system and non-use of well water.

Several developments occurred after the ROD was signed. Lidgerwood requested that the construction of its water treatment plant and the replacement of its distribution system be considered as part of the overall RA for the Site under section 104 of the

Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA) and, therefore, associated costs be considered reimbursable. In addition, the Lidgerwood plant did not work properly after the first six months of operation in the late summer of 1986. Wyndmere also requested that expansion of its water treatment plant's capacity to cover periods of high demand, during which it must bypass its plant with untreated water high in arsenic, be considered as part of the overall RA for the Site.

In April 1987, a Cooperative Agreement (CA) was awarded to the State to study the Lidgerwood and Wyndmere plants, with the objective of determining the extent of repairs necessary to correct problems at the Lidgerwood plant and of verifying the Wyndmere plant's capacity problem. Subsequently, a supplemental RA to the 1986 ROD was approved on February 5, 1988, for:

(1) Reimbursement from the Superfund to Lidgerwood for allowable costs associated with construction of its water treatment plant;

(2) Modification of the Lidgerwood water treatment plant; and

(3) Expansion of the Wyndmere Water Treatment Plant to increase storage capacity. Expansion consisted of a 50,000-gallon, potable water storage reservoir and related minor adjustments and modifications to the existing plant.

EPA designated the Richland Rural Water Treatment System as Operable Unit I (OUI), and Lidgerwood and Wyndmere as OUII.

Between September 1986 and February 1990, additional water-quality monitoring identified arsenic-contaminated ground water in proximity to Milnor. Milnor is located within the areal boundaries of the Site and a portion of the city residents obtained their daily drinking water needs from a shallow ground water source containing elevated concentrations of arsenic.

The Bureau of Reclamation, through an Interagency Agreement (IAG) with EPA and the State, recommended that the Richland Rural Water Treatment Plan distribution be expanded to incorporate Milnor. This action would limit the potential exposure to arsenic-contaminated drinking water supplies of residents within the Milnor city limits. EPA approved Milnor's addition to the remedy for OUI. This is designated as phase 2 of OUI. An Explanation of Significant Differences (ESD) dated September 25, 1992, explains the decision to add Milnor as a second phase of RA for OUI.

The major components of the resultant sitewide remedy included:

(1) Expansion of the existing Richland Rural Water Treatment Plan located in Mantador, North Dakota and its associated distribution capacity to provide safe drinking water to households within the City of Milnor and rural areas within the Site;

(2) Expansion and modification of the existing Lidgerwood Water Treatment Plant to increase treatment capability and storage capacity and, thereby, provide safe drinking water to households within the City of Lidgerwood; and

(3) Expansion and modification of the existing Wyndmere Water Treatment Plant to increase treatment capability and storage capacity and, thereby, provide safe drinking water to households within the City of Wyndmere.

In March 1987, a CA was awarded to the State to develop RD for the expansion of the Richland Rural Water Treatment Plant and distribution system. A subsequent CA to conduct RA was awarded to the State in August 1989. In July 1990, construction at the Richland Rural Water Treatment Plant commenced upon award by the State of RA contracts to three contractors. This construction included some 300 miles of water distribution pipeline, the construction of seven additional water storage reservoirs, the drilling and completion of three additional water supply wells, and the approximate doubling of the existing water treatment system.

A pre-final conference and inspection was conducted by EPA and the State on September 25, 1991; the Operational and Functional (O & F) period would have been formally completed in September 1992, but was delayed due to incorporation of Milnor in OUI.

The CA for RA was amended in September 1991, to incorporate Milnor within the Richland Rural Water Treatment Plant expansion. Activities to add Milnor to the Richland Rural Water Treatment System began in September 1991. During the summer of 1992, a 135,000 gallon potable-water reservoir, a water distribution system with approximately 300 service connections and associated pipelines, and connection to the Richland Rural Water Treatment Plant and distribution system was constructed. EPA and the State, in conjunction with Milnor, conducted a pre-final conference and inspection on August 28, 1992. A pre-final inspection report (Report) was prepared which summarized the completed RA activities for OUI, including Milnor, and presented a description and schedule for completion of the remaining tasks necessary to complete RA. The Report certified that the RA activities were performed according to design and specification requirements set forth in the approved RD as required by the ROD. A Preliminary Close Out Report documenting completion of construction for the entire Site, based upon completion of OU I as the final construction phase, was issued by EPA on September 30, 1992.

The primary punchlist items to be completed included final testing of the Milnor distribution system and restoration of streets affected during construction. These tasks, including the drilling of a fourth water well, were completed by June 18, 1993. A walk-through inspection of both phases of OUI, which confirmed these findings, was conducted by EPA, the State, and Milnor immediately following the final inspection conference on June 28, 1993.

At the State's request, EPA assumed the lead for RA undertaken for Lidgerwood. EPA signed an IAG with the Bureau of Reclamation for construction of Lidgerwood modifications in March 1989. Actual construction for the Lidgerwood plant began August 16, 1989, and was essentially completed by January 30, 1990. A one-year facility shakedown and evaluation of the modifications was completed on January 31, 1991.

In June 1988, EPA awarded a CA to the State to develop RD for the Wyndmere plant. Subsequently, the State awarded the initial contract for construction of the Wyndmere modifications to a local contractor in March 1989. Actual construction for the Wyndmere plant began August 3, 1989, and construction activities were essentially completed by mid-January of 1990. However, minor operating problems developed and additional modifications to the plant were necessary. Among other modifications, a separate post-chlorination system was installed. An additional testing period from May through September 1990, was conducted, and the one-year O & F period was completed in January 1991.

Final inspections of both the Wyndmere and Lidgerwood plants were conducted on January 16, 1991, by EPA, the State, and the cities of Wyndmere and Lidgerwood, respectively. It was determined that modification of the plants was 100 percent complete and the plants were operating as required. Remedial Action Reports for the Wyndmere plant and for the Lidgerwood plant, as approved by EPA in March 1991, certify that the plants have achieved the ROD objective of reducing human exposure to arsenic-

contaminated ground water and that the plants are in compliance with the SDWA MCL for arsenic.

V. Summary of Community Relations Activities

The State and EPA initiated community relations activities in March 1992 by conducting a public meeting to discuss sampling results of the Lidgerwood municipal water supply and private wells within the study area. While not a large meeting, the State has maintained an on-going effort to meet the continued interest expressed by area residents. Community relations activities included public meetings; routine publication of progress fact sheets; development and distribution of a pamphlet entitled, ''Things You Should Know About the Arsenic Sampling of Water Supplies in the Richland, Wyndmere, Lidgerwood Area (An Informal Discussion);'' and a tour of the Rural Water Treatment Plant (OUI) upon the completion of construction activities. A short video titled, ''A Taste of Water'' chronicles the history of the Site and is being publicly distributed.

VI. Site Summary

Based upon validation sampling and analyses of the data gathered from the individual water quality monitoring programs, it has been determined that the RAs for both Operable Units of the Arsenic Trioxide Site have achieved the ROD objective of reducing human exposure to arsenic-contaminated ground water and that the water treatment plants are in compliance with the MCL for arsenic, pursuant to the SDWA. These analyses are included as appendices to each RA Report and are sufficient to support deletion of the Site from the NPL. After deletion from the NPL, the Site will be monitored by the State which has primacy for the Public Water System Supervision (PWSS) program, and which will enforce compliance with all MCLs, including arsenic. EPA, Region VIII's Water Management Division provides oversight of the State's PWSS program. Five-year reviews, or their equivalent, are required at this Site because the remedy will result in hazardous substances remaining on-site above health-based levels. The five-year review will be completed for this site no later than June 30, 1998.

Dated: September 25, 1995.

Jack McGraw,

Acting Regional Administrator, U.S. Environmental Protection Agency, Region VIII.

[FR Doc. 95–24449 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AD50

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Twenty-five Plant Species From the Island of Oahu, Hawaii

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes endangered status pursuant to the Endangered Species Act of 1973, as amended (Act), for 25 plant taxa—*Chamaesyce herbstii* ('akoko), *Chamaesyce rockii* ('akoko), *Cyanea acuminata* (haha), *Cyanea humboldtiana* (haha), *Cyanea koolauensis* (haha), *Cyanea longiflora* (haha), *Cyanea st.-johnii* (haha), *Cyrtandra dentata* (ha'iwale), Cyrtandra subumbellata (ha'iwale), *Cyrtandra viridiflora* (ha'iwale), *Delissea subcordata* ('oha), *Eragrostis fosbergii* (No common name (NCN)), *Gardenia mannii* (nanu), *Labordia cyrtandrae* (kamakahala), *Lepidium arbuscula* ('anaunau), *Lobelia gaudichaudii* ssp. *koolauensis* (NCN), *Lobelia monostachya* (NCN), *Melicope saint-johnii* (alani), *Myrsine juddii* (kolea), *Phyllostegia hirsuta* (NCN), *Phyllostegia kaalaensis* (NCN), *Pritchardia kaalae* (loulu), *Schiedea kealiae* (NCN), *Trematolobelia singularis* (NCN), and *Viola oahuensis* (NCN). All 25 taxa are endemic to the island of Oahu, Hawaiian Islands. The 25 plant taxa and their habitats have been variously affected or are currently threatened by one or more of the following—competition, predation, or habitat degradation from alien species; human impacts; fire; and natural disasters. This proposal, if made final, would implement the Federal protection provisions provided by the Act.

DATES: Comments from all interested parties must be received by December 1, 1995. Public hearing requests must be received by November 16, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to Robert P. Smith, Pacific Islands Ecoregion Manager, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 6307, P.O. Box 50167, Honolulu, Hawaii 96850. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert P. Smith, Pacific Islands Ecoregion Manager (see ADDRESSES section) (telephone: 808/541–2749; facsimile 808/541–2756).

SUPPLEMENTARY INFORMATION:

Background

Chamaesyce herbstii, Chamaesyce rockii, Cyanea acuminata, Cyanea humboldtiana, Cyanea koolauensis, Cyanea longiflora, Cyanea st.-johnii, Cyrtandra dentata, Cyrtandra subumbellata, Cyrtandra viridiflora, Delissea subcordata, Eragrostis fosbergii, Gardenia mannii, Labordia cyrtandrae, Lepidium arbuscula, Lobelia gaudichaudii ssp. *koolauensis, Lobelia monostachya, Melicope saint-johnii, Myrsine juddii, Phyllostegia hirsuta, Phyllostegia kaalaensis, Pritchardia kaalae, Schiedea kealiae, Trematolobelia singularis,* and *Viola oahuensis* are endemic to the island of Oahu, Hawaiian Islands.

The island of Oahu is formed from the remnants of two large shield volcanoes, the younger Koolau volcano on the east and the older Waianae volcano to the west (Department of Geography 1983). Their original shield volcano shape has been lost as a result of extensive erosion, and today these volcanoes are called mountains or ranges, and consist of long, narrow ridges. The Koolau Mountains were built by eruptions that took place primarily along a northwest-trending rift zone (Macdonald *et al.* 1983) and formed a range now approximately 60 kilometers (km) (37 miles (mi)) long (Foote *et al.* 1972). Median annual rainfall for the Koolau Mountains varies from 130 to 640 centimeters (cm) (50 to 250 inches (in)), most of which is received at higher elevations along the entire length of the windward (northeastern) side (Taliaferro 1959).

Nineteen of the proposed plant taxa occur in the Koolau Mountains—*Chamaesyce rockii, Cyanea acuminata, Cyanea humboldtiana, Cyanea koolauensis, Cyanea longiflora, Cyanea st.-johnii, Cyrtandra dentata, Cyrtandra subumbellata, Cyrtandra viridiflora, Delissea subcordata, Gardenia mannii, Labordia cyrtandrae, Lobelia gaudichaudii* ssp. *koolauensis, Lobelia monostachya, Melicope saint-johnii, Myrsine juddii, Phyllostegia hirsuta, Trematolobelia singularis,* and *Viola oahuensis.* The vegetation communities of the Koolau Mountains, especially in the upper elevations to which many of the proposed plant taxa are restricted, are primarily lowland mesic and wet forests dominated by *Metrosideros polymorpha* ('ohi'a) and/or other tree or

fern taxa. However, the vegetation now covering the Koolau Mountain Range is mostly alien. The majority of the remaining native vegetation is restricted to steep valley head walls and inaccessible summit ridges. The windswept ridges are very steep and are characterized by grasses, ferns, and low-growing, stunted shrubs (Gagne and Cuddihy 1990).

The Waianae Mountains were built by eruptions that took place primarily along three rift zones. The two principal rift zones run in a northwestward and south-southeastward direction from the summit and a lesser one runs to the northeast. The range is approximately 64 km (40 mi) long. The caldera lies between the north side of Makaha Valley and the head of Nanakuli Valley (MacDonald *et al.* 1983). The Waianae Mountains are in the rain shadow of the parallel Koolau Mountains and except for Mt. Kaala, the highest point on Oahu (1,225 meters (m) (4,020 feet (ft)), receive much less rainfall (Wagner *et al.* 1990). The median annual rainfall for the Waianae Mountains varies from 51 to 190 cm (20 to 75 in) with only the small summit area of Mt. Kaala receiving the highest amount. Relative to the Koolau Mountains, the Waianae Mountains have a greater range of elevations, moisture regimes, and habitat types. As a result, the Waianae Mountains are the most biologically diverse region on the island of Oahu.

Thirteen of the proposed plant taxa occur in the Waianae Mountains—*Chamaesyce herbstii, Cyanea longiflora, Cyrtandra dentata, Delissea subcordata, Eragrostis fosbergii, Gardenia mannii, Labordia cyrtandrae, Lepidium arbuscula, Melicope saint-johnii, Phyllostegia hirsuta, Phyllostegia kaalaensis, Pritchardia kaalae,* and *Schiedea kealiae.* These taxa, with the exception of *Lepidium arbuscula* and *Schiedea kealiae,* are found primarily in mesic forests dominated by 'ohi'a, *Acacia koa* (koa), *Diospyros sandwicensis* (lama), or a diverse mix of trees. *Lepidium arbuscula* is found primarily in mesic shrublands on ridges, steep slopes, and cliffs composed of a variety of native shrubs, herbs, and grasses. *Schiedea kealiae* is found on dry cliff communities with a variety of native trees and shrubs (Joel Lau, The Nature Conservancy of Hawaii (TNCH), pers. comm. 1994).

The known habitat of these 25 plant taxa is owned by the City and County of Honolulu, the State of Hawaii (including land classified as Department of Hawaiian Homelands, Natural Area Reserve (NAR) System, Forest Reserve, and land leased by the Federal government (Department of Defense (DOD)) for military use), the Federal government, and private parties. Plants on land owned or leased by the Federal government are located on portions of Dillingham, Kaena Point, Makua, and Schofield Barracks Military Reservations; Kawailoa and Kahuku Training Areas; Lualualei Naval Reservation; and the Omega U.S. Coast Guard Station. Private lands include Honouliuli Preserve, leased from a major landowner by TNCH.

Discussion of the 25 Plant Taxa Proposed for Listing

Chamaesyce herbstii was first described by Warren Wagner (1988) based on a specimen collected by Derral Herbst in 1969 in the Waianae Mountains of Oahu. Other published names which Wagner considers to be synonymous with *Chamaesyce herbstii* include *C. rockii* var. *grandifolia, Euphorbia clusiaefolia* var. *grandifolia,* and *E. forbesii* (Hillebrand 1888, Koutnik 1985, Wagner 1988).

Chamaesyce herbstii, a member of the spurge family (Euphorbiaceae), is a small tree ranging from 3 to 8 m (10 to 26 ft) tall. The thin, leathery leaves, normally 8 to 19.5 cm (3.1 to 7.7 in) long and 1.8 to 3.8 cm (0.7 to 1.5 in) wide, are narrowly oblong or sometimes more lance-shaped or elliptic. The leaves are arranged in pairs on the same plane. The small, petalless flower clusters (cyathia or compact flowering stalks with small individual flowers, the whole simulating a single flower) occur in groups of 3 to 15 in branched, open flowering stalks. The individual flower stalks are 8 to 20 mm (0.3 to 0.8 in) long. The hairy inflorescence bracts (specialized leaves) are broadly bell-shaped and contain five to six yellowish green glands. The green or sometimes reddish purple-tinged, angular capsules (dry fruit that open at maturity) scarcely protrude from the bracts. This species is distinguished from others in the genus by the length of the flowering stalk and the color of the angular fruits (Koutnik 1990).

Historically *Chamaesyce herbstii* was known from scattered populations in the northern and central Waianae Mountains on the island of Oahu (Hawaii Heritage Program (HHP) 1994c1 to 1994c5). Currently this species is known from four populations in the central and northern Waianae Mountains—South Ekahanui Gulch, Pahole (Kukuiula) Gulch, Kapuna Gulch, and West Makaleha-Central Makaleha. These populations are found on private land in TNCH's Honouliuli Preserve and State land, including Pahole NAR (HHP 1994c1 to 1994c5). The total number of plants is estimated to be fewer than 200. *Chamaesyce herbstii* typically grows in mesic koa-'ohi'a lowland forests, *Pisonia* sp. (papala kepau)-*Charpentiera* sp. (papala) lowland forests, or diverse mesic forests at elevations between 530 and 700 m (1,750 to 2,300 ft). Associated plant taxa include the federally endangered *Alectryon macrococcus* var. *macrococcus* (mahoe), as well as *Hibiscus arnottianus* var. *arnottianus* (koki'o ke'oke'o), *Melicope* sp. (alani), *Pouteria* sp. ('ala'a), and *Urera glabra* (opuhe) (HHP 1994c1 to 1994c5).

The primary threats to *Chamaesyce herbstii* are habitat degradation and/or destruction by feral pigs (*Sus scrofa*); competition with alien plant taxa such as *Grevillea robusta* (silk oak), *Passiflora suberosa* (huehue haole), *Psidium cattleianum* (strawberry guava), and *Schinus terebinthifolius* (Christmas berry); potential fire; and a risk of extinction from naturally occurring events (such as hurricanes) and/or reduced reproductive vigor due to the small number of remaining populations (HHP 1994c1 to 1994c5; Christa Russell, TNCH, pers. comm. 1994).

Joseph F. Rock collected a plant in 1908 in the Koolau Mountains, Oahu, which was described a year later by Charles Noyes Forbes as *Euphorbia rockii.* Leon Croizat and Otto Degener (Degener and Croizat 1936) later transferred the species to *Chamaesyce,* resulting in the new combination *Chamaesyce rockii,* the name accepted in the current treatment of Hawaiian members of the genus (Koutnik 1990). The specific epithet honors Rock, an intrepid collector and scholar of the Hawaiian flora.

Chamaesyce rockii, a member of the spurge family, is usually a compact shrub or sometimes a small tree typically ranging from 0.5 to 2 m (1.6 to 6.6 ft) tall, but in protected sites it has been known reach 4 m (13 ft) in height. The leathery leaves, generally 8 to 14 cm (3 to 5.5 in) long and 2 to 3.5 cm (0.8 to 1.4 in) wide, are narrowly oblong to oblong-elliptic or sometimes narrowly elliptic in shape. The leaves are arranged in two opposite rows along the stem, and have smooth leaf margins. The cyathia occur in groups of about 3 to 10 in branched, open to sometimes condensed flowering stalks that are usually 2 to 6 cm (0.8 to 2.4 in) long. The bracts of the flowering stalks are broadly bell-shaped and contain five to six greenish yellow, green, or red glands. The fruit is a brilliant red (sometimes pink-tinged red), round, hairless capsule, 14 to 25 mm (0.6 to 1 in) long. The fruit protrudes noticeably from the bracts. This species differs

from others in the genus in that it has large, red, capsular fruit (Koutnik 1990).

Chamaesyce rockii was known historically from scattered populations along the Koolau Mountains on the island of Oahu (HHP 1994d1 to 1994d13). Eleven of the thirteen known populations of this species are extant and are found on private land and State land leased by DOD for the Kawailoa Training Area, as well as on Federal land on Schofield Barracks Military Reservation (HHP 1994d1 to 1994d11). Currently the total number of plants is estimated to be between 300 and 400 plants. *Chamaesyce rockii* typically grows in wet ‘ohi‘a-*Dicranopteris linearis* (uluhe) forest and shrubland between 640 and 915 m (2,100 and 3,000 ft) in elevation. Associated plant taxa include *Dubautia laxa* (na‘ena‘e pua melemele), *Machaerina* sp. (‘uki), *Psychotria fauriei* (kopiko), *Wikstroemia* sp. (‘akia), and the proposed species *Myrsine juddii* (kolea) (HHP 1994d4).

The primary threats to *Chamaesyce rockii* are habitat degradation and/or destruction by feral pigs, potential impacts from military activities, and competition with alien plant taxa such as strawberry guava and *Clidemia hirta* (Koster’s curse) (HHP 1994d1 to 1994d5, 1994d7, 1994d8).

While a pharmaceutical botanist on the vessel *Uranie*, Charles Gaudichaud-Beaupre collected a new lobelioid on Oahu, which he later described and named *Delissea acuminata* (Hillebrand 1888). Wilhelm Hillebrand (1888) transferred this species to the genus *Cyanea*, resulting in the new combination *Cyanea acuminata.* This is the name accepted in the current treatment of Hawaiian members of the family (Lammers 1990). Other published names considered synonymous with *Cyanea acuminata* include *C. acuminata* var. *calycina, C. acuminata* forma *latifolia, C. occultans, Delissea acuminata* var. *calycina, D. acuminata* forma *latifolia, D. acuminata* var. *latifolia, D. occultans*, and *Lobelia acuminata* (Degener and Degener 1982, Hosaka and Degener 1938, Lammers 1990, St. John 1981 and 1987b, Wawra 1873).

Cyanea acuminata, a member of the bellflower family (Campanulaceae), is an unbranched shrub 0.3 to 2 m (1 to 6.6 ft) tall. The leaves, 11 to 32 cm (4.3 to 12.6 in) long and 3 to 9 cm (1.2 to 3.5 in) wide, are inversely lance-shaped to narrowly egg-shaped or elliptic. The upper leaf surface is green, whereas the lower surface is whitish green. The slightly hardened leaf edges contain small, spreading, pointed teeth. The leaf stalks are 2 to 10 cm (0.8 to 4 in) long. Six to 20 flowers are arranged on a flowering stalk 15 to 60 mm (0.6 to 2.4 in) long. The calyx lobes, 2 to 5 mm (0.08 to 0.2 in) long, are narrowly triangular. The corolla is white and sometimes tinged purplish, 30 to 35 mm (1.2 to 1.4 in) long and 3 to 4 mm (0.1 to 0.2 in) wide. The tubular portion of the flower is almost erect to slightly curved, while the lobes are one-fourth to one-third as long as the tube and spreading. The yellow to yellowish orange, round berries are approximately 5 mm (0.2 in) long. This species is distinguished from others in this endemic Hawaiian genus by the color of the petals and fruit and length of the calyx lobes, flowering stalk, and leaf stalks (Lammers 1990).

Historically *Cyanea acuminata* was known from 31 scattered populations in the Koolau Mountains of Oahu (HHP 1994e1 to 1994e32). Currently fewer than 100 plants are known from 15 populations on privately owned land; City and County of Honolulu land; State land, including land leased by the DOD for the Kawailoa Training Area; and Federal land on Schofield Barracks Military Reservation and the Omega Coast Guard Station (HHP 1994e1 to 1994e12, 1994e20, 1994e24, 1994e25). This species typically grows on slopes, ridges, or stream banks from 305 to 915 m (1,000 to 3,000 ft) elevation. The plants are found in mesic to wet ‘ohi‘a-uluhe, koa-‘ohi‘a, or *Diospyros sandwicensis* (lama)-‘ohi‘a forest (HHP 1994e1 to 1994e9, 1994e11, 1994e12, 1994e24, 1994e25; Lammers 1990).

The major threats to *Cyanea acuminata* are habitat degradation and/or destruction by feral pigs; potential impacts from military activities; potential predation by rats; competition with the noxious alien plant taxa Christmas berry, Koster’s curse, and *Ageratina adenophora* (Maui pamakani); and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining individuals (HHP 1994e1 to 1994e4, 1994e7, 1994e8, 1994e10 to 1994e12, 1994e20; J. Lau, C. Russell, and Joan Yoshioka, TNCH, pers. comms. 1994).

While a botanist on the vessel *La Bonite* on his third trip to Hawaii, Gaudichaud-Beaupre collected a new lobelioid on Oahu which he later described and named as Rollandia humboldtiana (Lammers 1990). Other published names considered synonymous with *Rollandia humboldtiana* include *Delissea racemosa, Rollandia humboldtiana* forma *albida, R. pedunculosa*, and *R. racemosa* (Hillebrand 1888, Lammers 1990, Mann 1867–1868, St. John 1940, Wawra 1873). Recently Lammers, Thomas Givnish, and Kenneth Sytsma merged the endemic Hawaiian genera *Cyanea* and *Rollandia* under the former name and published the new combination *Cyanea humboldtiana* (Lammers *et al.* 1993). The specific epithet honors the German naturalist and explorer, Baron Alexander von Humboldt.

Cyanea humboldtiana, a member of the bellflower family, is an unbranched shrub with woody stems 1 to 2 m (3.2 to 6.6 ft) tall. The leaves are inversely egg-shaped to broadly elliptic, 18 to 45 cm (7 to 18 in) long and 7 to 16 cm (2.8 to 6.3 in) wide. The leaf edges are hardened and have shallow, ascending rounded teeth. Five to twelve flowers are arranged on a hairy, downward bending flowering stalk which is 8 to 25 cm (3 to 10 in) long. The dark magenta or white petals are 6 to 7.5 cm (2.4 to 3 in) long and hairy. The pale orangish yellow berries are elliptic to inversely egg-shaped. This species differs from others in this endemic Hawaiian genus by the downward bending flowering stalk and the length of the flowering stalk (Lammers 1990).

Cyanea humboldtiana was known historically from 17 populations from the central portion to the southern end of the Koolau Mountains of Oahu (HHP 1994f1 to 1994f17). Currently between 100 and 220 plants are known from three populations—Konahuanui summit, Moanalua-Kaneohe summit, and Lulumahu Gulch. These populations occur on private land, State land, and Federal land on the Omega U.S. Coast Guard Station (HHP 1994f1, 1994f2, 1994f16). This species is usually found in wet ’ohi’a-uluhe shrubland from 550 to 960 m (1,800 to 3,150 ft) elevation. Associated native plant taxa include ferns, alani, ’uki, *Ilex anomala* (kawa’u), and *Scaevola mollis* (naupaka kuahiwi) (HHP 1994f1, 1994f16).

Habitat degradation and/or destruction by feral pigs, potential predation by rats, competition with the alien plant Koster’s curse, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor, due to the small number of remaining populations, are the major threats to *Cyanea humboldtiana*. The Konahuanui summit population is also threatened by trampling by hikers (HHP 1994f1, 1994f2; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

Cyanea koolauensis was first described by Hillebrand (1888) as *Rollandia longiflora* var. *angustifolia*, based on a specimen he collected on Oahu. In 1918 Rock elevated the variety to full species status as *Rollandia angustifolia* (Rock 1918b). Lammers *et al.* (1993) published the new name

Cyanea koolauensis to replace *Rollandia angustifolia* when they merged *Cyanea* and *Rollandia*, as the name *Cyanea angustifolia* had already been used.

Cyanea koolauensis, a member of the bellflower family, is an unbranched shrub with woody stems, 1 to 1.5 m (3.5 to 5 ft) tall. The leaves are linear to narrowly elliptic with a whitish underside, 16 to 36 cm (6.3 to 14.2 in) long and 1.5 to 4 cm (0.6 to 1.6 in) wide. The leaf edges are hardened with shallow, ascending rounded teeth. The leaf stalks are 1.5 to 4.5 cm (0.6 to 1.8 in) long. The flowering stalks are three to six-flowered. The flowering stalk is 15 to 40 mm (0.6 to 1.6 in) long. The hypanthium (basal portion of the flower) is 6 to 12 mm (0.2 to 0.5 in) long. The calyx lobes are fused into a sheath 2 to 8 mm (0.08 to 0.3 in) long. The dark magenta petals are 5 to 9 cm (2.0 to 3.5 in) long. The fruit is a round berry. *Cyanea koolauensis* is distinguished from others in this endemic Hawaiian genus by the leaf shape and width, the whitish green lower leaf surface and, the lengths of the leaf stalks, calyx lobes, and hypanthium (Lammers 1990).

Cyanea koolauensis was known historically from 27 scattered populations throughout the Koolau Mountains on Oahu (HHP 1994g1 to 1994g28). Currently 14 populations totalling fewer than 50 plants are known from the Waimea-Malaekahana Ridge to Hawaii Loa Ridge in the Koolau Mountains. These populations occur on City and County of Honolulu land, private land, and State land, including land leased to the DOD for the Kahuku and Kawailoa Training Areas (HHP 1994g1 to 1994g12, 1994g18, 1994g19, 1994g22). *Cyanea koolauensis* is usually found on slopes and ridge crests in wet ’ohi’a-uluhe forest or shrubland at elevations from 520 to 810 m (1,700 to 2,660 ft). Associated plant taxa include alani, *Antidesma* sp. (hame), *Diplopterygium pinnatum*, *Psychotria* sp. (kopiko), and *Scaevola* sp. (naupaka) (HHP 1994g1 to 1994g12, 1994g18, 1994g19, 1994g22; Lammers 1990).

Cyanea koolauensis is threatened by habitat destruction by feral pigs, potential impacts from military activities, potential predation by rats, competition with the aggressive alien plants Koster’s curse and strawberry guava, trampling by hikers, overcollection, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining individuals (HHP 1994g1 to 1994g5, 1994g7, 1994g22; Loyal Mehrhoff, U.S. Fish and Wildlife Service, J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

Cyanea longiflora was first collected by Hillebrand on Oahu and named in 1873, by Dr. Heinrich Wawra, as *Rollandia longiflora* (Hillebrand 1888). Other names considered synonymous with *Rollandia longiflora* are *R. lanceolata* var. *brevipes* and *R. sessilifolia* (Degener 1932, Lammers 1990, Wimmer 1953). Recently Lammers *et al.* (1993) published the new combination *Cyanea longiflora*. The specific epithet refers to the long flowers.

Cyanea longiflora, a member of the bellflower family, is an unbranched shrub with woody stems 1 to 3 m (3.5 to 10 ft) long. The leaves are elliptic or inversely lance-shaped, 30 to 55 cm (12 to 22 in) long and 6 to 12 cm (2.4 to 4.7 in) wide. Mature leaves have smooth or hardened leaf edges with shallow, ascending, rounded teeth. The flowering stalks are 5 to 10-flowered and 30 to 60 mm (1.2 to 2.4 in) long. The calyx lobes are fused into an irregularly toothed sheath 2 to 4 mm (0.08 to 0.2 in) long. The petals, 6 to 9 cm (2.4 to 3.5 in) long, and the hairless staminal column are dark magenta. The berries are almost pear-shaped. *Cyanea longiflora* differs from others in this endemic Hawaiian genus by the fused calyx lobes (Lammers 1990).

Cyanea longiflora was known historically from five populations in the Waianae Mountains and six populations in the Koolau Mountains of Oahu (HHP 1994h1, 1994h2 to 1994h14). Currently five populations of this species are known—Pahole Gulch, Makaha Valley, and Makaha-Waianae Ridge in the Waianae Mountains and Kawainui Drainage and Opaeula Gulch in the Koolau Mountains (HHP 1994h1, 1994h3, 1994h11 to 1994h14). These 5 populations total between 220 and 300 plants. The populations are found on City and County of Honolulu land, private land leased by the DOD for the Kawailoa Training Area, and State-owned land, including Pahole NAR. *Cyanea longiflora* is usually found on steep slopes or ridge crests in mesic koa-’ohi’a forest in the Waianae Mountains or wet ’ohi’a-uluhe forest in the Koolau Mountains, usually between 620 and 780 m (2,030 and 2,560 ft) elevation. Associated plant taxa in koa-’ohi’a forest include hame, kopiko, uluhe, *Coprosma* sp. (pilo), and *Syzygium* sp. (’ohi’a ha). In wet ’ohi’a-uluhe forest, associated native taxa include ’akia, alani, *Cibotium* sp. (hapu’u), *Dubautia* sp. (na’ena’e), *Hedyotis* sp., and *Pittosporum* sp. (ho’awa) (HHP 1994h1, 1994h3, 1994h11, 1994h13, 1994h14; Lammers 1990).

The major threats to *Cyanea longiflora* are habitat degradation and/or destruction by feral pigs, potential impacts from military activities, potential predation by rats, competition with the alien plants strawberry guava and *Rubus argutus* (prickly Florida blackberry) in the Waianae Mountains and Koster’s curse in the Koolau Mountains, potential fire, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining, widely dispersed populations (HHP 1994h1, 1994h3, 1994h12 to 1994h14; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

While hiking in the Koolau Mountains of Oahu, Edward Hosaka collected a new lobelioid which he later described and named *Rollandia st.-johnii* (St. John and Hosaka 1935). *Rollandia st.-johnii* var. *obtusisepala* (Wimmer 1953) is not recognized in the most recent treatment of Hawaiian members of the family (Lammers 1990). Lammers et al. (1993) published the new name *Cyanea st.-johnii* when *Cyanea* and *Rollandia* were merged. The specific epithet honors the late Harold St. John.

Cyanea st.-johnii, a member of the bellflower family, is an unbranched shrub with a woody stem 30 to 60 cm (12 to 24 in) long. The leaves are lance-shaped to inversely lance-shaped, 6 to 13 cm (2.4 to 5.1 in) long and 1.5 to 2 cm (0.6 to 0.8 in) wide. The leaf edges are thickened, smoothly toothed, and curl under. The flowering stalk is 5 to 15 mm (0.2 to 0.6 in) long, with 5 to 20 flowers. The hairless, white petals, 3 to 6 cm (1.2 to 2.4 in) long, are suffused with pale violet in the inner surface. This species is distinguished from others in this endemic Hawaiian genus by the length of the leaves, the distinctly curled leaf margins, and the petal color (Lammers 1990).

Cyanea st.-johnii was known historically from 11 populations in the central and southern Koolau Mountains of Oahu (HHP 1994i1 to 1994i11). Currently between 40 and 50 plants are known from 5 populations—Waimano Trail summit to Aiea Trail summit, the summit ridge crest between Manana and Kipapa trails, between the summit of Aiea and Halawa trails, Summit Trail south of Poamoho cabin, and Wailupe-Waimanalo summit ridge. These populations are found on City and County of Honolulu, private, and State lands (HHP 1994i1, 1994i7, 1994i9 to 1994i11). This species typically grows on wet, windswept slopes and ridges from 690 to 850 m (2,260 to 2,800 ft) elevation in ’ohi’a mixed shrubland or ’ohi’a-uluhe shrubland. Associated

plant taxa include naupaka kuahiwi, 'uki, *Bidens* sp. (ko'oko'olau), and *Freycinetia arborea* ('ie'ie) (HHP 1994i1, 1994i7, 1994i9 to 1994i11).

Cyanea st.-johnii is threatened by habitat degradation and/or destruction by feral pigs, potential predation by rats, competition with the noxious alien plant Koster's curse, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining populations and individuals. The plants between the summit of Aiea and Halawa Trail are also threatened by trampling by hikers (HHP 1994i7, 1994i9, 1994i10; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

In 1945 St. John collected a plant specimen on Oahu that he and W.B. Storey named *Cyrtandra dentata* (St. John and Storey 1950). In the same paper, St. John and Storey also described *Cyrtandra frederickii*, now considered synonymous with *Cyrtandra dentata* (Wagner et al. 1990). The specific epithet refers to the toothed margin of the leaf blades.

Cyrtandra dentata, a member of the African violet family (Gesneriaceae), is a sparingly branched shrub ranging from 1.5 to 5 m (5 to 16 ft) tall. Papery in texture, the leaves are broadly elliptic to almost circular or broadly egg-shaped to egg-shaped, 9 to 33 cm (3.5 to 13 in) long, and 3 to 17 cm (1.2 to 6.7 in) wide. Three to nine white flowers are arranged on an inverse umbrella-shaped flower cluster which arises from the leaf axil. The main flower stalk is 25 to 50 mm (1 to 2 in) long and the individual flower stalks are 15 to 33 mm (0.6 to 1.3 in) long. The leaf-like bracts are 12 to 30 mm (0.5 to 1.2 in) long. The tubular portion of the flower is 12 to 25 mm (0.5 to 1 in) long and 4 to 9 mm (0.2 to 0.4 in) in diameter. The upper flower lobes are 2 to 6 mm (0.08 to 0.2 in) long and 3 to 7 mm (0.1 to 0.3 in) wide, while the lower lobes are 3 to 17 mm (0.1 to 0.7 in) long and 4 to 9 mm (0.2 to 0.4 in) wide. The round white berries are 1 to 2.6 cm (0.4 to 1 in) long. This species is distinguished from others in the genus by the number and arrangement of the flowers, the length of the bracts and flower stalks, and the shape of the leaves (Wagner et al. 1990).

Cyrtandra dentata was historically known from six populations in the Waianae Mountains and three populations in the Koolau Mountains of Oahu (HHP 1994j1 to 1994j9). Currently this species is found only in the Waianae Mountains in Pahole Gulch and Kapuna Valley on State land (within Pahole NAR) and in Ekahanui Gulch on State and private land (within TNCH's Honouliuli Preserve) (HHP 1994j2, 1994j6, 1994j7). The 3 known populations total fewer than 50 individuals. *Cyrtandra dentata* typically grows in gulches, slopes, or ravines in mesic forest with 'ohi'a, 'ohi'a ha, and *Aleurites moluccana* (kukui) at elevations from 580 to 720 m (1,900 to 2,360 ft) (HHP 1994j2, 1994j6, 1994j7; St. John 1966; Wagner et al. 1990).

Competition with the alien plants Koster's curse and strawberry guava, potential predation by rats, potential fire, and stochastic extinction and/or reduced reproductive vigor, due to the small number of extant populations and individuals, are the major threats to *Cyrtandra dentata* (HHP 1994j6; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

Hillebrand (1888) collected a specimen on Oahu that he named *Cyrtandra gracilis* var. *subumbellata*. St. John and Storey (1950) elevated the variety to full species status. The authors of the current treatment of the family concur with this designation (Wagner et al. 1990). St. John's (1966) variety *intonsa* is not currently recognized (Wagner et al. 1990). The specific epithet refers to the umbrella-like flowering stalk.

Cyrtandra subumbellata, a member of the African violet family, is a shrub 2 to 3 m (6.6 to 10 ft) tall. Papery in texture, the leaves are almost circular to egg-shaped, 12 to 39 cm (4.7 to 15.4 in) long, and 3 to 19 cm (1.2 to 7.5 in) wide. The upper leaf surface is wrinkled, whereas the lower surface has conspicuously raised net-like veins and is moderately covered with white glands. Five to 15 white flowers are densely arranged on an inverse umbrella-shaped flowering stalk which arises from the leaf axil. The main flower stalk is 2 to 8 mm (0.08 to 0.3 in) long. The style is approximately 10 mm (0.4 in) long. The round, white berries are 1 to 1.5 cm (0.4 to 0.6 in) long. This species is distinguished from others in the genus by the number and arrangement of the flowers, the lengths of the style and main flower stalks, and the texture of the leaves (Wagner *et al.* 1990).

Historically *Cyrtandra subumbellata* was known from six scattered populations in the central Koolau Mountains on the island of Oahu (HHP 1994k1 to 1994k6). This species is now known from three populations in the central Koolau Mountains—Schofield-Waikane Trail and Puu Ohulehule on private and State land and Kaukonahua drainage on Federal land within Schofield Barracks Military Reservation (HHP 1994k2, 1994k5, 1994k6). The total number of plants currently is estimated to be fewer than 50. This species typically grows on moist, forested slopes or gulch bottoms dominated by 'ohi'a or a mixture of 'ohi'a and uluhe, between 460 and 670 m (1,500 and 2,200 ft) elevation. Associated plant taxa include 'uki, *Adiantum raddiantum*, *Boehmeria grandis* ('akolea), *Broussaisia arguta* (kanawao), and *Thelypteris* sp. (HHP 1994k2, 1994k5, 1994k6; St. John 1966; Wagner *et al.* 1990).

The primary threats to *Cyrtandra subumbellata* are competition with the noxious alien plant Koster's curse, potential impacts from military activities, potential predation by rats, potential fire, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of extant populations and individuals (HHP 1994k6; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

In 1950, St. John and Storey first described *Cyrtandra viridiflora* based on a specimen collected by Joseph Rock in 1911. Other published names now considered synonyms of this species are *Cyrtandra crassifolia* and *C. pickeringii* var. *crassifolia* (Hillebrand 1888, Rock 1918a, St. John 1966, Wagner *et al.* 1990). The specific epithet refers to the conspicuous green flowers.

Cyrtandra viridiflora, a member of the African violet family, is a small shrub 0.5 to 2 m (1.6 to 6.6 ft) tall. The thick, fleshy, heart-shaped leaves are 6 to 15 cm (2.4 to 6 in) long, 3.5 to 7.5 cm (1.4 to 3 in) wide, and have toothed margins. Both the upper and lower surfaces have long, velvety, pale hairs. One to five green flowers are arranged on an inverse umbrella-shaped flowering stalk. The pale green calyx is 12 to 15 mm (0.5 to 0.6 in) long. The round, white berries are 1.3 cm (0.5 in) or longer. This species is distinguished from others in the genus by the leaves, which are thick, fleshy, heart-shaped, and densely hairy on both surfaces (Wagner *et al.* 1990).

Historically *Cyrtandra viridiflora* was known from seven scattered populations in the Koolau Mountains on the island of Oahu (HHP 1994L1 to 1994L7). This species is now known only from four populations in the northern Koolau Mountains—Kawainui-Laie summit divide, Kawainui-Kaipapau summit divide, Maakua-Kaipapau Ridge, and the Peahinaia Trail. A total of fewer than 10 plants is known from these 4 populations on State land and private land leased by the DOD for Kawailoa Training Area (HHP 1994L4 to 1994L7). *Cyrtandra viridiflora* is usually found on wind-blown ridge tops in cloud-covered wet forest or shrubland at elevations of 690 to 850 m (2,260 to 2,800 ft). Associated plant taxa include kanawao,

'ohi'a, 'ohi'a ha, 'uki, and uluhe (HHP 1994L4 to 1994L7, Wagner *et al.* 1990).

The major threats to *Cyrtandra viridiflora* are habitat degradation or destruction by feral pigs, potential impacts from military activities, potential predation by rats, competition with the alien plants Koster's curse and strawberry guava, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining populations and individuals (HHP 1994L4 to 1994L6; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

Delissea subcordata was first collected on Oahu by Gaudichaud-Beaupre over 150 years ago. He later described and named it for its heart-shaped leaf base (Hillebrand 1888). Lammers considers all subsequently named varieties to be synonymous with *Delissea subcordata,* including *D. subcordata* var. *kauaiensis, D. subcordata* var. *obtusifolia, D. subcordata* var. *waialaeensis, D. subcordata* var. *waikaneensis,* and *Lobelia subcordata* (Lammers 1990, St. John 1977, Wawra 1873).

Delissea subcordata, a member of the bellflower family, is a branched or unbranched shrub 1 to 3 m (3.5 to 10 ft) tall. The leaves are egg-shaped or oval lance-shaped, with heart-shaped bases and blades 12 to 30 cm (4.7 to 12 in) long and 6 to 17 cm (2.4 to 6.7 in) wide. The leaf margins have shallow, rounded to sharply pointed teeth. Occasionally the leaf margin may be irregularly cut into narrow and unequal segments with one to six triangular lobes, 10 to 18 mm (0.4 to 0.7 in) long, toward the leaf base. Six to 18 white or greenish white flowers are arranged on an flowering stalk 4 to 10 cm (1.6 to 4 in) long. The calyx lobes are awl-shaped and 0.5 to 1 mm (0.02 to 0.04 in) long. The curved corolla is 45 to 60 mm (1.8 to 2.4 in) long and has a knob on the back side. The anthers are hairless. The fruit is an egg-shaped berry. This species is distinguished from others in this endemic Hawaiian genus by the shape and size of the leaves, the length of the calyx lobes and corolla, and the hairless condition of the anthers (Lammers 1990).

Historically *Delissea subcordata* was known from 21 scattered populations in the Waianae Mountains and 8 populations in the Koolau Mountains of Oahu. A specimen collected by Mann and Brigham in the 1860's and labeled as from the island of Kauai is believed to have been mislabeled (HHP 1994m8). *Delissea subcordata* is now known only from the Waianae Mountains in nine populations distributed from Kawaiu Gulch in the Kealia land section in the northern Waianae Mountains to the north branch of North Palawai Gulch about 20 km (12 mi) to the south. This species is found on private land (TNCH's Honouliuli Preserve), Federal land (Schofield Barracks Military Reservation and Lualualei Naval Reservation), and State land (Pahole and Kaala NARs or leased to the Federal government (Makua Military Reservation)). The total number of plants in the 9 remaining populations is estimated to be between 70 and 80. *Delissea subcordata* typically grows on moderate to steep gulch slopes in mesic native or alien-dominated forests from 430 to 760 m (1,400 to 2,500 ft) elevation. Associated plant taxa include a variety of native trees such as 'ala'a, hame, kukui, 'ohi'a, papala kepau, *Diospyros hillebrandii* (lama), *Nestegis sandwicensis* (olopua), and kopiko (HHP 1994m1 to 1994m26; Takeuchi and Shimabukuro (s.n.) 1987; Takeuchi, Yap, and Paquin (3422) 1987; Takeuchi and Paquin (2734) 1986; Takeuchi (2410) 1985).

Delissea subcordata is threatened by habitat degradation and/or destruction by ungulates such as pigs and goats; potential impacts from military activities, including road construction and housing development; potential predation by rats; competition with the alien plants Christmas berry, Koster's curse, strawberry guava, and *Lantana camara* (lantana); potential fire; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining individuals (HHP 1994m1, 1994m7; Takeuchi & Shimabukuro (s.n.) 1987; Takeuchi (2410) 1985; J. Lau, L. Mehrhoff, and J. Yoshioka, pers. comms. 1994).

In 1933, F. Raymond Fosberg collected a plant in the Waianae Mountains that Leo D. Whitney (1937) named *Eragrostis fosbergii.* This species is maintained in the most recent treatment of Hawaiian members of this genus (O'Connor 1990).

Eragrostis fosbergii is a perennial grass (family Poaceae), with stout, tufted culms (stems) 60 to 100 cm (24 to 40 in) long, which usually arise from an abruptly bent woody base. The leathery leaf blades, 40 to 60 cm (16 to 24 in) long and 5 to 10 mm (0.2 to 0.4 in) wide, are flat but curl inward towards the apex. The small flowers occur in complex clusters that are somewhat open, pyramidal, and 20 to 40 cm (8 to 16 in) long. The pale to dark green spikelets (ultimate flower clusters) generally contain three to five flowers, and are about 5 mm (0.2 in) long. The slender glumes (small bracts at the base of the spikelet) have margins fringed with long hairs. The lemmas (inner bracts that subtend the flowers) have loosely overlapping margins which are occasionally fringed with hairs. The fruit is a grain. This species is distinguished from others in the genus by its stiffly ascending flowering stalk and the long hairs on the margins of the glumes and occasionally on the margins of the lemmas (O'Connor 1990).

Historically *Eragrostis fosbergii* was known only from the Waianae Mountains of Oahu, from the slopes of Mount Kaala and in Waianae Kai and its associated ridges (HHP 1994n1 to 1994n6). This species was thought to be extinct until rediscovered by Joel Lau of TNCH in 1991. Only six individuals are known to remain in Waianae Kai in four populations on land owned by the State and the City and County of Honolulu (HHP 1994n3 to 1994n6). *Eragrostis fosbergii* typically grows on ridge crests or moderate slopes in native or alien forests between 720 and 830 m (2,360 and 2,720 ft) elevation. Associated plant taxa include Christmas berry, koa, 'ohi'a, *Psydrax odoratum* (alahe'e), *Dodonaea viscosa* ('a'ali'i), and *Eragrostis grandis* (kawelu) (HHP 1994n3 to 1994n6).

The major threats to *Eragrostis fosbergii* include degradation of habitat by feral pigs and goats; competition with alien plants such as Christmas berry, silk oak, and strawberry guava; and trampling by hikers. This species is also threatened by the risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of remaining populations and individuals (HHP 1994n3 to 1994n6; C. Russell, pers. comm. 1994).

Gardenia mannii was first described by St. John and J.R. Kuykendall in 1949, based on a specimen they had collected a few years earlier in the Koolau Mountains, Oahu. In the same paper, St. John and Kuykendall also described *Gardenia mannii* var. *honoluluensis,* which is not currently recognized (Wagner *et al.* 1990). The specific epithet honors Horace Mann, Jr., an early collector of Hawaiian plants.

Gardenia mannii, a member of the coffee family (Rubiaceae), is a tree 5 to 15 m (16 to 50 ft) tall. The leaves are inversely lance-shaped or slightly more elliptic, 6 to 27 cm (2.4 to 10.6 in) long, and 3.5 to 10 cm (1.4 to 4 in) wide. The upper leaf surface is sticky. The fragrant flowers bloom in the late afternoon, and usually last for 2 days. They are solitary and occur at the branch tips. The cup-shaped calyx, 3 to 5 mm (0.1 to 0.2 in) long, extends into four to six leathery, long, thin, terminal spurs (hollow appendages). These spurs are linear

spatula-shaped, ''S'' shaped, or, rarely, sickle-shaped; 23 to 46 mm (0.9 to 1.8 in) long; and 5 to 11 mm (0.2 to 0.4 in) wide. The corolla is cream colored on the outside and white on the inside. The tubular portion of the flower is 17 to 27 mm (0.7 to 1.1 in) long (when dry), and the seven to nine lobes are 16 to 22 mm (0.6 to 0.9 in) long (when dry). The yellow to orange fruit is broadly elliptic. This species is distinguished from others in the genus by the shape and number of the calyx spurs (Wagner *et al.* 1990).

Historically *Gardenia mannii* was known from 7 widely scattered populations in the Waianae Mountains and 39 populations distributed along almost the entire length of the Koolau Mountains of Oahu (HHP 1994o1 to 1994o46). Currently 22 populations of *Gardenia mannii* are distributed along a 42 km (26 mi) length of the Koolau Mountains, from Kaunala Gulch and Kaunala-Waimea Ridge at the northernmost extent of its range to Palolo at the southernmost extent (HHP 1994o2, 1994o4, 1994o7, 1994o8, 1994o13, 1994o17, 1994o18, 1994o25, 1994o28 to 1994o30, 1994o33, 1994o34, 1994o37, 1994o39 to 1994o46). In the Waianae Mountains, this species is found in five extant populations over a 7 km (4 mi) distance from north Haleauau Valley to Kaluaa Gulch (HHP 1994o1, 1994o14, 1994o21, 1994035, 1994o38). The 27 extant populations occur on private land, including TNCH's Honouliuli Preserve and land leased by DOD for Kawailoa and Kahuku Training Areas; City and County of Honolulu land; State land; and Federal land on Schofield Barracks Military Reservation. The existing populations total between 70 and 100 plants, with 23 of the 27 populations each containing 5 or fewer plants. This species is usually found on moderate to moderately steep gulch slopes between 300 and 750 m (980 and 2,460 ft) in elevation. 'Ohi'a co-dominates in mesic or wet forests with a mixture of native plants such as 'ala'a, koa, and uluhe. Other associated plant taxa include alani, hame, kanawao, pilo, *Alyxia oliviformis* (maile), and kopiko (HHP 1994o1, 1994o3 to 1994o11, 1994o14, 1994o15, 1994o17, 1994o18, 1994o20 to 1994o22, 1994o25, 1994o26, 1994o28 to 1994o46).

Gardenia mannii is threatened by habitat degradation and/or destruction by feral pigs; potential impacts from military activities; competition with alien plants such as Koster's curse, prickly Florida blackberry, and strawberry guava; potential fire; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the widely dispersed, small number of remaining individuals. The Kapakahi Gulch population is also threatened by the black twig borer (*Xylosandrus compactus*) (HHP 1994o1, 1994o13, 1994o14, 1994o35, 1994o37 to 1994o44, 1994o46; L. Mehrhoff, pers. comm. 1994).

Labordia cyrtandrae was first collected by French naturalist and ethnologist Ezechiel Jules Remy on Oahu in 1855. In 1880, H.E. Baillon named Remy's collection *Geniostoma cyrtandrae* in reference to the resemblance of this plant to the pantropical genus *Cyrtandra* (St. John 1936). St. John (1936) transferred the species to the endemic Hawaiian genus *Labordia.* The authors of the current treatment of Hawaiian members of the family concur with this designation (Wagner *et al.* 1990). In 1932 O. Degener described *Labordia hypoleuca,* which Wagner *et al.* (1990) consider to be synonymous with *L. cyrtandrae* (Degener and Degener 1957).

Labordia cyrtandrae, a member of the logania family (Loganiaceae), is a shrub 0.7 to 2 m (2.3 to 6.6 ft) tall. The fleshy, cylindrical to weakly angled stems, which flatten when dry, are covered with short, coarse, stiff hairs. The thick leaves, 12 to 30 cm long (4.7 to 12 in) and 4 to 14 cm (1.6 to 5.5 in) wide, are inversely egg-shaped to broadly elliptic or rarely inversely lance-shaped. Eight to 80 or more flowers are arranged on a densely hairy flowering stalk with an erect stalk up to 10 mm (0.4 in) long. The pale greenish yellow or pale yellow corolla is 20 to 35 mm (0.8 to 1.4 in) long. The tubular portion of the flower is urn-shaped; the flower lobes are lance-shaped and 8 to 13 mm (0.3 to 0.5 in) long. The elliptic, lance-shaped fruits are two-valved capsules 32 to 35 mm (1.3 to 1.4 in) long. This species is distinguished from others in the genus by its fleshy, hairy, cylindrical stem which flattens upon drying, the shape and length of the floral bracts, and the length of the corolla tube and lobes (Wagner *et al.* 1990).

Historically *Labordia cyrtandrae* was known from both the Waianae and Koolau Mountains of Oahu. In the Koolau Mountains, this species ranged from Kawailoa Trail to Waialae Iki, extending almost the entire length of the mountain range (HHP 1994p1, 1994p3 to 1994p13). This species currently is known only from 10 individuals in 3 populations in Haleauau Gulch and North Mohiakea Gulch, Waianae Mountains (HHP 1994p2, 1994p14 to 1994p16). These three populations are on Federal land in Schofield Barracks Military Reservation (HHP 1994p2, 1994p14 to 1994p16). *Labordia cyrtandrae* typically grows in shady gulches in mesic to wet forests dominated by 'ohi'a, *Diplopterygium pinnatum,* and/or koa between the elevations of 730 and 780 m (2,400 and 2,560 ft) (HHP 1994p2, 1994p14 to 1994p16). Associated plant taxa include 'ala'a, *Diplazium sandwichianum, Pipturus albidus* (mamaki), *Perrottetia* sp. (olomea), and kopiko (HHP 1994p2, 1994p14 to 1994p16).

Habitat degradation and/or destruction by feral pigs; potential impacts from military activities; competition with the alien plants Christmas berry, Koster's curse, prickly Florida blackberry, and strawberry guava; potential fire; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor, due to the small number of remaining individuals and populations, are the primary threats to *Labordia cyrtandrae* (HHP 1994p14 to 1994p16; C. Russell, pers. comm. 1994).

Over 100 years ago, Hillebrand collected a plant in the Waianae Mountains that he named *Lepidium arbuscula* for its tree-like habit (Hillebrand 1888). This species has been maintained in the most recent treatment of Hawaiian members of the genus (Wagner *et al.* 1990).

Lepidium arbuscula, a member of the mustard family (Brassicaceae), is a gnarled shrub 0.6 to 1.2 m (2 to 3.9 ft) tall. The leathery, hairless leaves, 2.6 to 6 cm (1 to 2.4 in) long and 0.8 to 1.8 cm (0.3 to 0.7 in) wide, are spatula-shaped to oblong-elliptic or elliptic, and have toothed margins. The unbranched flowering stalk contains one to three erect flowers. The white, pale yellow, or greenish petals are 2 to 2.5 mm (0.08 to 0.1 in) long. The fruit is a capsule which is broadly egg-shaped to almost circular. This species is distinguished from others in the genus by its height (Wagner *et al.* 1990).

Historically *Lepidium arbuscula* was known from 11 populations in the Waianae Mountains (HHP 1994q1 to 1994q11). It now remains at all but one of those populations on Federal (Lualualei Naval Reservation, Makua Military Reservation, and Schofield Barracks Military Reservation), State, and City and County of Honolulu land. Populations range from Kuaokala in the northern Waianae Mountains to Lualualei-Nanakuli Ridge in the southern Waianae Mountains (HHP 1994q2 to 1994q11). Fewer than 900 individuals of this species remain. *Lepidium arbuscula* generally grows on exposed ridge tops and cliff faces in mesic vegetation communities between 230 and 915 m (755 and 3,000 ft)

elevation. This species is typically associated with native and non-native plant taxa such as 'a'ali'i, Christmas berry, kawelu, *Ageratina* spp. (pamakani), ko'oko'olau, *Carex meyenii*, and *Melinis minutiflora* (molasses grass) (HHP 1994q2 to 1994q8, 1994q10, 1994q11).

The primary threats to *Lepidium arbuscula* are habitat degradation and/or destruction by feral goats; potential impacts from military activities; competition with alien plants including Christmas berry, lantana, Maui pamakani, molasses grass, silk oak, strawberry guava, *Ageratina riparia* (Hamakua pamakani), and *Myrica faya* (firetree); and potential fire. The population at the head of Kapuhi Gulch is also threatened by its proximity to a road (HHP 1994q4, 1994q5, 1994q7 to 1994q11).

In 1937 Fosberg and Hosaka collected a specimen of *Lobelia gaudichaudii* ssp. *koolauensis* on Oahu which they described the following year as a variety of *Lobelia gaudichaudii* and named it for the Koolau Mountains (Fosberg and Hosaka 1938). Lammers (1988, 1990) has elevated the variety to a subspecies.

Lobelia gaudichaudii ssp. *koolauensis,* a member of the bellflower family, is an unbranched, woody shrub 0.3 to 1 m (1 to 3.5 ft) tall. The leaves are inversely lance-shaped to rectangular, 8 to 19 cm (3 to 7.5 in) long, and 1.3 to 2.8 cm (0.5 to 1.1 in) wide. The leaf edges are thickened or curled under, fringed with hairs toward the base, and sharp-pointed at the tip. The flowering stalk is two to six-branched and 40 to 70 cm (16 to 28 in) long. The hairless bracts are lance-shaped to egg-shaped and 18 to 32 mm (0.7 to 1.3 in) long. The calyx lobes are triangular, lance-shaped or egg-shaped, and 10 to 15 mm (0.4 to 0.6 in) long. The corolla is greenish or yellowish white and 50 to 75 mm (2 to 3 in) long. The tubular portion of the flower is curved, with spreading lobes. The fruit is an egg-shaped capsule. The subspecies *koolauensis* is distinguished by the greenish or yellowish white petals and the branched flowering stalks. The species is distinguished from others in the genus by the length of the stem, the length and color of the corolla, the leaf width, the length of the floral bracts, and the length of the calyx lobes (Lammers 1990).

Historically *Lobelia gaudichaudii* ssp. *koolauensis* was known from only two populations in the central Koolau Mountains on Oahu (HHP 1994s1, 1994s2). Currently this subspecies is known from a single population on the Manana Ridge system in the central Koolau Mountains on privately owned land (HHP 1994s1). The total number of plants is estimated to be less than 250. *Lobelia gaudichaudii* ssp. *koolauensis* typically grows on moderate to steep slopes in 'ohi'a or 'ohi'a-uluhe lowland wet shrublands at elevations between 640 and 730 m (2,100 and 2,400 ft). Associated plant taxa include alani, ko'oko'lau, naupaka, 'uki, and kanawao (HHP 1994s1, 1994s2).

The primary threats to the single remaining population of *Lobelia gaudichaudii* ssp. *koolauensis* are habitat degradation and/or destruction by feral pigs, competition with the noxious alien plant Koster's curse, trampling by hikers, potential overcollection, landslides, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor of the one remaining population (HHP 1994s1; L. Mehrhoff and C. Russell, pers. comms. 1994).

In 1919 Rock described a new variety of *Lobelia hillebrandii* based on a specimen collected by Hillebrand in the 1800's. Rock (1919) named this variety *Lobelia hillebrandii* var. *monostachya.* Degener elevated this variety to the species level and transferred it to a new genus as *Neowimmeria monostachya* (Degener 1974). Lammers (1988) transferred the species back to the original genus as *Lobelia monostachya.*

Lobelia monostachya, a member of the bellflower family, is a prostrate woody shrub with stems 15 to 25 cm (6 to 10 in) long. The leaves are stalkless, linear, hairless, 7 to 15 cm (2.8 to 6 in) long, and 0.4 to 0.7 cm (0.2 to 0.3 in) wide. The flowering stalk is unbranched. The corolla is pale magenta, 15 to 18 mm (0.6 to 0.7 in) long, and approximately 5 mm (0.2 in) wide. The lobes of the corolla overlap spirally. The species is distinguished from others in the genus by the narrow, linear leaves without stalks and the short pink flowers (Lammers 1990).

Historically *Lobelia monostachya* was known only from the Koolau Mountains and had not been seen since its original discovery in the 1800's in Niu Valley and in the 1920's in Manoa Valley (HHP 1991a1, 1991a2). In 1994 Joel Lau discovered one individual in a previously unknown location in Wailupe Valley on State-owned land. Since then a total of eight plants has been found. This species occurs on steep, sparsely vegetated cliffs in mesic shrubland at an elevation of about 290 m (950 ft). Associated plant taxa include *Artemisia* sp. (ahinahina), *Carex meyenii, Psilotum nudum* (moa), and *Eragrostis* sp. (kawelu) (HHP 1994ff).

The major threats to *Lobelia monostachya* are predation by rats; competition with the alien plants Christmas berry, Hamakua pamakani, *Kalanchoe pinnata* (air plant), and molasses grass; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the low number of individuals in the only known population (HHP 1994ff).

E.P. Hume first described *Melicope saint-johnii* as *Pelea saint-johnii* based on a specimen he collected with E. Christophersen and G. Wilder at Mauna Kapu on Oahu (St. John 1944). Thomas Hartley and the late Benjamin Stone (1989) transferred Hawaiian *Pelea* species to the Pacific genus *Melicope.* The new combination, *Melicope saint-johnii,* was published in the same paper (Hartley and Stone 1989). Other published names that refer to this taxon are *Evodia elliptica* var. *elongata, Pelea elliptica* var. *elongata, P. elongata,* and *P. saint-johnii* var. *elongata* (Hillebrand 1888, St. John 1944, Stone 1966, Stone *et al.* 1990).

Melicope saint-johnii, a member of the rue family (Rutaceae), is a slender tree 3 to 6 m (10 to 20 ft) tall. The leaves are opposite or occasionally occur in threes on young lateral branches. The leaves, 6 to 16 cm (2.4 to 6.3 in) long and 3 to 8.5 cm (1.2 to 3.3 in) wide, are narrowly to broadly elliptic, sometimes elliptic egg-shaped or rarely lance-shaped. Three to 11 flowers are arranged on an flowering stalk 9 to 22 mm (0.4 to 0.9 in) long. The flowers are usually functionally unisexual, with staminate (male) and pistillate (female) flowers. The staminate flowers have broadly egg-shaped sepals which are hairless to sparsely covered with hair. The triangular petals, 6 to 8 mm (0.2 to 0.3 in) long, are densely covered with hair on the exterior. The pistillate flowers are similar in hairiness to staminate flowers, but are slightly smaller in size. The dry fruit, 7 to 12 mm (0.3 to 0.5 in) long, splits at maturity. The exocarp (outermost layer of the fruit wall) is hairless, whereas the endocarp (innermost layer) is hairy. This species is distinguished from others in the genus by the combination of the hairless exocarp, the hairy endocarp, the densely hairy petals, and the sparsely hairy to smooth sepals (Stone *et al.* 1990).

Historically *Melicope saint-johnii* was known from both the Waianae and Koolau Mountains—Makaha to Mauna Kapu in the Waianae Mountains and Papali Gulch in Hauula, Manoa-Aihualama, Wailupe, and Niu Valley in the Koolau Mountains (HHP 1994t1 to 1994t15, 1994ee; Takeuchi 1992). Today eight populations of this species are found on Federal (Lualualei Naval Reservation), State, and private land from the region between Puu Kaua and Puu Kanehoa to Mauna Kapu in the

southern Waianae Mountains. Fewer than 150 individuals of this species are currently known (HHP 1994t1 to 1994t4, 1994t7, 1994t14, 1994t15, 1994ee; Takeuchi 1992; Takeuchi and Paquin (s.n.) 1985; J. Lau, pers. comm. 1994). This species typically grows on mesic forested ridges from 500 to 853 m (1,640 to 2,800 ft) elevation. Associated native plant taxa include mamaki, 'ohi'a, *Coprosma longifolia* (pilo), *Hedyotis schlechtendahliana* (kopa), *Labordia kaalae* (kamakahala), and *Psychotria hathewayi* (kopiko) (HHP 1994t1 to 1994t4, 1994t7, 1994t14, 1994t15, 1994ee; Takeuchi 1992; Takeuchi and Paquin (s.n.) 1985).

The primary threats to *Melicope saint-johnii* are habitat degradation and/or destruction by feral goats and pigs; potential predation by the black twig borer; potential fire; and competition with alien plants such as Christmas berry, firetree, Hamakua pamakani, huehue haole, lantana, Maui pamakani, and silk oak (HHP 1994t3, 1994t4, 1994t13, 1994t14, 1994ee; J. Lau, pers. comm. 1994).

Myrsine juddii was first described by Hosaka in 1940, based on a specimen he collected with Fosberg in the Koolau Mountains. In an action not supported by other taxonomists, Otto and Isa Degener (1971, 1975) transferred this species from *Myrsine* to the genus *Rapanea.* Hosaka's concept of *Myrsine* is currently followed (Wagner *et al.* 1990). The specific epithet honors Albert Judd, who had a keen interest in conservation of the native Hawaiian flora.

Myrsine juddii, a member of the myrsine family (Myrsinaceae), is a many branched shrub ranging from 1 to 2 m (3.5 to 6.6 ft) tall. The leathery leaves, 4 to 12 cm (1.6 to 4.7 in) long and 1.5 to 3.2 cm (0.6 to 1.3 in) wide, are narrowly inverse lance-shaped or more elliptic. The upper leaf surface is hairless, whereas the lower surface is sparsely to moderately covered with short, coarse, stiff, whitish or brownish hairs toward the base and along the midrib. The leaf base is broadly wedge-shaped to heart-shaped, and the margins are smooth and curl under. The flowers are unisexual and the plants are dioecious (male and female flowers are on separate plants). Flowers occur in groups of four to eight in tight clusters surrounded by small bracts. The yellowish green petals are narrowly inverse lance-shaped, 2.8 to 3.2 mm (0.1 in) long. The fleshy, round fruit contains a single seed. This species is distinguished from others in the genus by the hairiness of the lower leaf surface and the shape of the leaf base (Wagner *et al.* 1990). In addition, the hairy leaves distinguish this species from all other species of *Myrsine* on Oahu (Environmental Impact Study Corporation 1977).

Myrsine juddii has been reported from only three populations in the central Koolau Mountains—the North Kaukonahua-Kahana Summit divide; Peahinaia Trail; and Puu Kainapuaa to Poamoho Trail. These populations are found on private and State land leased by DOD for Kawailoa Training Area (HHP 1994u1 to 1994u3). The total number is between 500 and 3,000 individuals, with all but 5 to 10 of these in a single, poorly defined population (HHP 1994u2). *Myrsine juddii* typically grows in wet forests dominated by 'ohi'a or a mixture of 'ohi'a and uluhe at elevations between 580 and 860 m (1,900 and 2,820 ft) (HHP 1994u1 to 1994u3). Associated plant taxa include 'uki, *Cheirodendron trigynum* ('olapa), *Melicope clusiifolia* (kolokolo mokihana), *Psychotria mariniana* (kopiko), *Syzygium sandwicensis* ('ohi'a ha), and the proposed species *Chamaesyce rockii* (HHP 1994u2).

The primary threats to *Myrsine juddii* are habitat degradation and/or destruction by feral pigs, potential impacts from military activities, competition with alien plants such as Koster's curse and strawberry guava, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of extant populations (HHP 1994u2, 1994u3; C. Russell, pers. comm. 1994).

In 1825, James Macrae, botanist on H.M.S. *Blonde,* collected a plant on Oahu that George Bentham described and named *Phyllostegia hirsuta* (Wagner *et al.* 1990). This species has been maintained in the current treatment of the Hawaiian members of the genus (Wagner *et al.* 1990).

Phyllostegia hirsuta, a member of the mint family (Lamiaceae), is an erect subshrub or vine with stems densely covered with coarse or stiff hairs. The wrinkled leaves are egg-shaped, generally 17 to 30 cm (6.7 to 12 in) long, and 7.3 to 18 cm (2.9 to 7 in) wide. Both leaf surfaces are moderately covered with long, flat hairs. The upper surface is inconspicuously dotted with glands, while the lower surface is more densely glandulose. The egg-shaped floral bracts are 3 to 6 mm (0.1 to 0.2 in) long. The flowers have two lips—the upper one is approximately 3 mm (0.1 in) long and the lower one is 5 to 7 mm (0.2 to 0.3 in) long. The tubular portion of the flower is slightly curved. The corolla is white and usually purple-tinged on the upper lip. The fruit is a nutlet about 3 mm (0.1 in) long. This species is distinguished from others in the genus by the texture, hairiness, and size of the leaves and the length of the upper bracts (Wagner *et al.* 1990).

Historically *Phyllostegia hirsuta* was known from widespread populations in the Waianae and Koolau Mountains on Oahu. In the Waianae Mountains, this species ranged from the head of Kukuiula (Pahole) Gulch to North Palawai Gulch (HHP 1994v1 to 1994v3, 1994v6, 1994v16, 1994v18 to 1994v20, 1994v22, 1994v31, 1994v33 to 1994v36). In the Koolau Mountains, this species ranged from Pupukea-Kahuku Trail to Palolo, almost the entire length of the Koolau Mountains (HHP 1994v4, 1994v5, 1994v7 to 1994v15, 1994v17, 1994v21, 1994v23 to 1994v30, 1994v32). The distribution of this species in the Waianae Mountains is now restricted to ten populations in the southern part of the historical range—from the ridge between Makaha and Waianae Kai to the south fork of North Palawai Gulch (HHP 1994v2, 1994v3, 1994v6, 1994v19, 1994v20, 1994v31, 1994v33 to 1994v36). The current distribution in the Koolau Mountains is six populations scattered over a 10 km (6 mi) length of the summit—from Kawainui Gulch in Kawailoa Training Area to South Kaukonahua drainage (HHP 1994v26 to 1994v30, 1994v32). Approximately 150 to 200 individuals remain in the 16 populations. These populations occur on Federal land in Lualualei Naval Reservation and Schofield Barracks Military Reservation; State land, including Mount Kaala NAR; and private lands, including TNCH's Honouliuli Preserve and land leased by DOD for Kawailoa Training Area. *Phyllostegia hirsuta* is usually found on steep, shaded slopes in mesic to wet forests dominated by 'ohi'a or a mixture of 'ohi'a and uluhe between 600 and 1,100 m (1,970 and 3,610 ft) elevation. Associated plant taxa include 'ala'a, kanawao, mamaki, pilo, *Hedyotis terminalis* (manono), *Myrsine lessertiana* (kolea lau nui), and native and alien ferns (HHP 1994v2, 1994v3, 1994v6, 1994v19, 1994v20, 1994v26 to 1994v36).

The primary threats to *Phyllostegia hirsuta* are habitat degradation and/or destruction by feral pigs; potential impacts from military activities; and competition with Christmas berry, huehue haole, Koster's curse, lantana, prickly Florida blackberry, and strawberry guava (HHP 1994v2, 1994v3, 1994v19, 1994v27, 1994v29 to 1994v31, 1994v34 to 1994v36).

Based upon a specimen collected in 1977 by John Obata, Gerald Carr, and Daniel Palmer on Oahu, St. John (1987a) described *Phyllostegia kaalaensis,*

naming it for Mt. Kaala where it was first collected. Publishing deadlines did not allow the authors of the current treatment of the family to review the more than 70 new species of *Phyllostegia* published by St. John in 1987 (Wagner *et al.* 1990). Warren Wagner, however, concurs that *Phyllostegia kaalaensis* is a valid, taxonomically distinct species (Warren Wagner, Smithsonian Institution, pers. comm. 1994).

Phyllostegia kaalaensis, a member of the mint family (Lamiaceae), is an herb. The egg-shaped leaves are 5 to 13 cm (2 to 5 in) long. Usually six flowers are arranged along a flowering stalk. The calyx is glabrous and 5 mm (0.2 in) long. The hairless corolla tube is 11 mm (0.4 in) long and the lower lip is 7 mm (0.3 in) long (St. John 1987a). The species is distinguished from others of the genus by the spreading, pointed teeth on the leaf edges and by the hairs along the margins of the calyx and bracts (Wagner *et al.* 1990).

Phyllostegia kaalaensis has been known from only five scattered populations in the Waianae Mountains of Oahu (HHP 1994w1 to 1994w6). Fewer than 50 plants are known from 5 populations in Waianae Kai, Pahole Gulch, Ekahanui Gulch, and Palikea Gulch. These populations occur on State land, including Pahole and Mt. Kaala NARs and private land, including TNCH's Honouliuli Preserve (HHP 1994w1 to 1994w6). This species is found in mesic mixed (native/alien) forest or papala kepau-*Sapindus oahuensis* (aulu) forest from 490 to 760 m (1,610 to 2,500 ft) in elevation. Associated plant taxa include huehue haole, 'ie'ie, opuhe, *Claoxylon sandwicense* (po'ola), and *Hibiscus* sp. (koki'o) (HHP 1994w2 to 1994w4, 1994w6).

Habitat degradation and/or destruction by feral pigs; potential fire; competition with the alien plants Christmas berry, huehue haole, Koster's curse, and strawberry guava; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor, due to the small number of populations and individuals, are the major threats to *Phyllostegia kaalaensis* (HHP 1994w3 to 1994w5; C. Russell, pers. comm. 1994).

More than 75 years ago, Rock collected a specimen from a palm on Mt. Kaala that he later named *Pritchardia kaalae* (Beccari and Rock 1921). Edward Caum (1930) later described *Pritchardia kaalae* var. *minima,* which is not recognized in the current treatment of Hawaiian members of the family (Read and Hodel 1990).

Pritchardia kaalae, a member of the palm family (Arecaceae), is a single-stemmed palm up to 5 m (16 ft) tall. The waxy, hairless leaves are thin and papery or thick and leathery. Sometimes small points, dots, or linear, rusty scales are scattered on the lower leaf surface. The flowering stalks are composed of one or more branches. The round fruits are approximately 2 cm (0.8 in) in diameter. *Pritchardia kaalae* is distinguished from other members of the genus by the hairless or scaly leaves (Read and Hodel 1990).

Historically *Pritchardia kaalae* was known from scattered populations in the central and north-central Waianae Mountains of Oahu (Beccari and Rock 1921, HHP 1994aa1 to 1994aa5). Currently 5 populations are known between the Waianae Kai-Haleauau summit divide and the Makua-Keaau Ridge, totalling about 130 individuals. These populations are located on State land, including Mt. Kaala NAR and land leased to DOD for Makua Military Reservation, and on Federal land on Schofield Barracks Military Reservation (HHP 1994aa1 to 1994aa5). *Pritchardia kaalae* is typically found on steep slopes and gulches in mesic forest or shrubland between elevations of 460 and 945 m (1,500 and 3,100 ft). Associated plant taxa include 'a'ali'i, kolea, ko'oko'olau, mamaki, na'ena'e, 'ohi'a, *Eragrostis* sp. (kawelu), and *Tetraplasandra* sp. ('ohe) (HHP 1994aa1, 1994aa2, 1994aa4, 1994aa5; Read and Hodel 1990).

Habitat degradation by feral pigs and goats; fruit predation by rats; potential impacts from military activities; the alien plants Christmas berry, Maui pamakani, and prickly Florida blackberry; potential fire; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of populations are major threats to *Pritchardia kaalae* (HHP 1994aa1, 1994aa4, 1994aa5; C. Russell, pers. comm. 1994).

In 1936, Hosaka collected a specimen of *Schiedea kealiae* on Oahu that he named for Kealia where it was collected (Caum and Hosaka 1936). *Schiedea gregoriana* is considered synonymous with *S. kealiae* by the authors of the current treatment of the family (Degener 1936, Sherff 1945, Wagner *et al.* 1990).

Schiedea kealiae, a member of the pink family (Caryophyllaceae), is a subshrub with weakly ascending to sprawling stems 0.2 to 0.5 m (0.7 to 1.6 ft) long that form loose clumps. The lower stems are smooth while the upper stems and flowering stalk bear glands. The opposite leaves, 3 to 10 cm (1.2 to 4 in) long and 0.3 to 1.5 cm (0.1 to 0.6 in) wide, are lance-shaped to elliptic lance-shaped and conspicuously three-veined with a prominent midrib. The flowering stalk is 3 to 11 cm (1.2 to 4.3 in) long, with numerous unisexual flowers in crowded clusters. The green sepals of the male flowers are approximately 2.5 mm (0.1 in) long. The sepals of the female flowers, 1.5 to 2.2 mm (0.06 to 0.09 in) long, are slightly shorter. The nectaries, about 0.5 to 1 mm (0.02 to 0.04 in) long, are inconspicuous. The capsular fruit is 2 to 2.5 mm (0.08 to 0.1 in) long. The species is distinguished from others of this endemic Hawaiian genus by the length of the sepals and nectaries and the flowering stalk exclusively with stalkless glands (Wagner et al. 1990).

Historically *Schiedea* kealiae was known from the northern Waianae Mountains and one collection from the Palikea area, near the southern end of the same mountain range (HHP 1994bb1 to 1994bb6). Currently 3 populations totalling between 300 and 500 plants are located on the cliffs above Dillingham Airfield and Camp Erdman and at Kaena Point at the northern end of the Waianae Mountains. These populations occur on private land; State land, including land leased by DOD (Kaena Military Reservation); and Federal land on Dillingham Military Reservation (HHP 1994bb1, 1994bb2, 1994bb4, 1994bb6; J. Lau, pers. comm. 1994). *Schiedea kealiae* is usually found on steep slopes and cliff faces at elevations from 60 to 305 m (200 to 1,000 ft), in dry remnant *Erythrina sandwicensis* (wiliwili) or aulu forest. Associated plant taxa include alahe'e, ko'oko'olau, *Leucaena leucocephala* (koa haole), *Myoporum sandwicense* (naio), and *Sida fallax* ('ilima) (HHP 1994bb1, 1994bb2, 1994bb4, 1994bb6; Wagner *et al.* 1990).

The major threats to *Schiedea kealiae* are competition with alien plants (Christmas berry and koa haole) and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of existing populations. The Kaena Point population is additionally threatened by naturally occurring rock slides and fire (HHP 1994bb1, 1994bb2, 1994bb4, 1994bb6; C. Russell, pers. comm. 1994).

St. John (1982) described *Trematolobelia singularis* based on a specimen collected by John Obata in 1974. This species has been maintained in the most recent treatment of this endemic Hawaiian genus (Lammers 1990). The specific epithet refers to the solitary flowering stalk.

Trematolobelia singularis, a member of the bellflower family, is an unbranched shrub with stems 0.6 to 1.5 m (2 to 5 ft) long. The long and narrow

leaves are 10 to 18 cm (4 to 7 in) long and 1 to 1.8 cm (0.4 to 0.7 in) wide. The unbranched, erect flowering stalk is 20 to 42 cm (8 to 16.5 in) long. The violet petals are about 5 cm (0.2 in) long and collectively form a three-lobed tube. The largest lobe is curved downward and the other two are bent backward, giving the appearance of two lips. The capsules are almost round and contain numerous small, wind-dispersed seeds. This species differs from others of this endemic Hawaiian genus by the unbranched, erect flowering stalk (Lammers 1990).

Trematolobelia singularis has been reported only from the southern Koolau Mountains (HHP 1994cc1 to 1994cc4). Approximately 165 plants are known from three populations—Moanalua-Tripler Ridge summit to Puu Keahiakahoe, Konahuanui, and Puu Lanipo. These populations are found on private, City and County of Honolulu, State, and Federal land (Omega Coast Guard Station) (HHP 1994cc1 to 1994cc4, Lammers 1990). This species usually grows on steep, windswept cliff faces or slopes in ‘ohi‘a-uluhe lowland wet shrubland from 700 to 960 m (2,300 to 3,150 ft) elevation. Associated plant taxa include ‘akia, hapu‘u, kanawao, and na‘ena‘e pua melemele (HHP 1994cc1 to 1994cc3, Lammers 1990, Obata 1988, St. John 1982).

Habitat degradation by feral pigs, potential predation by rats, competition with the aggressive alien plant Koster’s curse, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of extant populations are serious threats to *Trematolobelia singularis* (HHP 1994cc1, 1994cc2, 1994cc4; J. Lau, C. Russell, and J. Yoshioka, pers. comms. 1994).

Forbes described *Viola oahuensis* in 1909, based on a specimen he collected with Rock in the Koolau Mountains. This species has been maintained in the most recent treatment of Hawaiian members of this genus (Wagner *et al.* 1990).

Viola oahuensis, a member of the violet family (Violaceae), is usually an erect, unbranched subshrub 6 to 40 cm (2.4 to 16 in) tall. The papery-textured leaves are usually 3 to 12 cm (1.2 to 4.7 in) long, 2.5 to 5.8 cm (1 to 2.3 in) wide, and elliptic-egg-shaped to elliptic. The leaf stalks are typically 0.5 to 1 cm (0.2 to 0.4 in) long. The narrowly triangular stipules are usually 10 to 15 mm (0.4 to 0.6 in) long, 3.5 to 6 mm (0.1 to 0.2 in) wide, and have fringed edges. One to two flowers are borne on stalks typically 25 to 60 mm (1 to 2.4 in) long. The petals are pale yellow, the upper ones 8 to 13 mm (0.3 to 0.5 in) long, the lateral ones 10 to 13.5 mm (0.4 to 0.5 in) long, and the lower one 12 to 16 mm (0.5 to 0.6 in) long. The capsules are 9 to 16 mm (0.4 to 0.6 in) long. This species is distinguished from other Hawaiian members of the genus by the stipule characters, the length of the leaf stalks, and the length and papery texture of the leaves (Wagner et al. 1990).

Historically *Viola oahuensis* was known from 17 populations in the Koolau Mountains of Oahu scattered over about a 37 km (23 mi) distance from Puu Kainapuaa to Palolo (HHP 1994dd1 to 1994dd16; L. Mehrhoff, pers. comm. 1994). The 8 extant populations, which total fewer than 180 individuals, are now found from the Kawainui-Koloa summit divide to the Waimalu-Koolaupoko divide over a 20 km (12 mi) distance. These populations are found on Federal land; State land, including land leased by DOD for Kawailoa Training Area; City and County of Honolulu land; and private land, including land leased by DOD for Kawailoa Training Area (HHP 1994dd5, 1994dd9 to 1994dd13, 1994dd15, 1994dd16). Further to the south, at the summit of Moanalua, a single plant last seen alive in 1991 has since died (L. Mehrhoff, pers. comm. 1994). *Viola oahuensis* is generally found on exposed, windswept ridges of moderate to steep slope in wet ‘ohi‘a-uluhe shrublands from 700 to 850 m (2,300 to 2,800 ft) elevation. This species typically grows among wind-stunted na‘ena‘e pua melemele, ‘uki, *Sadleria* sp. (‘ama‘u), ‘ohi‘a ha, and *Vaccinium* sp. (‘ohelo) (HHP 1994dd5, 1994dd9 to 1994dd16).

The primary threats to *Viola oahuensis* are habitat degradation and/or destruction by feral pigs; potential impacts from military activities; competition with Koster’s curse, strawberry guava, *Paspalum conjugatum* (Hilo grass), and *Sacciolepis indica* (Glenwood grass); and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of populations (HHP 1994dd5, 1994dd9, 1994dd12, 1994dd13).

Previous Federal Action

Federal action on these plants began as a result of section 12 of the Endangered Species Act (16 U.S.C. 1533), which directed the Secretary of the Smithsonian Institution to prepare a report on plants considered to be endangered or threatened in the United States. This report, designated as House Document No. 94–51, was presented to Congress on January 9, 1975. Twelve of the 25 proposed taxa were considered to be endangered in that document—*Cyanea humboldtiana* (as *Rollandia humboldtiana*), *Cyanea longiflora* (as *Rollandia sessilifolia*), *Cyanea st.-johnii* (as *Rollandia st.-johnii*), *Cyrtandra dentata* (also as *C. frederickii*), *Cyrtandra subumbellata* (as *C. subumbellata* var. *intonsa*), *Delissea subcordata* (as *D. subcordata* var. *subcordata* and var. *obtusifolia*), *Eragrostis fosbergii, Lobelia gaudichaudii* ssp. *koolauensis* (as *L. gaudichaudii* var. *koolauensis*), *Melicope saint-johnii* (as *Pelea saint-johnii* var. *elongata*), *Pritchardia kaalae* (as *P. kaalae* var. *kaalae* and var. *minima*), *Schiedea kealiae,* and *Viola oahuensis.* Two of the 25 taxa were considered to be threatened—*Lobelia monostachya* (as *L. hillebrandii* var. *monostachya*) and *Phyllostegia hirsuta* (as *P. hirsuta* var. *hirsuta* and var. *laxior*). On July 1, 1975, the Service published a notice in the Federal Register (40 FR 27823) of its acceptance of the Smithsonian report as a petition within the context of section 4(c)(2) (now section 4(b)(3)) of the Act, and giving notice of its intent to review the status of the plant taxa named therein. As a result of that review, on June 16, 1976, the Service published a proposed rule in the Federal Register (41 FR 24523) to determine endangered status pursuant to section 4 of the Act for approximately 1,700 vascular plant species. The list of 1,700 plant taxa was assembled on the basis of comments and data received by the Smithsonian Institution and the Service in response to House Document No. 94–51 and the July 1, 1975, Federal Register publication.

General comments received in response to the 1976 proposal are summarized in an April 26, 1978, Federal Register publication (43 FR 17909). In 1978, amendments to the Act required that all proposals over two years old be withdrawn. A one-year grace period was given to proposals already over two years old. On December 10, 1979, the Service published a notice in the Federal Register (44 FR 70796) withdrawing the portion of the June 16, 1976, proposal that had not been made final, along with four other proposals that had expired. The Service published an updated notice of review for plants on December 15, 1980 (45 FR 82479), September 27, 1985 (50 FR 39525), February 21, 1990 (55 FR 6183), and September 30, 1993 (58 FR 51144). Sixteen of the taxa in this proposal (including synonymous taxa) have at one time or another been considered Category 1 or Category 2 candidates for Federal listing. Category

1 species are those for which the Service has on file substantial information on biological vulnerability and threats to support preparation of listing proposals but for which listing proposals have not yet been published because they are precluded by other listing activities. Category 2 species are those for which listing as endangered or threatened is possibly appropriate, but for which sufficient data on biological vulnerability and threats are not currently available to support proposed rules. *Cyanea humboldtiana* (as *Rollandia humboldtiana*), *Cyanea longifolia* (as *Rollandia sessilifolia*), *Cyanea st.-johnii* (as *Rollandia st.-johnii*), *Cyrtandra dentata* (also as *C. frederickii*), *Cyrtandra subumbellata* (as *C. subumbellata* var. *intonsa*), *Eragrostis fosbergii, Lobelia gaudichaudii* ssp. *koolauensis* (as *L. gaudichaudii* var. *koolauensis*), *Melicope saint-johnii* (as *Pelea saint-johnii*), and *Viola oahuensis* were considered Category 1 species in the 1980 and 1985 notices of review. One taxon, *Phyllostegia hirsuta,* was considered a Category 1 species in the 1980 notice and a Category 2 species in the 1985 notice. Three taxa, *Delissea subcordata* (as *D. subcordata* ssp. *subcordata* and ssp. *obtusifolia*), *Pritchardia kaalae* (as *P. kaalae* var. *kaalae* and var. *minima*), and *Schiedea kealiae,* were considered Category 3C taxa in the 1980 and 1985 notices. Category 3C species are those that have proven to be more abundant or widespread than previously believed and/or are not subject to any identifiable threat. *Lobelia monostachya* (as *Lobelia hillebrandii* var. *monostachya*) was considered a Category 1 species and *Lepidium arbuscula* (misspelled as *Lepidium arbusculum*) was considered a Category 1* species in the 1985 notice. Category 1* species are those which are possibly extinct.

In the 1990 and 1993 notices, *Cyrtandra subumbellata, Labordia cyrtandrae, Lepidium arbuscula, Trematolobelia singularis,* and *Viola oahuensis* were considered Category 2 species. *Eragrostis fosbergii* was considered a Category 1* species in the 1990 notice, a category which was redefined as 2* in the 1993 notice. *Lobelia monostachya* was considered a Category 3A species in 1990. Category 3A species are those for which the Service has persuasive evidence of extinction. Five species, *Cyanea humboldtiana* (as *Rollandia humboldtiana*), *Cyanea st.-johnii* (as *Rollandia st.-johnii*), *Cyrtandra dentata, Melicope saint-johnii,* and *Phyllostegia hirsuta,* were considered more abundant than previously thought and moved to Category 3C in the 1990 notice. In the 1990 notice, *Rollandia sessilifolia* was considered a Category 3B species because it was merged with *Cyanea longiflora* (as *Rollandia longiflora*), a taxon not considered to warrant listing. Category 3B species are those that do not represent distinct taxa. *Lobelia gaudichaudii* var. *koolauensis* was elevated to *Lobelia gaudichaudii* ssp. *koolauensis* and considered a Category 3B species in the 1990 notice. *Cyrtandra viridiflora* and *Myrsine juddii* were considered Category 2 species in the 1993 notice. Since the 1993 notice, new information suggests that the above Category 2, Category 3A, and Category 3C species, as well as eight additional taxa (*Chamaesyce herbstii, Chamaesyce rockii, Cyanea acuminata, Cyanea koolauensis, Cyanea longiflora, Gardenia mannii, Lobelia gaudichaudii* ssp. *koolauensis,* and *Phyllostegia kaalaensis*), are sufficiently restricted in numbers and distribution and imminently threatened and therefore warrant listing.

Section 4(b)(3)(B) of the Act requires the Secretary to make findings on petitions that present substantial information indicating the petitioned action may be warranted within 12 months of their receipt. Section 2(b)(1) of the 1982 amendments further requires all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. On October 13, 1983, the Service found that the petitioned listing of these taxa was warranted, but precluded by other pending listing actions, in accordance with section 4(b)(3)(B)(iii) of the Act. Notification of this finding was published on January 20, 1984 (49 FR 2485). Such a finding requires the Service to consider the petition as having been resubmitted, pursuant to section 4(b)(3)(C)(i) of the Act. The finding was reviewed in October of 1984 through 1993. Publication of the present proposal constitutes the final one-year finding for these taxa.

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists of endangered and threatened species. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). The threats facing the 25 taxa in this proposed rule are summarized in Table 1.

TABLE 1.—SUMMARY OF THREATS

Species	Alien mammals			Alien plants	Sub-strate loss	Fire	Human impacts	Insects	Limited Nos.*
	Goats	Pigs	Rats						
Chamaesyce herbstii		X		X		P			X1
Chamaesyce rockii		X		X			P		
Cyanea acuminata		X	P	X			P		X3
Cyanea humboldtiana		X	P	x			X		X1
Cyanea koolauensis		X	P	X			X		X3
Cyanea longiflora		X	P	X		P	P		X1
Cyanea st.-johnii		X	P	X			X		X1.3
Cyrtandra dentata			P	X		P			X1.3
Cyrtandra subumbellata			P	X		P	P		X1.3
Cyrtandra viridiflora		X	P	X			P		X1.2
Delissea subcordata	X	X	P	X		P	X		X3
Eragrostis fosbergii	X	X		X			X		X1.2
Gardenia mannii		X		X		P	P	X	X3
Labordia cyrtrandrae		X		X		P	P		X1.2
Lepidium arbuscula	X			X		P	X		
Lobelia gaudichaudii ssp. koolauensis		X	P	X	X		X		X1
Lobelia monostachya			X	X					X1.2
Melicope saint-johnii	X	X		X		P		P	

TABLE 1.—SUMMARY OF THREATS—Continued

Species	Alien mammals			Alien plants	Sub-strate loss	Fire	Human impacts	Insects	Limited Nos.*
	Goats	Pigs	Rats						
Myrsine juddii		X		X			P		X1
Phyllostegia hirsuta		X		X		P	P		
Phyllostegia kaalaensis		X		X		P			X1.3
Pritchardia kaalae	X	X	X	X		P	P		X1
Schiedea kealiae				X	X	P			X1
Trematolobelia singularis		X	P	X					X1
Viola oahuensis		X		X			P		X1

Key
X=Immediate and significant threat.
P=Potential threat.
*=No more than 100 individuals and/or no more than 5 populations.
1=No more than 5 populations.
2=No more than 10 individuals.
3=No more than 100 individuals.

The factors and their application to *Chamaesyce herbstii* W.L. Wagner (‘akoko), *Chamaesyce rockii* (C. Forbes) Croizat & Degener (‘akoko), *Cyanea acuminata* (Gaud.) Hillebr. (haha), *Cyanea humboldtiana* (Gaud.) Lammers, Givnish & Sytsma (haha), *Cyanea koolauensis* Lammers, Givnish & Sytsma (haha), *Cyanea longiflora* (Wawra) Lammers, Givnish & Sytsma (haha), *Cyanea st.-johnii* (Hosaka) Lammers, Givnish & Sytsma (haha), *Cyrtandra dentata* St. John & Storey (ha‘iwale), *Cyrtandra subumbellata* (Hillebr.) St. John & Storey (ha‘iwale), *Cyrtandra viridiflora* St. John & Storey (ha‘iwale), *Delissea subcordata* Gaud. (‘oha), *Eragrostis fosbergii* Whitney (No common name (NCN)), *Gardenia mannii* St. John & Kuykendall (nanu), *Labordia cyrtandrae* (Baill.) St. John (kamakahala), *Lepidium arbuscula* Hillebr. (‘anaunau), *Lobelia gaudichaudii* ssp. *koolauensis* (Hosaka & Fosb.) Lammers (NCN), *Lobelia monostachya* (Rock) Lammers (NCN), *Melicope saint-johnii* (E. Hume) T. Hartley & B. Stone (alani), *Myrsine juddii* Hosaka (kolea), *Phyllostegia hirsuta* Benth. (NCN), *Phyllostegia kaalaensis* St. John (NCN), *Pritchardia kaalae* Rock (loulu), *Schiedea kealiae* Caum & Hosaka (NCN), *Trematolobelia singularis* St. John (NCN), and *Viola oahuensis* C. Forbes (NCN) are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Native vegetation on Oahu has undergone extreme alteration because of past and present land management practices including ranching, deliberate alien animal and plant introductions, agricultural development, military use, and recreational use (Cuddihy and Stone 1990, Wagner *et al.* 1985). The primary threats facing the 25 plant taxa proposed for listing are ongoing and threatened destruction and adverse modification of habitat by feral animals and competition with alien plants (see Factor E).

Twenty-one of the 25 proposed taxa are variously threatened by feral animals (see Table 1). Animals such as pigs (*Sus scrofa*) and goats (*Capra hircus*) were introduced by the early Hawaiians (pigs) or more recently by European settlers (goats) for food and/or commercial ranching activities. Over the 200 years following their introduction, their numbers increased and the adverse impacts of feral ungulates on native vegetation have become increasingly apparent. Beyond the direct effect of trampling and grazing native plants, feral ungulates have contributed significantly to the heavy erosion still taking place on most of the main Hawaiian Islands (Cuddihy and Stone 1990).

Pigs, which were originally native to Europe, northern Africa, Asia Minor, and Asia, were introduced into Hawaii by the Polynesians. European pigs, introduced to Hawaii by Captain James Cook in 1778, escaped domestication and invaded primarily wet and mesic forests and grasslands of the islands of Kauai, Oahu, Molokai, Maui, and Hawaii. The pigs introduced by the Polynesians were apparently smaller and less destructive to native plants than the European pigs. In addition, it appears that Polynesian pigs were maintained in domestication and were not allowed to establish feral populations. While foraging, pigs root and trample the forest floor, encouraging the establishment of alien plants in the newly disturbed soil. Pigs also disseminate alien plant seeds through their feces and on their bodies, accelerating the spread of alien plants through native forest (Cuddihy and Stone 1990, Stone 1985). Pigs are a major vector in the spread of *Psidium cattleianum* (strawberry guava) and *Schinus terebinthifolius* (Christmas berry), and enhance populations of *Rubus argutus* (prickly Florida blackberry), which threaten several of the proposed taxa (Cuddihy and Stone 1990, Smith 1985, Stone 1985). Feral pigs also feed on the starchy interiors of tree ferns (*Cibotium* sp.) and other succulent-stemmed plants (see Factor C). Feral pigs pose an immediate threat to one or more populations of 20 of the proposed taxa, including the only known population of *Lobelia gaudichaudii* ssp. *koolauensis* (see Table 1) (HHP 1994c2, 1994c3, 1994d1 to 1994d5, 1994d7, 1994d8, 1994d11, 1994e1 to 1994e4, 1994e7, 1994e10 to 1994e12, 1994f1, 1994f2, 1994g1 to 1994g4, 1994g22, 1994h1, 1994h12 to 1994h14, 1994i7, 1994i10, 1994L5, 1994L6, 1994m20, 1994m22, 1994n3, 1994n5, 1994o1, 1994o13, 1994o35, 1994o37, 1994o38, 1994o43, 1994o44, 1994o46, 1994p14, 1994p16, 1994s1, 1994t3, 1994t4, 1994t13, 1994u2, 1994u3, 1994v27, 1994v29, 1994v30, 1994v34 to 1994v36, 1994w3 to 1994w5, 1994aa4, 1994cc1, 1994dd5, 1994dd12, 1994dd13, 1994ee; J. Lau, pers. comm. 1994).

Goats, originally native to the Middle East and India, were successfully introduced to the Hawaiian Islands in 1792. Feral goats now occupy a wide variety of habitats from lowland dry forests to montane grasslands on Kauai, Oahu, Molokai, Maui, and Hawaii, where they consume native vegetation, which may include the proposed taxa (see Factor C), trample roots and seedlings, accelerate erosion, and promote the invasion of alien plants (Stone 1985, van Riper and van Riper 1982). On Oahu, the goat population in the Waianae Mountains area is apparently increasing, becoming an even greater threat to the rare plants that grow there (J. Lau, pers. comm. 1994).

One or more populations of five of the proposed taxa, including *Delissea subcordata, Eragrostis fosbergii,* one of the largest populations of *Lepidium arbuscula,* the largest population of *Melicope saint-johnii,* and more than half of the individuals of *Pritchardia kaalae,* are currently threatened by direct damage from feral goats, such as trampling of plants and seedlings and erosion of substrate (Culliney 1988; HHP 1994m20, 1994n5, 1994n6, 1994q5, 1994q8, 1994q9, 1994q11, 1994t14, 1994aa2, 1994aa4, 1994ee; Scott et al. 1986; van Riper and van Riper 1982).

Habitat disturbance caused by human activities may pose a threat to rare plant populations that grow on lands on which military training exercises and ground maneuvers are occasionally conducted. However, as most of the proposed taxa grow on moderate to steep slopes, ridges, and gulches, habitat disturbance is probably restricted to foot and helicopter traffic. Trampling by ground troops associated with training activities, and construction, maintenance, and utilization of helicopter landing and drop-off sites could affect populations of 14 of the proposed taxa (*Chamaesyce rockii, Cyanea acuminata, Cyanea koolauensis, Cyanea longiflora, Cyrtandra subumbellata, Cyrtandra viridiflora, Delissea subcordata, Gardenia mannii, Labordia cyrtandrae, Lepidium arbuscula, Myrsine juddii, Phyllostegia hirsuta, Pritchardia kaalae, and Viola oahuensis)* that occur on land leased or owned by the U.S. Army (HHP 1994d2, 1994d4, 1994d5, 1994e2 to 1994e5, 1994e7, 1994g1 to 1994g3, 1994g22, 1994h12 to 1994h14, 1994k6, 1994L4, 1994L6, 1994L7, 1994m7, 1994m9 to 1994m11, 1994o1, 1994o2, 1994o4, 1994o13, 1994o18, 1994o37 to 1994o40, 1994o43, 1994o44, 1994p2, 1994p14 to 1994p16, 1994q7 to 1994q9, 1994u1 to 1994u3, 1994v2, 1994v19, 1994v26, 1994v30, 1994v32, 1994v33, 1994aa2, 1994aa5, 1994dd5, 1994dd9, 1994dd10, 1994dd12, 1994dd15, 1994dd16; Wagner *et al.* 1985).

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Overutilization is not a known factor, but unrestricted collecting for scientific or horticultural purposes and excessive visits by individuals interested in seeing rare plants could seriously impact all of the proposed taxa, but especially *Cyanea koolauensis, C. st.-johnii, Eragrostis fosbergii,* and *Lobelia gaudichaudii* ssp. *koolauensis,* which have populations close to trails or roads and are thus easily accessible to collectors, and therefore possibly threatened by overcollection, trampling, and/or road maintenance (HHP 1994g22, 1994i9, 1994n3 to 1994n6; L. Mehrhoff, pers. comm. 1994).

C. *Disease and predation.* Disease is not known to be a significant threat to any of the proposed taxa. However, a tiny beetle, the black twig borer (*Xylosandrus compactus*), is known to infest a wide variety of common plant taxa, including *Melicope* in the Koolau Mountains (Davis 1970). The black twig borer burrows into branches, introduces a pathogenic fungus as food for its larvae, and lays its eggs. Twigs, branches, and even entire plants can be killed from an infestation. In the Hawaiian Islands, the black twig borer has many hosts, disperses easily, and is probably present at most elevations up to 670 m (2,500 ft) (Howarth 1985). In the Koolau Mountains, the black twig borer is known to threaten the Kapakahi Gulch population of *Gardenia mannii.* The black twig borer occurs throughout the Waianae Mountains and therefore may pose a threat to all *Melicope saint-johnii* plants that occur there (HHP 1994o41, 1994t1 to 1994t4, 1994t7, 1994t13, 1994t14; J. Lau, pers. comm. 1994).

Of the ungulates introduced to Oahu, pigs are currently the most significant modifiers of native forests (Cuddihy and Stone 1990, Stone 1985). Not only do they destroy native vegetation through their rooting activities and dispersal of alien plant seeds (see Factor A), but pigs also feed on plants, preferring the pithy interior of large tree ferns and fleshy-stemmed plants from the bellflower family (Stone 1985, Stone and Loope 1987). Although there is no conclusive evidence of predation on the eight members of the bellflower family included in this proposal, none of them are known to be unpalatable to pigs. Pigs have definitely eaten federally endangered *Cyanea crispa* plants immediately adjacent to *Cyanea acuminata* plants. Predation is therefore a probable threat to *Cyanea acuminata, C. humboldtiana, C. koolauensis, C. longiflora, C. st.-johnii, Delissea subcordata, Lobelia gaudichaudii* ssp. *koolauensis, Lobelia monostachya,* and *Trematolobelia singularis* in areas where pigs have been reported (J. Lau and J. Yoshioka, pers. comm. 1994).

Predation of Hawaii's native vegetation by goats and the extensive damage caused by them have been well documented (Tomich 1986, van Riper and van Riper 1982). Although there is no evidence of predation on *Delissea subcordata, Eragrostis fosbergii, Lepidium arbuscula, Melicope saint-johnii,* and *Pritchardia kaalae,* all of which occur in areas where goats have been reported, none of those plants are known to be unpalatable. Direct predation by goats is therefore a possible threat to those five taxa (HHP 1994m20, 1994n5, 1994n6, 1994q5, 1994q8, 1994q11, 1994t14, 1994aa2, 1994aa4, 1994ee).

Two rat species, the black rat (*Rattus rattus*) and the Polynesian rat (*Rattus exulans*), and to a lesser extent other introduced rodents, eat large, fleshy fruits and strip the bark of some native plants, particularly fruits of the native palms (*Pritchardia*) and plants in the bellflower and African violet families that have fleshy stems and fruits (Cuddihy and Stone 1990; Tomich 1986; Wagner *et al.* 1985; J. Lau, pers. comm. 1994). Rat predation on fruits threatens the largest population of *Pritchardia kaalae,* as indicated by the lack of reproduction and seedlings (HHP 1994aa2). Rat damage has also been observed in the only known population of *Lobelia monostachya* (HHP 1994ff). It is possible that rats eat the fruits of 11 other proposed taxa, all of which produce fleshy fruits and stems, and grow in areas where rats occur—*Cyanea acuminata, C. humboldtiana, C. koolauensis, C. longiflora, C. st.-johnii, Cyrtandra dentata, C. subumbellata, C. viridiflora, Delissea subcordata, Lobelia gaudichaudii* ssp. *koolauensis,* and *Trematolobelia singularis* (J. Lau and Joan Yoshioka, pers. comms. 1994).

D. *The inadequacy of existing regulatory mechanisms.* Of the 25 proposed taxa, 20 have populations located on private land, 22 on State land, 10 on City and County of Honolulu land, and 18 on land under Federal jurisdiction. Of those under Federal jurisdiction, 14 taxa have populations that occur on land owned by the Federal government and 15 have populations on land leased to the Federal government by State, City and County of Honolulu, and/or private parties. While 22 of the taxa occur in more than one of those 3 ownership categories, the other 3 taxa are restricted to a single category—*Lobelia gaudichaudii* ssp. *koolauensis* is found only on private land, *Lobelia monostachya* is found only on State land, and *Labordia cyrtandrae* is found only on Federal land.

There are no State laws or existing regulatory mechanisms at the present time to protect or prevent further decline of these plants on private land. However, Federal listing would automatically invoke listing under Hawaii State law. Hawaii's Endangered Species Act states, ''Any species of aquatic life, wildlife, or land plant that has been determined to be an endangered species pursuant to the

[Federal] Endangered Species Act shall be deemed to be an endangered species under the provisions of this chapter * * *'' (Hawaii Revised Statutes (HRS), sect. 195D–4(a)). The State law prohibits taking a listed species on private and State lands and encourages conservation by State government agencies. In addition, State regulations specifically prohibit the removal, destruction, or damage of plants found on State lands. However, the regulations are difficult to enforce because of limited personnel.

Seven of the proposed taxa have one or more populations in NARs, which have rules and regulations for the protection of resources (HRS, sect. 195–5). Almost all populations of the 25 proposed taxa are located on land classified within conservation districts and owned by the State of Hawaii or private companies or individuals. Regardless of the owner, lands in these districts, among other purposes, are regarded as necessary for the protection of endemic biological resources and the maintenance or enhancement of the conservation of natural resources. Activities permitted in conservation districts must not be detrimental to a multiple use conservation concept and shall conserve threatened or endangered plants (HRS, sect. 205–2). Some uses, such as maintaining animals for hunting, are based on policy decisions, while others, such as preservation of endangered species, are mandated by both Federal and State laws. Requests for amendments to district boundaries or variances within existing classifications can be made by government agencies and private landowners (HRS, sect. 205–4). Before decisions about these requests are made, the impact of the proposed reclassification on ''preservation or maintenance of important natural systems or habitat'' (HRS, sects. 205–4, 205–17) as well as the maintenance of natural resources is required to be taken into account (HRS, sects. 205–2, 205–4). Before any proposed land use that will occur on State land, is funded in part or whole by county or State funds, or will occur within land classified as conservation district, an environmental assessment is required to determine whether or not the environment will be significantly affected (HRS, chapt. 343). If it is found that an action will have a significant effect, preparation of a full Environmental Impact Statement is required. Hawaii environmental policy, and thus approval of land use, is required by law to safeguard ''* * * the State's unique natural environmental characteristics * * *'' (HRS, sect. 344–3(1)) and includes guidelines to ''protect endangered species of individual plants and animals * * *'' (HRS, sect. 344–4(3)(A)). Federal listing, because it automatically invokes State listing, would also implement these other State regulations protecting the plants.

State laws relating to the conservation of biological resources allow for the acquisition of land as well as the development and implementation of programs concerning the conservation of biological resources (HRS, sect. 195D–5(a)). The State also may enter into agreements with Federal agencies to administer and manage any area required for the conservation, management, enhancement, or protection of endangered species (HRS, sect. 195D–5(c)). If listing were to occur, funds for these activities could be made available under section 6 of the Act (State Cooperative Agreements). The Hawaii Department of Land and Natural Resources is mandated to initiate changes in conservation district boundaries to include ''the habitat of rare native species of flora and fauna within the conservation district'' (HRS, sect. 195D–5.1).

Twenty-one of the proposed taxa are threatened by four plants considered by the State of Hawaii to be noxious weeds—*Ageratina adenophora* (Maui pamakani), *Ageratina riparia* (Hamakua pamakani), *Clidemia hirta* (Koster's curse), and *Myrica faya* (firetree). The State has provisions and funding available for eradication and control of noxious weeds on State and private land in conservation districts and other areas (HRS, chapt. 152; Hawaii Department of Agriculture (DOA) 1981).

Listing of these 25 plant taxa would reinforce and supplement the protection available under the State Act and other laws. The Federal Act would offer additional protection to these 25 taxa because, if they were to be listed as endangered or threatened, it would be a violation of the Act for any person to remove, cut, dig up, damage, or destroy any such plant in an area not under Federal jurisdiction in knowing violation of State law or regulation or in the course of any violation of a State criminal trespass law.

E. *Other natural or manmade factors affecting its continued existence.* All of the 25 taxa being proposed for listing are threatened by competition with 1 or more alien plant species (see Table 1). The most significant of these appear to be *Clidemia hirta* (Koster's curse), *Psidium cattleianum* (strawberry guava), *Schinus terebinthifolius* (Christmas berry), *Ageratina adenophora* (Maui pamakani), *Ageratina riparia* (Hamakua pamakani), *Passiflora suberosa* (huehue haole), *Rubus argutus* (prickly Florida blackberry), *Lantana camara* (lantana), and *Grevillea robusta* (silk oak).

Koster's curse, a noxious shrub native to tropical America, is found in mesic to wet forests on at least six islands in Hawaii (Almeda 1990, DOA 1981, Smith 1992). Koster's curse was first reported on Oahu in 1941 and had spread through much of the Koolau Mountains by the early 1960's. Koster's curse spread to the Waianae Mountains around 1970 and is now widespread throughout the southern half of that mountain range. This noxious pest forms a dense understory, shading out other plants and hindering plant regeneration, and is considered the major alien plant threat in the Koolau Mountains (Cuddihy and Stone 1990). At present, Koster's curse threatens populations of 18 of the proposed taxa—*Chamaesyce rockii, Cyanea acuminata, Cyanea humboldtiana, Cyanea koolauensis, Cyanea longiflora, Cyanea st.-johnii, Cyrtandra dentata, Cyrtandra subumbellata, Cyrtandra viridiflora, Delissea subcordata, Gardenia mannii, Labordia cyrtandrae, Lobelia gaudichaudii* ssp. *koolauensis, Myrsine juddii, Phyllostegia hirsuta, Phyllostegia kaalaensis, Trematolobelia singularis,* and *Viola oahuensis* (HHP 1994d1 to 1994d5, 1994d7, 1994d8, 1994d11, 1994e1 to 1994e4, 1994e7, 1994e8, 1994e10 to 1994e12, 1994e20, 1994f1, 1994f2, 1994g1 to 1994g4, 1994g22, 1994h12 to 1994h14, 1994i7, 1994i9, 1994i10, 1994j6, 1994k6, 1994L4 to 1994L6, 1994m1, 1994o1, 1994o13, 1994o14, 1994o35, 1994o38 to 1994o40, 1994o42 to 1994o44, 1994o46, 1994p14, 1994s1, 1994u2, 1994u3, 1994v19, 1994v27, 1994v29, 1994v30, 1994w3, 1994cc2, 1994cc4, 1994dd9, 1994dd12, 1994dd13; Takeuchi & Shimabukuro (s.n.) 1987; Takeuchi (2410) 1985).

Strawberry guava, a tree native to tropical America, has become widely naturalized on all of the main islands, forming dense stands that exclude other plant species in disturbed areas (Cuddihy and Stone 1990). Strawberry guava grows primarily in mesic and wet habitats and is dispersed mainly by feral pigs and fruit-eating birds (Smith 1985, Wagner *et al.* 1990). Strawberry guava is considered to be one of the greatest alien plant threats to Hawaiian rain forests and threatens populations of 15 of the proposed taxa—*Chamaesyce herbstii, Chamaesyce rockii, Cyanea koolauensis, Cyanea longiflora, Cyrtandra dentata, Cyrtandra viridiflora, Delissea subcordata, Eragrostis fosbergii, Gardenia mannii, Labordia cyrtandrae, Lepidium arbuscula, Myrsine juddii, Phyllostegia hirsuta, Phyllostegia kaalaensis,* and *Viola oahuensis* (HHP 1994c2, 1994c3,

1994d5, 1994g1, 1994g5, 1994h1, 1994h12 to 1994h14, 1994j6, 1994L4 to 1994L6, 1994m7, 1994n4, 1994o1, 1994o13, 1994o37, 1994o38, 1994o44, 1994o46, 1994p15, 1994p16, 1994q7, 1994q11, 1994u2, 1994u3, 1994v27, 1994v36, 1994w3, 1994dd9, 1994dd12; Smith 1985).

Christmas berry, introduced to Hawaii before 1911, is a fast-growing tree or shrub that invade mesic to wet lowland areas of the major Hawaiian Islands (Wagner *et al.* 1990). Christmas berry is distributed mainly by feral pigs and fruit-eating birds and forms dense thickets that shade out and displace other plants (Cuddihy and Stone 1990, Smith 1985, Stone 1985). It is a pervasive threat in the Koolau and Waianae Mountains and threatens one or more populations of *Chamaesyce herbstii, Cyanea acuminata, Delissea subcordata, Eragrostis fosbergii, Labordia cyrtandrae, Lepidium arbuscula, Lobelia monostachya, Melicope saint-johnii, Phyllostegia hirsuta, Phyllostegia kaalaensis, Pritchardia kaalae*, and *Schiedea kealiae* (HHP 1994c1, 1994c2, 1994c4, 1994e11, 1994m1, 1994m7, 1994n4, 1994p16, 1994q4, 1994q5, 1994q7, 1994q9 to 1994q11, 1994t3, 1994t4, 1994t13, 1994t14, 1994v19, 1994v31, 1994v34, 1994v35, 1994w3, 1994w4, 1994aa2, 1994bb4, 1994bb6, 1994ff).

Maui pamakani and Hamakua pamakani, both native to tropical America, have naturalized in dry areas to wet forest on Oahu and four other islands (Wagner *et al.* 1990). These two noxious weeds form dense mats with other alien plants and prevent regeneration of native plants (Anderson *et al.* 1992). Five of the proposed taxa in both Oahu mountain ranges are threatened by competition with Maui pamakani and/or Hamakua pamakani—*Cyanea acuminata, Lepidium arbuscula, Lobelia monostachya, Melicope saint-johnii*, and *Pritchardia kaalae* (HHP 1994e1, 1994q5, 1994q9 to 1994q11, 1994t14, 1994aa2, 1994ff).

Huehue haole, a vine native to tropical America, is found in dryland habitats and mesic forest on Oahu, Maui, and Hawaii, where it thrives in the subcanopy layers and smothers shrubs, small trees, and the ground layer (Escobar 1990, Smith 1985, Wester 1992). Huehue haole threatens one or more populations of four of the proposed taxa, all in the Waianae Mountains—*Chamaesyce herbstii, Melicope saint-johnii, Phyllostegia hirsuta*, and *Phyllostegia kaalaensis* (HHP 1994c1, 1994t3, 1994t4, 1994t13, 1994t14, 1994v31, 1994v34, 1994v35, 1994w3, 1994w4).

Prickly Florida blackberry was introduced to the Hawaiian Islands in the late 1800's from the continental U.S. (Haselwood and Motter 1983). The fruits are easily spread by birds to open areas such as disturbed mesic or wet forests, where the species forms dense, impenetrable thickets (Smith 1985). In the Waianae Mountains, populations of five of the proposed taxa are threatened by this noxious weed—*Cyanea longiflora, Gardenia mannii, Labordia cyrtandrae, Phyllostegia hirsuta*, and *Pritchardia kaalae* (HHP 1994h1, 1994o1, 1994p14, 1994p15, 1994v2, 1994v3, 1994aa5).

Lantana, native to the West Indies, is an aggressive, thicket-forming shrub that produces chemicals that inhibit the growth of other plant species. Lantana is now found on all of the main Hawaiian islands in mesic forests, dry shrublands, and other dry, disturbed habitats (Cuddihy and Stone 1990, Smith 1985, Wagner et al. 1990). In the Waianae Mountains, lantana negatively affects populations of four of the proposed taxa—*Delissea subcordata, Lepidium arbuscula, Melicope saint-johnii*, and *Phyllostegia hirsuta* (HHP 1994q5, 1994q10, 1994t13, 1994v19, 1994v31; Takeuchi and Shimabukuro (s.n.) 1987).

Silk oak, native to Queensland and New South Wales, Australia, was planted extensively in Hawaii for timber and is now naturalized on most of the main islands (Smith 1985, Wagner *et al.* 1990). Silk oak negatively affects populations of four of the proposed taxa that grow exclusively in the Waianae Mountains—*Chamaesyce herbstii, Eragrostis fosbergii, Lepidium arbuscula*, and *Melicope saint-johnii* (HHP 1994c1, 1994n4, 1994q10, 1994q11, 1994t14).

Kalanchoe pinnata (air plant) is an herb that occurs on all the main islands except Niihau and Kahoolawe, especially in dry to mesic areas (Wagner *et al.* 1990). Air plant poses a significant threat to the only population of *Lobelia monostachya* (HHP 1994ff).

Leucaena leucocephala (koa haole), a naturalized shrub which is sometimes the dominant species in low elevation, dry, disturbed areas on all of the main Hawaiian islands, is a major threat to *Schiedea kealiae* (Geesnick *et al.* 1990; HHP 1994bb1, 1994bb4, 1994bb6).

Melinis minutiflora (molasses grass), a perennial grass brought to Hawaii for cattle fodder, is now naturalized in dry to mesic, disturbed areas on most of the main Hawaiian Islands. The mats it forms smother other plants and fuel more intense fires than would normally affect an area (Cuddihy and Stone 1990, O'Connor 1990, Smith 1985). Molasses grass threatens *Lepidium arbuscula* and the only known population of *Lobelia monostachya* (HHP 1994q4, 1994q5, 1994q11, 1994ff).

Myrica faya (firetree), native to the Azores, Madeira, and the Canary Islands, was introduced to Hawaii before 1900 for wine-making, firewood, or as an ornamental. Firetree was planted in forest reserves in the 1920's. By the mid-1980's, firetree had infested over 34,000 hectares (84,000 acres) throughout the State, with the largest infestations on the island of Hawaii. It is now considered a noxious weed (Cuddihy and Stone 1990, DOA 1981). Firetree can form a dense stand with no ground cover beneath the canopy. This lack of ground cover may be due to dense shading or to chemicals released by firetree that prevent other species from growing. Firetree also fixes nitrogen and increases nitrogen levels in Hawaii's typically nitrogen-poor volcanic soils. This may encourage the invasion of alien plants that would not otherwise be able to grow as well as native species in Hawaii's low-nitrogen soils (Cuddihy and Stone 1990). Firetree threatens *Melicope saint-johnii* and one of the largest populations of *Lepidium arbuscula* (HHP 1994q11, 1994t14).

The perennial grass *Paspalum conjugatum* (Hilo grass) has become naturalized in moist to wet, disturbed areas on most Hawaiian Islands. It produces a dense ground cover, even on poor soil (Cuddihy and Stone 1990). *Sacciolepis indica* (Glenwood grass) is an annual or perennial grass naturalized on five islands in Hawaii in open, wet areas (Wagner *et al.* 1990). Hilo grass and Glenwood grass threaten the largest population of *Viola oahuensis* (HHP 1994dd13).

Fire does not pose an immediate threat to the 25 proposed taxa, although species that grow in dry and mesic shrubland and forest may be susceptible to fire (see Table 1). Because Hawaii's native plants have evolved with only infrequent naturally occurring episodes of fire (lava flows, infrequent lightning strikes), most species are not adapted to fire and are unable to recover well after recurring fires. Alien plants are often more fire-adapted than native taxa and will quickly exploit suitable habitat after a fire (Cuddihy and Stone 1990). Unintentionally ignited fires have resulted from ordnance training practices in Makua Military Reservation and Schofield Barracks Military Reservation and from other military training practices in Kawailoa and Kahuku Training Areas and pose a possible threat to the five proposed species that occur on those military installations—*Cyrtandra subumbellata, Delissea subcordata, Gardenia mannii,*

all known populations of *Labordia cyrtandrae,* and *Pritchardia kaalae* (Environment Impact Study Corp. 1977; HHP 1993, 1994a, 1994b, 1994k2, 1994k5, 1994k6, 1994m7, 1994m9 to 1994m11, 1994o1, 1994o2, 1994o4, 1994o13, 1994o18, 1994o37 to 1994o40, 1994o43, 1994o44, 1994p2, 1994p14 to 1994p16, 1994aa2, 1994aa5; Yoshioka *et al.* 1991). Accidentally or intentionally set fires in areas of habitation near the Lualualei Naval Reservation and the Makua Military Reservation could easily spread and pose a possible threat to more than half of the individuals of *Lepidium arbuscula* that occur on both reservations and one population of *Melicope saint-johnii* (HHP 1994q3, 1994q5, 1994q8, 1994q10, 1994q11, 1994t15; J. Lau, pers. comm. 1994). Fire is also a potential threat to *Chamaesyce herbstii, Cyanea longiflora, Cyrtandra dentata, Phyllostegia hirsuta, Phyllostegia kaalaensis,* and *Schiedea kealiae,* which occur in dry or mesic habitats with adequate conditions for the spread of fire, at least seasonally (HHP 1994c1 to 1994c5, 1994h1, 1994h3, 1994h11, 1994j2, 1994j6, 1994j7, 1994v6, 1994v34 to 1994v36, 1994w2 to 1994w4, 1994w6, 1994bb3).

Erosion, landslides, and rockslides due to natural weathering result in the death of individual plants as well as habitat destruction. This especially affects the continued existence of taxa or populations with limited numbers and/or narrow ranges on cliffs, such as the only known population of *Lobelia gaudichaudii* ssp. *koolauensis* and the Kaena Point population of *Schiedea kealiae* (HHP 1994bb3; L. Mehrhoff, pers. comm. 1994).

People are more likely to come into contact with species that have populations near trails or roads or in recreational areas. Alien plants may be introduced into such areas as seeds on footwear, or people may cause erosion, trample plants, or start fires (Cuddihy and Stone 1990). The following proposed taxa have populations in recreational areas or close to roads or trails and are potentially threatened by human disturbance—*Cyanea humboldtiana, Cyanea koolauensis, Cyanea st.-johnii, Delissea subcordata, Eragrostis fosbergii, Lepidium arbuscula,* and *Lobelia gaudichaudii* (HHP 1994f1, 1994g22, 1994i7, 1994i9, 1994i10, 1994n3 to 1994n6, 1994q4; L. Mehrhoff, pers. comm. 1994).

The small number of populations and individuals of most of these taxa increases the potential for extinction from naturally occurring events. The small gene pool may depress reproductive vigor, or a single human-caused or natural environmental disturbance could destroy a significant percentage of the individuals or the only extant population. Two of the proposed plant taxa, *Lobelia gaudichaudii* ssp. *koolauensis* and *Lobelia monostachya,* are known from a single population. An additional 15 of the proposed taxa have 5 or fewer populations. Twelve of the taxa are estimated to number no more than 100 individuals and 4 of those taxa (*Cyrtandra viridiflora, Eragrostis fosbergii, Labordia cyrtandrae,* and *Lobelia monostachya*) are estimated to number no more than 10 individuals (see Table 1).

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these taxa in determining to propose this rule. Based on this evaluation, this rulemaking proposes to list these 25 species as endangered—*Chamaesyce herbstii, Chamaesyce rockii, Cyanea acuminata, Cyanea humboldtiana, Cyanea koolauensis, Cyanea longiflora, Cyanea st.-johnii, Cyrtandra dentata, Cyrtandra subumbellata, Cyrtandra viridiflora, Delissea subcordata, Eragrostis fosbergii, Gardenia mannii, Labordia cyrtandrae, Lepidium arbuscula, Lobelia gaudichaudii* ssp. *koolauensis, Lobelia monostachya, Melicope saint-johnii, Myrsine juddii, Phyllostegia hirsuta, Phyllostegia kaalaensis, Pritchardia kaalae, Schiedea kealiae, Trematolobelia singularis,* and *Viola oahuensis.* The 25 taxa are threatened by one or more of the following—habitat degradation and/or predation by pigs, goats, and rats; insect infestations; competition for space, light, water, and nutrients by alien plants; habitat loss from fires; and human impacts from military training practices and from recreational activities. Twenty-one of the 25 taxa either number no more than 100 individuals or are known from no more than 5 populations. Small population size and limited distribution make these taxa particularly vulnerable to extinction from reduced reproductive vigor or from naturally occurring events. Because the 25 taxa are in danger of extinction throughout all or a significant portion of their ranges, they fit the definition of endangered as defined in the Act. Therefore, the determination of endangered status for these 25 taxa appears warranted.

Critical habitat is not being proposed for the 25 taxa included in this rule for reasons discussed in the ''Critical Habitat'' section of this proposal.

Critical Habitat

Critical habitat is defined in section 3 of the Act as—(i) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management consideration or protection; and (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time the species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for the 25 taxa proposed in this rule. Service regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist—(1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species. The Service finds that designation of critical habitat is not presently prudent for these 25 taxa. As discussed under Factor B, these taxa are potentially threatened by overcollection due to their low population size. The publication of precise maps and descriptions of critical habitat in the Federal Register and local newspapers as required in a proposal for critical habitat would increase the degree of threat to these plants from take or vandalism and, therefore, could contribute to their decline. The listing of these taxa as endangered publicizes the rarity of the plants and, thus, can make these plants attractive to researchers, curiosity seekers, or collectors of rare plants. All involved parties and the major landowners have been notified of the location of these taxa. Additional protection of the habitat of these taxa will be addressed through the recovery process and through the Section 7 consultation process. The Service finds that designation of critical habitat for these 25 taxa is not prudent at this time. Such a designation would increase the degree of threat from vandalism, collecting, or other human activities and

is unlikely to aid in the conservation of these taxa.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain activities. Recognition through listing results in public awareness and conservation actions by Federal, State, and local agencies, private organizations, and individuals. The Act provides for possible land acquisition and cooperation with the State and requires that recovery plans be developed for listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) of the Act requires Federal agencies to confer informally with the Service on any action that is likely to jeopardize the continued existence of a species proposed for listing or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to insure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

Eighteen of the proposed taxa occur on land under Federal jurisdiction, including the following agencies—U.S. Army, U.S. Navy, and U.S. Coast Guard. Of those, 15 taxa are found on federally owned land and 14 taxa occur on land leased by the Federal government from the State, City and County of Honolulu, and private parties. Activities carried out by the U.S. Army include ordnance training practices, ground troop training activities, and construction, maintenance, and utilization of helicopter landing and drop-off sites. The Army is coordinating with TNCH to develop management plans for Schofield Barracks Military Reservation, Kawailoa Training Area, and Kahuku Training Area to limit the impact of these activities on endangered species and their habitats. Twelve of the 25 proposed taxa occur within an area that is being considered for inclusion in the proposed Oahu Forest National Wildlife Refuge. One of the taxa, *Myrsine juddii,* which is found only on land leased by DOD for Kawailoa Training Area, would fall within the planned refuge.

The Act and its implementing regulations set forth a series of general prohibitions and exceptions that apply to all endangered plants. All prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale in interstate or foreign commerce, or remove and reduce the species to possession from areas under Federal jurisdiction. In addition, for plants listed as endangered, the Act prohibits the malicious damage or destruction on areas under Federal jurisdiction and the removal, cutting, digging up, or damaging or destroying of such plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions to the prohibitions apply to agents of the Service and State conservation agencies.

The Act and 50 CFR 17.62 provide for the issuance of permits to carry out otherwise prohibited activities involving endangered plant species under certain circumstances. Such permits are available for scientific purposes and to enhance the propagation or survival of the species. It is anticipated that few permits would ever be sought or issued because these 25 taxa are not common in cultivation or in the wild. Requests for copies of the regulations concerning listed plants and inquiries regarding prohibitions and permits may be addressed to the Fish and Wildlife Service, Ecological Services, Permits Branch, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181 (telephone: 503/231–6241; facsimile: 503/231–6243).

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to these 25 taxa;

(2) The location of any additional populations of these taxa and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of these taxa; and

(4) Current or planned activities in the subject area and their possible impacts on these taxa.

The final decision on this proposal will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for one or more public hearings on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal in the Federal Register. Such requests must be made in writing and addressed to the Pacific Islands Ecoregion Manager (see **ADDRESSES** section).

National Environmental Policy Act

The Fish and Wildlife Service has determined that Environmental Assessments or Environmental Impact Statements, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

References Cited

A complete list of all references cited herein is available upon request from the Pacific Islands Ecoregion (see **ADDRESSES** section).

Author

The author of this proposed rule is Marie M. Bruegmann, Pacific Islands Ecoregion Office (see **ADDRESSES** section). Substantial data were contributed by the Hawaii Heritage Program.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Proposed Regulation Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter

B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. Section 17.12(h) is amended by adding the following, in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants to read as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
*	*	*	*	*	*	*	
Chamaesyce herbstii	‘Akoko	U.S.A. (HI)	Euphorbiaceae—Spurge.	E		NA	NA
*	*	*	*	*	*	*	
Chamaesyce rockii	‘Akoko	U.S.A. (HI)	Euphorbiaceae—Spurge.	E		NA	NA
*	*	*	*	*	*	*	
Cyanea acuminata	Haha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Cyanea humboldtiana	Haha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Cyanea koolauensis	Haha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Cyanea longiflora	Haha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Cyanea st.-johnii	Haha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Cyrtandra dentata	Ha‘iwale	U.S.A. (HI)	Gesneriaceae—African violet.	E		NA	NA
*	*	*	*	*	*	*	
Cyrtandra subumbellata.	Ha‘iwale	U.S.A. (HI)	Gesneriaceae—African violet.	E		NA	NA
*	*	*	*	*	*	*	
Cyrtandra viridiflora	Ha‘iwale	U.S.A. (HI)	Gesneriaceae—African violet.	E		NA	NA
*	*	*	*	*	*	*	
Delissea subcordata	‘Oha	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Eragrostis fosbergii	None	U.S.A. (HI)	Poaceae—Grass	E		NA	NA
*	*	*	*	*	*	*	
Gardenia mannii	Nanu	U.S.A. (HI)	Rubiaceae—Coffee	E		NA	NA
*	*	*	*	*	*	*	
Labordia cyrtandrae	Kamakahala	U.S.A. (HI)	Loganiaceae—Logania.	E		NA	NA
*	*	*	*	*	*	*	
Lepidium arbuscula	‘Anaunau	U.S.A. (HI)	Brassicaceae—Mustard.	E		NA	NA

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
*	*	*	*	*	*	*	
Lobelia gaudichaudii ssp. *koolauensis.*	None	U.S.A. (HI)	Campanulaceae—Bellflower.	E	NA		NA
*	*	*	*	*	*	*	
Lobelia monostachya	None	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Melicope saint-johnii	Alani	U.S.A. (HI)	Rutaceae—Rue	E		NA	NA
*	*	*	*	*	*	*	
Myrsine juddii	Kolea	U.S.A. (HI)	Myrsinaceae—Myrsine.	E		NA	NA
*	*	*	*	*	*	*	
Phyllostegia hirsuta	None	U.S.A. (HI)	Lamiaceae—Mint	E		NA	NA
*	*	*	*	*	*	*	
Phyllostegia kaalaensis.	None	U.S.A. (HI)	Lamiaceae—Mint	E		NA	NA
*	*	*	*	*	*	*	
Pritchardia kaalae	Loulu	U.S.A. (HI)	Arecaceae—Palm	E		NA	NA
*	*	*	*	*	*	*	
Schiedea kealiae	None	U.S.A. (HI)	Caryophyllaceae—Pink.	E		NA	NA
*	*	*	*	*	*	*	
Trematolobelia singularis.	None	U.S.A. (HI)	Campanulaceae—Bellflower.	E		NA	NA
*	*	*	*	*	*	*	
Viola oahuensis	None	U.S.A. (HI)	Violaceae—Violet	E		NA	NA
*	*	*	*	*	*	*	

Dated: September 20, 1995.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 95–24336 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–55–P

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50 CFR Part 17

RIN 1018–AD58

Endangered and Threatened Wildlife and Plants; Proposed Endangered or Threatened Status for Fourteen Plant Taxa From the Hawaiian Islands

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes endangered status pursuant to the Endangered Species Act of 1973, as amended (Act), for 13 plant taxa—*Achyranthes mutica* (No common name (NCN)), *Cenchrus agrimonioides* (kamanomano), *Cyanea grimesiana* ssp. *grimesiana* (haha), *Cyperus trachysanthos* (pu'uka'a), *Euphorbia haeleeleana* (NCN), *Isodendrion laurifolium* (aupaka), *Panicum niihauense* (lau 'ehu), *Phyllostegia parviflora* (NCN), *Platanthera holochila* (NCN), *Sanicula purpurea* (NCN), *Schiedea hookeri* (NCN), *Schiedea kauaiensis* (NCN), and *Schiedea nuttallii* (NCN). The Service also proposes threatened status for *Isodendrion longifolium* (aupaka). The 14 taxa are endemic to the Hawaiian Islands and are now known from one or more of the following Hawaiian Islands—Niihau, Kauai, Oahu, Molokai, Lanai, Maui, and Hawaii. The 14 plant taxa and their habitats have been variously affected or are currently threatened by one or more of the following—competition, predation, or habitat degradation from alien species, human impacts, fire, and natural disasters. This proposal, if made final, would implement the Federal protection provisions provided by the Act.

DATES: Comments from all interested parties must be received by December 1, 1995. Public hearing requests must be received by November 16, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to Robert P. Smith, Pacific Islands Ecoregion Manager, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 6307, P.O. Box 50167, Honolulu, Hawaii 96850. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert P. Smith, Pacific Islands Ecoregion Manager (see **ADDRESSES** section) (telephone: 808/541–2749; facsimile: 808/541–2756).

SUPPLEMENTARY INFORMATION:

Background

Achyranthes mutica, Cenchrus agrimonioides, Cyanea grimesiana ssp. *grimesiana, Cyperus trachysanthos, Euphorbia haeleeleana, Isodendrion laurifolium, Isodendrion longifolium, Panicum niihauense, Phyllostegia parviflora, Platanthera holochila, Sanicula purpurea, Schiedea hookeri, Schiedea kauaiensis,* and *Schiedea nuttallii* are, or were, known from ten Hawaiian Islands—Laysan, Midway, Kure, Niihau, Kauai, Oahu, Molokai, Lanai, Maui, and Hawaii. The current and historical distribution by island is presented in Table 1 for each of the 14 taxa.

TABLE 1.—SUMMARY OF ISLAND DISTRIBUTION OF THE PROPOSED TAXA

Species	Hawaiian Island									
	Ku	Mi	La	Ni	K	O	Mo	L	M	H
Achyranthes mutica					H					C
Cenchrus agrimonioides	H	H	H			C		H	C	H?
Cyanea grimesiana ssp. *grimesiana*						C	C	C	C	
Cyperus trachysanthos				C	C	C	H	H		
Euphorbia haeleeleana					C	C				
Isodendrion laurifolium					C	C				
Isodendrion longifolium					C	C				
Panicum niihauense				H	C					
Phyllostegia parviflora						C			H	H
Platanthera holochila					C	H	C		C	
Sanicula purpurea						C			C	
Schiedea hookeri						C			H	
Schiedea kauaiensis					C					
Schiedea nuttallii					C	C				

Key:
C = current; population last observed within the past 20 years.
H = historical; population not seen for over 20 years.
? = questionable locality or inconsistent information in sources.
Ku—Kure; Mi—Midway; La—Laysan; Ni—Niihau; K—Kauai; O—Oahu; Mo—Molokai; L—Lanai; M—Maui; H—Hawaii.

The Hawaiian archipelago includes eight large volcanic islands (Niihau, Kauai, Oahu, Molokai, Lanai, Kahoolawe, Maui, and Hawaii), as well as offshore islets, shoals, and atolls set on submerged volcanic remnants at the northwestern end of the chain (the Northwestern Hawaiian Islands, including Laysan, Midway, and Kure). The archipelago covers a land area of about 16,600 square kilometers (sq km) (6,400 sq miles (mi)), extending roughly between latitude 18°50′ and 28°15′ N and longitude 154°40′ and 178°70′ W, and ranging in elevation from sea level to 4,200 meters (m) (13,800 feet (ft)) (Department of Geography 1983). The regional geological setting is a mid-oceanic volcanic island archipelago set in a roughly northwest to southeast line, with younger islands to the southeast. The youngest island, Hawaii, is volcanically active. The older islands are increasingly eroded, so that the basaltic portions of many of the northwesternmost islands (such as Laysan, Midway, and Kure) are entirely submerged, and coralline atolls and shoals are often all that remain above sea level (Macdonald *et al.* 1986). The topography of the Hawaiian Islands is extremely diverse. On the youngest islands, Hawaii and Maui, gently sloping unweathered shield volcanoes with very poor soil development are juxtaposed with older, heavily weathered valleys with steep walls, well-developed streams, and gently sloped flood plains. The older islands to the northwest (Niihau, Kauai, Oahu, and Molokai) are generally more weathered. On a typical older island, sea cliffs and large amphitheater-headed valleys on the windward (northeast) side contrast with erosionally younger, dissected slopes on the leeward (southwest) side (Department of Geography 1983).

The climate of the Hawaiian Islands reflects the tropical setting buffered by the surrounding ocean (Department of Geography 1983). The prevailing winds are northeast tradewinds with some seasonal fluctuation in strength. There are also winter storm systems and occasional hurricanes. Annual rainfall varies greatly by location, with marked windward to leeward gradients over short distances. Minimum average annual rainfall is less than 250 millimeters (mm) (10 inches (in.)); the maximum average precipitation is well in excess of 11,000 mm (450 in.) per year. Precipitation is greatest during the months of October through April. A dry season is apparent in leeward settings, while windward settings generally receive tradewind-driven rainfall throughout the year (Department of Geography 1983).

The native-dominated vegetation of the Hawaiian Islands varies greatly according to elevation, moisture regime, and substrate. Within nearly 100 recognized native vegetation types are numerous island-specific or region-specific associations, comprising an extremely rich array of vegetation types within a very limited geographic area. Major vegetation formations include forests, woodlands, shrublands, grasslands, herblands, and pioneer associations on lava and cinder substrates (Gagné and Cuddihy 1990).

In Hawaii, lowland, montane, and subalpine forest types extend from sea level to above 3,000 m (9,800 ft) in elevation. Coastal and lowland forests are generally dry or mesic and may be open- or closed-canopied. The stature of lowland forests is generally under 10 m (30 ft). Ten of the taxa proposed for listing (*Achyranthes mutica, Cenchrus agrimonioides* var. *agrimonioides, Cyanea grimesiana* ssp. *grimesiana, Euphorbia haeleeleana, Isodendrion laurifolium, Isodendrion longifolium, Panicum niihauense, Schiedea hookeri, Schiedea nuttallii,* and *Schiedea kauaiensis*) have been reported from lowland dry or mesic forest habitat. *Cenchrus agrimonioides* var. *laysanensis* has been reported from dry coastal strand vegetation. Four taxa (*Isodendrion laurifolium, Isodendrion longifolium, Phyllostegia parviflora,* and *Sanicula purpurea*) have been reported from lowland wet forest habitat. One taxon, *Cyperus trachysanthos,* has been

reported from wet sites on coastal cliffs or talus slopes. Montane wet forests, occupying elevations between 915 and 1,830 m (3,000 and 6,000 ft), occur on the windward slopes and summits of the islands of Kauai, Oahu, Molokai, Maui, and Hawaii. The forests may be open- to closed-canopied, and may exceed 20 m (65 ft) in stature. Montane wet forests are usually dominated by several species of native trees and tree ferns. One of the proposed taxa, *Platanthera holochila,* has been reported from montane wet forest habitat. Montane bogs, found on Kauai, Molokai, Maui, and Hawaii, occur primarily on flat or gently sloping terrain with impervious substrates between 915 and 1,830 m (3,000 and 6,000 ft) in elevation. The vegetation of most of these bogs consists of an irregular, hummocky cushion of sedges, with *Metrosideros polymorpha* (‘ohi‘a) usually a codominant. Two of the proposed taxa, *Platanthera holochila* and *Sanicula purpurea,* have been reported from montane bog habitats. Hawaiian shrublands are also found from coastal to alpine elevations. The majority of Hawaiian shrubland types are in dry and mesic settings, or on cliffs and slopes too steep to support trees. Only one of the proposed taxa, *Panicum niihauense,* has been reported from coastal dry shrubland habitat, on Kauai.

The land that supports these 14 plant taxa is owned by various private parties, the City and County of Honolulu, the State of Hawaii (including State parks, forest reserves, natural area reserves, and Hawaiian Home Lands), and the Federal government (Department of Defense (DOD) and Department of the Interior).

Discussion of the 14 Plant Taxa Proposed for Listing

Achyranthes mutica was first described by Asa Gray in 1867 based on a specimen collected on Kauai between 1851 and 1855 by Ezechiel Jules Remy, a French naturalist and ethnologist (St. John 1979, Wagner *et al.* 1990). *Achyranthes nelsonii* (St. John 1979) is considered to be synonymous with *Achyranthes mutica* by the authors of the current treatment of Hawaiian members of the family (Wagner *et al.* 1990).

Achyranthes mutica, a member of the amaranth family (Amaranthaceae), is a many-branched shrub with stems ranging from 30 to 60 centimeters (cm) (12 to 24 in.) long. The opposite leaves, usually 3.2 to 4 cm (1.3 to 1.6 in.) long and 1.5 to 2 cm (0.6 to 0.8 in.) wide, are inversely egg-shaped to elliptic or inversely lance-shaped. The stalkless flowers are arranged in spikes (flowers directly attached to the main flower axis) that are 0.4 to 1.5 cm (0.2 to 0.6 in.) long. The petalless flowers are perfect (containing both female and male parts). The sepals are of unequal length, 3 to 4.2 mm (0.1 to 0.2 in.) long, and have sharply pointed tips. This species is distinguished from others in the genus by the shape and size of the sepals and by characteristics of the spike, which is short and congested (Wagner *et al.* 1990).

Historically *Achyranthes mutica* was known from three collections from opposite ends of the main archipelago, Kauai and Hawaii (Hawaii Heritage Program (HHP) 1994c1, 1994c2; Hawaii Plant Conservation Center (HPCC) 1992a). Currently this species is known only from the Keawewai Stream area in the Kohala Mountains of Hawaii on private land. Between 20 and 50 plants are growing at an elevation of about 920 m (3,030 ft) in an *Acacia koaia* (koai‘a) lowland dry forest with *Dodonaea viscosa* (‘a‘ali‘i), *Myoporum sandwicense* (naio), *Nestegis sandwicensis* (olopua), *Osteomeles anthyllidifolia* (‘ulei), and *Sophora chrysophylla* (mamane) (HPCC 1992a).

The primary threats to the single remaining population of *Achyranthes mutica* are habitat degradation and/or destruction by ungulates such as cattle (*Bos taurus*) and feral goats (*Capra hircus*), competition with alien plant taxa, and a risk of extinction from naturally occurring events (such as landslides or hurricanes) and/or reduced reproductive vigor, due to the small number of existing individuals in a single remaining population (HPCC 1992a; Christa Russell, The Nature Conservancy of Hawaii (TNCH), pers. comm. 1994).

A botanist on the Russian vessel *Rurik,* Louis C.A. von Chamisso first collected *Cenchrus agrimonioides* on Oahu during a world exploring expedition between 1816 and 1817. Carl Bernhard von Trinius described the species several years later (Degener and Whitney 1937). Other published names considered synonymous with *Cenchrus agrimonioides* include *Cenchrus calyculatus* var. *uniflorus, Cenchrus laysanensis,* and *Cenchrus pedunculatus* (O’Connor 1990). Currently, two varieties are recognized—the nominate variety and variety *laysanensis,* described by F.B. Brown (Brown 1931).

Cenchrus agrimonioides, a member of the grass family (Poaceae), is a perennial grass with stems 0.3 to 2 m (1 to 6.7 ft) tall. The leaf blades, 20 to 40 cm (8 to 16 in.) long and 5 to 25 mm (0.2 to 1 in.) wide, are flat or folded and have a prominent midrib. The inflorescence (flower cluster) is a raceme (an unbranched, indeterminate inflorescence with flowers arranged along the axis) 5 to 10 cm (2 to 4 in.) long, bearing cylindrical to lance-shaped burs 8 to 18 mm (0.3 to 0.7 in.) long. The burs are densely hairy with an outer series of numerous, somewhat spreading bristles. Each bur partially envelops one spikelet (ultimate flower cluster). This species is distinguished from others in the genus by the cylindrical to lance-shaped bur and the arrangement and position of the bristles. *Cenchrus agrimonioides* var. *agrimonioides* differs from var. *laysanensis* in generally having smaller burs, shorter stems, and narrower leaves (O’Connor 1990).

Historically *Cenchrus agrimonioides* var. *agrimonioides* was known from the following general areas—the Waianae Mountains of Oahu, Kaaukuu on Lanai, and the south slope of Haleakala and Ulupalakua on Maui. It may possibly have occurred on the island of Hawaii; undocumented observations of this taxon have been reported from unspecified locations on this island (HHP 1994d1 to 1994d14, Hillebrand 1888). Currently *Cenchrus agrimonioides* var. *agrimonioides* is known from Oahu and Maui. In the Waianae Mountains on Oahu, approximately 25 individuals are found in the following populations—Pahole Gulch in the State’s Pahole Natural Area Reserve (NAR), Makaha-Waianae Kai Ridge on City and County of Honolulu land, Kahanahaiki Valley on State land leased by the DOD for the Makua Military Reservation, east Makaleha on State land, and Pualii drainage on private land in TNCH’s Honouliuli Preserve (HHP 1994d1, 1994d8, 1994d11, 1994d12, 1994d14). On Maui, a patch of *Cenchrus agrimonioides* var. *agrimonioides* plants, 0.9 sq m (10 sq ft) in size, is known from State land within Kanaio NAR (Robert Hobdy, Division of Forestry and Wildlife (DOFAW), pers. comm. 1994). The total number of individuals statewide is fewer than 100. *Cenchrus agrimonioides* var. *agrimonioides* is usually found on dry rocky ridges or slopes, or ridges in mesic ‘ohi‘a-koa forest between 560 and 820 m (1,830 and 2,700 ft) in elevation. Associated plant taxa include *Alyxia oliviformis* (maile), *Psydrax odoratum* (alahe‘e), *Carex* sp., *Diospyros* sp. (lama), and *Eragrostis variabilis* (kawelu) (HHP 1994d8, 1994d11, 1994d12, 1994d14; R. Hobdy, pers. comm. 1994).

The other variety of this species, *Cenchrus agrimonioides* var. *laysanensis,* was known historically from the northwestern Hawaiian islands

of Laysan, Kure, and Midway, all within the Northwestern Hawaiian Islands National Wildlife Refuge. This variety has not been seen since 1973. These islands are infrequently surveyed for plants, the last comprehensive survey being completed in the 1980s, so it is possible that the variety still exists and will be found with further survey efforts (Corn 1980; HHP 1991a1, 1991a2).

The major threats to *Cenchrus agrimonioides* var. *agrimonioides* are habitat degradation and/or destruction by feral pigs (*Sus scrofa*) (Oahu only), competition with alien plant taxa, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of existing individuals. The Pahole Gulch population on Oahu is potentially threatened by trampling and fire from military activities and the Maui population is potentially threatened by goats and cattle (HHP 1994d1, 1994d8, 1994d11, 1994d12, 1994d14; R. Hobdy and C. Russell, pers. comms. 1994).

Cyanea grimesiana ssp. *grimesiana* was collected by Charles Gaudichaud-Beaupré in 1819 on Oahu while he was pharmaceutical botanist on the vessel *Uranie* (HHP 1989a, Rock 1919, Wagner *et al.* 1990). Gaudichaud later described this taxon and named it for the French Navy's head pharmacist (Thomas G. Lammers, Field Museum, pers. comm. 1994). Other published names considered synonymous with *Cyanea grimesiana* ssp. *grimesiana* include *C. grimesiana* var. *lydgatei*, *C. grimesiana* var. *mauiensis*, *C. grimesiana* var. *munroi*, and *C. lobata* var. *hamakuae* (Lammers 1990). Currently, three subspecies are recognized—the extinct ssp. *cylindrocalyx* (Rock 1917); ssp. grimesiana; and the federally endangered ssp. *obatae* (St. John 1978a).

Cyanea grimesiana ssp. *grimesiana*, a member of the bellflower family (Campanulaceae), is a shrub 1 to 3.2 m (3.3 to 10.5 ft) tall. The leaves are pinnately divided, with 9 to 12 segments per side. The leaf blades are 27 to 58 cm (10.6 to 22.9 in.) long and 14 to 32 cm (5.5 to 12.6 in.) wide (across the segments). The inflorescence comprises 6 to 12 flowers. The calyx lobes, 10 to 44 mm (0.4 to 2 in.) long and 4 to 14 mm (0.2 to 0.55 in.) wide, are egg-shaped to lance-shaped and overlap at the base. The petals are purplish or greenish to yellowish white, often suffused or striped with magenta, and 55 to 80 mm (2 to 3 in.) long. The orange berries are 18 to 30 mm (0.7 to 1.2 in.) long. This species is distinguished from others in this endemic Hawaiian genus by the pinnately lobed leaf margins and the width of the leaf blades. This subspecies is distinguished from the other two subspecies by the shape and size of the calyx lobes which overlap at the base (Lammers 1990).

Historically *Cyanea grimesiana* ssp. *grimesiana* was known from at least 40 populations located in the Waianae and Koolau mountains on Oahu, Wailau Valley and Puu Kahea on Molokai, central and northern Lanai, and scattered locations on Maui (HHP 1994e1 to 1994e39; Heidi Bornhorst, TNCH, and Steven Perlman, National Tropical Botanical Garden, pers. comms. 1992). Currently *Cyanea grimesiana* ssp. *grimesiana* is known from 15 populations on those 4 islands (HHP 1994e1, 1994e4, 1994e6 to 1994e8, 1994e14, 1994e15, 1994e26, 1994e27, 1994e34, 1994e36 to 1994e38; H. Bornhorst and S. Perlman, pers. comms. 1992; Art Medeiros, National Biological Service, pers. comm. 1994). On Oahu, the following populations are known from the Waianae Mountains—one population from Mt. Kaala NAR and three populations from Pahole NAR on State land, one population each from North Haleauau Gulch on the federally owned Schofield Barracks Military Reservation and North Kaluaa Gulch on private land. Two populations are known from Oahu's Koolau Mountains on State and private land (HHP 1994e1, 1994e4, 1994e8, 1994e14, 1994e15, 1994e34, 1994e38; H. Bornhorst and S. Perlman, pers. comms. 1992). On Molokai, one population is known from Kukuinui Ridge on State land and the other is within the State's Olokui NAR (HHP 1994e7, 1994e36). On Lanai, two populations are known from Kaiholena Gulch and an unnamed gulch south of Puhielelu Ridge, in the central portion of the island, both on private land (HHP 1994e27, 1994e37). On Maui, two populations are known from Iao Valley on private land and one population from Kipahulu Valley within Haleakala National Park (HHP 1994e6, 1994e26; A. Medeiros, pers. comm. 1994). The total current populations statewide consist of fewer than 400 individuals, with over 350 occurring in Kipahulu Valley on Maui (HHP 1994e1, 1994e4, 1994e8, 1994e14, 1994e15, 1994e34, 1994e38; H. Bornhorst and S. Perlman, pers. comms. 1992; A. Medeiros, pers. comm. 1994). *Cyanea grimesiana* ssp. *grimesiana* is typically found in mesic forest often dominated by 'ohi'a or 'ohi'a and koa, or on rocky or steep slopes of stream banks, and between 350 and 945 m (1,150 and 3,100 ft) elevation. Associated plant taxa include *Antidesma* sp. (hame), *Bobea* sp. ('ahakea), *Psychotria* sp. (kopiko), *Xylosma* sp. (maua), and various native and alien ferns (HHP 1994e1, 1994e7, 1994e8, 1994e14, 1994e34, 1994e37; H. Bornhorst and S. Perlman, pers. comms. 1992).

The major threats to *Cyanea grimesiana* ssp. *grimesiana* are habitat degradation and/or destruction caused by wild and feral ungulates (axis deer (*Axis axis*), goats, and pigs) and competition with various alien plants. Potential overcollection, trampling by hikers and/or military activities, and fire threaten the Palikea population on Oahu. The Oahu populations are also threatened by landslides. The Kipahulu Valley population on Maui is threatened by competition with *Cyathea cooperi* (Australian tree fern) and various alien grasses (HHP 1994e1, 1994e7, 1994e34, 1994e37; H. Bornhorst and S. Perlman, pers. comms. 1992; A. Medeiros, pers. comm. 1994; Loyal Mehrhoff, U.S. Fish and Wildlife Service, pers. comm. 1995). Rats (*Rattus* spp.) are also a potential threat, since they are known to eat the fruits and girdle the stems of species in the bellflower family (Joel Lau, TNCH, pers. comm. 1994).

First collected by Chamisso between 1816 and 1817 in the ''Sandwich Islands,'' *Cyperus trachysanthos* was described by William J. Hooker and G.A.W. Arnott in 1832 (Hillebrand 1888, Mill *et al.* 1988). This species has been maintained in the most recent treatment of Hawaiian members of the genus (Koyama 1990). The specific epithet refers to the rough or papery flowers.

Cyperus trachysanthos, a member of the sedge family (Cyperaceae), is a perennial grass-like plant with a short rhizome (underground stem). The culms (aerial stems) are densely tufted, obtusely triangular, 20 to 45 cm (8 to 18 in.) tall, sticky, and leafy at the base. The linear leaf blades are green, covered with a waxy coating, and somewhat leathery. The leaf sheath is yellowish brown and partitioned with nodes. The flower clusters are 5 to 9 cm (2 to 3.5 in.) long and 6 to 12 cm (2 to 5 in.) wide. Each flower head contains 10 to 30 pale yellowish brown spikelets, each of which contains 8 to 20 flowers. The glumes (small pair of bracts at the base of each spikelet) are broadly egg-shaped. The fruit is a dark brown, egg-shaped achene. This species is distinguished from others in the genus by the short rhizome, the leaf sheath with partitions at the nodes, the shape of the glumes, and the length of the culms (Koyama 1990).

Historically *Cyperus trachysanthos* was known from Niihau, Kauai, scattered locations on Oahu, Mauna Loa on Molokai, and Kaena on Lanai (HHP 1994f1 to 1994f15, HPCC 1993a).

Currently this species is known from 3 populations with a total of as many as 350 individuals on Niihau, Kauai, and Oahu (HHP 1994f1, 1994f5; HPCC 1993a). On privately owned Niihau, an unknown number of individuals is known from an area west of Mokouia Valley (HHP 1994f5). On Kauai, more than 300 individuals are known from State land in Nualolo Valley, while on Oahu an unspecified number of individuals is known from State land at Kaena Point (HHP 1994f1, HPCC 1993a). *Cyperus trachysanthos* is usually found in wet sites (mud flats, wet clay soil, or wet cliff seeps) on coastal cliffs or talus slopes between 3 and 160 m (10 and 525 ft) elevation (HHP 1994f1, 1994f5; HPCC 1993a; Koyama 1990). On Kauai, associates include *Hibiscus tiliaceus* (hau), *Plantago lanceolata* (narrow-leaved plantain), and *Pteris vittata* (HPCC 1993a).

Cyperus trachysanthos is threatened by a risk of extinction from naturally occurring events due to the small number of populations and, on Oahu, competition with alien grasses and possibly *Leucaena leucocephala* (koa haole) (HHP 1994f1; J. Lau and C. Russell, pers. comms. 1994).

In 1970, Steven Montgomery and the late Wayne Gagné collected a specimen of an unidentified tree in Mahanaloa Valley on Kauai. The following year, Derral Herbst (1971) described it as *Euphorbia haeleeleana,* naming it for another valley where the plant grows. This species has been maintained in the most recent treatment of Hawaiian members of the genus (Wagner *et al.* 1990).

Euphorbia haeleeleana, a member of the spurge family (Euphorbiaceae), is a dioecious (female and male flowers on separate plants) tree 3 to 14 m (10 to 46 ft) tall. The alternate leaves are papery in texture, elliptic, and usually 10 to 15 cm (4 to 6 in.) long and 4 to 6 cm (2 in.) wide. Male trees bear many small male flowers within a cyathium (a compact inflorescence with small individual flowers). The female trees have cyathia with a single female flower surrounded by numerous abortive male flowers. The capsules (dry fruit that open at maturity) are round. This species is distinguished from others in the genus in that it is a tree, whereas most of the other species are herbs or shrubs, as well as by the large leaves with prominent veins (Wagner *et al.* 1990).

Euphorbia haeleeleana is known historically and currently from 15 populations and between 450 and 625 individuals from northwestern Kauai and the Waianae Mountains of Oahu (HHP 1994g1 to 1994g14, HPCC 1993b). On Kauai, 11 populations are known from valley slopes and cliffs along Kauai's northwestern coast from Pohakuao to Haeleele Valley and Hipalau Valley within Waimea Canyon. All of the Kauai populations occur on State land, including Kuia NAR and the Na Pali Coast State Park (HHP 1994g1 to 1994g4, 1994g7 to 1994g9, 1994g11, 1994g12, 1994g14; HPCC 1993b). On Oahu, four populations are known from the northern Waianae Mountains. Three of these populations occur on State land leased by the DOD for the Makua Military Reservation, and the fourth population occurs on privately owned land (HHP 1994g5, 1994g6, 1994g10, 1994g13). *Euphorbia haeleeleana* is usually found in lowland mixed mesic or dry forest that is often dominated by óhiá, óhiá and koa, lama, or *Aleurites moluccana* (kukui). Typically found between 205 and 670 m (680 and 2,200 ft) elevation, a few populations have been found at elevations up to 870 m (2,860 ft). Associated plant taxa include áálií, *Erythrina sandwicensis* (wiliwili), *Pleomele* sp. (hala pepe), *Reynoldsia sandwicensis* (óhe), and *Sapindus oahuensis* (aulu) (HHP 1994g1 to 1994g14, HPCC 1993b).

Habitat degradation and/or destruction by wild and feral ungulates including black-tailed deer (*Odocoileus hemionus*), goats, and pigs; predation by rats; fire; potential military activities; and competition with alien plant taxa seriously threaten *Euphorbia haeleeleana* (HHP 1994g1, 1994g3 to 1994g7, 1994g10, 1994g12 to 1994g14; HPCC 1993b).

Isodendrion laurifolium was first described by Gray in 1852 based on a collection made on Oahu by members of the U.S. Exploring Expedition in 1840 (St. John 1952). Other published names considered synonymous with *Isodendrion laurifolium* are *I. forbesii, I. lydgatei, I. subsessilifolium,* and *I. waianaeense* (Wagner *et al.* 1990). The specific epithet refers to the resemblance in the leaves to those of the laurel tree.

Isodendrion laurifolium, a member of the violet family (Violaceae), is a slender, straight shrub, generally 1 to 2 m (3 to 6 ft) tall, with few branches. The leaves, 4 to 16 cm (2 to 6 in.) long and 1.5 to 5 cm (0.6 to 2 in.) wide, are somewhat leathery, oblong-elliptic, narrowly elliptic lance-shaped, or rarely elliptic. The fragrant flowers are perfect and borne singly along the stems. The five petals, which are clawed and somewhat unequal, are purple with greenish white edges externally, and dusty purple on the inner face of the lobe. The fruit is a green, lance-shaped capsule. This species is distinguished from others in this endemic Hawaiian genus by the shape of its leaves (Wagner *et al.* 1990).

Historically *Isodendrion laurifolium* was known from scattered locations on Kauai and both the Waianae and Koolau mountains of Oahu (HHP 1994h1 to 1994h21). A total of 14 populations on 2 islands comprising approximately 190 to 210 individuals is currently known statewide. On Kauai, approximately 130 to 140 individuals are known from 8 populations in the following locations—Paaiki, Kawaiula, Haeleele, Makaha, Poopooiki, and Kuia valleys, and the Koaie branch of Waimea Canyon. All Kauai populations occur on State-owned land, with several in Kuia NAR (HHP 1994h6, 1994h9 to 1994h13, 1994h15, 1994h21). On Oahu, approximately 60 to 70 individuals of this species are known from 6 populations—Makaha in the Waianae Mountains, on City and County of Honolulu land; East Makaleha Valley, Waianae Kai, Kaawa Gulch, and Kaumokunui Gulch in the Waianae Mountains, on State land, including Mt. Kaala NAR; and south Kaukonahua Gulch within the federally owned Schofield Barracks Military Reservation in the Koolau Mountains (HHP 1994h1, 1994h2, 1994h16, 1994h17, 1994h18, 1994h20). *Isodendrion laurifolium* is usually found between 490 and 820 m (1,620 and 2,700 ft) elevation in diverse mesic forest, or rarely wet forest, dominated by óhiá or koa-óhiá, or óhiá-lama with hame, maua, *Hedyotis terminalis* (manono), *Pisonia* sp. (papala kepau), and *Pouteria* sp. (álaá) (HHP 1994h1, 1994h2, 1994h6, 1994h9 to 1994h13, 1994h15 to 1994h18, 1994h20).

The primary threats to *Isodendrion laurifolium* are habitat degradation by ungulates (black-tailed deer, goats, and pigs), competition with alien plant taxa, and a potential threat from military activities (HHP 1994h2, 1994h6, 1994h9, 1994h11, 1994h15 to 1994h18, 1994h20, 1994h21).

Isodendrion longifolium was first collected in 1840 in the ''Kaala'' [Waianae] Mountains of Oahu by members of the U.S. Exploring Expedition. Gray later named this species for its long leaves (St. John 1952). *Isodendrion christensenii* and *Isodendrion maculatum* (St. John 1952, 1978b) are considered synonymous with *Isodendrion longifolium* (Wagner *et al.* 1990).

Isodendrion longifolium, a member of the violet family, is a slender, straight shrub generally 0.6 to 2 m (2 to 7 ft) tall. The hairless, somewhat leathery leaves are lance-shaped, 10 to 30 cm (4 to 12 in.) long, and 3.4 to 6.5 cm (1 to 3 in.)

wide. The fragrant flowers are perfect and are borne singly along the branches. The five petals are purple, clawed, and somewhat unequal. The purple capsular fruit is 10 mm (0.4 in.) long. This species is distinguished from others in this endemic Hawaiian genus by the shape of its leaves (Wagner *et al.* 1990).

Historically *Isodendrion longifolium* was known from scattered locations on Kauai and the Waianae Mountains on Oahu (HHP 1994i1 to 1994i18; HPCC 1990a; Lorence and Flynn 1991, 1993). Currently *Isodendrion longifolium* is known from 18 populations on Kauai and Oahu. On Kauai, 15 populations totalling 500 to 800 individuals are scattered over ridges and valley slopes of northwestern Kauai. Eight populations occur on private land and seven are found on State land, which includes Hono O Na Pali NAR and the Na Pali Coast State Park (HHP 1994i3 to 1994i5, 1994i7 to 1994i13, 1994i15 to 1994i17; HPCC 1990a; Lorence and Flynn 1991, 1993). Three populations totalling 30 to 40 individuals are known from Oahu. Two populations are found within Mt. Kaala NAR on State-owned land in the Waianae Mountains, and the third population is found in Makaua Gulch on private land in the Koolau Mountains (HHP 1994i2, 1994i14, 1994i18). The total current populations throughout the State consist of fewer than 1,000 individuals, with most of the populations and individuals occurring on Kauai. *Isodendrion longifolium* is found on steep slopes, gulches, and stream banks in mixed mesic or wet óhiá forest, usually between 410 and 760 m (1,345 and 2,500 ft) elevation. Associated plant taxa include áhakea, hame, *Cyanea* sp. (haha), *Hedyotis* sp., *Perrottetia sandwicensis* (olomea), and *Pittosporum* sp. (hoá'wa) (HHP 1994i2 to 1994i8, 1994i10 to 1994i18; HPCC 1990a; Lorence and Flynn 1991, 1993).

The major threats to *Isodendrion longifolium* are habitat degradation and/or destruction by feral goats and pigs and competition with various alien plant taxa. On Oahu, the Palikea Gulch population is potentially threatened by overcollection and fire (HHP 1994i2, 1994i13, 1994i15 to 1994i17; HPCC 1990a; Lorence and Flynn 1993).

In 1912, J.F. Stokes collected a grass on Niihau that St. John later named *Panicum niihauense* (St. John 1931). This species has been maintained in the most recent treatment of Hawaiian members of the genus (Davidse 1990).

Panicum niihauense, a member of the grass family, is a perennial bunchgrass with unbranched culms 50 to 125 cm (20 to 49 in.) long. The leaf blades are flat, 15 to 35 cm (6 to 14 in.) long and 0.7 to 1.9 cm (0.3 to 0.7 in.) wide. The panicles (loosely branched inflorescences) are 13 to 35 cm (5 to 14 in.) long. The panicle branches lie close to the main stem of the inflorescence (not spreading outward), and the spikelets are borne densely along the inflorescence branches. The spikelets, which contain two flowers, are 2.6 to 3.2 mm (0.1 in.) long. This species is distinguished from others in the genus by the shape of the inflorescence branches, which are erect and appressed, and the arrangement of the spikelets, which are densely clustered (Davidse 1990).

Panicum niihauense was known historically from Niihau and one location on Kauai (HHP 1994j1 to 1994j3). Currently this species is only known from State-owned land at Polihale State Park on Kauai. This single population of 23 individuals is found scattered in sand dunes in a coastal shrubland at between 9 and 15 m (30 and 50 ft) elevation. Associated plant taxa include áálií, *Cassytha filiformis* (kaunaóa pehu), *Prosopis pallida* (kiawe), *Scaevola sericea* (naupaka), *Sida fallax* (ílima), and *Vitex* sp. (kolokolo kahakai) (HHP 1993, 1994j3).

The primary threats to the single known population of *Panicum niihauense* are off-road vehicles, competition with alien plant taxa, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of individuals in one remaining population (HHP 1993; HPCC 1992b; J. Lau and C. Russell, pers. comms. 1994).

Phyllostegia parviflora was first described by Gaudichaud-Beaupré as *Prasium parviflorum* based on a specimen collected on Oahu (Hillebrand 1888). Later, Bentham transferred the species to *Phyllostegia* and this is the name accepted in the current treatment of Hawaiian members of the genus (Wagner *et al.* 1990). Currently two varieties are recognized—var. *parviflora* and var. *glabriuscula,* described by Asa Gray in 1862 (Wagner *et al.* 1990). There is also a newly discovered variety that has not yet been formally named (Wagner *et al.* 1990). These recent collections of *Phyllostegia parviflora* from the Waianae Mountains differ from the other varieties by several characters and represent a new variety previously considered to be *Phyllostegia mollis* var. *lydgatei* (Wagner *et al.* 1990; Warren Wagner, Smithsonian Institution, *in litt.,* 1994; W. Wagner, pers. comm. 1994). Published names that Wagner *et al.* (1990) consider to be synonymous with *Phyllostegia parviflora* var. *parviflora* include *P. leptostachys, P. parviflora* var. *canescens, P. parviflora* var. *gaudichaudii,* and *P. parviflora* var. *major* (Wagner *et al.* 1990).

Phyllostegia parviflora, a member of the mint family (Lamiaceae), is a perennial herb. The egg-shaped to broadly egg-shaped, wrinkled leaves are usually 19 to 33 cm (7.5 to 13 in.) long and 7.5 to 15.3 cm (3 to 6 in.) wide. The leaf stalks are typically 6 to 13.5 cm (2.4 to 5.3 in.) long. Usually six flowers are arranged along a flowering stalk. The corolla is white, sometimes tinged with purple, and about 9 to 13 mm (0.4 to 0.5 in.) long. The upper corolla lip is about 3 mm (0.1 in.) long while the lower lip is about 6 to 9 mm (0.2 to 0.4 in.) long. The fruits are nutlets. The species is distinguished from others of the genus by the leaf shape and length of the leaf stalk and lower corolla lip. *Phyllostegia parviflora* var. *glabriuscula* has fewer glandular hairs in the inflorescence, less pubescent leaves, and usually unbranched inflorescences, as compared to *P. parviflora* var. *parviflora.* The newly discovered variety of *Phyllostegia parviflora* has shorter leaf stalks, spreading hairs on the leaf stalks, and fewer gland-tipped hairs in the inflorescence (Wagner *et al.* 1990).

Historically *Phyllostegia parviflora* was known from three islands—Oahu, Hawaii, and Maui (HHP 1994x1 to 1994x3, 1994y1 to 1994y9, 1994z1, 1994z2; Sherff 1935; Wagner *et al.* 1990). This species is now known only from two populations on Oahu. *Phyllostegia parviflora* var. *glabriuscula* was only known from the island of Hawaii on private land and has not been observed since the 1800s (HHP 1994x1 to 1994x3). *Phyllostegia parviflora* var. *parviflora* was known from Oahu and Maui, but is now known from only four plants in North Kaukonahua Stream in the Koolau Mountains on Oahu, on State land leased by the DOD for the Kawailoa Training Area (HHP 1994y9). The new variety of *Phyllostegia parviflora* is known from only 19 plants in North Palawai Gulch within TNCH's Honouliuli Preserve (HHP 1994z1). *Phyllostegia parviflora* is typically found on moderate to steep slopes in diverse wet forest from 500 to 830 m (1,640 to 2,700 ft) elevation. Native taxa associated with *Phyllostegia parviflora* include óhiá, *Broussaisia arguta* (kanawao), *Mysine* sp. (kolea), *Pipturus albidus* (mamaki), and *Cyrtandra* sp. (haíwale) (HHP 1994y9, 1994z1; Wagner *et al.* 1990).

The major threats to *Phyllostegia parviflora* are habitat degradation and/or destruction by feral pigs, competition with several alien plant taxa, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of

remaining individuals and populations (HHP 1994y9, 1994z1; C. Russell, pers. comm. 1994).

Hillebrand (1888) described and named *Habenaria holochila* based on his collections and on material sent to him by J.M. Lydgate and V. Knudsen. Subsequently, F.W. Kraenzlin transferred the species to the genus *Platanthera*, resulting in the new combination *Platanthera holochila;* this name is accepted in the current treatment of Hawaiian members of the family (Kores 1979, Wagner *et al.* 1990). C.A. Luer (1975) published the combination *Platanthera hyperborea* var. *viridiflora*, now considered synonymous with *Platanthera holochila* (Wagner *et al.* 1990). The specific epithet refers to the undivided lip of the flower.

Platanthera holochila, a member of the orchid family (Orchidaceae), is an erect, deciduous herb. The stems arise from underground tubers and are 15 to 60 cm (6 to 24 in.) long. The pale-green leaves, generally 4 to 12 cm (2 to 5 in.) long and 1 to 3 cm (0.4 to 1 in.) wide, are lance to egg-shaped. The greenish-yellow flowers occur in open spikes. The back sepal is inversely egg-shaped and hooded and the lateral sepals are erect and elliptic. The lateral petals, 2 to 2.5 cm (1 in.) long, are irregularly egg-shaped and enclosed by the sepals. The lowest petal is strap-like, about 3 mm (0.1 in.) long, with a 3 to 5 mm (0.1 to 0.2 in.) long spur at the base. The fruit is an ellipsoid capsule with six ribs. This is the only species of this genus that occurs in the Hawaiian Islands (Wagner *et al.* 1990).

Historically *Platanthera holochila* was known from the Alakai Swamp and Kaholuamano area and the Wahiawa Mountains on Kauai, the Koolau Mountains on Oahu, scattered locations on Molokai, and various locations on Maui (HHP 1994k1 to 1994k17). Currently *Platanthera holochila* is known from five locations on Kauai, Molokai, and Maui. Before the devastation of Hurricane Íniki on Kauai in September 1992, two populations were known from the Alakai Swamp within the Alakai Wilderness Preserve on State land (HHP 1994k4, 1994k8). One population, last seen in 1977, was not seen when the location was revisited in 1989. The other population comprised 100 plantlets representing 3 clones before Hurricane Íniki, but only 10 immature plantlets representing 1 clone over a year after the hurricane (Perlman 1995). On Molokai, a single population of fewer than ten plants occurs on private land in TNCH's Kamakou Preserve (HHP 1994k3). On Maui, three populations are known—Hanaula, on State and private land, and TNCH's Waikamoi and Kapunakea Preserves (HHP 1994k9, 1994k12, 1994k17). The 5 current populations comprise fewer than 35 individuals—1 individual on Kauai; fewer than 10 on Molokai; and between 15 and 20 on Maui (HHP 1994k3, 1994k4, 1994k8, 1994k9, 1994k12, 1994k17). *Platanthera holochila* is found in óhiá-*Dicranopteris linearis* (uluhe) montane wet forest or óhiá mixed montane bog between 1,050 and 1,870 m (3,450 and 6,120 ft) elevation. Associated plant taxa include *Cibotium* sp. (hapuú), *Coprosma ernodeoides* (kukaenene), *Oreobolus* sp., *Styphelia* sp. (pukiawe), and *Vaccinium* spp. (óhelo) (HHP 1994k3, 1994k4, 1994k8, 1994k9, 1994k12, 1994k17).

The primary threats to *Platanthera holochila* are habitat degradation and/or destruction by ungulates such as cattle and feral pigs, competition with alien plant taxa, overcollection, and a risk of extinction from naturally occurring events due to the small number of remaining populations and individuals (HHP 1994k4, 1994k9, 1994k12, 1994k17; C. Russell, pers. comm. 1994).

While hiking the Schofield-Waikane Trail on Oahu, St. John collected a plant that he and Edward Hosaka described in 1935 as *Sanicula purpurea.* Other published names considered synonymous with this species include *S. lobata* and *S. sandwicensis* (Constance and Affolter 1990). The specific epithet refers to the purple petals.

Sanicula purpurea, a member of the parsley family (Apiaceae), is a stout perennial herb, 8 to 36 cm (3 to 14 in.) tall, arising from a massive stem. The basal leaves are numerous and leathery in texture. Two to 8 cm (0.8 to 3 in.) wide, the leaves are kidney-shaped or circular to egg-heart-shaped, with three to seven lobes. The small flowers are purple or cream-colored with a purple tinge and occur in branched terminal clusters, each of which contains six to ten flowers. Each flower cluster contains one to three perfect flowers and five to seven staminate flowers. The nearly spherical fruits are covered with prickles. This species is distinguished from others in the genus by the number of flowers per cluster and by the color of the petals (Constance and Affolter 1990).

Historically *Sanicula purpurea* was known from six scattered locations along the Koolau Mountains of Oahu and from four locations on West Maui (HHP 1994L1 to 1994L10). This species is currently known from one population in Oahu's Koolau Mountains on the boundary of State land and the federally owned Schofield Barracks Military Reservation; another population, last seen on the summit between Aiea and Waimano in 1985, was not seen during a 1987 survey and may no longer be extant. On West Maui, three populations are currently known on State land, including West Maui NAR, and one population is known from private land (HHP 1994L1 to 1994L10). The total number of plants of this species is estimated to be between 130 and 210 individuals. This species typically grows in open óhiá mixed montane bogs between 700 and 1,625 m (2,300 and 5,330 ft) elevation. Associated plant taxa include pukiawe, *Argyroxiphium grayanum* (greensword), *Lagenifera* sp., *Machaerina* sp. (úki), and *Oreobolus furcatus* (HHP 1994L1, 1994L6 to 1994L9).

Habitat degradation by feral pigs and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of existing populations are the major threats to *Sanicula purpurea.* On Oahu, the Kaukonahua-Kahana Divide population is additionally threatened by competition with an alien grass, *Axonopus fissifolius* (narrow-leaved carpetgrass), and potentially by military activities (HHP 1994L1, 1994L9).

Schiedea hookeri was first described by Gray in 1854 based on a specimen collected on Oahu by Archibald Menzies of the U.S. Exploring Expedition (Wagner *et al.* 1990). Later, Earl Sherff described *S. hookeri* var. *acrisepala* and *S. hookeri* var. *intercedens,* considered synonyms of *S. hookeri* (Sherff 1944, 1945; Wagner *et al.* 1990).

Schiedea hookeri, a member of the pink family (Caryophyllaceae), is a sprawling or clumped perennial herb. The stems, 0.3 to 0.5 m (1 to 1.6 ft) long, curve slightly upward or lie close to the ground and often produce matted clumps. The thin, opposite leaves, 3 to 8 cm (1.2 to 3.2 in.) long and 0.4 to 1.5 cm (0.2 to 0.6 in.) wide, are narrowly lance-shaped to narrowly elliptic. The petalless, perfect flowers are borne in open branched inflorescences, which are hairy, somewhat sticky, and 5 to 22 cm (2 to 9 in.) long. The lance-shaped sepals are green to purple and 3 to 4.5 mm (1.2 to 1.8 in.) long. The fruit is a capsule about 3 mm (0.1 in.) long. This species is distinguished from others in this endemic Hawaiian genus by its open, hairy, and sometimes sticky inflorescence, and by the size of the capsules (Wagner *et al.* 1990).

Historically *Schiedea hookeri* was known from the Waianae Mountains of Oahu and Haleakala on Maui (HHP 1994m1 to 1994m17). Currently this species is known from 11 populations in

Oahu's Waianae Mountains. Between 220 and 330 individuals are scattered on slopes and ridges from Kaluakauila Gulch to Lualualei Valley—1 population on private land in TNCH's Honouliuli Preserve; 3 populations on City and County of Honolulu land; 3 populations on State land, 1 of which is on land leased by the DOD for Makua Military Reservation; and 4 populations on Federal land (3 on Lualualei Naval Magazine and 1 on Schofield Barracks Military Reservation) (HHP 1994m1, 1994m5, 1994m8, 1994m9, 1994m11 to 1994m17). *Schiedea hookeri* is usually found in diverse mesic or dry lowland forest, often with óhiá or lama dominant, between 365 and 790 m (1,200 and 2,600 ft) elevation. One population is reported at an elevation of 850 to 900 m (2,800 to 2,950 ft). Associated plant taxa include áálií, *Artemisia australis* (áhinahina), *Bidens* sp. (koókoólau), *Carex meyenii,* and *Eragrostis grandis* (kawelu) (HHP 1994m5, 1994m6, 1994m9, 1994m11 to 1994m17).

The primary threats to *Schiedea hookeri* are habitat degradation and/or destruction by feral goats and pigs and competition with alien plant taxa. The Kaluakauila Gulch population is also potentially threatened by fire and military activities (HHP 1994m5, 1994m8, 1994m11 to 1994m13, 1994m15 to 1994m17).

Schiedea kauaiensis was first collected by Otto Degener and Amy Greenwell in 1952. Degener and E.E. Sherff considered this collection from Kauai to be a new variety of *Schiedea nuttallii,* previously known only from Oahu, and named it *Schiedea nuttallii* var. *pauciflora* (Sherff 1952). In 1988, St. John elevated this variety to species level, naming it *Schiedea kauaiensis.* Wagner *et al.* (1990) recombined this species with *Schiedea nuttallii,* without recognizing any varieties. The authorities on this endemic Hawaiian genus, Stephen Weller, Ann Sakai, and Warren Wagner, now accept *Schiedea kauaiensis* as a distinct species (Stephen Weller, University of California, Irvine, *in litt.* 1994). Weller, Sakai, and Wagner consider *Schiedea wichmanii* St. John to be synonymous with *Schiedea kauaiensis* (S. Weller, *in litt.* 1994).

Schiedea kauaiensis, a member of the pink family, is a generally hairless, erect subshrub, with stems normally 0.3 to 1.5 m (1 to 5 ft) long. The green, sometimes purple-tinged leaves are opposite, narrowly egg-shaped or lance-shaped to narrowly or broadly elliptic, up to 13 cm (5 in.) long, and 3.5 cm (1.4 in.) wide. The petalless, perfect flowers are borne in open branched inflorescences, moderately covered with fine, short, curly, white hairs. The lance-shaped sepals, 2 to 3.8 mm (0.08 to 1.5 in.) long, are green or sometimes purple-tinged. The fruit is a capsule. The round to kidney-shaped seeds are about 2 mm (0.08 in.) long. This species is distinguished from others in this endemic Hawaiian genus by its habit, larger leaves, the hairiness of the inflorescence, the number of flowers in each inflorescence, larger flowers, and larger seeds (Wagner et al. 1990; S. Weller, *in litt.* 1994).

Historically *Schiedea kauaiensis* was known from the northwestern side of Kauai, from Papa'a to Mahanaloa. It was thought to be extinct until the 2 currently known populations were found, which total about 15 plants. Both populations occur on State land—the Mahanaloa Valley population within Kuia NAR and the Kalalau Valley population within Na Pali Coast State Park. *Schiedea kauaiensis* typically grows in diverse mesic forest on steep slopes. Associated plant taxa include *Psychotria hexandra* (kopiko), *Exocarpus luteolus* (heau), lama, the federally threatened *Peucedanum sandwicense* (makou), and the proposed *Euphorbia haeleeleana* (ákoko) (HHP 1994n18; HPCC 1992c2; S. Weller, *in litt.* 1994).

Threats to *Schiedea kauaiensis* include habitat degradation and/or destruction by feral pigs, goats, and deer; competition from several alien plant taxa; landslides; and a risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the low number of individuals in only two known populations (HHP 1994n18, HPCC 1992c2).

In 1834, Thomas Nuttall collected a specimen of *Schiedea nuttallii* in the Koolau Mountains of Oahu. Ten years later, William Hooker described this species (Mill *et al.* 1988, Nagata 1980). Other published names considered synonymous with *Schiedea nuttallii* include *S. nuttallii* var. *lihuensis* and *S. oahuensis* (Wagner *et al.* 1990; S. Weller, *in litt.* 1994).

Schiedea nuttallii, a member of the pink family, is a generally hairless, erect subshrub, with stems normally 0.3 to 1.5 m (1 to 5 ft) long, and internodes usually 0.8 to 4 cm (0.3 to 1.6 in.) long. The green, sometimes purple-tinged leaves are opposite, narrowly egg-shaped or lance-shaped to narrowly or broadly elliptic, 5 to 10 cm (2 to 4 in.) long, and 1.5 to 2 cm (0.6 to 0.8 in.) wide. The petalless, perfect flowers are borne in open branched inflorescences, normally 20 to 25 cm (8 to 10 in.) long. The lance-shaped sepals, 2 to 3.8 mm (0.08 to 1.5 in.) long, are green or sometimes purple-tinged. The fruit is a capsule. The round to kidney-shaped seeds are about 1 mm (0.04 in.) long. This species is distinguished from others in this endemic Hawaiian genus by its habit, length of the stem internodes, length of the inflorescence, number of flowers per inflorescence, smaller leaves, smaller flowers, and smaller seeds (Wagner *et al.* 1990; S. Weller, *in litt.* 1994).

Historically *Schiedea nuttallii* was known from scattered locations on southeastern Kauai, Oahu, Molokai, and Maui (HHP 1994n1 to 1994n17; HPCC 1992c1; S. Weller, *in litt.* 1994). One population of *Schiedea nuttallii* is found on Kauai east of Haupu Peak on private land (HHP 1994n10, HPCC 1992c1). Five populations are found on Oahu—Kahanahaiki Valley, on State land leased by the DOD for Makua Military Reservation; two populations within the State owned Pahole NAR; and Ekahanui Gulch, on private land in TNCH's Honouliuli Preserve (HHP 1994n2 to 1994n4, 1994n14, 1994n17). The statewide total of 6 populations comprises fewer than 75 individuals of this species, with between 10 and 50 individuals on Kauai and about 25 on Oahu (HHP 1994n2 to 1994n4, 1994n10, 1994n14, 1994n17; HPCC 1992c1; S. Weller, *in litt.* 1994). *Schiedea nuttallii* typically grows in diverse lowland mesic forest, often with 'ohi'a dominant, between 415 and 730 m (1,360 and 2,400 ft) elevation. The population on Kauai is found at 790 m (2,590 ft) elevation. Associated plant taxa include hame, kopiko, olomea, papala kepau, and *Hedyotis acuminata* (au) (HHP 1994n2 to 1994n4, 1994n10, 1994n14, 1994n17, 1994n18; HPCC 1992c1).

Habitat degradation and/or destruction by feral ungulates such as pigs and goats, competition with several alien plant taxa, landslides, potential fire, potential military activities, and a risk of extinction from naturally occurring events and/or reduced reproductive vigor, due to the small number of populations and individuals, seriously threaten *Schiedea nuttallii* (HHP 1994n2, 1994n17; HPCC 1992c1; C. Russell, pers. comm. 1994).

Previous Federal Action

Federal action on these plants began when the Smithsonian Institution's report on plants considered to be endangered or threatened in the United States, designated as House Document No. 94–51, was presented to Congress on January 9, 1975. Seven of the 14 proposed taxa were considered to be endangered in that document and 2 were considered to be threatened. On July 1, 1975, the Service published a

notice in the Federal Register (40 FR 27823) of its acceptance of the Smithsonian report as a petition within the context of section 4(c)(2) (now section 4(b)(3)) of the Act, and giving notice of its intent to review the status of the plant taxa named therein. The Service published an updated notice of review for plants on December 15, 1980 (45 FR 82479), September 27, 1985 (50 FR 39525), February 21, 1990 (55 FR 6183), and September 30, 1993 (58 FR 51144). *Cyanea grimesiana* ssp. *grimesiana* (as *Cyanea grimesiana* var. *mauiensis* and var. *munroi*), *Euphorbia haeleeleana, Isodendrion laurifolium, Isodendrion longifolium,* and *Platanthera holochila* were considered Category 1 species in the 1980 and 1985 notices of review. Category 1 species (candidates) are those for which the Service has on file substantial information on biological vulnerability and threats to support preparation of listing proposals but for which listing proposals have not yet been published because they are precluded by other listing activities. Since the 1993 notice, new information suggests that the nine taxa not previously considered Category 1 species are sufficiently restricted in numbers and distribution and imminently threatened and therefore warrant listing.

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists of endangered and threatened species. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). The threats facing the 14 taxa in this proposed rule are summarized in Table 2.

TABLE 2.—SUMMARY OF THREATS

Species	Alien mammals					Alien plants	Sub-strate loss	Fire	Human impacts	Limited numbers
	Cattle	Deer	Goats	Pigs	Rats					
Achyranthes mutica	X		X			X				X1,3*
Cenchrus agrimonioides	P		P	X		X		P	P	X2,3
Cyanea grimesiana ssp. *grimesiana.*		X	X	X	P	X	X	P	P	
Cyperus trachysanthos						X				X1
Euphorbia haeleeleana		X	X	X	X	X		P	P	
Isodendrion laurifolium		X	X	X		X			P	
Isodendrion longifolium			X	X		X		P	P	
Panicum niihauense						X			X	X1,3
Phyllostegia parviflora	P			X		X				X1,3
Platanthera holochila	X			X		X			X	X1,3
Sanicula purpurea				X		X			P	X1
Schiedea hookeri			X	X		X		P	P	
Schiedea kauaiensis		X	X	X		X	X			X1,3
Schiedea nuttallii			X	X		X	X	P	P	X2,3

Key:
X = Immediate and significant threat.
P = Potential threat.
* = No more than 100 individuals and/or no more than 5 populations.
1 = No more than 5 populations.
2 = No more than 10 populations.
3 = No more than 100 individuals.

These factors and their application to *Achyranthes mutica* A. Gray (No common name (NCN)), *Cenchrus agrimonioides* Trin. (kamanomano), *Cyanea grimesiana* Gaud. ssp. *grimesiana* (haha), *Cyperus trachysanthos* Hook. & Arnott (pu'uka'a), *Euphorbia haeleeleana* Herbst (NCN), *Isodendrion laurifolium* A. Gray (aupaka), *Isodendrion longifolium* A. Gray (aupaka), *Panicum niihauense* St. John (lau 'ehu), *Phyllostegia parviflora* (Gaud.) Benth. (NCN), *Platanthera holochila* (Hillebr.) Kraenzl. (NCN), *Sanicula purpurea* St. John & Hosaka (NCN), *Schiedea hookeri* A. Gray (NCN), *Schiedea kauaiensis* St. John (NCN), and *Schiedea nuttallii* Hook. (NCN) are as follows:

A. The present or threatened destruction, modification, or curtailment of its habitat or range

Native vegetation on all of the main Hawaiian Islands has undergone extreme alteration because of past and present land management practices including ranching, deliberate alien animal and plant introductions, and agricultural development (Cuddihy and Stone 1990, Wagner *et al.* 1985). The Northwestern Hawaiian Islands have undergone similar alteration, but to a lesser degree. The primary threats facing the 14 plant taxa included in this rule are destruction and modification of habitat by feral animals and competition with alien plants (see Factor E).

Thirteen of the 14 taxa in this rule are threatened by feral animals. Animals such as pigs, goats, axis deer, black-tailed deer, and cattle were introduced either by the early Hawaiians (pigs) or more recently by European settlers (all ungulate species) for food and/or commercial ranching activities. Over the 200 years following their introduction, their numbers increased and the adverse impacts of feral ungulates on native vegetation have become increasingly apparent. Beyond the direct effect of trampling and grazing native plants, feral ungulates have contributed significantly to the heavy erosion still taking place on most of the main Hawaiian islands (Cuddihy and Stone 1990).

Pigs, originally native to Europe, Africa, and Asia, were introduced to Hawaii by the Polynesian ancestors of Hawaiians, and later by western immigrants. The pigs escaped domestication and invaded primarily wet and mesic forests of Kauai, Oahu, Molokai, Maui, and Hawaii. Pigs pose an immediate threat to one or more

populations of 11 of the proposed taxa in wet and mesic habitats. While foraging, pigs root and trample the forest floor, encouraging the establishment of alien plants in the newly disturbed soil. Pigs also disseminate alien plant seeds through their feces and on their bodies, accelerating the spread of alien plants through native forests (Cuddihy and Stone 1990, Stone 1985). Pigs are vectors of *Psidium cattleianum* (strawberry guava) and *Schinus terebinthifolius* (Christmas berry), which threaten several of the proposed taxa (Cuddihy and Stone 1990, Smith 1985, Stone 1985). Pigs have also invaded open bogs where they uproot native plants and create conditions that allow alien plant species to invade (Gagné and Cuddihy 1990). *Sanicula purpurea* and the Alakai Swamp population of *Platanthera holochila* are currently threatened by pigs in bogs (HHP 1994k4, 1994k8, 1994L9). On Kauai, one population of *Isodendrion laurifolium* and two populations of *Isodendrion longifolium* have sustained loss of individual plants and/or habitat as a result of feral pig activities (HHP 1994h21, 1994i13, 1994i15; Lorence and Flynn 1993). The following proposed plant taxa on Oahu are threatened by pigs—three populations of *Cenchrus agrimonioides,* two of *Cyanea grimesiana* ssp. *grimesiana,* two of *Euphorbia haeleeleana,* three of *Isodendrion laurifolium,* one of *Isodendrion longifolium,* the two remaining populations of *Phyllostegia parviflora,* one population of *Sanicula purpurea,* three of *Schiedea hookeri,* both populations of *Schiedea kauaiensis,* and one of *Schiedea nuttallii* (HHP 1994d8, 1994d11, 1994d12, 1994e1, 1994e34, 1994g10, 1994g13, 1994h16, 1994h18, 1994h20, 1994i2, 1994L1, 1994m5, 1994m12, 1994m13, 1994n2, 1994n18, 1994y1, 1994z1; HPCC 1992c2). On Maui, feral pigs are a threat to the largest population of *Cyanea grimesiana* ssp. *grimesiana,* the Waikamoi and Kapunakea Preserves populations of *Platanthera holochila,* and the Eke Crater population of *Sanicula purpurea* (HHP 1994k12, 1994k17, 1994l9; A. Medeiros, pers. comm. 1994).

Goats, native to the Middle East and India, were first successfully introduced to the Hawaiian Islands in 1792. Feral goats now occupy a wide variety of habitats from lowland dry forests to montane grasslands on Kauai, Oahu, Molokai, Maui, and Hawaii, where they consume native vegetation, trample roots and seedlings, accelerate erosion, and promote the invasion of alien plants (Scott *et al.* 1986, Stone 1985, van Riper and van Riper 1982). One or more populations of eight of the proposed taxa are currently threatened by direct damage from feral goats. On Kauai, goats are contributing to the decline of one population each of *Isodendrion laurifolium* and *Isodendrion longifolium* and four populations of *Euphorbia haeleeleana.* Goats threaten the two known populations of *Schiedea kauaiensis* and the one population of *Schiedea nuttallii* on Kauai (HHP 1989b, 1994g1, 1994g4, 1994g12, 1994g14, 1994h21, 1994i5; HPCC 1992c2). On Oahu, encroaching urbanization and hunting pressure tend to concentrate the goat populations in the dry upper slopes of the Waianae Mountains, where one population of *Euphorbia haeleeleana,* three populations of *Isodendrion laurifolium,* and two populations of *Schiedea hookeri* exist (HHP 1994g13, 1994h16, 1994h18, 1994h20, 1994m13, 1994m15). The goat population in the Waianae area is apparently increasing in State game management areas and extending into adjacent areas, becoming an even greater threat to the rare plants that grow there. On Kukuinui Ridge, Molokai, goats threaten one of that island's two known populations of *Cyanea grimesiana* ssp. *grimesiana* (HHP 1994e7). On Maui, goats pose a potential threat to that island's only known population of *Cenchrus agrimonioides* (R. Hobdy, pers. comm. 1994). On Hawaii, the only known population of *Achyranthes mutica* is presently threatened by goats (HPCC 1992a).

In 1920, a group of 12 axis deer was introduced to the island of Lanai; about 60 years later, the population was estimated at 2,800 (Tomich 1986). The axis deer population is presently actively managed for recreational hunting by the State Department of Land and Natural Resources. Axis deer degrade habitat by trampling and overgrazing vegetation, which removes ground cover and exposes the soil to erosion (J. Lau, pers. comm. 1994). Extensive red erosional scars caused by decades of deer activity are evident on Lanai. Activity of axis deer threatens one of the two populations of *Cyanea grimesiana* ssp. *grimesiana* on Lanai (HHP 1994e37).

Black-tailed deer were first introduced to Kauai in 1961 for the purpose of sport hunting and today probably number well over 500 animals. The deer are presently confined to the western side of the island, where they feed on a variety of native and alien plants (van Riper and van Riper 1982). Black-tailed deer threaten two populations of *Euphorbia haeleeleana,* including almost half of the known individuals on Kauai, and half of the known populations of *Isodendrion laurifolium* on Kauai. Black-tailed deer also threaten other rare plants within Kuia NAR, potentially threatening one population of *Schiedea kauaiensis* (HHP 1994g1, 1994g7, 1994h6, 1994h9, 1994h11, 1994n18).

Large-scale ranching of cattle in the Hawaiian Islands began in the middle of the 19th century on the islands of Kauai, Oahu, Maui, and Hawaii. Large ranches tens of thousands of acres in size developed on East Maui and Hawaii (Cuddihy and Stone 1990) where most of the State's large ranches still exist today. Degradation of native forests used for ranching activities became evident soon after full-scale ranching began. The negative impact of cattle on Hawaii's ecosystems is similar to that described for goats and deer (Cuddihy and Stone 1990, Stone 1985). On Maui, cattle ranching is the primary agricultural activity on the west and southwest slopes of East Maui and in lowland regions of West Maui. On West Maui, the Hanaula population of *Platanthera holochila* is threatened by grazing cattle (HHP 1994k9). Cattle pose a potential threat to that island's only known population of *Cenchrus agrimonioides* (R. Hobdy, pers. comm. 1994). The only known population of *Achyranthes mutica,* in the Keawewai Stream area on the island of Hawaii, is also threatened by cattle ranching activities (HPCC 1992a).

On Oahu, habitat disturbance caused by human activities may pose a threat to rare plant populations that grow on lands on which military training exercises and ground maneuvers are occasionally conducted. However, because most of the proposed taxa grow on moderate to steep slopes, ridges, and gulches, habitat disturbance is probably restricted to foot and helicopter traffic. Trampling by ground troops associated with training activities, and construction, maintenance, and utilization of helicopter landing and drop-off sites could affect populations of seven of the proposed taxa (*Cenchrus agrimonioides, Cyanea grimesiana* ssp. *grimesiana, Euphorbia haeleeleana, Isodendrion laurifolium, Sanicula purpurea, Schiedea hookeri,* and *Schiedea nuttallii*) that occur on land leased or owned by the Army (HHP 1994d11, 1994e34, 1994g5, 1994g6, 1994g10, 1994h17, 1994L1, 1994m8, 1994m12, 1994n14; Wagner *et al.* 1985).

B. Overutilization for commercial, recreational, scientific, or educational purposes

Unrestricted collecting for scientific or horticultural purposes or excessive

visits by individuals interested in seeing rare plants could result from increased publicity. This is a potential threat to all of the proposed taxa, but would seriously impact the nine taxa whose low numbers and/or few populations make them especially vulnerable to disturbance (*Achyranthes mutica, Cenchrus agrimonioides, Cyperus trachysanthos, Panicum niihauense, Phyllostegia parviflora, Platanthera holochila, Sanicula purpurea, Schiedea kauaiensis,* and *Schiedea nuttallii*). Such disturbances could also promote erosion and greater ingression of alien plant species. Some taxa, such as *Cenchrus agrimonioides, Cyanea grimesiana* ssp. *grimesiana, Isodendrion longifolium, Panicum niihauense,* and *Platanthera holochila,* have well-known populations, or populations close to trails or roads, that are possibly threatened by trampling or by overcollection (HHP 1994d1, 1994e1, 1994i2, 1994k9). One individual of *Platanthera holochila* died in the late 1980s after a portion of the plant was collected for scientific purposes (Marie Bruegmann, U.S. Fish and Wildlife Service, *in litt.* 1994).

C. Disease and predation

Disease is not known to be a significant threat to any of the proposed taxa. Evidence of predation on *Isodendrion laurifolium* by deer is documented on Kauai (HHP 1994h6, 1994h11). While there is no evidence of predation on the other 13 taxa, none of them are known to be unpalatable to cattle, deer, or goats. Predation is therefore a possible threat to taxa growing at sites where those animals have been reported (*Achyranthes mutica, Cyanea grimesiana* ssp. *grimesiana, Euphorbia haeleeleana, Isodendrion laurifolium, Isodendrion longifolium, Platanthera holochila, Schiedea hookeri,* and *Schiedea kauaiensis*) (see Factor A). Feral pigs not only destroy native vegetation through their rooting activities and dispersal of alien plant seeds, but they also feed on plants, preferring the pithy interior of large tree ferns and fleshy-stemmed plants from the bellflower family (Stone 1985, Stone and Loope 1987). Although there is no conclusive evidence of predation on *Cyanea grimesiana* ssp. *grimesiana,* a member of the bellflower family, it is not known to be unpalatable to pigs. Predation is therefore a possible threat to this taxon in areas where pigs have been reported (HHP 1994e1, 1994e34).

Two rat species, the black rat (*Rattus rattus*) and the Polynesian rat (*Rattus exulans*), and to a lesser extent other introduced rodents, eat large, fleshy fruits and strip the bark of some native plants, including plants in the bellflower family (Cuddihy and Stone 1990, Tomich 1986, Wagner *et al.* 1985; J. Lau, pers. comm. 1994). The largest population of *Euphorbia haeleeleana* on Oahu is seriously threatened by rat predation (HHP 1994g5). It is possible that rats eat the fruits of *Cyanea grimesiana* ssp. *grimesiana,* which produces fleshy fruit and stems and grows in areas where rats occur (J. Lau, pers. comm. 1994).

D. The inadequacy of existing regulatory mechanisms

Hawaii's endangered species act states, ''Any species of aquatic life, wildlife, or land plant that has been determined to be an endangered species pursuant to the [Federal] Endangered Species Act shall be deemed to be an endangered species under the provisions of this chapter * * *'' (HRS, sect. 195D–4(a)). Therefore, Federal listing would automatically invoke listing under Hawaii State law. State law prohibits cutting, collecting, uprooting, destroying, injuring, or possessing any listed species of plant on State or private land, or attempting to engage in any such conduct. The State law encourages conservation of such species by State agencies and triggers other State regulations to protect the species (HRS, sect. 195AD–4 and 5). However, the regulations are difficult to enforce because of limited personnel. Of the 14 proposed taxa, 10 have populations located on private land, 12 on State land, 3 on City and County of Honolulu land, and 9 on land under Federal jurisdiction. Of those under Federal jurisdiction, four taxa have populations that occur on land owned by the Federal government and six on land leased to the Federal government by the State. While 12 of the taxa occur in more than 1 of those 4 ownership categories, *Achyranthes mutica* is known only on private land and *Panicum niihauense* is found only on State land.

Eight of the proposed taxa have one or more populations in State NARs, where rules and regulations for the protection of resources apply (Hawaii Revised Statutes (HRS), sect. 195–5). The majority of the populations of the 14 proposed taxa are located on land classified within conservation districts and owned by the State of Hawaii or private companies or individuals. Regardless of the owner, lands in these districts are regarded as necessary for the protection of endemic biological resources, and maintenance or enhancement of the conservation of natural resources. Activities permitted in conservation districts are chosen by considering how best to make multiple use of the land (HRS, sect. 205–2). Some uses, such as maintaining animals for hunting, are based on policy decisions, while others, such as preservation of endangered species, are mandated by both Federal and State laws. Requests for amendments to district boundaries or variances within existing classifications can be made by government agencies and private landowners (HRS, sect. 205–4). Before decisions about these requests are made, the impact of the proposed reclassification on ''preservation or maintenance of important natural systems or habitat'' (HRS, sects. 205–4, 205–17) as well as the maintenance of natural resources is required to be taken into account (HRS, sects. 205–2, 205–4). Before any proposed land use that will occur on State land, is funded in part or whole by county or State funds, or will occur within land classified as a conservation district, an environmental assessment is required to determine whether the environment will be significantly affected (HRS, chapt. 343). If it is found that an action will have a significant effect, preparation of a full Environmental Impact Statement is required. Hawaii environmental policy, and thus approval of land use, is required by law to safeguard ''* * * the State's unique natural environmental characteristics * * *'' (HRS, sect. 344–3(1)) and includes guidelines to ''protect endangered species of individual plants and animals * * *'' (HRS, sect. 344–4(3)(A)). Federal listing, because it automatically invokes State listing, would also invoke State regulations protecting the plants.

E. Other natural or manmade factors affecting its continued existence

All 14 of the taxa proposed for listing are threatened by competition with one or more alien plant taxa (see Table 2). The most significant of these are *Lantana camara* (lantana), *Psidium cattleianum* (strawberry guava), *Schinus terebinthifolius* (Christmas berry), *Rubus rosifolius* (thimbleberry), *Clidemia hirta* (Koster's curse), *Grevillea robusta* (silk oak), *Melinis minutiflora* (molasses grass), *Paspalum conjugatum* (Hilo grass), *Psidium guajava* (common guava), *Ageratina adenophora* (Maui pamakani), and *Ageratina riparia* (Hamakua pamakani). A number of other alien plant taxa also pose significant threats to populations of the proposed plants.

Lantana camara (lantana), native to the West Indies, is an aggressive, thicket-forming shrub that produces chemicals that inhibit the growth of

other plant species. Lantana can now be found on all of the main islands in mesic forests, dry shrublands, and other dry, disturbed habitats (Cuddihy and Stone 1990, Smith 1985, Wagner *et al.* 1990). On Kauai, lantana poses a threat to two populations of *Euphorbia haeleeleana* and one population of *Isodendrion laurifolium* within Kuia NAR, three other populations of *Euphorbia haeleeleana,* three other populations of *Isodendrion laurifolium,* and one population of *Isodendrion longifolium*. In the Waianae Mountains of Oahu, one population each of *Cenchrus agrimonioides* and *Cyanea grimesiana* ssp. *grimesiana* and three populations of *Schiedea hookeri* are immediately threatened by this shrub (HHP 1994d8, 1994e34, 1994g1, 1994g3, 1994g7, 1994g14, 1994h9, 1994h11, 1994h15, 1994h21, 1994m13, 1994m15, 1994m17; HPCC 1993b; Lorence and Flynn 1993).

Psidium cattleianum (strawberry guava), an invasive shrub or small tree native to tropical America, has become widely naturalized on all of the main Hawaiian islands, forming dense stands that exclude other plant species in disturbed areas (Cuddihy and Stone 1990). This alien plant grows primarily in mesic and wet habitats and is dispersed mainly by feral pigs and fruit-eating birds (Smith 1985, Wagner *et al.* 1990). Strawberry guava is considered to be one of the greatest alien plant threats to Hawaiian rain forests and is known to pose a direct threat to at least one population each of *Euphorbia haeleeleana* and *Isodendrion laurifolium* and four populations of *Isodendrion longifolium* on the island of Kauai (HHP 1994g7, 1994h11, 1994i15, 1994i16; Lorence and Flynn 1991, 1993). Strawberry guava is a major invader of forests in the Waianae and Koolau Mountains of Oahu, where it often forms single-species stands. It poses an immediate threat to two populations each of *Cenchrus agrimonioides* and *Isodendrion laurifolium* and one population each of *Cyanea grimesiana* ssp. *grimesiana, Euphorbia haeleeleana, Isodendrion laurifolium, Isodendrion longifolium,* and *Schiedea hookeri* (HHP 1994d8, 1994d12, 1994e34, 1994g13, 1994h18, 1994h20, 1994i2, 1994m12). On Lanai, this invasive alien plant threatens one of that island's populations of *Cyanea grimesiana* ssp. *grimesiana* (HHP 1994e37).

Schinus terebinthifolius (Christmas berry), introduced to Hawaii before 1911, is a fast-growing tree or shrub invading most mesic to wet lowland areas of the major Hawaiian Islands (Wagner *et al.* 1990). Christmas berry is distributed mainly by feral pigs and fruit-eating birds and forms dense thickets that shade out and displace other plants (Cuddihy and Stone 1990, Smith 1985, Stone 1985). It is a major component of the mesic forests of the Waianae and Koolau Mountains of Oahu. Two-thirds of the *Cenchrus agrimonioides* populations, one-third of the *Isodendrion laurifolium* populations, 1 of 2 known populations of *Phyllostegia parviflora,* and 6 of 11 populations of *Schiedea hookeri* are negatively affected by this invasive plant (HHP 1994d8, 1994d11, 1994d12, 1994d14, 1994h2, 1994h16, 1994h18, 1994h20, 1994m5, 1994m11, 1994m15 to 1994m17; 1994y1).

Rubus rosifolius (thimbleberry), native to Asia, is naturalized in disturbed mesic to wet forest on all of the main Hawaiian Islands (Cuddihy and Stone 1990). On Kauai, this shrub poses a threat to the largest population of *Euphorbia haeleeleana,* two populations of *Isodendrion laurifolium,* five populations of *Isodendrion longifolium,* and one population of *Schiedea kauaiensis* (HHP 1994g1, 1994h9, 1994h11, 1994i13, 1994i15 to 1994i17; HPCC 1992c2; Lorence and Flynn 1993). One of the two populations of *Cyanea grimesiana* ssp. *grimesiana* on Lanai is threatened by thimbleberry (HHP 1994e37).

Clidemia hirta (Koster's curse), a noxious shrub native to tropical America, is found in mesic to wet forests on at least six islands in Hawaii (Almeda 1990, Hawaii Department of Agriculture 1981, Smith 1992). Koster's curse was first reported on Oahu in 1941 and had spread through much of the Koolau Mountains by the early 1960s. Koster's curse spread to the Waianae Mountains around 1970 and is now widespread throughout the southern half of that mountain range. This noxious plant forms a dense understory, shading out other plants and hindering plant regeneration (Cuddihy and Stone 1990). In the Waianae Mountains of Oahu, Koster's curse poses a serious threat to two populations of *Cyanea grimesiana* ssp. *grimesiana,* one population of *Isodendrion longifolium,* the largest population of *Phyllostegia parviflora,* and one of the largest populations of *Schiedea hookeri.* Koster's curse also threatens one population of *Isodendrion laurifolium* in Oahu's Koolau Mountains. This prolific alien plant has recently spread to five other islands, and immediately threatens two populations of *Isodendrion longifolium* in Waioli Valley on Kauai, and one of the two populations of *Cyanea grimesiana* ssp. *grimesiana* on Molokai (HHP 1994e7, 1994e34, 1994h17, 1994i2, 1994i17, 1994m11, 1994z1; Lorence and Flynn 1993; H. Bornhorst and S. Perlman, pers. comms. 1992).

Grevillea robusta (silk oak), native to Queensland and New South Wales, Australia, was extensively planted in Hawaii for timber and is now naturalized on most of the main Hawaiian Islands (Smith 1985, Wagner *et al.* 1990). On Kauai, this alien tree threatens *Euphorbia haeleeleana* in Hipalau Valley. In the Waianae Mountains of Oahu, silk oak negatively affects one population each of *Cenchrus agrimonioides, Euphorbia haeleeleana, Isodendrion laurifolium, Schiedea hookeri,* and *Schiedea nuttallii (HHP 1994d8, 1994g14, 1994h16, 1994m13, 1994n2).*

First introduced to the Hawaiian Islands as cattle fodder, *Melinis minutiflora* (molasses grass) was later planted for erosion control (Cuddihy and Stone 1990). This alien grass quickly spread to dry and mesic forests previously disturbed by ungulates. Molasses grass produces a dense mat capable of smothering plants, essentially preventing seedling growth and native plant reproduction (Cuddihy and Stone 1990, Smith 1985). Because it burns readily and often grows at the border of forests, molasses grass tends to carry fire into areas with woody native plants (Cuddihy and Stone 1990, Smith 1985). It is able to spread prolifically after a fire and effectively out-compete less fire-adapted native plant species, ultimately creating a stand of alien grass where forest once stood. In the Waianae Mountains on Oahu, molasses grass is a serious threat to one population each of *Cenchrus agrimonioides* and *Euphorbia haeleeleana* and two populations of *Schiedea hookeri* (HHP 1994d11, 1994g10, 1994m8, 1994m11).

Paspalum conjugatum (Hilo grass) is naturalized in moist to wet disturbed areas on all of the main Hawaiian Islands except Niihau and Kahoolawe, and produces a dense ground cover. On Kauai, this perennial grass threatens the Wahiawa Mountains and Waioli Valley populations of *Isodendrion longifolium* (HHP 1994i15, 1994i17; Lorence and Flynn 1991, 1993). In the Waianae Mountains of Oahu, Hilo grass threatens one population of *Cenchrus agrimonioides* and the largest population of *Schiedea hookeri* (HHP 1994d11, 1994m13; Lorence and Flynn 1993). In Maui's Kipahulu Valley, this grass threatens the largest known population of *Cyanea grimesiana* ssp. *grimesiana* (A. Medeiros, pers. comm. 1994).

Psidium guajava (common guava), a shrub or small tree native to the New

World tropics, is naturalized on all of the main islands, except perhaps Niihau and Kahoolawe (Wagner *et al.* 1990). Common guava is a serious weed that invades disturbed sites, forming dense thickets in dry as well as mesic and wet forests (Smith 1985, Wagner *et al.* 1990). On Kauai, common guava poses a threat to a population of *Isodendrion longifolium* in Waioli Valley (Lorence and Flynn 1993). In the Waianae Mountains of Oahu, this alien plant threatens the largest populations of *Schiedea hookeri* and *Schiedea nuttallii,* while on the island of Hawaii, common guava threatens the only known population of *Achyranthes mutica* (HHP 1994m13, 1994n2; HPCC 1992a).

Ageratina adenophora (Maui pamakani) and *Ageratina riparia* (Hamakua pamakani), both native to tropical America, have naturalized in dry areas to wet forest on Oahu, Molokai, Lanai, Maui, and Hawaii (Wagner *et al.* 1990). These two noxious weeds form dense mats with other alien plants and prevent regeneration of native plants (Anderson *et al.* 1992). In the Waianae Mountains of Oahu, two populations of *Schiedea hookeri* are threatened by both Maui pamakani and Hamakua pamakani, and the largest population of *Phyllostegia parviflora* is threatened by Maui pamakani (HHP 1994m16, 1994m17, 1994y1). On Hawaii, the only known population of *Achyranthes mutica* is threatened by Hamakua pamakani (HPCC 1992a).

Rubus argutus (Prickly Florida blackberry) was introduced to the Hawaiian Islands in the late 1800s from the continental U.S. (Haselwood and Motter 1983). The fruits are easily spread by birds to open areas such as disturbed mesic or wet forests, where the species forms dense, impenetrable thickets (Smith 1985). The largest population of *Cenchrus agrimonioides* on Oahu is threatened by prickly Florida blackberry, as well as other alien plant taxa (HHP 1994d8). *Leucaena leucocephala* (koa haole) is a naturalized shrub which is sometimes the dominant species in low elevation, dry, disturbed areas on all of the main Hawaiian islands (Geesnick *et al.* 1990). On Kauai, the only known population of *Panicum niihauense* is threatened by several alien plants, including koa haole (HHP 1994j3, HPCC 1992b). Oahu's only known population of *Cyperus trachysanthos* is threatened by alien grasses and possibly by koa haole (HHP 1994f1; J. Lau, pers. comm. 1994). *Prosopis pallida* (kiawe) was introduced to Honolulu from a single seed grown on the Catholic Mission Grounds in 1828. In the early part of this century, pods were collected and sold to ranchers for cattle ration. The seeds pass through the digestive system of cattle and spread rapidly throughout the drier habitats of the Hawaiian islands (Geesnick *et al.* 1990). The only known population of *Panicum niihauense* is threatened by kiawe (HHP 1994j3, HPCC 1992b). Recently introduced to Hawaii, *Cyathea cooperi* (Australian tree fern) is being promoted for commercial propagation in Hawaii to decrease exploitation of native tree ferns. Australian tree fern has recently become established on the island of Maui, and seriously threatens the largest known population of *Cyanea grimesiana* ssp. *grimesiana* (Cuddihy and Stone 1990; A. Medeiros, pers. comm. 1994).

Pennisetum clandestinum (Kikuyu grass), an aggressive, perennial grass introduced to Hawaii as a pasture grass, withstands trampling and grazing and is naturalized on four Hawaiian Islands in dry to mesic forest. It produces thick mats which choke out other plants and prevent their seedlings from establishing and has been declared a noxious weed by the U.S. Department of Agriculture (7 CFR 360) (O'Connor 1990, Smith 1985). Kikuyu grass is a threat to the only known population of *Achyranthes mutica* (HPCC 1992a). The introduced fern *Blechnum occidentale* was noted by Dr. Clifford Smith of the University of Hawaii as a potential pest in 1985 (Cuddihy and Stone 1990, Smith 1985). Found in mesic forests, *Blechnum occidentale* is a threat to one population of *Schiedea kauaiensis* (HHP 1994n18). *Conyza bonariensis* (hairy horseweed) is nearly cosmopolitan in distribution, although it is perhaps native to South America. It was naturalized in Hawaii prior to 1871 and is a common weed in various urban and non-urban areas throughout Hawaii, generally in dry habitats. It threatens the only known population of *Achyranthes mutica* (HPCC 1992a, Wagner *et al.* 1990). *Opuntia ficus-indica* (panini) was introduced to Hawaii prior to 1809 from Mexico and has become naturalized in dry, disturbed habitats on Kauai, Oahu, Maui, Kahoolawe, and Hawaii. Panini threatens the only known population of *Achyranthes mutica* (HPCC 1992a, Wagner *et al.* 1990). *Axonopus fissifolius* (narrow-leaved carpet grass) is native to subtropical North America and the New World tropics. Introduced to Hawaii in 1912, narrow-leaved carpet grass has become common in wet pastures, disturbed wet forest, and bogs on Kauai, Oahu, Lanai, Maui, and Hawaii. Narrow-leaved carpet grass is a threat to one population of *Sanicula purpurea* on Oahu (HHP 1994L1, O'Connor 1990). *Kalanchoe pinnata* (air plant) is an herb which occurs on all the main islands except Niihau and Kahoolawe, especially in dry to mesic areas (Wagner *et al.* 1990). Air plant threatens one population of *Schiedea kauaiensis* (HPCC 1992c2).

Fire poses a potential threat to populations of six of the proposed taxa—*Cenchrus agrimonioides, Cyanea grimesiana* ssp. *grimesiana, Euphorbia haeleeleana, Isodendrion longifolium, Schiedea hookeri,* and *Schiedea nuttallii* (HHP 1994e1, 1994e34, 1994g5, 1994g6, 1994g10, 1994i2, 1994m8, 1994m12, 1994m15 to 1994m17). Because Hawaii's native plants have evolved with only infrequent, naturally occurring episodes of fire (lava flows, infrequent lightning strikes), most species are not adapted to fire and are unable to recover well after recurring fires. Alien plants are often more fire-adapted than native taxa and quickly exploit suitable habitat after a fire (Cuddihy and Stone 1990). On Oahu, unintentionally ignited fires have resulted from military training exercises in Makua Military Reservation and Schofield Barracks Military Reservation and pose a possible threat to populations of *Cenchrus agrimonioides, Euphorbia haeleeleana,* and *Schiedea nuttallii* that grow in dry and mesic forest on those installations (Environment Impact Study Corp. 1977; HHP 1994a, 1994b, 1994d11, 1994g5, 1994g6, 1994g10, 1994n14; Yoshioka *et al.* 1991). Accidentally or maliciously set fires in residential areas near the Lualualei Naval Magazine and the Makua Military Reservation could easily spread and pose a possible threat to one of the four populations of *Cenchrus agrimonioides,* most of the island's individuals of *Euphorbia haeleeleana,* one population of *Isodendrion longifolium,* several populations of *Schiedea hookeri,* and one population of *Schiedea nuttallii* (HHP 1994d11, 1994g5, 1994g6, 1994g10, 1994i2, 1994m8, 1994m15 to 1994m17, 1994n14).

Erosion, landslides, and rockslides due to natural weathering result in the death of individual plants as well as habitat destruction. This especially affects the continued existence of taxa or populations found on cliffs and steep slopes that have limited numbers and/or narrow ranges such as the Oahu populations of *Cyanea grimesiana* ssp. *grimesiana,* the Pahole-Makua Ridge population of *Schiedea nuttallii* on Oahu, and the Kalalau Valley population of *Schiedea kauaiensis* on Kauai (HHP 1994n2; HPCC 1992c2; L. Mehrhoff, pers. comm. 1995).

The small number of populations and individuals of many of these taxa increases the potential for extinction from naturally occurring events. The small gene pool may depress reproductive vigor, or a single human-caused or natural environmental disturbance could destroy a significant percentage of the individuals or the only extant population. Two of the proposed plant taxa, *Achyranthes mutica* and *Panicum niihauense,* are each known from a single population. Five additional proposed taxa have 5 or fewer populations (*Cyperus trachysanthos, Phyllostegia parviflora, Platanthera holochila, Sanicula purpurea,* and *Schiedea kauaiensis*), and 7 of the taxa are estimated to number no more than 100 individuals (*Achyranthes mutica, Cenchrus agrimonioides, Panicum niihauense, Phyllostegia parviflora, Platanthera holochila, Schiedea kauaiensis,* and *Schiedea nuttallii*). All of the proposed taxa either number fewer than 20 populations or total fewer than 1,000 individuals (see Table 2).

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these taxa in determining to propose this rule. Based on this evaluation, the preferred action is to propose listing 13 of these plant taxa as endangered (*Achyranthes mutica, Cenchrus agrimonioides, Cyanea grimesiana* ssp. *grimesiana, Cyperus trachysanthos, Euphorbia haeleeleana, Isodendrion laurifolium, Panicum niihauense, Phyllostegia parviflora, Platanthera holochila, Sanicula purpurea, Schiedea hookeri, Schiedea kauaiensis,* and *Schiedea nuttallii)* and *Isodendrion longifolium* as threatened. The 13 taxa proposed as endangered are threatened by one or more of the following—habitat degradation and/or predation by pigs, goats, deer, cattle, and rats; competition for space, light, water, and nutrients from alien plants; habitat loss from fires; human impacts from military training practices and recreational activities; and substrate loss. Seven of the proposed taxa have 5 or fewer populations, and 7 of the taxa are estimated to number no more than 100 individuals. Small population size and limited distribution make these taxa particularly vulnerable to extinction from reduced reproductive vigor or from naturally occurring events. Because these 13 taxa are in danger of extinction throughout all or a significant portion of their ranges, they fit the definition of endangered as defined in the Act. Therefore, the determination of endangered status for these 13 taxa is warranted.

Although populations of *Isodendrion longifolium* are threatened by habitat degradation and/or destruction by goats and pigs and competition with six alien plant species, the larger distribution of populations and total numbers of plants reduce the likelihood that this species will become extinct in the near future. For these reasons, *Isodendrion longifolium* is not now in immediate danger of extinction throughout all or a significant portion of its range. However, *Isodendrion longifolium* is likely to become endangered in the foreseeable future if the threats affecting it are not curbed. As a result, *Isodendrion longifolium* is proposed to be listed as a threatened species.

Critical habitat is not being proposed for the 14 taxa included in this rule for reasons discussed in the ''Critical Habitat'' section of this proposal.

Critical Habitat

Critical habitat is defined in section 3 of the Act as—(i) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management consideration or protection; and (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary propose critical habitat at the time a species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for the 14 taxa proposed in this rule. Service regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist—(1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species. As discussed under Factor B, these taxa are threatened by overcollection, due to low numbers or population size. The publication of precise maps and descriptions of critical habitat in the Federal Register and local newspapers as required in a proposal for critical habitat would increase the degree of threat to these plants from take or vandalism and, therefore, could contribute to their decline. The listing of these taxa publicizes the rarity of the plants and, thus, can make these plants attractive to researchers, curiosity seekers, or collectors of rare plants. All involved parties and the major landowners have been notified of the location and importance of protecting the habitat of these taxa. Additional protection of the habitat of these taxa will be addressed through the recovery process and through the section 7 consultation process. The Service finds that designation of critical habitat for these 14 taxa is not prudent at this time. Such a designation would increase the degree of threat from vandalism, collecting, or other human activities and is unlikely to aid in the conservation of these taxa.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain activities. Recognition through listing can encourage and result in conservation actions by Federal, State, and local agencies, private organizations, and individuals. The Act provides for possible land acquisition and cooperation with the State and requires that recovery plans be developed for listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) requires Federal agencies to confer with the Service on any action that is likely to jeopardize the continued existence of a species proposed for listing or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may

affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

Nine of the endangered taxa occur on land under Federal jurisdiction, including the following agencies—U.S. Army, U.S. Navy, and National Park Service. Of those, four taxa are found on federally owned land and six taxa occur on land leased by the Federal government from the State. Activities carried out by the U.S. Army include ordnance training practices, ground troop training activities, and construction, maintenance, and utilization of helicopter landing and drop-off sites. The Army is coordinating with TNCH to develop management plans for Schofield Barracks Military Reservation, Kawailoa Training Area, and Makua Military Reservation to limit the impact of these activities on endangered species and their habitats. The Navy is in the process of developing a management plan for Lualualei Naval Magazine. The National Park Service actively monitors and manages rare and endangered species populations within Haleakala National Park.

The Act and its implementing regulations set forth a series of general prohibitions and exceptions that apply to all endangered and threatened plants. With respect to the 14 proposed taxa in this rule, all prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61 for endangered plants and 17.71 for threatened plants, would apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export any endangered plant species; transport such species in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale such a species in interstate or foreign commerce; remove and reduce such a species to possession from areas under Federal jurisdiction; maliciously damage or destroy any such species from areas under Federal jurisdiction; or remove, cut, dig up, or damage or destroy any such species in knowing violation of any State law or regulation, including State criminal trespass law. Section 4(d) of the Act allows for the provision of such protection to threatened species through regulation. This protection may apply to *Isodendrion longifolium* in the future if regulations are promulgated. Seeds from cultivated specimens of threatened plants are exempt from these prohibitions provided that their containers are marked ''Of Cultivated Origin.'' Certain exceptions to the prohibitions apply to agents of the Service and State conservation agencies.

The Act and 50 CFR 17.62, 17.63, and 17.72 also provide for the issuance of permits to carry out otherwise prohibited activities involving listed plant species under certain circumstances. Such permits are available for scientific purposes and to enhance the propagation or survival of the species. For threatened plants, permits are also available for botanical or horticultural exhibition, educational purposes, or special purposes consistent with the purposes of the Act. It is anticipated that few permits would be sought or issued because these 14 taxa are not common in cultivation or in the wild.

It is the policy of the Service (59 FR 34272) to identify to the maximum extent practicable at the time a species is listed those activities that would or would not constitute a violation of section 9 of the Act. Such information is intended to clarify the potential impacts of a species' listing on proposed and ongoing activities within the species' range. Nine of the proposed taxa occur on Federal lands under the jurisdiction of the U.S. Army, U.S. Navy, or National Park Service. Collection, damage, or destruction of these taxa on Federal lands is prohibited without a Federal endangered species permit. Such activities on non-Federal lands would constitute a violation of section 9 if conducted in knowing violation of Hawaii State law or regulations or in violation of State criminal trespass law. The Service is not aware of any trade in these species.

Requests for copies of the regulations concerning listed plants and inquiries regarding prohibitions and permits may be addressed to the Fish and Wildlife Service, Ecological Services, Endangered Species Permits Branch, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181 (telephone: 503/231–6241; facsimile: 503/231–6243).

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to the 14 taxa;

(2) The location of any additional populations of these taxa and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of these taxa; and

(4) Current or planned activities in the subject area and their possible impacts on these taxa.

The final decision on this proposal will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for one or more public hearings on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal in the Federal Register. Such requests must be made in writing and addressed to the Ecoregion Manager (see **ADDRESSES** section).

National Environmental Policy Act

The Service has determined that Environmental Assessments or Environmental Impact Statements, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

References Cited

A complete list of all references cited herein is available upon request from the Pacific Islands Ecoregion (see **ADDRESSES** section).

Author

The primary author of this proposed rule is Marie M. Bruegmann, Pacific Islands Ecoregion Office (see **ADDRESSES** section). Substantial data were contributed by the Hawaii Heritage Program.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Proposed Regulation Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. Section 17.12(h) is amended by adding the following, in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants to read as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family name	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
Achyranthes mutica	None	U.S.A. (HI)	Amaranthaceae	E		NA	NA
*	*	*	*	*	*		*
Cenchrus agrimonioides	Kamanomano	U.S.A. (HI)	Poaceae	E		NA	NA
*	*	*	*	*	*		*
Cyanea grimesiana ssp. *grimesiana.*	Haha	U.S.A. (HI)	Campanulaceae	E		NA	NA
*	*	*	*	*	*		*
Cyperus trachysanthos	Pu'uka'a	U.S.A. (HI)	Cyperaceae	E		NA	NA
*	*	*	*	*	*		*
Euphorbia haeleeleana	'Akoko	U.S.A. (HI)	Euphorbiaceae	E		NA	NA
*	*	*	*	*	*		*
Isodendrion laurifolium	Aupaka	U.S.A. (HI)	Violaceae	E		NA	NA
*	*	*	*	*	*		*
Isodendrion longifolium	Aupaka	U.S.A. (HI)	Violaceae	T		NA	NA
*	*	*	*	*	*		*
Panicum niihauense	Lau 'ehu	U.S.A. (HI)	Poaceae	E		NA	NA
*	*	*	*	*	*		*
Phyllostegia parviflora	None	U.S.A. (HI)	Lamiaceae	E		NA	NA
*	*	*	*	*	*		*
Platanthera holochila	None	U.S.A. (HI)	Orchidaceae	E		NA	NA
*	*	*	*	*	*		*
Sanicula purpurea	None	U.S.A. (HI)	Apiaceae	E		NA	NA
*	*	*	*	*	*		*
Schiedea hookeri	None	U.S.A. (HI)	Caryophyllaceae	E		NA	NA
*	*	*	*	*	*		*
Schiedea kauaiensis	None	U.S.A. (HI)	Caryophyllaceae	E		NA	NA
*	*	*	*	*	*		*
Schiedea nuttallii	None	U.S.A. (HI)	Caryophyllaceae	E		NA	NA
*	*	*	*	*	*		*

Dated: September 20, 1995.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 95–24337 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–55–P

50 CFR Part 17

RIN 1018–AD52

Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for the Guajón

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to determine the guajón (*Eleutherodactylus cooki*) to be a threatened species pursuant to the Endangered Species Act (Act) of 1973, as amended. The guajón is endemic to Puerto Rico and is restricted to the Pandura mountain range in the southeastern part of the island. It is threatened in this area by agricultural, rural, and industrial development and the associated infrastructure. This proposal, if made final, will implement the Federal protection and recovery provisions afforded by the Act for *E. cooki.*

DATES: Comments from all interested parties must be received by December 1, 1995. Public hearing requests must be received by November 16, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622. Comments and materials received will be available for public inspection, by appointment, during normal business hours at this office, and at the Service's Southeast Regional Office, 1875 Century Boulevard, Atlanta, Georgia 30345.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Silander at the Caribbean Field Office address (809/851–7297) or Mr. William C. Hunter at the Atlanta, Georgia, Regional Office address (404/331–3580).

SUPPLEMENTARY INFORMATION:

Background

With over 400 described species, *Eleutherodactylus* is the largest vertebrate genus. Two major centers of species diversity occur: northwestern South America and the West Indies. Almost all species possess ''t-shaped'' terminal phalanges, probably an adaptation for climbing and reproductively, these frogs have direct development, allowing for reproduction away from water. In the West Indies, *Eleutherodactylus* species are a dominant amphibian group. No single species is naturally found on more than one of the four Greater Antilles, and most are restricted to small areas within an island (Hedges 1989). Seventeen species of this genus are known from Puerto Rico and collectively, they are commonly known as ''coquis'' (Rivero 1978, Moreno 1991).

The guajón (*Eleutherodactylus cooki*), also known commonly as ''demon of Puerto Rico'' or ''demonio de Puerto Rico,'' is a relatively large frog, approximately 8.5 centimeters (3.3 inches) in length. It is solid brown in color, although males and some females may have a yellow throat. In both sexes, the frogs have large, white-rimmed eyes, giving the species a specter or phantom-like appearance. It is characterized by having large truncate discs and by a peculiar, melodious and low voice which is completely different from any other species of *Eleutherodactylus* in Puerto Rico (Rivero 1978). Rivero (1978) states that its peculiar calling and phantom-like appearance made many local people fearful of the species, believing that the mere sight of an animal would be fatal.

The guajón, first collected in 1932, is known only from the Pandura range in southeastern Puerto Rico and west to Patillas/San Lorenzo where it lives in crevices and grottoes in and among boulders. Such grottoes are commonly referred to as guajonales. It is from the grottoes or guajonales that the frog derives its name, the guajón. The species is apparently limited in distribution by the rock formation where it occurs (Rivero 1978, Joglar 1992). Joglar (1992) documented population fluctuations, apparently related to precipitation and temperature. Numbers are lowest during the winter months, during the period of least rainfall and lowest temperatures. The number of egg clutches and juveniles was greatest during the months of October and September. Eggs are laid on the humid faces of boulders within the grottoes and the clutches of up to 59 eggs are apparently guarded by the males (Rivero 1978).

During surveys conducted by Drewry (1986) and Joglar (1992), the guajón was found at its historical localities, all of which occur within the municipalities of Yabucoa and San Lorenzo. Little historical data are available on abundance, therefore, reductions in populations are difficult to document. Nevertheless, *E. cooki* is endemic to Puerto Rico, extremely restricted in geographical distribution and occurs only on privately-owned lands. Threats include fire, deforestation and earth movement for agricultural activities and rural development, road construction, including the construction of a major four lane highway, and the construction of a reservoir.

Previous Federal Action

In the Service's notices of review for vertebrate candidates published in the Federal Register of December 30, 1982 (47 FR 58454), September 18, 1985 (50 FR 37958), January 6, 1989 (55 FR 17475) and November 21, 1991 (56 FR 58804), *Eleutherodactylus cooki* was included as a category 2 species. Category 2 species (now recognized as species of concern to the Service) are taxa for which there is information to indicate that listing may be appropriate, but for which there is insufficient data to support a listing proposal.

During a symposium/workshop on Puerto Rican reptiles and amphibians held in Puerto Rico in April of 1990, Moreno (1991) believed that the guajón was declining and in urgent need of a status survey. Status surveys conducted in 1991 and 1992 indicated that the guajón is extremely restricted in distribution and currently faces significant threats (Joglar 1992). The Service recently elevated the guajón to candidate status and is proposing it for threatened status.

Summary of Factors Affecting the Species

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be endangered or threatened due to one or more of the five factors described in section 4(a)(1). These factors and their application to the guajón (*Eleutherodactylus cooki*) are as follows:

A. The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range

The guajón is only known from the municipalities of Yabucoa and San Lorenzo in the Pandura mountain range in the extreme southeastern corner of Puerto Rico. Deforestation and earth movement for agricultural and rural development have encroached upon known habitat of the species. Road construction and the associated cut and fill has eliminated habitat (Drewry 1986). A major four lane highway is currently proposed through the area, as is the construction of a major reservoir.

B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Although not previously identified as a determinant factor in the decline of the guajón specifically, scientific collecting of related species of coqui in Puerto Rico has contributed to declines. In a survey of only seven museums in both Puerto Rico and the United States, numerous specimens of the web-footed coqui (*E. karlschmidti*) and the mottled coqui (*E. eneidae*) were located, with a total of 473 preserved individuals of the former and 325 of the latter species (Joglar 1992). Both of these related species' status are under evaluation by the Service because of their extreme rarity. Collection of *Eleutherodactylus* sp. for use in local art has also been documented, and such activities are currently being evaluated by the Commonwealth government for possible regulation.

C. Disease or Predation

Disease has not been documented as a factor in the decline of this species. However, examination of both preserved and live specimens of the guajón revealed that the species is parasitized by the tick *Ornithodoros talaje.* Nevertheless, the effect of this parasite on the guajón has yet to be studied (Joglar 1992). Introduced species such as cats, rats and mongoose, active at night,

may adversely affect densities of this species by feeding on the frogs and their eggs.

D. The Inadequacy of Existing Regulatory Mechanisms

The guajón is not currently protected by Commonwealth regulations. Federal listing will provide immediate protection for the species and enhance its protection and possibilities for funding needed research.

E. Other Natural or Manmade Factors Affecting Its Continued Existence

The decline in populations of amphibians has become apparent globally. Factors which may be responsible for the decline of amphibians include: habitat destruction and modification, acid rain, pesticide contamination, introduction of non-native predators and competitors, agriculture, mining and logging, increased levels of ultraviolet radiation, collection, and global climatic change (Wake and Morowitz 1991).

Flash floods, droughts, and catastrophic storms, such as Hurricane Hugo which occurred in 1989, may have caused localized extirpations of other species of *Eleutherodactylus* in specific areas in Puerto Rico (Burrowes and Joglar 1991, Joglar 1992). Hurricane Hugo negatively affected the abundance of *E. portoricensis,* a species which is not abundant and is restricted in distribution (Joglar and Burrowes 1991). The guajón is endemic to Puerto Rico and extremely restricted in distribution, it is known only from the southeastern part of the island.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to propose this rule. Based on this evaluation, the preferred action is to list *Eleutherodactylus cooki* as threatened. Since the species is extremely restricted in distribution and specialized in habitat. Activities such as dam and road construction and land conversion to agriculture threaten to significantly reduce available habitat. While not in immediate danger of extinction, the guajón is likely to become an endangered species in the foreseeable future if present threats continue. The reasons for not proposing critical habitat for these species are discussed below in the ''Critical Habitat'' section.

Critical Habitat

Critical habitat is defined in section 3 of the Act as: (i) The specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection and; (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time the species is determined to be endangered or threatened. The Service finds that the designation of critical habitat is not prudent for the guajón. Service regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist—(1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species.

While collection has not been documented as contributing to the decline of the guajón specifically, large numbers of other *Eleutherodactylus* species, including several identified as species at risk, have been documented in scientific collections. Collection of *Eleutherodactylus* sp. has been documented for use by local artisans, and such collection is currently under evaluation by the Commonwealth government for possible regulation. In addition, due to appearance of the animal, Rivero (1978) stated that local people were fearful of them. This fear could lead to killing of guajón.

The guajón is rare and restricted in range, and taking for scientific purposes and private collection would pose a serious threat to the species if specific site information were released. The publication of critical habitat maps in the Federal Register and local newspapers and other publicity accompanying critical habitat designation would likely increase the collection threat and increase the potential for vandalism if such designation were proposed. The Service believes, therefore, that the identification of critical habitat may increase the threat to the species. The locations of populations of this species have consequently been described only in general terms in this proposed rule. Any existing precise locality data would be available to appropriate Federal, State, and local government agencies from the Service office described in the **ADDRESSES** section.

Regulations promulgated for implementing section 7 of the Act provide for both a jeopardy standard, based on listing alone, and for a destruction or adverse modification standard, in cases where critical habitat has been designated. The guajón occupies an extremely restricted geographic area in Puerto Rico and, once listed, the Service believes that protection of guajón habitat can be accomplished through the section 7 jeopardy standard, and through section 9 prohibitions against take.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing results in conservation actions by Federal, Commonwealth, and private agencies, and individuals. The Act provides for possible land acquisition and cooperation with the Commonwealth and requires that recovery actions be carried out for all listed species. Such actions are initiated by the Service following listing. The protection required of Federal agencies and the prohibitions against taking and harm are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) requires Federal agencies to confer with the Service on any action that is likely to jeopardize the continued existence of a species proposed for listing or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

Federal agency actions that may require conference and/or consultation as described in the preceding paragraph include: the Army Corps of Engineers and/or National Resource Conservation Service (previously Soil Conservation Service) involvement in the construction of a reservoir; Farmer's Home Administration funding of water, sewer, and power lines as well as residential developments; and the Federal Highway Administration's involvement in the construction of small roads and a major highway through the area.

The Act and its implementing regulations set forth a series of general trade prohibitions and exceptions that apply to all threatened wildlife. The prohibitions, codified at 50 CFR 17.21 and 17.31, in part, make it illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, or collect; or to attempt any of these), import or export, ship in interstate commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any listed species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. Certain exceptions apply to agents of the Service and Commonwealth conservation agencies.

Permits may be issued to carry out otherwise prohibited activities involving threatened wildlife species under certain circumstances. Regulations governing permits are at 50 CFR 17.32. Such permits are available for scientific purposes, to enhance the propagation or survival of the species, and/or for incidental take in connection with otherwise lawful activities. For threatened species, permits are also available for zoological exhibition, educational purposes, or special purposes consistent with the purposes of the Act. Requests for copies of the regulations regarding listed wildlife and inquiries about prohibitions and permits may be addressed to the Service's Southeast Regional Office, 1875 Century Boulevard, Atlanta, Georgia 30345 (404/679–7110).

It is the policy of the Service (59 FR 34272) to identify to the maximum extent practicable those activities that would or would not constitute a violation of section 9 of the Act at the time of listing. The intent of this policy is to increase public awareness of the effect of listing on proposed or ongoing activities. The only known populations of guajón are located on privately-owned land. The Service believes that, based on the best available information, the following actions will not result in a violation of section 9, provided these activities are carried out in accordance with existing regulations and permit requirements:

(1) Momentary moving of an individual guajón out of danger (*e.g.*, road, path);

(2) Possession of legally acquired guajón, under Service-approved permitted conditions; and

(3) Federally approved projects that involve activities, such as, dam and road construction, earth movement for agricultural activities and rural development, or diversion or alteration of surface or ground water flow into or out of grottoes (*e.g.*, due to roads, impoundments, discharge pipes, storm water detention basins, etc.), when such activity is conducted in accordance with any reasonable and prudent measures given by the Service in accordance with section 7 of the Act.

Activities that the Service believes could potentially result in ''take'' of the guajón, include, but are not limited to:

(1) Unauthorized collecting or capture of the species, except as noted above to momentarily move an individual out of harm's way;

(2) Purposeful introduction of exotic species, such as cats, rats and mongoose, that may adversely affect densities of this species by feeding on adults or eggs;

(3) Unauthorized destruction/alteration of the species' habitat (*e.g.*, rock removal, discharge of fill materials, earth movement for agricultural activities and rural development, or diversion or alteration of surface or ground water flow into or out of grottoes) when such activity is not conducted in accordance with section 7 of the Act;

(4) Pesticide applications in violation of label restrictions; and

(5) Discharges or dumping of toxic chemicals, silt, or other pollutants into areas supporting this species.

Questions regarding whether specific activities will constitute a violation of section 9 should be directed to the Field Supervisor of the Service's Caribbean Field Office (see **ADDRESSES** section). Requests for copies of the regulations on listed species and inquiries regarding prohibitions and permits should be addressed to the U.S. Fish and Wildlife Service, Ecological Services (TE), 1875 Century Boulevard, Atlanta, Georgia 30345–3301 (404/679–7096).

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning any aspect of this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to the guajón;

(2) The location of any additional populations of this species, and the reasons why any habitat should or should not be determined to be critical habitat pursuant to section 4 of the Act;

(3) Additional information concerning the range, distribution and population size of this species; and

(4) Current or planned activities in the subject areas and their possible impacts on this species.

Final promulgation of the regulation on the guajón will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Endangered Species Act provides for one or more public hearings on this proposal, if requested. Requests must be filed within 45 days of the publication of the proposal in the Federal Register. Such requests must be made in writing and addressed to the Field Supervisor, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622.

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

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Author

The primary author of this proposed rule is Ms. Susan Silander, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622 (809/851–7297).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Proposed Regulation Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

2. It is proposed to amend 17.11(h) by adding the following, in alphabetical order under AMPHIBIANS, to the list of Endangered and Threatened Wildlife to read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*	*	*	
Amphibians							
*	*	*	*	*	*	*	
Guajón	*Eleutherodactylus cooki.*	U.S.A. (PR)	NA	T		NA	NA
*	*	*	*	*	*	*	

Date: September 19, 1995.

Mollie H. Beattie,

Director, Fish and Wildlife Service.

[FR Doc. 95–24334 Filed 9–29–95; 8:45 am]

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50 CFR Part 17

RIN 1018-AD49

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plant Species (Cyanea dunbarii, Lysimachia maxima, and Schiedea Sarmentosa) From the Island of Molokai, Hawaii

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes to list *Cyanea dunbarii* (haha), *Lysimachia maxima* (No common name (NCN)), and *Schiedea sarmentosa* (NCN) as endangered pursuant to the Endangered Species Act of 1973, as amended (Act). All three species are endemic to the island of Molokai, Hawaiian Islands. The three plant species and their habitats have been variously affected or are currently threatened by one or more of the following—competition, predation, or habitat degradation from introduced species; fire; and natural disasters. This proposed rule, if made final, would implement the Federal protection and recovery provisions afforded by the Act for these three species.

DATES: Comments from all interested parties must be received by December 1, 1995. Public hearing requests must be received by November 16, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to Robert P. Smith, Pacific Islands Ecoregion Manager, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 6307, P.O. Box 50167, Honolulu, Hawaii 96850. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert P. Smith, Pacific Islands Ecoregion Manager (see **ADDRESSES** section) (telephone 808/541—2749; facsimile 808/541–2756).

SUPPLEMENTARY INFORMATION:

Background

Cyanea dunbarii, Lysimachia maxima, and *Schiedea sarmentosa* are endemic to the island of Molokai. This island, the fifth largest in the Hawaiian island chain, is approximately 61 kilometers (km) (38 miles (mi)) long, up to 16 km (10 mi) wide, and encompasses an area of about 688 square (sq) km (266 sq mi) (Foote *et al.* 1972, Plasch 1985). Three shield volcanoes make up most of the land mass of Molokai—West Molokai Mountain, East Molokai Mountain, and a volcano that formed Kalaupapa Peninsula (Department of Geography 1983). Molokai can also be divided into three major sections—the west Molokai section, comprising West Molokai Mountain; the central Molokai section or Hoolehua Plain formed between the two large mountain masses; and the east Molokai section, incorporating East Molokai Mountain and Kalaupapa Peninsula (Foote *et al.* 1972).

The taller and larger East Molokai Mountain rises 1,813 meters (m) (4,970 feet (ft)) above sea level (Walker 1990) and comprises roughly 50 percent of the island's land area. Topographically, the

windward side of East Molokai differs from the leeward side. Precipitous cliffs line the northern windward coast with deep inaccessible valleys dissecting the coastline. The annual rainfall on the windward side is 200 to over 375 centimeters (cm) (75 to over 150 inches (in)), distributed throughout the year. The soils are poorly drained and high in organic matter. The gulches and valleys are usually very steep, but sometimes gently sloping (Foote *et al.* 1972). Much of the native vegetation on the northern part of East Molokai is intact because of its relative inaccessibility to humans and animals (Culliney 1988), although destructive ungulates have begun to enter the coastline in recent years (Joel Lau, Hawaii Heritage Program (HHP), pers. comm. 1990). *Lysimachia maxima* is found in windward wet forest.

Although Molokai's windward side receives most of the island's rainfall, some falls onto the upper slopes of the leeward (southern) side, decreasing as elevation decreases, and resulting in diverse leeward communities, from wet forests to dry shrub and grasslands. The average annual rainfall on the leeward side of East Molokai is between 80 and 130 cm (30 and 50 in), mostly falling between November and April. The gently sloping to very steep topography of upland regions has predominantly well drained and medium-textured soils (Foote *et al.* 1972). *Cyanea dunbarii* and *Schiedea sarmentosa* are found in lowland mesic forest and dry shrubland on the leeward side of the island.

With the advent of cattle ranching and later pineapple cultivation, most of Molokai, particularly West Molokai and East Molokai's southern section, was converted to pasture land. The only remaining large tracts of native vegetation are found within the Molokai Forest Reserve on the upper elevation portions of East Molokai. All three plant species in this rule are restricted to this forest reserve (Culliney 1988). The land that supports these three plant species is owned by various private parties and the State of Hawaii (including forest reserves).

Discussion of the Three Species Proposed for Listing

Cyanea dunbarii was first described by Joseph F. Rock, who named it in honor of the collector, L.M. Dunbar (Rock 1919). Harold St. John (St. John 1987a, St. John and Takeuchi 1987) merged *Cyanea* with *Delissea*, the genus with priority. Lammers (1990) retained both genera in the currently accepted treatment of the family.

Cyanea dunbarii, a member of the bellflower family (Campanulaceae), is a branched shrub 1.5 to 2 m (4.9 to 6.6 ft) tall. The oval to broadly elliptic leaves are 10 to 22 cm (3.9 to 8.7 in) long and 6 to 14 cm (2.4 to 5.5 in) wide, with irregularly lobed or cleft margins. The flowers are arranged in groups of six to eight on a stalk that is 3 to 7 cm (1.2 to 2.8 in) long. The corolla is white, tinged or striped with pale lilac and 30 to 38 mm (1.2 to 1.5 in) long. The corolla is slightly curved, with spreading lobes three-fourths as long as the tube. This species is distinguished from others in this endemic Hawaiian genus by the lack of prickles on the stems and the irregularly lobed and cleft leaf margins (Lammers 1990).

Cyanea dunbarii was collected in 1918 at Waihanau and Waialae Valleys, and was not observed again until 1992, when Joel Lau of HHP found it in Mokomoko Gulch (HHP 1993a1 to 1993a3, Rock 1919, Wimmer 1943). Approximately 15 to 20 mature plants are known from this population, which occurs on State-owned land within Molokai Forest Reserve, at an elevation of 685 m (2,250 ft) (HHP 1993a3; Loyal Mehrhoff, U.S. Fish and Wildlife Service, *in litt.*, 1994). *Cyanea dunbarii* is found in mesic to wet *Dicranopteris linearis* (uluhe)-*Metrosideros polymorpha* ('ohi'a) forest on moderate to steep slopes along a stream (HHP 1993a3; L. Mehrhoff, *in litt.* 1994). Associated species include Perrottetia sandwicensis (olomea), *Pipturus albidus* (mamaki), *Clermontia kakeana* (haha), *Cheirodendron trigynum* ('olapa), and *Freycinetia arborea* ('ie'ie) (L. Mehrhoff, *in litt.*, 1994). The major threats to *Cyanea dunbarii* are competition with the alien plants *Rubus rosifolius* (thimbleberry), *Commelina diffusa* (honohono), *Hedychium* sp. (ginger), and *Kalanchoe pinnata* (air plant); landslides; and a risk of extinction from naturally occurring events (such as landslides or flooding) and/or reduced reproductive vigor due to the small number of individuals in the only known population (HHP 1993a3; L. Mehrhoff, *in litt.* 1994). Rats (*Rattus* spp.) are a potential threat since they are known to be in the area and eat stems and fruits of other species of *Cyanea* (Cuddihy and Stone 1990). Axis deer (*Axis axis*) and pigs (*Sus scrofa*) are potential threats to *Cyanea dunbarii*, since they are known to occur in areas adjacent to the only known population (L. Mehrhoff, *in litt.* 1994; Ed Misaki, The Nature Conservancy (TNC), pers. comm. 1991).

William Hillebrand considered a plant he collected in Pelekunu Valley in the 1800's to be a new variety of *Lysimachia hillebrandii* (Hillebrand 1888). In 1905, R. Knuth named Hillebrand's specimen *Lysimachia hillebrandii* var. *maxima* (Pax and Knuth 1905). St. John (1987b) elevated the variety to a species, *Lysimachia ternifolia*. Wagner *et al.* (1990) called this taxon *Lysimachia maxima*. An ongoing revision of the genus has determined that L. ternifolia is an invalidly published name and concurs that L. maxima is the correct name for this species (Ken Marr, University of British Columbia, *in litt.* 1994).

Lysimachia maxima, a member of the primrose family (Primulaceae), is a sprawling shrub with reddish brown bark. The leaves, borne in groups of three along the stems, are oval with the broadest portion at the tip of the leaves. The leaves are 3.8 to 8 cm (1.5 to 3 in) long and 1.8 to 5 cm (0.7 to 2 in) wide. The upper surface of the leaves has a few scattered hairs when young and the lower surface is sparsely covered with long, soft, rusty hairs when young. The corolla is purplish-yellow, bell-shaped, and about 10 to 12 mm (0.4 to 0.5 in) long. This species is differentiated from others in this genus by the leaves borne in groups of three, the broadest portion of the leaf above the middle, and rusty hairs that disappear with maturity (Wagner et al. 1990).

Lysimachia maxima is only known from one population on the rim of Pelekunu Valley near Ohialele, on TNC's Pelekunu Preserve immediately adjacent to State-owned land managed as part of Kalaupapa National Historical Park (HHP 1991a, Hawaii Plant Conservation Center (HPCC) 1991a, Hillebrand 1888, Pax and Knuth 1905, Wagner et al. 1990). Approximately 20 to 40 individuals are currently known (L. Mehrhoff, *in litt.* 1994). This species occurs in 'ohi'a-uluhe montane wet forest at an elevation of 975 m (3,200 ft). Associated species include *Psychotria* sp. (kopiko), *Vaccinium* sp. (ohelo), *Hedyotis* sp. (manono), *Dubautia* sp. (na'ena'e), and *Ilex anomala* (kawa'u) (HPCC 1991a; L. Mehrhoff, *in litt.* 1994). The major threats to *Lysimachia maxima* are landslides and the risk of extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of individuals in the only known population (HPCC 1991a; L. Mehrhoff, *in litt.* 1994). Pigs and goats are known from adjacent areas and pose a potential threat to this species (L. Mehrhoff, *in litt.* 1994).

In 1928, Otto Degener collected a plant on Molokai that E.E. Sherff (1946) later named *Schiedea sarmentosa*. *Schiedea sarmentosa* was included in *Schiedea menziesii* by Wagner *et al.* (1990). Warren Wagner and Stephen Weller, who are preparing a monograph of the genus, now consider *S.*

sarmentosa to be a separate species (Warren Wagner, Smithsonian Institution, and Stephen Weller, University of California, Irvine, *in litt.* 1994).

Schiedea sarmentosa, a member of the pink family (Caryophyllaceae), is a many-branched shrub 30 to 45 cm (12 to 18 in) tall. The opposite leaves are slender and threadlike, 1.5 to 4.5 cm (0.6 to 1.8 in) long, and 0.5 to 1.5 mm (0.01 to 0.05 in) wide. The leaves are covered with dense, glandular hairs. There may be as many as 40 to 60 inflorescences on one plant, often with 50 to 100 flowers in each inflorescence. The flowers are female on some plants and bisexual on others. The green sepals are egg-shaped, 2 to 3 mm (0.07 to 0.12 in) long, and somewhat hairy. The staminodes (false stamens) are half as long as the sepals and two-branched at the tip. The fruits are oval capsules. This species differs from others in this endemic Hawaiian genus by its densely bushy habit, leaf width, hairiness, and staminode length (Sherff 1946; S. Weller and W. Wagner, *in litt.*, 1994).

Schiedea sarmentosa has been found in Kawela Gulch, Makolelau, and Onini Gulch (HHP 1991b, 1993b; HPCC 1991b, 1992; Sherff 1946; J. Lau, HHP, *in litt.* 1994). Currently, only two populations are known. One population at the boundary of TNC's Kamakou Preserve in Onini Gulch has approximately 30 individuals (HHP 1993b). The other population occurs on privately owned land in Makolelau, and consists of 4 subpopulations totalling approximately 300 to 400 individuals (Steve Perlman, HPCC, and S. Weller, pers. comms. 1994). Estimates of the total number of individuals have ranged up to 1,000 (J. Lau, HHP, pers. comm. 1994). An accurate count is somewhat difficult because this species is interspersed with *Schiedea lydgatei* (Steve Perlman, HPCC, and S. Weller, pers. comms. 1994). *Schiedea sarmentosa* is typically found on steep slopes in 'ohi'a-*Dodonaea viscosa* ('a'ali'i) lowland dry or mesic shrubland between 610 and 790 m (2,000 and 2,600 ft) elevation (HHP 1991b, 1993b; HPCC 1991b, 1992). Associated species include *Styphelia tameiameiae* (pukiawe), *Chenopodium oahuensis* ('aheahea), *Alyxia oliviformis* (maile), *Pleomele* sp. (hala pepe), and *Chamaesyce* sp. ('akoko) (HHP 1993b; HPCC 1991b, 1992). Major threats to *Schiedea sarmentosa* include feral goats and pigs, the alien plants *Melinis minutiflora* (molasses grass) and *Ricinus communis* (castor bean), and fire. The species is also threatened by a risk of extinction from naturally occurring events due to the low number of populations (J. Lau, *in litt.* 1994; S. Perlman, pers. comm. 1994).

Previous Federal Action

Federal government action on these plants began when the Service published a revised notice of review in the Federal Register (55 FR 6183) on February 21, 1990, of native plants considered for listing under the Act. *Lysimachia maxima* (as *L. ternifolia*) and *Schiedea sarmentosa* (as *S. menziesii*) were included as Category 2 candidate species. Category 2 candidates are those for which listing as endangered or threatened is possibly appropriate, but for which sufficient data on biological vulnerability and threats are not currently available to support proposed rules. *Lysimachia maxima* (as *L. ternifolia*) and *Schiedea sarmentosa* (as *S. menziesii*) were also included as Category 2 candidates in the September 30, 1993 (58 FR 51144) notice of review. Since the 1993 notice, new information suggests that the numbers and distribution are sufficiently restricted and threats sufficiently great for the above two Category 2 species, as well as *Cyanea dunbarii*, to warrant listing at this time.

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). The threats facing the three species in this proposed rule are summarized in Table 1.

TABLE 1.—SUMMARY OF THREATS

Species	Alien mammals				Alien plants	Substrate loss	Human impacts	Fire	Limited No.*
	Deer	Goats	Pigs	Rats					
Cyanea dunbarii	P		P	P	X	X	P		X1.2
Lysimachia maxima ...		P	P			X	P		X1.2
Schiedea sarmentosa		X	X		X	P	P	X	X1

Key
X=Immediate and significant threat.
P=Potential threat.
*=No more than 100 individuals and/or no more than 5 populations.
1=No more than 5 populations.
2=No more than 100 individuals.

These factors and their application to *Cyanea dunbarii* Rock (haha), *Lysimachia maxima* (R. Knuth) St. John (No common name (NCN)), and *Schiedea sarmentosa* Degener & Sherff (NCN) are as follows:

A. The present or threatened destruction, modification, or curtailment of their habitat or range. The habitats of the plants included in this proposed rule have undergone extreme alteration because of past and present land management practices, including deliberate alien animal and plant introductions, agricultural development, and recreational use. Natural disturbances such as storms and landslides also destroy habitat and can have a significant effect on small populations of plants. Destruction and modification of habitat by introduced animals pose serious threats to one of the proposed species and pose serious potential threats in the event that these introduced animals spread to portions of Molokai where the other two species occur (see Table 1).

When Polynesian immigrants settled in the Hawaiian Islands, they brought water-control and slash-and-burn systems of agriculture and encouraged plants that they introduced to grow in valleys. Their use of the land resulted in erosion, changes in the composition of native communities, and a reduction of biodiversity (Cuddihy and Stone 1990, Kirch 1982, Wagner *et al.* 1985). Hawaiians settled and altered many areas of Molokai, including areas in which some of the proposed species grew. Many forested slopes were

denuded in the mid-1800's to supply firewood to whaling ships, plantations, and island residents.

Native plants were undoubtedly affected by these practices. Also, sandalwood and tree fern harvesting occurred in many areas, changing forest composition and affecting native species (Cuddihy and Stone 1990).

Beginning with Captain James Cook in 1792, early European explorers introduced livestock, which became feral, increased in number and range, and caused significant changes to the natural environment of Hawaii. The 1848 provision for land sales to individuals allowed large-scale agricultural and ranching ventures to begin. So much land was cleared for these enterprises that climatic conditions began to change, and the amount and distribution of rainfall were altered (Wenkam 1969). Plantation owners supported reforestation programs that resulted in many alien trees being introduced in the hope that the watershed could be conserved. Beginning in the 1920's, water collection and diversion systems were constructed in upland areas to irrigate lowland fields, and this undoubtedly destroyed individuals and populations of native plants. The irrigation system also opened new routes for the invasion of alien plants and animals into native forests (Cuddihy and Stone 1990, Culliney 1988, Wagner *et al.* 1990, Wenkam 1969).

Past and present activities of introduced alien mammals are the primary factor in altering and degrading vegetation and habitats on Molokai. Feral ungulates trample and eat native vegetation and disturb and open areas. This causes erosion and allows the entry of alien plant species (Cuddihy and Stone 1990, Wagner *et al.* 1990). Only one of the species in this proposal, *Schiedea sarmentosa,* is directly threatened by habitat degradation resulting from introduced ungulates. However, goats, deer, and pigs are known to occur in areas adjacent to the other two proposed plants. Because they may invade the areas where these plants occur, ungulates pose a potential serious threat to *Cyanea dunbarii* and *Lysimachia maxima.*

The goat (*Capra hircus*), a species originally native to the Middle East and India, was successfully introduced to the Hawaiian Islands in 1792. Currently populations exist on Molokai and four other islands. On Molokai, feral goats degrade dry forests and are now invading the wetter regions along the northern coast of East Molokai (Stone 1985; J. Lau, pers. comm. 1990). Goats are managed in Hawaii as a game animal and goat hunting is allowed year-round or during certain months, depending on the area (Hawaii Department of Land and Natural Resources (DLNR) n.d.-a, n.d.-b, n.d.-c, 1988). Goats browse on introduced grasses and native plants, especially in drier and more open ecosystems. Feral goats trample roots and seedlings, cause erosion, and promote the invasion of alien plants. They are able to forage in extremely rugged terrain and have a high reproductive capacity (Culliney 1988, Cuddihy and Stone 1990, Scott *et al.* 1986, Tomich 1986, van Riper and van Riper 1982). Although northeastern Molokai is considered one of the most remote and inaccessible places in the main Hawaiian islands, the vegetation there is predominantly exotic (Culliney 1988). The replacement of native vegetation is attributed to the large number of goats. Due to their agility, goats are able to reach vegetation not usually accessible to other animals (Culliney 1988). Goats are a threat to the larger population of *Schiedea sarmentosa* and a potential threat to the only known population of *Lysimachia maxima,* since they may invade the area where this taxon occurs (L. Mehrhoff, *in litt.* 1994; S. Perlman, pers. comm. 1994).

The pig is a species originally native to Europe, northern Africa, Asia Minor, and Asia. European pigs, introduced to Hawaii by Captain James Cook in 1778, became feral and invaded forested areas, especially wet and mesic forests and dry areas at high elevations. They are currently present on Molokai and four other islands, and inhabit rain forests and grasslands. Pig hunting is allowed on all islands either year-round or during certain months, depending on the area (DLNR n.d.-a, n.d.-b, n.d.-c, 1988). While rooting in the ground in search of the invertebrates and plant material they eat, feral pigs disturb and destroy vegetative cover, trample plants and seedlings, and threaten forest regeneration by damaging seeds and seedlings. They disturb soil and cause erosion, especially on slopes. Alien plant seeds are dispersed on their hooves and coats as well as through their feces (Cuddihy and Stone 1990, Scott *et al.* 1986, Stone 1985, Tomich 1986, Wagner *et al.* 1990). Feral pigs pose an immediate threat to *Schiedea sarmentosa* and a potential threat to *Cyanea dunbarii* and *Lysimachia maxima.* If not controlled, habitat degradation by pigs may become a significant problem to the only known populations of the latter two species (L. Mehrhoff, *in litt.* 1994; S. Perlman, pers. comm. 1994).

Of the ungulates that have become established on Molokai during the past 150 years, the axis deer has probably had the greatest impact on the native vegetation. Eight axis deer, introduced to Molokai in 1868, increased to thousands of animals by the 1960's (Culliney 1988, Graf and Nichols 1966, Tomich 1986). By the turn of the century, these deer had occupied much of the dry to mesic lowland areas and were also found in the wet forests of East Molokai, where herds so damaged the vegetation that professional hunters were hired to control their numbers (Culliney 1988, Graf and Nichols 1966, van Riper and van Riper 1982). The native vegetation has suffered irreparable damage from overgrazing by these animals. Deer degrade the habitat by trampling, consuming, and overgrazing vegetation, which removes ground cover, exposing the soil to erosional action (J. Lau, pers. comm. 1990). Alien plant species are then able to exploit the newly disturbed areas.

A large portion of the axis deer population on Molokai has been actively managed for recreational hunting by the Hawaii Division of Forestry and Wildlife since 1959. At present, five of the seven managed hunting areas on Molokai are within the Molokai Forest Reserve. Many areas lack maintained boundary fences that would prevent deer from entering more fragile habitats to the north (Cuddihy *et al.* 1982) and non-game areas to the east. Recently, axis deer have begun to enter the windward valleys and northern coastline of East Molokai where they were not previously observed (J. Lau, pers. comm. 1990). Axis deer have been observed in areas south of the only known population of *Cyanea dunbarii,* and pose a potential threat to this species (E. Misaki, pers. comm. 1991).

Although not a direct threat at present to the plant species in this proposed rule, cattle (*Bos taurus*) ranching on Molokai has played a significant role over most of the past 150 years by reducing areas of native vegetation to vast pastures of alien grasses (Cuddihy and Stone 1990, Pekelo 1973, Stone 1985). In 1960, approximately 61 percent of Molokai's land area was devoted to grazing, primarily the lower elevation dry to mesic forests, shrublands, and grasslands of west and central Molokai (Baker 1961). Cattle degraded the habitat by trampling and feeding on vegetation, eventually opening up the ground cover, exposing the soil, and increasing its vulnerability to erosion (Cuddihy and Stone 1990, Lindgren 1908, Pekelo 1973). Because of this alteration of vegetation, natural areas became limited to the upper

elevation mesic to wet forests of East Molokai, where the State designated a single protected area—the Molokai Forest Reserve. One of the species in this rule is restricted to this forest reserve, which occupies about 30 percent of Molokai's land area (Baker 1961).

Substrate loss due to agriculture, grazing animals (especially goats), hikers, and alteration of vegetation results in habitat degradation and loss. This particularly affects plant populations vulnerable to landslides on cliffs or steep slopes, including all three proposed species.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Unrestricted collecting for scientific or horticultural purposes and excessive visits by individuals interested in seeing rare plants could seriously impact *Cyanea dunbarii* and *Lysimachia maxima,* both of which are known from only one population each. Collection of whole plants or reproductive parts of these two species could threaten their survival. *Cyanea dunbarii* and *Schiedea sarmentosa* have populations close to trails or roads and are, thus, easily accessible to collectors. The two species are, therefore, potentially threatened by overcollection (HHP 1993a3; HPCC 1991b, 1992; J. Lau, *in litt.* 1994).

C. *Disease or Predation.* Browsing damage by goats and/or deer is a potential threat to all three of the proposed species in the event that these ungulates, present in areas adjacent to the proposed species, invade the sites of the species (Cuddihy *et al.* 1982; J. Lau, *in litt.* 1994; E. Misaki, pers. comm. 1991).

Of the four species of rodents that have been introduced to the Hawaiian Islands, the species with the greatest impact on the native flora and fauna is probably *Rattus rattus* (black or roof rat), which now occurs on all the main Hawaiian Islands around human habitations, in cultivated fields, and in dry to wet forests. Black rats and to a lesser extent *Mus musculus* (house mouse), *Rattus exulans* (Polynesian rat), and R. *norvegicus* (Norway rat) eat the fruits of some native plants, especially those with large, fleshy fruits. Many native Hawaiian plants produce their fruit over an extended period of time, and this produces a prolonged food supply that supports rodent populations. Black rats strip bark from some native plants. Rats are known to damage the stems and eat fruit of *Cyanea* species and are therefore a potential threat to *Cyanea dunbarii* (Cuddihy and Stone 1990; Tomich 1986).

D. *The inadequacy of existing regulatory mechanisms.* Hawaii's Endangered Species Act states, ''Any species of aquatic life, wildlife, or land plant that has been determined to be an endangered species pursuant to the [Federal] Endangered Species Act shall be deemed to be an endangered species under the provisions of this chapter...'' (Hawaii Revised Statutes (HRS), sect. 195D–4(a)). Federal listing would automatically invoke listing under Hawaii State law. The State law prohibits taking of listed species on private and State lands and encourages conservation by State agencies (HRS, sect. 195–4).

None of the three proposed species are currently listed by the State. The only known populations of *Lysimachia maxima* and *Schiedea sarmentosa* occur on privately owned land. The only known population of *Cyanea dunbarii* occurs on State land, within Molokai Forest Reserve. All three of the proposed species are located on land classified within conservation districts and owned by the State of Hawaii, private companies, or individuals. The only known population of *Lysimachia maxima* occurs on TNC's Pelekunu Preserve, and one of the two known populations of *Schiedea sarmentosa* occurs on TNC's Kamakou Preserve. Regardless of the owner, lands in these districts, among other purposes, are regarded as necessary for the protection of endemic biological resources and the maintenance or enhancement of the conservation of natural resources. Activities permitted in conservation districts are chosen by considering how best to make multiple use of the land (HRS, sect. 205–). Some uses, such as maintaining animals for hunting, are based on policy decisions, while others, such as preservation of endangered species, are mandated by both Federal and State laws. Requests for amendments to district boundaries or variances within existing classifications can be made by government agencies and private landowners (HRS, sect. 205–4). Before decisions about these requests are made, the impact of the proposed reclassification on ''preservation or maintenance of important natural systems or habitat'' (HRS, sects. 205–4, 205–17) as well as the maintenance of natural resources is required to be taken into account (HRS, sects. 205–2, 205–4). Before any proposed change in land use occurs on State land, is funded in part or in whole by county or State funds, or will occur within land classified as conservation district, an environmental assessment is required to determine whether or not the environment will be significantly affected (HRS, chapt. 343). If it is found that an action will have a significant effect, preparation of a full Environmental Impact Statement is required. Hawaii environmental policy and, thus, approval of land use, is required by law to safeguard '' * * * the State's unique natural environmental characteristics * * *'' (HRS, sect. 344–3(1)) and includes guidelines to ''protect endangered species of individual plants and animals * * *'' (HRS, sect. 344–4(3)(A)). Federal listing, because it automatically invokes State listing, would also implement these other State regulations protecting the plants.

State laws relating to the conservation of biological resources allow for the acquisition of land as well as the development and implementation of programs concerning the conservation of biological resources (HRS, sect. 195D–5(a)). The State also may enter into agreements with Federal agencies to administer and manage any area required for the conservation, management, enhancement, or protection of endangered species (HRS, sect. 195D–5(c)). If listing were to occur, funds for these activities could be made available under section 6 of the Act (State Cooperative Agreements). The Hawaii DLNR is mandated to initiate changes in conservation district boundaries to include ''the habitat of rare native species of flora and fauna within the conservation district'' (HRS, sect. 195D–5.1).

Despite the existence of various State laws and regulations that protect Hawaii's native plants, their enforcement is difficult due to limited funding and personnel. Listing of these three plant species will invoke the protection available under the State Endangered Species Act and supplement the protection available under other laws. The Federal Act would offer additional protection to these three species because, if they were to be listed as endangered or threatened, it would be a violation of the Act for any person to remove, cut, dig up, damage, or destroy any such plant in an area not under Federal jurisdiction in knowing violation of State law or regulation or in the course of any violation of a State criminal trespass law.

E. *Other natural or manmade factors affecting their continued existence.* Six species of introduced plants directly threaten populations of one or more of the proposed species. The original native flora of Hawaii consisted of about 1,000 species, 89 percent of which were endemic. Of the total of 1,817 species of native and naturalized Hawaiian flora, 47 percent were introduced from other parts of the world. Nearly 100 of these

species have become pests (Smith 1985, Wagner *et al.* 1990). Naturalized, introduced species degrade the Hawaiian landscape and compete with native plants for space, light, water, and nutrients (Cuddihy and Stone 1990). Some of these species were brought to Hawaii by various groups of people, including the Polynesian immigrants, for food or cultural reasons. Plantation owners, alarmed at the reduction of water resources for their crops caused by the destruction of native forest cover by grazing feral animals, supported the introduction of alien tree species for reforestation. Ranchers intentionally introduced pasture grasses and other species for agriculture and, sometimes inadvertently, introduced weed seeds as well. Other plants were brought to Hawaii for their potential horticultural value (Cuddihy and Stone 1990, Scott *et al.* 1986, Wenkam 1969).

Rubus rosifolius (thimbleberry), native to Asia, is naturalized in disturbed mesic to wet forest on all of the main Hawaiian Islands (Wagner *et al.* 1990). This shrub threatens the only known population of *Cyanea dunbarii* (L. Mehrhoff, *in litt.* 1994).

Kalanchoe pinnata (air plant) is an herb that occurs on all the main islands except Niihau and Kahoolawe, especially in dry to mesic areas (Wagner *et al.* 1990). Air plant is a threat to the only known population of *Cyanea dunbarii* (L. Mehrhoff, *in litt.* 1994).

Ricinus communis (castor bean) became naturalized in Hawaii prior to 1819. Castor bean is found on all the main islands of Hawaii in low elevation, dry, disturbed habitats (Wagner *et al.* 1990). Castor bean is a threat to both populations of *Schiedea sarmentosa* (HPCC 1991b, 1992).

Two species of *Hedychium* (ginger) were introduced to Hawaii in the late 1800's, probably by Chinese immigrants. Both species escaped from cultivation and are found in lowland wet and mesic forests on most of the main Hawaiian islands. These large, vigorous herbs mainly reproduce vegetatively, forming very dense stands that exclude all other growth (Cuddihy and Stone 1990, Wagner *et al.* 1990). *Hedychium* threatens the only known population of *Cyanea dunbarii* (L. Mehrhoff, *in litt.* 1994).

Commelina diffusa (honohono) is an annual herb native to the Old World tropics. It has become widely naturalized and is found in disturbed mesic and wet forests and other disturbed sites on all of the main Hawaiian islands except Niihau and Kahoolawe (Wagner *et al.* 1990). This species is a threat to the only known population of *Cyanea dunbarii* (L. Mehrhoff, *in litt.* 1994).

Several hundred species of grasses have been introduced to the Hawaiian Islands, many for animal forage. Of the approximately 100 grass species that have become naturalized, one species threatens both populations of *Schiedea sarmentosa*. *Melinis minutiflora* (molasses grass), a perennial grass first brought to Hawaii for cattle fodder and then planted for erosion control, is now naturalized in dry to mesic disturbed areas on most of the main Hawaiian Islands. The mats it forms smother other plants, essentially preventing seedling growth and native plant reproduction. As a fuel for fire, molasses grass intensifies its heat and carries fire into areas with woody plants. It is able to spread prolifically after a fire and effectively compete with fewer fire-adapted native plant species, creating a dense stand of alien grass where forests once stood. Molasses grass is becoming a major problem in dry sites along the many leeward ridges of East Molokai (Bottenfield 1958, Cuddihy and Stone 1990, O'Connor 1990, Smith 1985).

Fire is a major threat to native plant species in dry to mesic habitats, especially on the leeward slopes of Molokai, where the largest population of *Schiedea sarmentosa* is located (J. Lau, *in litt.* 1994). The presence of molasses grass greatly enhances the potential and destructiveness of fires. For example, in 1988, a human-caused fire consumed roughly 38 sq km (15 sq mi) of shrubland and forest from the southern coastline of East Molokai to the southwest corner of Kamakou Preserve, about 3.5 mi (5.5 km) inland (E. Misaki, pers. comm. 1991). Molasses grass was the main carrier of that fire (E. Misaki, pers. comm. 1991).

Erosion, landslides, and rock slides due to natural weathering result in the death of individual plants as well as habitat destruction. This especially affects the continued existence of species or populations with limited numbers and/or narrow ranges, including all three proposed species. This process is often exacerbated by human disturbance and land use practices (see Factor A).

The small numbers of populations and individuals of most of these species increase the potential for extinction from naturally occurring events. The limited gene pool may depress reproductive vigor, or a single human-caused or natural environmental disturbance could destroy a significant percentage of the individuals or the only known extant population. Two of the proposed species, *Cyanea dunbarii* and *Lysimachia maxima*, are known from only a single population. *Schiedea sarmentosa* is known from only two populations. *Cyanea dunbarii* is known from fewer than 20 individuals and *Lysimachia maxima* is known from fewer than 50 individuals.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to propose this rule. Based on this evaluation, the preferred action is to list *Cyanea dunbarii, Lysimachia maxima,* and *Schiedea sarmentosa* as endangered. All 3 species either number fewer than 50 individuals in 1 population or are known from only 2 populations. The three species are threatened by one or more of the following—competition from alien plants; potential habitat degradation and/or predation by feral pigs, feral goats, rats, and deer; fire; substrate loss; potential human impacts; and lack of legal protection or difficulty in enforcing laws that are already in effect. Small population size and limited distribution make these species particularly vulnerable to extinction and/or reduced reproductive vigor from naturally occurring events. Because these three species are in danger of extinction throughout all or a significant portion of their ranges, they meet the definition of endangered as defined in the Act.

Critical habitat is not being proposed for the three species included in this rule, for reasons discussed in the ''Critical Habitat'' section of this proposal.

Critical Habitat

Critical habitat is defined in section 3 of the Act as: (i) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection and; (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such ares are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the same time the species is listed. The Service finds that

designation of critical habitat is not prudent for *Cyanea dunbarii, Lysimachia maxima,* and *Schiedea sarmentosa* at this time. Service regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist—(1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such a designation of critical habitat would not be beneficial to the species. The three species have very low total populations and face anthropogenic threats (see Factor B). The publication of precise maps and descriptions of critical habitat in the Federal Register would make these plants more vulnerable to incidents of collection and vandalism and, therefore, could contribute to the decline of these species and increase enforcement problems. The listing of these species as endangered also publicizes the rarity of these plants and, thus, can make these plants attractive to researchers, curiosity seekers, or collectors of rare plants.

All involved parties and the major landowners have been notified of the location of these species. Protection of the habitats of these species will be addressed through the recovery process and through the section 7 consultation process.

Available Conservation Measures

Conservation measures provided to plant species listed as endangered under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain activities. Recognition through listing results in public awareness and conservation actions by Federal, State, and local agencies, private organizations, and individuals. The Act provides for possible land acquisition and cooperation with the State and requires that recovery plans be developed for listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any action that is likely to jeopardize the continued existence of a species proposed for listing or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into consultation with the Service. None of the three proposed species occurs on Federal lands and no known Federal activities occur within the present known habitat of these three plant species. The Service has not pursued prelisting conservation agreements for the three plant species due to a lack of time and resources.

The Act and its implementing regulations set forth a series of general prohibitions and exceptions that apply to all endangered plant species. All prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport such species in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale such species in interstate or foreign commerce, or remove and reduce such species to possession from areas under Federal jurisdiction. In addition, for plants listed as endangered, the Act prohibits the malicious damaging or destruction on areas under Federal jurisdiction and the removal, cutting, digging up, damaging, or destroying of any such plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions to the prohibitions apply to agents of the Service and State conservation agencies.

The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered plant species under certain circumstances. Such permits are available for scientific purposes and to enhance the propagation or survival of the species. It is anticipated that few permits would ever be sought or issued. The proposed species are not common in cultivation or in the wild.

It is the policy of the Service (59 FR 34272) to identify to the maximum extent practicable at the time a species is listed those activities that would or would not constitute a violation of section 9 of the Act. The intent of this policy is to increase public awareness of the effect of the listing on proposed and ongoing activities within the species' range. The only known population of *Cyanea dunbarii* is found on a steep slope on State-owned land. The only known population of *Lysimachia maxima* and one population of *Schiedea sarmentosa* are found on steep slopes on land owned by TNC. The other population of *Schiedea sarmentosa* is found on steep slopes on privately owned land. Collection, damage, or destruction of these species on non-Federal lands would constitute a violation of section 9, if conducted in knowing violation of Hawaii State law or regulations, or in violation of State criminal trespass law. The Service is not aware of any trade in these species or of any activities currently being conducted by the public that would be affected by this listing or result in violation of section 9 of the Act.

Questions regarding whether specific activities will constitute a violation of section 9 of the Act should be directed to the Pacific Islands Ecoregion Manager (see ADDRESSES section). Requests for copies of the regulations regarding listed plants and inquiries regarding prohibitions and permits may be addressed to the Fish and Wildlife Service, Ecological Services, Endangered Species Permits, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181 (telephone: 503/231–6241; facsimile: 503/231–6243.

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial, or other relevant data concerning any threat (or lack thereof) to these species;

(2) The location of any additional populations of these species and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of these species; and

(4) Current or planned activities in the subject area and their possible impacts on these species.

The final decision on this proposal will take into consideration the comments and any additional information received by the Service, and such communications may lead to a

final regulation that differs from this proposal.

The Endangered Species Act provides for one or more public hearings on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal in the Federal Register. Such requests must be made in writing and be addressed to the Pacific Islands Ecoregion Manager (see **ADDRESSES** section).

National Environmental Policy Act

The Fish and Wildlife Service has determined that Environmental Assessments or Environmental Impact Statements, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

References Cited

A complete list of all references cited herein is available upon request from the Pacific Islands Ecoregion Office (see **ADDRESSES** section).

Author

The author of this proposed rule is Marie M. Bruegmann, Pacific Islands Ecoregion Office (see **ADDRESSES** section). Substantial data were contributed by HHP and Steve Perlman and Ken Wood of HPCC.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Proposed Regulation Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. Section 17.12(h) is amended by adding the following, in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants to read as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family name	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
FLOWERING PLANTS							
*	*	*	*	*	*		*
Cyanea dunbarii	haha	U.S.A. (HI)	Campanulaceae	E		NA	NA
*	*	*	*	*	*		*
Lysimachia maxima	no common name	U.S.A. (HI)	Primulaceae	E		NA	NA
*	*	*	*	*	*		*
Schiedea sarmentosa.	no common name	U.S.A. (HI)	Caryophyllaceae	E		NA	NA
*	*	*	*	*	*		*

Dated: September 20, 1995.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 95–24335 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–55–P

50 CFR Part 17

RIN 1018–AD60

Endangered and Threatened Wildlife and Plants; Proposed Endangered and Threatened Status for Four Chaparral Plants From Southwestern California and Northwestern Baja California, Mexico

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to list *Berberis nevinii* (Nevin's barberry) and *Fremontodendron mexicanum* (Mexican flannelbush) as endangered, and *Ceanothus ophiochilus* (Vail Lake ceanothus) and *Nolina interrata* (Dehesa beargrass) as threatened throughout their respective ranges in southwestern California and northwestern Baja California, Mexico, pursuant to the Endangered Species Act of 1973, as amended (Act). These species are associated with chaparral plant communities and, in some cases, are endemic to specific types of clay soils.

These species are threatened by habitat destruction, degradation, and fragmentation resulting from urban development, encroachment by exotic plant species, and disruption of a normal fire cycle. This proposed rule, if made final, would extend protection under the Act to these four plants.

DATES: Comments from all interested parties must be received by December 1, 1995. Public hearing requests must be received by November 16, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Field Office, 2730 Loker Avenue West, Carlsbad, California 92008. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Gail Kobetich at the above address (telephone 619/431–9440).

SUPPLEMENTARY INFORMATION:

Background

Berberis nevinii (Nevin's barberry), *Ceanothus ophiochilus* (Vail Lake ceanothus), *Fremontodendron mexicanum* (Mexican flannelbush), and *Nolina interrata* (Dehesa beargrass) occur in restricted and localized populations from the interior foothills of Los Angeles, Riverside, and San Bernardino Counties, California, south through San Diego County to northwestern Baja California, Mexico. Most populations of these species are situated in relatively rugged terrain dominated by chaparral. *Fremontodendron mexicanum* is also known from closed cone coniferous forest dominated by *Cupressus forbesii* (Tecate cypress) while *Berberis nevinii*

is also associated with sandy washes dominated by alluvial scrub vegetation associations. *Ceanothus ophiochilus, F. mexicanum,* and *N. interrata* are often found in association with specific soil types.

The chaparrals of interior foothill southern California are dense shrub associations of moderate height that are dominated by *Adenostoma fasciculatum* (chamise), *Ceanothus* sp. (California lilac), *Rhamnus ilicifolia* (red berry), *Arctostaphylos* sp. (manzanita), *Quercus berberidifolia* (California scrub oak), *Rhus ovata* (sugar bush), *Malosma laurina* (laurel sumac), *Heteromeles arbutifolia* (toyon), *Eriogonum fasciculatum* (California buckwheat), and *Salvia mellifera* (black sage) (Beauchamp 1986, Holland 1986, and Wiggins 1980). Chaparral species are adapted to soils poor in nutrients, a cool, wet winter, and hot dry summers.

Many chaparral species are adapted to periodic wildfires. For example, seeds of some plants require fire before they can germinate. Other plants reproduce vegetatively by sprouting from the burned stumps of the parent plant. Fires that occur too frequently, however, burn young plants before they become reproductively mature, thus depleting the seed bank. Sustained fire prevention can cause plant communities to become senescent (old) and thus they may not survive an unpredictable fire to reproduce vegetatively (Boyd 1991).

Chaparral habitats occur on many different soil types but the plants under consideration herein, with the exception of *Berberis nevinii,* typically occur in clay soils derived from gabbro or metavolcanic bedrock (Boyd 1991, California Native Diversity Data Base (CNDDB) 1992, Oberbauer 1991). *Berberis nevinii* grows in sandy habitats (Mistretta 1989b, CNDDB 1992). Clay soils have unique physical and chemical properties that contribute to the disproportionally large number of rare plants found on this substrate, as compared to other soil types. For these reasons, clay soils are an important contributor to floristic diversity in the Riverside County and San Diego County region. The Vail Lake area in Riverside County has a large complex of highly unique habitats on clay soils formed from gabbro bedrock that support many sensitive or endangered plant and animal species including two of the species in this proposed rule (see Metropolitan Water District (MWD) 1991). The largest population of *Berberis nevinii* grows in this area adjacent to the type location of *Ceanothus ophiochilus* (California Natural Diversity Data Base (CNDDB 1992). The ranges of all four species are restricted to small areas.

The population centers for two of the plants considered in this proposal, *Berberis nevinii* and *Ceanothus ophiochilus,* are located in the Vail Lake area of southwestern Riverside County. Populations of *B. nevinii* located outside the Vail Lake area are small and found in isolated patches in San Diego, San Bernardino, and Los Angeles Counties. Small populations of *C. ophiochilus* occur in the Agua Tibia Wilderness Area (Cleveland National Forest) adjacent to Vail Lake. *Nolina interrata* and *Fremontodendron mexicanum* are found only in southern San Diego County and northwestern Baja California, Mexico.

Discussion of the Four Species Proposed for Listing

Ceanothus ophiochilus was first discovered and collected by S. Boyd, T. Ross, and L. Arnseth in 1989 on Oak Mountain (also known as Vail Mountain), west of Vail Lake in Riverside County, California. It was formally described by Boyd *et al.* (1991) based on the Vail Lake collection and was subsequently accepted by Schmidt (1993). *Ceanothus ophiochilus* is a rounded, divaricately-branched (widely forked) shrub of the buckthorn family (Rhamnaceae), from 12 to 15 decimeters (dm) (4 to 5 feet (ft.)) in height with leaves about 3 to 7 millimeters (mm) (0.1 to 0.3 inches (in.)) long and 1.5 to 2.5 mm (0.1 in.) wide. Blue flowers, narrow leaves, and hornless fruit capsules differentiate *C. ophiochilus* from other members of the genus. This species resembles *Adenostoma fasciculatum* (chamise), the codominant shrub in its habitat. *Ceanothus ophiochilus* flowers from mid-February to March and fruit capsules mature from about May to mid-June (Boyd *et al.* 1991, Schmidt 1993).

Ceanothus ophiochilus is restricted to xeric (dry) habitats on ridgetops and north to northeast-facing slopes in chamise chaparral. It occurs on shallow soils formed from ultra-basic parent materials or deeply weathered gabbro, both of which are phosphorus deficient. This species is adapted to this harsh environment, whereas other members of the genus are not. *Ceanothus ophiochilus* hybridizes with the locally common *C.crassifolius* in places where the two species occur together. The strong association of *C. ophiochilus* with nutrient poor soils may be critical for the species to maintain reproductive isolation (Boyd *et al.* 1991).

Ceanothus ophiochilus is found at four localities in southwestern Riverside County. One population of *C. ophiochilus* occurs on privately owned land at Vail Lake. Estimates for the Vail Lake population range from 3,000 to 5,000 plants; this population occupies about 8 hectares (ha) (20 acres (ac.)) within a 16 ha (40 ac.) area (Boyd 1991). Individual plants within the Vail Lake population exhibit indications of hybridization with *C. crassifolius.* Large populations of *C. crassifolius* are present approximately one-half mile south and east of the Vail Lake *C. ophiochilus* population (Boyd *et al.* 1991). The remaining three populations exist on land managed by the Forest Service, where over 4,000 plants exist within about 14 ha (35 ac.) of the Agua Tibia Wilderness Area. These populations are scattered along borders of creeks and dry canyons, and sometimes on gabbro soils (Shaffer 1993). At least two of the three Agua Tibia populations are hybridizing with *C. crassifolius* and these populations may represent hybrid swarms. The third Agua Tibia population consists of plants that are too young to determine the degree of hybridization taking place (Shaffer 1993; Steve Boyd, Rancho Santa Ana Botanical Garden, pers. comm. 1995). While these populations evidently are not pure *C. ophiochilus,* the Service continues to recognize their importance to the long-term survival of the species. These populations are important because they represent about 50 percent of the known acreage of the species and a significant number of individuals, and because conservation actions for *C. ophiochilus* would be unnecessarily limited to a single location.

Fremontodendron mexicanum, a member of the cacao family (Sterculiaceae), is a small tree or shrub with evergreen, palmately lobed leaves, 25 to 50 mm (1 to 2 in.) wide. The inflorescence is about 60 mm (2.4 in.) wide, and lacks petals. The showy orange sepals, which are reddish toward the bases, distinguish *F. mexicanum* from *F. californicum,* which has yellow sepals. The seeds of *F. mexicanum* are quite distinctive from other species of *Fremontodendron* (Kelman 1991). *Fremontodendron mexicanum* also has a unique petiole (leaf stalk) internal structure that is unlike that found in any other member of the family (Kelman 1991). Reliable distribution records for *Fremontodendron mexicanum* indicate that this species is found in southern San Diego County and northern Baja California, Mexico between 300 and 1,000 meters (m) (900 to 3,000 ft.) in elevation. This species blooms from March to August and occurs primarily in closed cone coniferous forest and southern mixed chaparral often in association with metavolcanic soils

(Oberbauer 1991, Rieser 1994). *Fremontodendron mexicanum* is found as far south as Arroyo Seco, north of San Quintin, in Baja California, Mexico (Wiggins 1980).

Fremontodendron mexicanum was first described by Davidson (1917) (as *F. mexicana*). Macbride applied the name *Fremontia mexicana* to this species in 1918 (Abrams 1944). Jepson (1925) reduced *Fremontia mexicana* to *Fremontia californica* var. *mexicana* citing similarities between this species and *Fremontia californica* of central California. Abrams (1944) did not recognize Jepson's treatment, following Macbride. Recent treatments (Munz 1974, Kelman 1991, Whetstone and Atkinson 1993) recognize Davidson's original treatment. The genus name *Fremontia* was not conserved because Fremontodendron has taxonomic priority over the name *Fremontia* (Kelman 1991).

Fremontodendron mexicanum is known from fewer than 10 native historical locations in the United States. The majority of these are situated in the vicinity of Otay Mountain, San Diego County. Although no populations of *F. mexicanum* are known to be extirpated, this species has only been observed at one location in recent years (Cedar Canyon). Surveys of other historical localities have been unsuccessful in relocating this species (Ogden Environmental and Energy Services, Inc. 1992; Mitchell Beauchamp, botanist, *in litt.* 1993; Rieser 1994). The Bureau of Land Management (BLM) manages most of the Cedar Canyon population while other historical sites are divided between BLM and private landowners (CNNDB 1992). The total number of remaining plants of *F. mexicanum* in the United States is estimated to be fewer than 100 (CNDDB 1992; Beauchamp, *in litt.* 1993). Two additional native historical populations are reported from Mexico, however, one population has not been seen recently and the other (Arroyo Seco) may have been extirpated by a substantial flood (Rieser 1994).

Three historical localities that may represent native populations of *Fremontodendron mexicanum* have been reported north of San Diego County, California. These are Claremont Wash (Los Angeles County), near Quail Lake (Kern County), and from Junipero Sierra Peak in the Santa Lucia Mountains (Monterey County). These widely scattered and disjunct localities are based on single specimen collections that predate 1940 and the populations have not been relocated in recent years (Kelman 1991, CNDDB 1992). Identification of these specimens is tentative due to lack of seed material and is based solely on the shape of the leaf base (Kelman 1991; Susan Cochrane, Natural Heritage Division, California Department of Fish and Game (CDFG), *in litt.* 1993). Whetstone and Atkinson (1993) dismissed these localities as being unreliable and have limited *F. mexicanum* to San Diego County, California, and Mexico. Regardless, even if it should prove that one or more of these populations are *F. mexicanum*, the botanical flora of central California is fairly well known and this species would be a rare element in this flora.

Several other recent localities have been reported in San Diego County and in Los Angeles County, California. However, these likely represent planted individuals readily available in the nursery trade or misidentifications (CNNDB 1992, Rieser 1994).

Berberis nevinii (Nevin's barberry), an evergreen shrub from 1 to 4 m (3 to 12 ft.) tall, is a member of the barberry family (Berberidaceae). It was first discovered by Reverend Nevin, a Los Angeles minister, in 1882 in the San Fernando Valley (Los Angeles County) and described by A. Gray in 1895 (Mistretta 1989a). Although Fedde (1901) applied the name *Mahonia nevinii* to this taxon, much of the current literature refers to *Berberis* rather than *Mahonia* (Moran 1982). The leaves of *B. nevinii* are pinnately compound with 3 to 5 lanceolate leaflets and serrate spine-tipped margins. Flowers, which appear from March through April, are yellow with six petals in two series and are clustered in a loosely flowered inflorescence 2.5 to 5 cm (1.0 to 2 in.) long (McMinn 1939, Williams 1993). The fruit is a juicy yellowish red to red berry 6 to 8 mm (less than 0.3 in.) long with plump brownish seeds. Other *Berberis* species have wider leaves, somewhat folded at the midrib, with marginal spines vertical to the leaf surface and smaller, differently colored berries. Related species also grow at higher elevations, generally above 800 m (2,500 ft.).

Berberis nevinii grows in two distinctive, yet related, habitat types: sandy and gravelly places along the margins of dry washes below the foothill zone of the Southern California Transverse and Peninsular ranges, and in coarse soils in chaparral communities (CDFG 1986). This species is typically found between 300 and 650 m (900 and 2,000 ft.) in elevation (CNDDB 1993). The association of *B. nevinii* with *Lepidospartum squamatum*, which requires groundwater flow, and its preference for sandy wash locations, suggest that *B. nevinii* may also require groundwater flow (Niehaus 1977).

The range of *Berberis nevinii* includes Los Angeles, San Bernardino, Riverside, and San Diego Counties. The historical distribution of this species consisted of about 32 populations at 20 localities.

Currently, the total number of individuals is likely fewer than 1,000 (Boyd 1987, CNDDB 1992). At least seven populations have been extirpated. The largest remaining cluster of native populations, totalling about 300 individuals, occurs in Riverside County, California at the Vail Lake/Oak Mountain area. These populations occur on BLM lands north of Vail Lake, the Cleveland National Forest southeast of Vail Lake, and private ownerships in the Vail Lake region (Boyd *et al.* 1989). The remaining populations are small, fewer than 10 or 20 individuals, and occur on city park, Indian Reservation, or private lands (CNDDB 1992). An artificially established population of about 250 individuals occurs on an alluvial terrace in San Francisquito Canyon on the Angeles National Forest in Los Angeles County (Boyd *et al.* 1989).

The range of *Berberis nevinii* is well known and has been extensively surveyed. Additional populations are not likely to occur in the Vail Lake area (Boyd *et al.* 1989). A thorough search for *B. nevinii* on the San Bernardino National Forest and the Cleveland National Forest was completed in 1989, based on Boyd's (1987) habitat parameters. No new populations or individuals were found (Mistretta 1989b; Melody Lardner, Botanist, San Bernardino National Forest, *in litt.* 1993).

Nolina interrata (Dehesa beargrass) is a member of the lily family (Liliaceae) and is similar in appearance to members of the genus *Yucca*. *Nolina interrata* was discovered in 1939 and it was later formally described by Howard S. Gentry (1946). The description was based on collections from the type location on Dehesa Road, east of El Cajon in San Diego County, California. Gentry's taxonomic treatment is followed by Munz (1974). However, Beauchamp (1986) considered *N. interrata* to be conspecific with *N. parryi*, which is closely related. The most recent taxonomic treatment on the genus (Dice 1988) and floristic treatment for California (Dice 1993) recognized this species as distinct from *N. parryi* by its lack of above ground stems, low number of leaves (45 or less), and short flowering stalk (1.6 m (5 ft.)) or shorter. *Nolina parryi* has distinct above ground stems, numerous leaves (45 to 200) and taller flowering stalks (1.6 to 4 m (5 to 13 ft.)) (Dice 1993).

Nolina interrata is a dioecious (male and female flowers on separate plants) perennial with an underground stem that forms a woody platform and produces many aerial rosettes of leaves. Each rosette consists of 10 to 45 lance-linear, glaucous (covered with a whitish powder) leaves with minutely serrate margins. In some years, rosettes produce a single stalk 1 to 2.5 m (3 to 7.5 ft.) tall with an elongate, compound panicle inflorescence at its apex. The flowers are minute (2 to 4 mm (0.1 to 0.2 in.)) and creamy white. *Nolina interrata* can be distinguished by its short, thin-stalked panicle, which has inconspicuous bracts, and by the absence of any visible above-ground trunk or stem bearing individual rosettes of leaves, a greatly reduced number of leaves per rosette, and minimally expanded leaf bases. It can be distinguished from *Yucca* species by the absence of a rigid spinose leaf tip and leaves with shredding margins. In addition, *Yucca* species have larger flowers that branch from a single spike rather than a panicle (Dice 1988, 1993).

Nolina interrata grows in chaparral habitat commonly associated with *Adenostoma fasciculatum* (chamise), *Helianthemum scoparium* (peak rush rose), *Salvia clevelandii* (Cleveland sage), and *Tetracoccus dioicus* (San Diego button bush). *Nolina interrata* is often associated with other rare plants such as *Senecio ganderi* (Gander's butterweed), *Acanthomintha ilicifolia* (San Diego thornmint), *Monardella hypoleuca* ssp. *lanata* (felt-leaved monardella), and *Fritillaria biflora* (chocolate lily) (Oberbauer 1979). The association of *N. interrata* with these species reflects the distribution of clay soils formed from gabbro soils in the region (Oberbauer 1979, 1991, Beauchamp 1986). *Nolina interrata* reproduces primarily by asexual means and it does not flower every year; this adaptation may compensate for its lack of consistent flowering. It also may require fire or other disturbance to induce flowering.

The total population size of *Nolina interrata* is about 9,000 plants. There are nine populations of *N. interrata* in San Diego County, all within a 6 square mile (15.6 square kilometer (km)) area in the Dehesa Valley, immediately east of El Cajon, California. There are no records of extirpated populations. About one-third to one-half of the known populations are protected on a reserve managed by The Nature Conservancy at McGinty Mountain. Another large population, located near Sycuan Peak, is owned by two private landowner consortiums. The remaining few populations are small and occur on private land (Oberbauer 1979, CNDDB 1992).

Nolina interrata is known from 3 localities in Baja California and ranges as far south as Ensenada (Rancho de la Cruz) in Baja California, Mexico (Fred Hrusa, University of California at Davis, *in litt.* 1993). One population exists about 16 km (10 miles) northeast of La Mision. Both of these disjunct Mexican populations have fewer than 25 individuals each. Another population has recently been discovered closer to the United States border and it appears to be of comparable size (Jim Dice, CDFG, pers. comm. 1995).

Previous Federal Action

Federal government action on the four plant taxa considered in this rule began as a result of section 12 of the Endangered Species Act of 1973, which directed the Secretary of the Smithsonian Institution to prepare a report on those plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94–51, and presented to Congress on January 9, 1975, recommended *Berberis nevinii, Fremontodendron mexicanum,* and *Nolina interrata* for endangered status. The Service published a notice in the Federal Register on July 1, 1975 (40 FR 27823), of its acceptance of the report as a petition within the context of section 4(c)(2) (now section 4(b)(3)(A)) of the Act, and of the Service's intention thereby to review the status of the plant taxa named therein, including *B. nevinii, F. mexicanum,* and *N. interrata.* On June 16, 1976, the Service published a proposal in the Federal Register (42 FR 24523) to determine approximately 1,700 vascular plant species to be endangered species pursuant to section 4 of the Act. *Berberis nevinii, Fremontodendron mexicanum,* and *Nolina interrata* were included in this Federal Register proposal.

General comments received in relation to the 1976 proposal were summarized in an April 26, 1978, Federal Register publication (43 FR 17909). The Endangered Species Act amendments of 1978 required all proposals over 2 years old to be withdrawn, although a 1-year grace period was given to these proposals. In the December 10, 1979, Federal Register (44 FR 70796), the Service published a notice of withdrawal for that portion of the June 16, 1976, proposal that had not been made final, along with four other proposals that had expired.

The Service published an updated notice of review of plants in the Federal Register on December 15, 1980 (45 FR 82480). This notice included *Berberis nevinii, Fremontodendron mexicanum,* and *Nolina interrata* as category 1 candidate taxa (species for which data in the Service's possession are sufficient to support a proposal for listing). On November 28, 1983, the Service published a supplement to the Notice of Review in the Federal Register (48 FR 53640). This supplement treated *F. mexicanum* as a category 2 candidate species (species for which data in the Service's possession indicates listing may be appropriate, but for which additional biological information is needed to support a proposed rule), whereas *B. nevinii* and *N. interrata* remained as category 1 species. The listing status of these species has remained unchanged since the 1983 Notice of Review.

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended in 1982, requires the Secretary to make findings on pending petitions within 12 months of their receipt. Section 2(b)(1) of the 1982 amendments further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. This was the case for *Berberis nevinii, Fremontodendron mexicanum,* and *Nolina interrata* because the 1975 Smithsonian report had been accepted as a petition. On October 13, 1983, the Service found that the petitioned listing of these species was warranted, but precluded by other pending listing proposals of higher priority, pursuant to section 4(b)(3)(B)(iii) of the Act. Notification of this finding was published in the Federal Register on January 20, 1984 (49 FR 2485). Such a finding requires the petition to be recycled, pursuant to section 4(b)(3)(C)(i) of the Act. The finding was reviewed in October of 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, and 1992.

The Service made a final ''not warranted'' finding on the 1975 petition with respect to *Fremontodendron mexicanum* and 864 other species in the December 9, 1993, Federal Register (58 FR 64828–45). The species was thus retained under Category 2 on the basis that it may be subject to extinction or endangerment from uncontrolled loss of habitat, from other man-caused changes to its environment, or extinction due to low numbers (58 FR 64840). Since 1993, the Service has completed or obtained survey and other data that adequately describe those factors that are placing *F. mexicanum* at risk of extinction. The Service has proceeded to propose this species along with *Berberis nevinii, Nolina interrata,* and *Ceanothus ophiochilus* that occupy the same

general distribution in southern California.

On December 14, 1990, the Service received a petition dated December 5, 1990, from Mr. David Hogan of the San Diego Biodiversity Project, to list *Nolina interrata* as an endangered species (Hogan, *in litt.* 1990). The petitioner also requested the designation of critical habitat for this species. Since *N. interrata* was included in the 1975 Smithsonian Institution Report, the Service regards the 1990 petition as a second petition for the same action.

On September 16, 1991, the Service received a petition dated September 13, 1991, from Mr. Steve Boyd of the Rancho Santa Ana Botanic Garden, to list *Ceanothus ophiochilus* as an endangered species (Boyd 1991). The Service published a 90-day finding in the Federal Register on August 10, 1992 (57 FR 37513), that substantial information was presented in the petition to indicate that the requested action may be warranted. This species was included as a category 2 species in the September 30, 1993, Notice of Review (50 CFR 51144). This proposed rule constitutes the 12-month finding on this petitioned action.

On July 29, 1983, *Nolina interrata* was included in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES is a treaty established to prevent international trade that may be detrimental to the survival of plants and animals.

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Ceanothus ophiochilus* S. Boyd, T. Ross and L. Arnseth (Vail Lake ceanothus), *Berberis nevinii* A. Gray (Nevin's barberry), *Fremontodendron mexicanum* Davidson (Mexican flannelbush), and *Nolina interrata* H. Gentry (Dehesa beargrass), are as follows:

A. *The present or threatened destruction, modification, or curtailment of their habitat or range.* The specific soil and/or hydrologic requirements of the four plant taxa considered herein, naturally limit their distribution to clay soils formed from gabbro and alluvial scrub (sandy washes and terraces) within the chaparral plant community. Generally, urban development and mining have impacted these habitats more than other activities within the chaparral community because the terrain is more accessible than the typically rugged and boulder covered terrain of the surrounding chaparral.

A study conducted by the Metropolitan Water District of Southern California suggests that much of southwestern Riverside County will be converted to urban development within the decade (Monroe *et al.* 1992, California Department of Finance 1993). Urban development encroachment in the Vail Lake area of southwestern Riverside County threatens one of the two largest populations of *Berberis nevinii* and the only known population complex of *Ceanothus ophiochilus*. The Vail Lake area is included in a Community Plan, planned and approved by the County, which allows subdivision of parcels into 9-ha (20-acre) lots (Boyd 1991, Schaffer 1993). In 1995, a new land owner offered the Riverside County Habitat Conservation Agency (RCHCA) an option to acquire the portion (as a conservation bank) of the Vail Lake planned community that contains the *C. ophiochilus* population (see Factor D). However, the option is unlikely to be taken and the current land owner (a real estate management company) may sell the property to an entity, or multiple entities that may develop the property (Michelle Shaughnessy, Fish and Wildlife Service Biologist, pers. comm. 1995). *Berberis nevinii* populations at Vail Lake could be eliminated by development (Jeff David and Associates 1995). If the conservation bank is not adopted and if subdivision of this area occurs, several types of impacts would be expected in addition to the direct removal of *B. nevinii* and *C. ophiochilus* and their habitat. Fire management strategies for developed areas would impact the natural fire processes to which natural plant communities have become adapted (see Factor E below). Individual landowners are likely to convert existing habitat to gardens, lawns, and pastures. Development would introduce invasive plants that compete with these taxa, and degrade habitat quality as a result of conversion to later successional stages of plant communities (Boyd 1991).

Several other sources of habitat degradation also threaten *Berberis nevinii* and *Ceanothus ophiochilus* in the Vail Lake area of Riverside County. State Route 79 (SR 79) has been proposed for widening from two to four lanes and may impact some populations of *B. nevinii* as well as promoting development in the area (Monroe *et al.* 1992). Grading for fire breaks can destroy populations and their habitat. For example, grading destroyed about 3 percent of the *C. ophiochilus* population at Vail Lake, north of SR 79 and 3 percent or more in the Agua Tibia Wilderness of the Cleveland National Forest, south of SR 79 (Boyd *et al.* 1989; Boyd 1991; S. Cochrane, *in litt.* 1993).

Of 32 known populations of *Berberis nevinii*, those occurring in alluvial scrub habitats have been the most heavily impacted (CNDDB 1992). Most of these populations have been extirpated by urban development, road widening, or habitat degradation from excessive recreational use. The quality of the remaining populations is poor compared to historical accounts (Boyd 1987). The vast San Fernando Valley alluvial scrub habitat has been largely urbanized, but once supported numerous populations, including the type locality for *B. nevinii* (Boyd 1987).

Nolina interrata and *Fremontodendron mexicanum* are being affected by the same suite of threats that accompany the encroachment of urbanization described above. The Otay Ranch and BLM boundaries divide Cedar Canyon in southern San Diego County near the Mexican border, which is the only confirmed *F. mexicanum* population in the United States and consists of 2 groups of *F. mexicanum* (CNDDB 1992). About 50 percent of the potentially occupied habitat of *F. mexicanum* exists on BLM land and about 50 percent is on private property designated as open space, which will be surrounded by residential development under the Otay Ranch Plan (Ogden Environmental and Energy Services, Inc. 1992). Habitat potentially occupied by *F. mexicanum* at Brown Field and Otay Lakes is degraded by four-wheel drive roads and deep gully erosion.

Over 50 percent of the population of *Nolina interrata* exists on private land zoned for development (Dice, pers. comm. 1995). The primary population of *N. interrata* at McGinty Mountain is under management by The Nature Conservancy, however, the remaining population occurs in subdivided private ownerships (CNDDB 1993). Losses of *N. interrata* to easements and grading have already occurred at McGinty Mountain, and fragmentation and degradation of remaining habitat continues (Dice, pers. comm. 1995). The future of the very large Sycuan Mountain population is uncertain at the present even though the landowner possesses development entitlements and CDFG may purchase a portion of this population (Royce Riggan, RBR Associates, pers. comm.

1993). Some of the smaller populations are on land owned by sand-mining interests where mining-related activities, trash dumping, and access roads are destroying and degrading its habitat.

B. *Overutilization for commercial, recreational, scientific or educational purposes. Fremontodendron mexicanum, Berberis nevinii* and *Nolina interrata* are sold in the nursery trade. However, reportedly seed and cuttings of *F. mexicanum* and *B. nevinii* are derived from existing cultivars (Elena Benge, Tree of Life Nursery, San Juan Capistrano, California, pers. comm. 1995). Take of *N. interrata* plants from the wild for the nursery trade has been identified as a threat to the species (CDFG 1992). Access to most of the remaining locations of all four plant species is limited by private property boundaries and/or rugged terrain (CNNDB 1992, unpublished Service data).

C. *Disease or predation.* No evidence suggests that disease or predation have affected the plant species under consideration herein.

D. *The inadequacy of existing regulatory mechanisms.* Existing regulatory mechanisms that could provide some protection for these species in the United States include: (1) listing under the California Endangered Species Act; (2) adequate consideration under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA); (3) local laws and regulations; (4) section 404 of the Federal Clean Water Act, and section 1603 of the California Fish and Game Code; (5) occurrence with other species protected by the Federal Endangered Species Act; (6) adequate consideration in State or regional conservation planning efforts such as the Natural Community Conservation Planning Program and other wide range multispecies efforts; (7) land acquisition and management by Federal, State, or local agencies, or by private groups and organizations; and (8) inclusion in Appendix I of CITES.

The California Fish and Game Commission has listed *Nolina interrata, Mahonia* (=*Berberis*) *nevinii,* and *Ceanothus ophiochilus* as endangered under the Native Plant Protection Act (NPPA) (California Fish and Game Code, Div. 2, Chapter 10, section 1900 *et seq.*) and the California Endangered Species Act (CESA) (Div. 3, Chapter 1.5, section 2050 *et seq.*). *Fremontodendron mexicanum* is included on List 1B of the California Native Plant Society's Inventory of Rare and Endangered Plants, which, in accordance with section 1901, chapter 10 of the California Fish and Game Code, makes it eligible for State listing. Although NPPA and CESA both prohibit the ''take'' of State-listed plants (Chapters 10 and 1.5, sections 1908 and 2080 respectively), these statutes appear to inadequately protect against the taking of such plants via habitat modification or land use change by the landowner. After the California Department of Fish and Game notifies a landowner that a State-listed plant grows on his or her property, State law requires only that the landowner notify the agency ''at least 10 days in advance of changing the land use to allow salvage of such plant'' (California Fish and Game Code, Chapter 10, section 1913).

The California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 *et seq.*) requires a full disclosure of the potential environmental impacts of proposed projects. The public agency with primary authority or jurisdiction over the project is designated as the lead agency, and is responsible for conducting a review of the project and consulting with the other agencies concerned with the resources affected by the project. Section 15065 of the CEQA Guidelines requires a finding of significance if a project has the potential to ''reduce the number or restrict the range of a rare or endangered plant or animal'' including those that are eligible for listing under NPPA and CESA. Once significant effects are identified, the lead agency has the option to require mitigation for effects through changes in the project or to decide that ''overriding social and economic considerations'' make mitigation infeasible (California Public Resources Code, Guidelines, section 15093). In the latter case, projects may be approved that cause significant environmental damage, such as destruction of endangered plant species. Protection of listed plant species under CEQA is, therefore, dependent upon the discretion of the lead agency.

While CEQA pertains to projects on non-Federal land, the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 to 4347) requires disclosure of the environmental effects of projects within Federal jurisdiction. Species that are listed by the State, but not proposed or listed as threatened or endangered by the Federal government, are not protected when a proposed Federal action is considered a ''categorical exclusion.'' NEPA requires that each of the project alternatives recommend ways to ''protect, restore and enhance the environment'' and ''avoid and minimize any possible adverse effects,'' when implementation poses significant adverse impacts. However, it does not require that the lead agency select an alternative with the least significant impact to the environment (40 CFR, 1500 *et seq.*).

Land-use planning decisions, at the local level, are made on the basis of environmental review documents, prepared in accordance with CEQA or NEPA, which often do not adequately address ''foreseeable future'' or ''cumulative'' impacts to non-listed species and their habitat. As with section 404 permits described below, the Service's comments through the NEPA and CEQA review processes are only advisory.

In 1991, the State of California established the Natural Community Conservation Planning (NCCP) Act to address conservation needs throughout the state. Chaparral and closed-coned coniferous forest habitats and two of the four species (*Nolina interrata* and *Fremontodendron mexicanum*) are being considered under the Multiple Species Conservation Program (MSCP) plan. This program, under development by the City of San Diego, County of San Diego, other coastal cities, and private land owners, is a component of the NCCP program. A draft plan for the MSCP has been developed but has not been approved. As currently proposed, while the plan will benefit the species, it will not preclude listing of *F. mexicanum because of extremely limited numbers of populations (1 confirmed in the United States) and individuals (fewer than 100). While protection of N. interrata* would likely be adequate within those areas covered by the MSCP (3 populations), the implementation of the MSCP would not likely preclude the need for listing this species because significant populations occur on unprotected lands east of the MSCP planning area. The County of San Diego is in the process of planning for conservation in the eastern portion of the county, but a draft plan is not expected in the near future.

The Service is working with Riverside and San Bernardino counties to create multispecies plans that may benefit *Ceanothus ophiochilus* and *Berberis nevinii.* Both plans are in the planning stage and it is uncertain to what degree they will be successful in providing protection for these species. However, these multispecies plans will likely provide significant benefits to both species. While *B. nevinii* is distributed beyond San Bernardino and Riverside counties, the implementation of adequate biologically sound multispecies plans in these counties may fulfill Endangered Species Act

requirements for this species within these counties.

Section 404 of the Clean Water Act, administered by the U.S. Army Corps of Engineers (Corps), could provide for conservation or protection of *Berberis nevinii* populations along alluvial features. Alluvial scrub habitats, which historically supported *Berberis nevinii*, have been reduced in extent by 95 percent due to urban and agricultural development (CNDDB 1992, Rey-Vizgirdas 1994). These habitats must be considered under CEQA or NEPA and may be regulated, in part, by the permitting processes of the Corps under section 404 of the Clean Water Act. Under section 404 the Corps regulates, through a permitting program, the discharge of dredged or fill material into waters of the United States. Waters of the U.S. include lakes, rivers, streams and any wetlands adjacent to these features, as well as isolated wetland areas. However, upland (non-wetland) areas are not subject to regulation or protection under the Corps' regulatory program. Depending on the frequency and duration of inundation, soil characteristics and vegetative composition of *B. nevinii* habitat, potential habitat for the species may not be within the jurisdictional boundaries of section 404. As a result, any projects affecting such habitat likely would receive no environmental review. Federal candidate species receive no special consideration under section 404. In addition, emergency flood control measures may circumvent compliance with these statutes. For example, as part of emergency measures, vegetation stripping occurred in Riverside and San Bernardino counties throughout the potential range of *B. nevinii* after flooding subsided in the spring of 1993.

The Act may incidentally afford protection to the species under consideration in this proposal if they co-exist with species already listed as threatened or endangered under the Act. The least Bell's vireo (*Vireo bellii pusillus*), coastal California gnatcatcher (*Polioptila californica californica*), southwestern willow flycatcher (*Empidonax traillii extimus*), arroyo toad (*Bufo microscaphus californicus*), slender-horned spineflower (*Dodecahema leptoceras*), and Santa Ana River woolly star (*Eriastrum densiflorum ssp. sanctorum*) are listed as endangered or threatened under the Act and occur within the same geographical area as the species proposed herein. However, these species are not found in the same habitat as three of the proposed plant taxa. Though *Berberis nevinii* is known to occur in alluvial fan scrub which is also known to be occupied by *D. leptoceras*, and *E. densiflorum* ssp. *sanctorum*, these species are not known from any specific site where *B. nevinii* also occurs.

The Nature Conservancy has acquired lands on Sycuan Peak and McGinty Mountain in San Diego County, which protect part of the population of *Nolina interrata* (CDFG 1992), however the amount of habitat acquired is not adequate to ensure protection of the species. Acquisition of lands to protect *Berberis nevinii* and *Fremontodendron mexicanum* has been proposed by the Bureau of Land Management (1992), but the action has not yet been implemented. These actions would increase protection for a small segment of the *B. nevinii* population, and all of the known populations of *F. mexicanum* in the United States.

The proposed land acquisitions and management practices discussed above would protect significant portions of the populations of the plant species considered herein, and the Service supports their implementation. However, these actions are only proposed and the likelihood of their implementation is uncertain. Even if implemented, they would not eliminate threats due to an alteration of the natural fire periodicity, habitat fragmentation, and randomly occurring natural events (discussed below). Significant portions of these plant populations would still not have appropriate management or would be outside the proposed areas of acquisition (with the exception of *F. mexicanum*).

E. *Other natural or manmade factors affecting their continued existence.* Fire management practices are adversely affecting *Ceanothus ophiochilus, Berberis nevinii, Nolina interrata,* and *Fremontodendron mexicanum* because the habitat requirements for these species depend upon natural fire patterns. Alteration of natural fire periodicity can have various adverse effects on plants that evolved to survive in an ecosystem that included natural fires. Human population increases are generally accompanied by increased incidence of local accidental fires. As regional population density continues to increase, fire suppression measures are intensified in surrounding undeveloped areas. The natural period between fires in these areas then may be lengthened. Also, during fire events, bulldozers are used to scrape fire breaks through vegetation to stop the advance of a fire. Fire breaks may increase erosion on slopes which may slow chaparral (and species) recovery.

Although *Ceanothus ophiochilus* is dependent on occasional fires for seed germination, it does not reproduce vegetatively after a fire. Very high fire frequencies prevent newly germinated plants from reaching reproductive maturity and will result in population declines or extirpation once the underground seed bank has been depleted.

In other cases, the reduced frequency of fire due to fire suppression programs can adversely affect the viability of plant populations by reducing genetic diversity. While frequent fires are a threat to the survival of *Ceanothus ophiochilus*, fire suppression would also represent a threat to this species because it would inhibit seed germination. Therefore, controlled burns may be necessary, in some cases, to maintain population vigor and rejuvenation (Boyd 1991).

Likewise, flowering of *Nolina interrata* is stimulated by fire. In the absence of fire, it reproduces primarily by cloning a new plant from its underground caudex. Genetic diversity for *N. interrata* can only be maintained if the plant flowers and reproduces sexually. One population is cloned from a single female plant. If populations are entirely female, pollen from disjunct populations would be required for flower fertilization. However, flowers in disjunct populations may not bloom simultaneously since flowering is, in part, dependent upon fire (Dice 1989).

The effects of altered fire frequencies on *Berberis nevinii* are not known. Basal burls indicate that *B. nevinii* is able to stump sprout; however, vegetative propagation has been unsuccessful in cultivation. This species propagates in the wild by seed, but seed production and fertility are sporadic.

Hybridization threatens *Ceanothus ophiochilus* throughout its populations. Potential hybrids have been observed at the edge of the Vail Lake population, near the contact zone with adjacent metasedimentary substrates. The other three populations, located nearby in the Agua Tibia Wilderness Area, have been significantly affected by hybridization with *C. crassifolius*. At least 10 to 15 percent of two of the Agua Tibia populations represent pure hybrid individuals and it is likely that a large portion, or possibly all of the individuals in these populations are introgressed to some degree (Shaffer 1993). The hybridization is likely the result of disturbance by fire and fire management practices such as bulldozed firebreaks (Chris Frazier, San Diego State University, *in litt.* 1993).

Risk of extinction from naturally occurring events threatens all of the

plant taxa discussed herein by virtue of their small population size and limited distribution (e.g., the extant population of *Fremontodendron mexicanum* is fewer than 100 individuals). Genetic viability is reduced in small populations, making them more vulnerable to extinction by manmade or natural events. Because *N. interrata* reproduces by cloning, the status of genetic diversity in the remaining populations is unkown. In addition, Barrett and Kohn (1991) maintain that characteristics such as low reproductive success may be the result of random genetic drift. Random genetic drift is the random change in the gene frequency of a populations due to ''reshuffling'' of gametes from generation to generation. This effect is amplified in small isolated populations and can result in the prevalence of detrimental characteristics in a population. The potential for local extirpation owing to small population size can be exacerbated by environmental conditions such as the recent drought. A single random event occurring in a population center can decimate a species beyond recoverable numbers. In the case of *Berberis nevinii,* most individuals are concentrated in one locality in the Vail Lake area of Riverside County (CNDDB 1992). The species is extremely vulnerable because its low reproductive success rate (Mistretta 1989a) and disjunct distribution decrease its ability to recover from naturally occurring events.

Ceanothus ophiochilus occurs only in southwestern Riverside County. A few thousand individuals or less exist at each of three or four localities (Shaffer 1993). Hybridization with *C. crassifolius* may reduce the effective reproductive population and intensify the adverse effects of random genetic drift in the Agua Tibia populations (Barrett and Kohn 1991). Due to the very small number of individuals and the verified existence of only one U.S. population (CNNDB 1992), *Fremontodendron mexicanum* is subject to the same adverse genetic and naturally occurring random effects as *C. ophiochilus* (Barrett and Kohn 1991). One of the Dehesa Valley populations of *Nolina interrata* is considered to be a single female clone (Dice, pers. comm. 1995). Cloning makes *N. interrata* more vulnerable to extinction from naturally occurring events, particularly when most of the populations are found at only one location (Oberbauer 1979).

In summary, the decline of these species' ranges and populations are attributable to loss or adverse modification of habitat by urban development. The remaining habitat is more vulnerable to natural and human-caused threats because it is fragmented and disjunct. Recolonization of burned or modified habitats is unlikely because of the long dispersal distance from other, if any, populations. Edaphic (soil-related) endemism, a trait of all of these species, also limits areas suitable for colonization. Currently healthy populations are more subject to disease and disturbance because of the lack of gene flow from other populations due to isolation. The small numbers and concentrated populations of all these species also make them vulnerable to extinction from naturally occurring events. Vandalism and inadequate regulatory mechanisms exacerbate the threats arising from otherwise lawful activities. The cumulative effects of these multiple threats have placed two of these species in danger of extinction, and two in danger of potential extinction.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to propose this rule. Based on this evaluation, the preferred action is to list *Berberis nevinii* and *Fremontodendron mexicanum* as endangered. Other alternatives to this action were considered but not preferred because not listing these species, or listing them as threatened would not provide adequate protection and would not be in keeping with the purposes of the Act. Both of these species exist in small isolated populations. The entire population of *Fremontodendron mexicanum* is estimated to contain less than 100 plants. Urbanization of surrounding areas and fire management practices threaten both of these species with extinction throughout their ranges.

The preferred action for *Nolina interrata* and *Ceanothus ophiochilus* is to list these taxa as threatened. While *N. interrata* and *C. ophiochilus* are not in danger of extinction throughout all or a significant portion of their ranges, they are likely to become endangered species within the foreseeable future. Both species are fire-dependent for successful proliferation, and disruption of the natural fire regime can prohibit future generations from establishing. Continued hybridization of *C. ophiochilus* populations will impair their reproductive success and alter the genetic makeup of the species.

Critical habitat is not being proposed for these species, as discussed below.

Critical Habitat

Critical habitat, as defined by section 3 of the Act, is: (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time the species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not prudent for these species at this time. Service regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist—(1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species.

The Service finds that designation of critical habitat for *Berberis nevinii, Ceanothus ophiochilus, Fremontodendron mexicanum,* and *Nolina interrata* is not prudent for these species at this time. The additional protection provided by the designation of critical habitat is achieved through section 7 of the Act which requires consultation with the Service on any projects or activities authorized, funded or carried out by Federal agencies. While actions by the U.S. Army Corps of Engineers, the Forest Service, or may affect some populations of these species, the majority of the populations of these species are on private land with little or no Federal involvement. Therefore, the designation of critical habitat for these taxa would not appreciably benefit the species.

In addition, the publication of precise maps and descriptions of critical habitat in the Federal Register would make these plants more vulnerable to incidents of vandalism and, therefore, could contribute to the decline of these species. The threat of potential vandalism in response to listing a species has been identified by several sources (Oberbauer 1979, Beauchamp 1993) and may be applicable to others

given their occurrence on predominantly private lands. All Federal and state agencies and local planning agencies involved have been notified of the location and importance of protecting these species' habitat. Protection of these species' habitat will be addressed through the recovery process. Therefore, the Service finds that designation of critical habitat for these plants is not prudent at this time; such designation likely would not provide any additional benefit to these species beyond that provided through their listing as endangered or threatened species.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Act provides for possible land acquisition and cooperation with the States and requires that recovery plans be developed for all listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) requires Federal agencies to confer informally with the Service on any action that is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into consultation with the Service.

Federal agencies expected to have involvement with *Berberis nevinii, Ceanothus ophiochilus, Fremontodendron mexicanum,* and *Nolina interrata* include the United States Forest Service (USFS), BLM, Corps, Federal Highway Administration, and the Immigration and Naturalization Service. These agencies either administer lands containing these species or authorize, fund, or otherwise conduct activities that may affect these species.

The Act and its implementing regulations found at 50 CFR section 17.61, 17.62, and 17.63 set forth a series of general prohibitions and exceptions that apply to all endangered plants. With respect to the four plant taxa considered herein, all trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, would apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale in interstate or foreign commerce, or remove and reduce to possession any such species from areas under Federal jurisdiction. In addition, the 1988 amendments (P.L. 100-478) to the Act make it illegal to maliciously damage or destroy any such species on areas under Federal jurisdiction or remove, cut, dig up, damage or destroy any such species in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies.

The Act and 50 CFR 17.62, 17.63 and 17.72 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered and threatened plants under certain circumstances. It is anticipated that trade permits will be sought and issued for at least two of the plant species considered herein that are common in cultivation, *Berberis nevinii* and *Fremontodendron mexicanum*. Requests for copies of regulations on listed plants and inquiries regarding them may be addressed the U.S. Fish and Wildlife Service, Ecological Services, Endangered Species Permits, 911 N.E. 11th Avenue, Portland, Oregon, 97232–4181 (telephone 503/231–2063, FAX 503/231–6243).

Nolina interrata is included in Appendix I of CITES. CITES is a treaty established to prevent international trade that may be detrimental to the survival of plants and animals.

It is the policy of the Service (59 FR 34272) to identify to the maximum extent practicable at the time a species is listed those activities that would or would not be likely to constitute a violation of section 9 of the Act. Such information is intended to clarify the potential impacts of a species' listing on proposed and ongoing activities within the species' range. All four taxa have populations that occur on either USFS lands or lands managed by BLM. Collection, damage or destruction of these species on Federal lands would be prohibited, although in appropriate cases a Federal endangered species permit may be issued to allow collection. Such activities on non-Federal lands would constitute a violation of section 9 if conducted in knowing violation of California State law or regulations, or in violation of State criminal trespass law.

Three of the proposed species are of horticultural interest and both are currently in commercial trade, *Berberis nevinii, Fremontodendron mexicanum,* and *Nolina interrata.* Intrastate commerce is not prohibited under the Act. However, interstate and foreign commerce would require a Federal endangered species permit. However, 50 CFR Part 17.71(a) does not prohibit any activities with seeds of cultivated threatened species provided that a statement that the seeds are of ''cultivated origin'' accompanies the seeds or their container during the course of the activity. Other than possible interstate commerce by the public that would be affected by this proposed listing, the Service is not aware of any other activities being conducted by the public that would be affected by this proposal and result in a violation of section 9. Questions regarding whether specific activities would constitute a violation of section 9 should be directed to the Field Supervisor of the Carlsbad Field Office (see **ADDRESSES** section).

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial, or other relevant data concerning any threat (or lack thereof) to *Berberis nevinii, Ceanothus ophiochilus, Fremontodendron mexicanum,* and *Nolina interrata*;

(2) The location of any additional populations of these species and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of these species; and

(4) Current or planned activities in the subject area and their possible impacts on these species.

The final decision on this proposal will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Act provides for a public hearing on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal in the Federal Register. Such requests must be made in writing and addressed to the Field Supervisor of the Carlsbad Field Office (see **ADDRESSES** section).

National Environmental Policy Act

The Fish and Wildlife Service has determined that Environmental Assessments and Environmental Impact Statements, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

References Cited

A complete list of all references cited herein is available upon request from the U.S. Fish and Wildlife Service, Carlsbad Field Office (see **ADDRESSES** above).

Author

This proposed rule was prepared by the staff of the Carlsbad Field Office (see **ADDRESSES** section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Proposed Regulation Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

2. Section 17.12(h) is amended by adding the following, in alphabetical order under FLOWERING PLANTS, to the List of Endangered and Threatened Plants, to read as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Family	Status	When listed	Critical habitat	Special rules
Scientific name	Common name						
*	*	*	*		*	*	
Flowering Plants							
*	*	*	*		*	*	
Berberis nevinii	Nevin's barberry	U.S.A. (CA)	Berberidaceae	E		NA	NA
*	*	*	*		*	*	
Ceanothus ophiochilus	Vail Lake ceanothus	U.S.A. (CA)	Rhamnaceae	T		NA	NA
*	*	*	*		*	*	
Fremontodendron mexicanum.	Mexican flannelbush	U.S.A. (CA), Mexico	Sterculiaceae	E		NA	NA
*	*	*	*		*	*	
Nolina interrata	Dehesa beargrass	U.S.A. (CA), Mexico	Liliaceae	T		NA	NA
*	*	*	*		*	*	

Dated: September 20, 1995.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 95–24333 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 676

[I.D. 092695B]

Limited Access Management of Federal Fisheries In and Off of Alaska; Amendments

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of amendments to fishery management plans; request for comments.

SUMMARY: NMFS announces that the North Pacific Fishery Management Council (Council) has submitted Amendment 32 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI) and Amendment 36 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA). These amendments are necessary to facilitate full utilization of the allocated resources managed under the Individual Fishing Quota (IFQ) Program for the Pacific

halibut and sablefish fixed gear fisheries in and off of Alaska. This proposed action is intended to achieve full utilization by relieving transfer restrictions on Community Development Quota compensation quota shares (CDQ compensation QS), thereby allowing transfers to persons who could use the resulting IFQ to harvest the resource. The Council intends for these proposed amendments to promote management and conservation of IFQ species, and to further the goals and objectives contained in the FMPs that govern their management. Comments are requested from the public.

DATES: Comments on the proposed FMP amendments must be received on or before November 27, 1995.

ADDRESSES: Comments on the proposed FMP amendments must be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, 709 W. 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802; Attention: Lori J. Gravel.

Copies of the proposed amendments and the Regulatory Impact Review (RIR) prepared for the amendments may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT: John Lepore, 907–586–7228.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it prepares to the Secretary of Commerce (Secretary) for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that the Secretary, upon reviewing the plan or amendment, immediately publish an announcement that the plan or amendment is available for public review and comment.

Amendments 32 and 36 are intended to increase the remunerative value of CDQ compensation QS by reducing the transfer restrictions that would be faced by initial recipients of those shares under the existing regulations. CDQ compensation QS were issued to individuals that received reductions in the amount of Pacific halibut and sablefish available for harvest with IFQ in CDQ areas. Transfer restrictions are reduced by (1) exempting some CDQ compensation QS from the block provision and (2) allowing some CDQ compensation QS to be transferred across vessel categories.

The Secretary will consider the public comments received during the comment period in determining whether to approve the proposed amendments. The proposed regulations are scheduled to be published within 15 days of receipt of the proposed amendments from the Council.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 26, 1995.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95–24421 Filed 9–27–95; 2:58 pm]

BILLING CODE 3510–22–F

Notices

Federal Register
Vol. 60, No. 190
Monday, October 2, 1995

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

Agency Form Under Review by the Office of Management and Budget

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of the Census.

Title: National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) Program Evaluation Survey.

Form Number: None.

Agency Approval Number: None.

Type of Request: New collection.

Burden: 2,800 hours.

Number of Respondents: 8,400.

Avg Hours Per Response: 20 minutes.

Needs and Uses: The Census Bureau, acting as an agent for NIST will conduct the NIST/MEP Program Evaluation Survey. MEP centers around the country provide technical and business assistance to small and medium–sized manufacturing establishments. The survey will gather information from recent clients of MEP centers on how they have been helped by the assistance provided by the centers. The NIST will use results of the survey, together with other information, to evaluate program strengths and weaknesses, plan improvements in program effectiveness and efficiency, and initiate a program–wide management information and evaluation system. The survey will be administered using Computer Assisted Telephone Interviewing (CATI) technology.

Affected Public: Businesses or other for–profit.

Frequency: One–time.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Maria Gonzalez, (202) 395–7313.

Copies of the above information collection proposal can be obtained by calling or writing Gerald Tache, DOC Forms Clearance Officer, (202) 482–3271, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Maria Gonzalez, OMB Desk Officer, Room 10202 New Executive Office Building, Washington, DC 20503.

Dated: September 22, 1995.

Gerald Tache,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 95–24433 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–CW–F

International Trade Administration

[A–570–502]

Iron Construction Castings From the People's Republic of China: Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On August 2, 1995, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on iron construction castings from the People's Republic of China (PRC). This review covers one producer/exporter, the Liaoning Branch of the China National Machinery Import and Export Corporation (MACHIMPEX, Liaoning), and entries of the subject merchandise into the United States during the period May 1, 1993 through April 30, 1994.

We gave interested parties an opportunity to comment on our preliminary results. We received a case brief from the petitioner, the Municipal Castings Fair Trade Counsel, supporting the preliminary results. We received no other comments. We have not changed the margin from that presented in our preliminary results of review.

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Rebecca Trainor or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

On August 2, 1995, the Department published in the Federal Register (60 FR 39359) the preliminary results of the administrative review of the antidumping duty order on iron construction castings from the PRC (51 FR 17222 (May 9, 1986)). The preliminary results indicated the existence of a dumping margin for the respondent, based on the best information available. The petitioner submitted a case brief, arguing that the Department affirm its preliminary results of review. The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Applicable Statutes and Regulations

Unless otherwise stated, all citations to the statutes and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Scope of the Review

The products covered by this review are iron construction castings, limited to: Manhole covers, rings and frames; catch basin grates and frames; cleanout covers and frames used for drainage or access purposes for public utility, water, and sanitary systems; valve, service, and meter boxes which are placed below ground to encase water, gas, or other valves, or water or gas meters. These articles must be of cast iron, not alloyed, and not malleable. Certain iron construction castings are currently classifiable under numbers 7352.10.00.00 and 7325.10.00.50 of the *Harmonized Tariff Schedule of the United States* (HTSUS). The HTSUS item numbers are provided for convenience and Customs purposes only. The written description remains dispositive as to the scope of the order.

This review covers sales of the subject merchandise manufactured by MACHIMPEX, Liaoning and entered into the United States during the period May 1, 1993 through April 30, 1994.

Final Results of Review

We determine that a margin of 92.74 percent exists for MACHIMPEX, Liaoning for the period May 1, 1993 through April 30, 1994.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements shall be effective for all shipments of the subject merchandise that are entered or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company, MACHIMPEX, Liaoning, shall be the above rate; (2) for Minmetals Guangdong, which received a separate rate for the most recent period for which it was reviewed, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other PRC exporters, the cash deposit rate will be 92.74 percent, the PRC country-wide rate; and (4) for non-PRC exporters of the subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d) or 355.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and § 353.22 of the Department's regulations.

Dated: September 22, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–24434 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–475–031]

Large Power Transformers From Italy; Preliminary Results of Antidumping Administrative Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of preliminary results of antidumping duty administrative review.

SUMMARY: In response to requests by the petitioner, ABB Power T&D Co., Inc. (ABB), and by Tamini Costruzioni Elettromeccaniche (Tamini), a manufacturer/exporter of transformers, the Department of Commerce (the Department) is conducting an administrative review of the antidumping finding on large power transformers from Italy.

The review covers exports of subject merchandise by Tamini to the United States during the period from June 1, 1993, through May 31, 1994. As a result of the review, the Department has preliminarily determined that Tamini did not make sales at prices below foreign market value (FMV). Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Andrea Chu, Kris Campbell, or Michael R. Rill, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

On June 7, 1994, the Department published a notice of ''Opportunity to Request Administrative Review'' (59 FR 29411). ABB and Tamini requested administrative reviews on June 29, 1994, and June 30, 1994, respectively. We initiated the review on July 15, 1994 (59 FR 36160), covering the period June 1, 1993, through May 31, 1994. The Department is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of the Review

Imports covered by the review are shipments of large power transformers (LPTs); that is, all types of transformers rated 10,000 kVA (kilovolt-amperes) or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electric power. The term ''transformers'' includes, but is not limited to, shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers. Not included are combination units, commonly known as rectiformers, if the entire integrated assembly is imported in the same shipment and entered on the same entry and the assembly has been ordered and invoiced as a unit, without a separate price for the transformer portion of the assembly. This merchandise is currently classifiable under the Harmonized Tariff Schedule (HTS) item numbers 8504.22.00, 8504.23.00, 8504.34.33, 8504.40.00, and 8504.50.00. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review covers shipments of transformers by Tamini during the period June 1, 1993, through May 31, 1994.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Verification

In accordance with section 776 of the Act, we conducted a verification of the information submitted by Tamini to the Department at Tamini's headquarters in Melegnano, Italy, from May 22–26, 1995.

United States Price

In calculating U.S. price (USP), the Department used purchase price as defined in section 772(b) of the Tariff Act. We calculated purchase price based on the packed price to the U.S. customer. We made adjustments to USP for transportation expenses and duty drawback.

Foreign Market Value

For the purposes of the preliminary results, we determined that, due to the highly customized nature of the products under review, the LPTs sold in the United States could not reasonably be compared to any other LPTs sold by

Tamini. Therefore, in accordance with section 773(a)(2) of the Tariff Act, we calculated foreign market value based on constructed value of the model sold in the United States.

In accordance with section 773(e) of the Tariff Act, the constructed value includes the costs of materials and fabrication, general expenses, profit, and packing for shipment to the United States. Home market selling expenses were used pursuant to section 773(e)(1)(B) of the Tariff Act. Since the profit submitted by Tamini exceeded the statutory eight percent profit, we applied the submitted profit to the cost of production.

We made circumstance-of-sale adjustments for differences in credit expenses, direct bank charges, warranty expenses, and technical service expenses. Since commissions were granted only in the home market, we offset the commission adjustment by adding U.S. indirect selling expenses to the constructed value. Based on information contained in Tamini's questionnaire responses and on our verification of this information, we have determined that Tamini did not report all of its U.S. indirect selling expenses. Therefore, we offset the full amount of the commission adjustment as best information available.

Preliminary Results of Review

As a result of our comparison of USP to foreign market value, we preliminarily determine that a weighted-average margin of zero percent exists for sales of LPTs made to the United States by Tamini during the period June 1, 1993 through May 31, 1994.

Parties to this proceeding may request disclosure within 5 days of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first business day thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication of this notice. Service of all briefs and written comments must be in accordance with 19 CFR 353.38(e). The Department will publish the final results of the administrative review, including the results of its analysis of any such comments or hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appropriate appraisement instructions directly to the Customs Service upon completion of this review.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for Tamini will be the rate established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will be 92.47 percent, which is the ''new shipper'' rate established in the first final results of review of this finding. *See Large Power Transformers from Italy: Notice of Final Results of Administrative Review,* 49 FR 31313 (August 6, 1984). For a further explanation of our policy concerning the cash deposit rate in this case, *see Large Power Transformers from Italy: Notice of Final Results of Administrative Review,* 59 FR 48851 (September 23, 1994). These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

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 19 CFR 353.22(c)(5).

Dated: September 20, 1995.

Paul L. Joffe,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 95–24435 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DS–P

Intent To Revoke Countervailing Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of intent to revoke countervailing duty order.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its intent to revoke the countervailing duty order listed below. Domestic interested parties who object to revocation of this order must submit their comments in writing not later than the last day of October 1995.

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Brian Albright or Cameron Cardozo, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

The Department may revoke a countervailing duty order if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by the Department's regulations (at 19 CFR 355.25(d)(4)), we are notifying the public of our intent to revoke the countervailing duty order listed below, for which the Department has not received a request to conduct an administrative review for the most recent four consecutive annual anniversary months.

In accordance with section 355.25(d)(4)(iii) of the Department's regulations, if no domestic interested party (as defined in sections 355.2 (i)(3), (i)(4), (i)(5), and (i)(6) of the regulations) objects to the Department's intent to revoke this order pursuant to this notice, and no interested party (as defined in section 355.2(i) of the regulations) requests an administrative review in accordance with the Department's notice of opportunity to request administrative review, we shall conclude that the countervailing duty order is no longer of interest to interested parties and proceed with the revocation. However, if an interested party does request an administrative review in accordance with the Department's notice of opportunity to request administrative review, or a domestic interested party does object to the Department's intent to revoke pursuant to this notice, the Department will not revoke the order.

Countervailing duty order	
Argentina:	
Leather (C–357–803)	10/02/90 55 FR 40212

Opportunity To Object

Not later than the last day of October 1995, domestic interested parties may object to the Department's intent to revoke this countervailing duty order. Any submission objecting to the revocation must contain the name and case number of the order and a statement that explains how the objecting party qualifies as a domestic interested party under sections 355.2 (i)(3), (i)(4), (i)(5), or (i)(6) of the Department's regulations.

Seven copies of any such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B–099, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230.

This notice is in accordance with 19 CFR 355.25(d)(4)(i).

Dated: September 28, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 95–24525 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DS–P

President's Export Council: Meeting of the Subcommittee on the Americas

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Cancellation of an open meeting.

SUMMARY: The President's Export Council Subcommittee on the Americas open meeting that was scheduled for Friday, September 29 from 9:00 a.m.–1:30 p.m. (60 FR 47736, September 14, 1995) has been cancelled. The meeting has not been rescheduled.

FOR FURTHER INFORMATION CONTACT: Chad Hoseth, President's Export Council, Room 2015B, Washington, D.C. 20230.

Dated: September 26, 1995.

Sylvia Lino Prosak,

Acting Staff Director and Executive Secretary, President's Export Council.

[FR Doc. 95–24353 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DR–P

North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews; Completion of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of completion of panel review.

SUMMARY: On August 22, 1995, the Binational Panel review of the final determination respecting Certain Corrosion Resistant Steel Sheet Products, Originating in or Exported from the United States of America, Secretariat File No. CDA–94–1904–04 was completed.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482–5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement (''Agreement'') establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established Rules of Procedure for Article 1904 Binational Panel Reviews (''Rules''). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The Panel review in this matter was conducted in accordance with these rules.

Completion

On July 10, 1995, the Binational Panel affirmed the Investigating Authority's determination respecting Certain Corrosion Resistant Steel Sheet Products, Originating in or Exported from the United States of America. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no Request for an Extraordinary Challenge was filed. No Request for an Extraordinary Challenge Committee has been filed with the Responsible Secretary. Therefore, pursuant to subrule 78(b) of the NAFTA Article 1904 Panel Rules, this Notice of Completion of Panel Review is effective on August 22, 1995, the 31st day following the date on which the Responsible Secretary issued the Notice of Final Panel Action.

Dated: September 26, 1995.

James R. Holbein,

United States Secretary, NAFTA Secretariat.

[FR Doc. 95–24410 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–GT–M

North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Completion of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of completion of panel review.

SUMMARY: On September 12, 1995 the Binational Panel Review of the final affirmative injury determination made by the Canadian International Trade Tribunal, respecting Synthetic Bailer Twine with a Knot Strength of 200 lbs or Less, Originating in or Exported from the United States, Secretariat File No. CDA–94–1904–02 was completed.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482–5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement (''Agreement'') establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established Rules of Procedure for Article 1904 Binational Panel Reviews (''Rules''). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The Panel review in this

matter was conducted in accordance with these rules.

Completion

On July 31, 1995, the Binational Panel issued an order which affirmed the Redetermination of the Canadian International Trade Tribunal (''CITT'') concerning Synthetic Baler Twine with a Knot Strength of 200 lbs or Less, Originating in or Exported from the United States. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no Request for an Extraordinary Challenge was filed. No such request was filed. Therefore, on the basis of the Panel Order and Rule 80 of the Article 1904 Panel Rules, the Panel Review was completed and the panelists discharged from their duties effective September 12, 1995.

Dated: September 26, 1995.

James R. Holbein,

United States Secretary, NAFTA Secretariat.

[FR Doc. 95–24411 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–GT–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Recision of Requests to Consult and Cancellation of Limits on Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in the Philippines

September 27, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Announcing the recision of requests to consult and issuing a directive to the Commissioner of Customs cancelling limits.

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The United States Government has decided to rescind the requests made on April 24, 1995 and May 31, 1995 to consult on imports from the Philippines of man-made fiber luggage in Category 670–L and women's and girls' wool suits in Category 444, respectively.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to cancel the limit established for the period April 24, 1995 through April 23, 1996 for Category 670–L and May 31, 1995 through December 31, 1995 for Category 444. Category 444 shall remain subject to the 1995 Group II limit.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 59 FR 65531, published on December 20, 1994). Also see 60 FR 37628, published on July 21, 1995; and 60 FR 44316, published on August 25, 1995.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 27, 1995.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive cancels and supersedes the directives issued to you on July 14, 1995 and August 22, 1995, by the Chairman, Committee for the Implementation of Textile Agreements. Those directives concern imports of textile products in Categories 670–L [1] and 444, produced or manufactured in the Philippines and exported during the periods which began on April 24, 1995 and extends through April 23, 1996 (Category 670–L) and May 31, 1995 through December 31, 1995 (Category 444). All import charges for Category 444 shall be retained.

Effective on October 2, 1995, you are directed to cancel the limit established for Category 670–L (April 24, 1995 through April 26, 1996) and Category 444 (May 31, 1995 through December 31, 1995). Category 444 shall remain subject to the Group II limit established in the directive dated March 30, 1995 for the period beginning on January 1, 1995 and extending through December 31, 1995.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C.553(a)(1).

Sincerely,

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.95–24463 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DR–F

[1] Category 670–L: only HTS numbers 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9025.

Adjustment of Import Limits for Certain Wool Textile Products Produced or Manufactured in Taiwan

September 26, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6719. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being adjusted, variously, for special shift and carryover.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 59 FR 65531, published on December 20, 1994). Also see 59 FR 66297, published on December 23, 1994.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 26, 1995.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 19, 1994, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Taiwan and exported during the twelve-month period

which began on January 1, 1995 and extends through December 31, 1995.

Effective on September 26, 1995, you are directed to amend further the December 19, 1994 directive to adjust the limits for the following categories, as provided under the terms of the current bilateral textile agreement concerning textile products from Taiwan:

Category	Twelve-month limit [1]
Sublevels in Group II	
435	25,492 dozen.
442	43,653 dozen.
444	66,053 numbers.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1994.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 95–24423 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DR–F

Recision of a Request to Consult and Cancellation of Limits on Certain Man-Made Fiber Textile Products Produced or Manufactured in Thailand

September 26, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Announcing the recision of a request to consult and issuing a directive to the Commissioner of Customs cancelling limits.

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The United States Government has decided to rescind the request made on April 27, 1995 to consult on imports of spun yarn in Category 603 and man-made fiber luggage in Category 670–L from Thailand.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to cancel the limits established for Categories 603 and 670–L for the period April 27, 1995 through April 26, 1996.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 59 FR 65531, published on December 20, 1994). Also see 60 FR 37428, published on July 20, 1995.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 26, 1995.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive cancels and supersedes the directive issued to you on July 14, 1995, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of man-made fiber textile products in Categories 603 and 670–L [1], produced or manufactured in Thailand and exported during the period which began on April 27, 1995 and extends through April 26, 1996.

Effective on October 2, 1995, you are directed to cancel the limits established for Categories 603 and 670–L for the period April 27, 1995 through April 26, 1996.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C.553(a)(1).

Sincerely,

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.95–24416 Filed 9–29–95; 8:45 am]

BILLING CODE 3510–DR–F

[1] Category 670–L: only HTS numbers 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9025.

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 1, 1995.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Wendy Taylor, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue SW., Room 5624, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill, (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3507 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection: (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: September 26, 1995.

Gloria Parker,

Director, Information Resources Group.

Office of Postsecondary Education

Type of Review: Revision.

Title: Program for North American Mobility in Higher Education (A Special Focus Competition of FIPSE.)

Frequency: Annually.

Affected Public: Not for Profit institutions.

Reporting Burden:

Responses: 300.
Burden Hours: 6,000.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.

Abstract: The Program for North American Mobility in Higher Education supports institutional cooperation and student exchange among the countries of the U.S., Mexico and Canada. Funding supports the participation of U.S. institutions and students in trilateral consortia of institutions of higher education. Funding will be multi-year, with projects lasting up to 3 years.

Additional Information: Clearance for this information collection is requested for September 29, 1995. An expedited review is requested so that the minor changes, requested by our international partners, in this previously approved collection can be made and the application process can begin.

[FR Doc. 95–24390 Filed 9–29–95; 8:45 am]

BILLING CODE 4000–01–M

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before December 1, 1995.

ADDRESSES: Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202–4651, or should be electronic mailed to the internet address #FIRB@ed.gov, or should be faxed to 202–708–9346.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Department of Education (ED) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. ED invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: September 26, 1995.

Gloria Parker,

Director, Information Resources Group.

Office of Postsecondary Education

Type of Review: Extension.

Title: Guaranty Agency Quarterly/Annual Report.

Frequency: Quarterly, Semiannually.

Affected Public: Business or other for-profit.

Reporting Burden:
Responses: 270.
Burden Hours: 4,293.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.

Abstract: The Guaranty Agency/Quarterly Annual Report is submitted by 55 agencies operating student loan Insurance Program under agreement with the Department of Education. These reports are used to evaluate agency operations, make payments to agencies as authorized by law, and to make reports to Congress.

[FR Doc. 95–24389 Filed 9–29–95; 8:45 am]

BILLING CODE 4000–01–M

Notice of Availability

SUMMARY: The Assistant Secretary for Civil Rights announces the availability of a draft document entitled ''Clarification of Intercollegiate Athletics Policy Guidance: The Three Part Test'' (Clarification).

The Clarification provides educational institutions with specific information, including examples, about the standards used by the Office for Civil Rights when determining whether an educational institution is in compliance with the requirement that an institution provide nondiscriminatory athletic participation opportunities to male and female students.

DATES: Comments on the draft Clarification must be received on or before October 20, 1995.

ADDRESSES: All comments concerning and all requests for copies of the draft Clarification should be addressed to Jeanette J. Lim, U.S. Department of Education, 600 Independence Avenue, S.W., Room 5036 Switzer Building, Washington, D.C. 20202–1174. Telephone: (202) 205–8635. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–9683 or 1–800–421–3481.

FOR FURTHER INFORMATION CONTACT: Jeanette J. Lim. Telephone: (202) 205–8635. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–9683 or 1–800–421–3481.

SUPPLEMENTARY INFORMATION: The purpose of the Clarification is to clarify how institutions can meet the three-part test regarding nondiscriminatory participation opportunities contained in the Intercollegiate Athletics Policy Interpretation, published in the Federal Register on December 11, 1979 (44 FR 71413). The standards contained in the Policy Interpretation have guided the enforcement of Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.* (Title IX), and its implementing regulations, 34 CFR Part 106 (1973), in the area of intercollegiate athletics since 1979.

The Department is accepting public comment on whether the draft Clarification provides adequate clarity in areas that have generated questions.

Dated: September 27, 1995.

Norma V. Cantú,

Assistant Secretary for Civil Rights.

[FR Doc. 95–24391 Filed 9–29–95; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Advisory Committee on External Regulation of Department of Energy Nuclear Safety

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given of the seventh meeting of the Advisory Committee on External Regulation of Department of Energy Nuclear Safety.

DATE AND TIMES: The Committee session will be held at the Hyatt Regency Woodfield in Schaumburg, Illinois. The session will begin on Monday, October 16, 1995, at 10:00 am and adjourn at 6:00 pm. The Committee will reconvene on Monday for a public comment session beginning at 7:30 pm. The Committee session will continue at the same location on Tuesday, October 17, beginning at 8:00 am and adjourning at 5:00 pm.

ADDRESSES: Hyatt Regency Woodfield, Regency Ballroom, 1800 East Golf Road, Schaumburg, Illinois 60173.

FOR FURTHER INFORMATION CONTACT: Thomas H. Isaacs, Executive Director, Advisory Committee on External Regulation of Department of Energy Nuclear Safety, 1726 M Street NW., Suite 401, Washington, DC 20036, (202) 254–3826.

SUPPLEMENTARY INFORMATION: The purpose of the Committee is to provide the Secretary of Energy, the White House Council on Environmental Quality, and the Office of Management and Budget with advice, information, and recommendations on how new and existing Department of Energy (DOE) nuclear facilities and operations, except those operations covered under Executive Order 12344 (Naval Propulsion Program), might best be regulated with regard to safety. The Department currently self-regulates many aspects of nuclear safety, pursuant to the Atomic Energy Act of 1954, as amended. The Committee consists of members drawn from Federal and State government and the private sector, and is co-chaired by John F. Ahearne, Lecturer in Public Policy, Duke University, and Director, The Sigma Xi Center, and Gerard F. Scannell, President of the National Safety Council. Members were chosen with environment, safety, and health backgrounds, balanced to represent different public, Federal, State, Tribal, regulatory, and industry interests and experience.

Purpose of the Meeting: The Committee will focus primarily on the discussion of regulatory options.

Tentative Agenda: In addition to conducting deliberations related to its charter, the Committee will focus on the development of its recommendations for inclusion in its final report. A final agenda will be available at the meeting. The agenda will provide an opportunity for public comments starting at 7:30 pm on October 16, 1995, at the Hyatt Regency Woodfield, Regency Ballroom (lobby level).

Public Participation: The meeting is open to the public. Members of the public are welcome to make oral statements during the public comment period. Every effort will be made to hear all those wishing to speak. Those who wish to do so may pre-register by contacting Glenda Oakley at (301) 924–6169. Individuals may also register on October 16, 1995, at the meeting site. Written comments are welcome and should be mailed to Thomas H. Isaacs, Executive Director, Advisory Committee on External Regulation of Department of Energy Nuclear Safety, 1726 M Street, NW, Suite 401, Washington, DC 20036. The Committee Co-Chairs are empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Transcripts and Minutes: A meeting transcript and minutes will be available for public review and copying four to six weeks after the meeting at the DOE Freedom of Information Public Reading Room, 1E–1990, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 am and 4:00 pm, Monday through Friday, except Federal holidays. The transcript will also be made available at the Department's Field Office Reading Room locations.

Issued at Washington, DC on September 25, 1995.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 95–24484 Filed 9–29–95; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Docket No. ER92–766–004, et al.]

Northeast Utilities Service Company, et al. Electric Rate and Corporate Regulation Filings

September 22, 1995.

Take notice that the following filings have been made with the Commission:

1. Northeast Utilities Service Company

Docket No. ER92–766–004

Take notice that on August 31, 1995, Northeast Utilities Company (NU) tendered for filing a Notice of Termination of NU's Transmission Service Tariff No. 4.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

2. PowerNet Corporation

[Docket No. ER94–931–005]

Take notice that on September 6, 1995, PowerNet Corporation (PowerNet) filed certain information as required by the Commission's April 22, 1994, order in Docket No. ER94–931–000. Copies of PowerNet's informational filing are on file with he Commission and are available for public inspection.

3. Iowa-Illinois Gas and Electric Company

[Docket No. ER95–490–000]

Take notice that MidAmerican Energy Company (MidAmerican), One River Center Place 106 East Second Street, P.O. Box 4350, Davenport, Iowa 52808, as successor in interest by merger to Iowa-Illinois Gas and Electric Company (Iowa-Illinois) on September 8, 1935, tendered for filing, pursuant to Section 205 of the Federal Power Act and Sections 2.25, 35.13 and 35.23 of the Commission's Rules and Regulations, an amended abbreviated filing consisting allowances in coordination rates as authorized by the Commission's Policy statement and Interim Rule issued on December 15, 1994 in Docket No. PL95–1–000.

MidAmerican states that it is submitting this amended filing for the purpose of conforming the recovery mechanism previously filed by Iowa-Illinois in this proceeding to the recovery mechanism accepted for filing in Docket ER95–486–001 for MidAmerican's other predecessor by merger, Midwest Power Systems, Inc. MidAmerican states that the revised recovery mechanism will provide consistency in the application of the mechanism in all of MidAmerican's coordination rates.

MidAmerican states that this rate schedule change applies to various coordination agreements entered into by Iowa-Illinois with Commonwealth Edison Company, Illinois Power Company, Union Electric Company, City of Geneseo (Illinois), Illinois Municipal Electric Agency, Wisconsin Power & Light Company, Waverly Municipal Electric Utility, City of Tipton (Iowa), City of Pella (Iowa), Eldrige Electric and Water Utility Board and the members of the Mid-Continent Area Power Pool.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

4. Entergy Power Inc.

[Docket No. ER95–1336–000]

Take notice that Entergy Power, Inc. (EPI) on September 11, 1995, tendered for filing Amendment to an Interchange Agreement with East Texas Electric Cooperative, Inc.

EPI requests an effective date for the Amendment that is one (1) day after the date of filing of the Interchange Agreement, and respectfully requests waiver of the notice requirements specified in Section 35.11 of the Commission's regulations.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

5. Central Illinois Public Service Company

[Docket No. ER95–1350–000]

Take notice that on September 5, 1995 Central Illinois Public Service Company tendered for filing an amendment in the above-referenced docket.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

6. Portland General Electric Company

[Docket No. ER95–1692–000]

Take notice that Portland General Electric Company (PGE) on September 5, 1995, tendered for filing a Revision No. 4 to Exhibit C of the General Transfer Agreement for Integration of Resources between the Bonneville Power Administration and PGE, Contract No. DE-MS79–89BP92273, (Portland General Electric Rate Schedule FERC No. 185).

The BPA and PGE mutually agreed to revise Exhibit C to the General Transfer Agreement for Integration of Resources to accommodate service the Eugene Water and Electric Board under PGE's FERC Electric Tariff, 1st Revised Volume No. 2 at the Alvey Substation and revise the Use-of-Facility Charge for the Forest Grove Substation Point of Delivery.

Copies of the filing have been served on the parties included in the filing letter.

PGE respectfully requests that the Commission grant waiver of the notice requirements to allow Revision No. 4 to Exhibit C of the General Transfer Agreement for Integration of Resources to become effective as of August 1, 1995.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

7. Consolidated Edison Company of New York, Inc.

Docket No. ER95–1694–000

Take notice that on September 5, 1995, Consolidated Edison Company of New York, Inc. (Con Edison) tendered for filing a Supplement to its Rate Schedule, Con Edison Rate Schedule FERC No. 2, a facilities agreement with Central Hudson Gas and Electric Corporation (CH). The Supplement provides for a decrease in the monthly carrying charges. Con Edison has requested that this decrease take effect as of August 1, 1995.

Con Edison states that a copy of this filing has been served by mail upon CH.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

8. Central Illinois Public Service Company

[Docket No. ER95–1736–000]

Take notice that on September 12, 1995, Central Illinois Public Service Company (CIPS) submitted a Service Agreement, dated September 1, 1995, establishing Engelhard Power Marketing, Inc. (Engelhard) as a customer under the terms of CIPS' Coordination Sales Tariff CST–1 (CST–1 Tariff).

CIPS requests an effective date of September 1, 1995, for the service agreement with Engelhard. Accordingly, CIPS requests waiver of the Commission's notice requirements. Copies of this filing were served upon Engelhard and the Illinois Commerce Commission.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

9. Maine Public Service Company

[Docket No. ER95–1737–000]

Take notice that on September 12, 1995, Maine Public Service Company submitted an agreement under its Umbrella Power Sales tariff.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

10. Cogentrix Energy Power Marketing, Inc.

[Docket No. ER95–1739–000]

Take notice that on September 11, 1995, Cogentrix Energy Power Marketing, Inc. (CEPM), a North Carolina corporation, petitioned the Commission for acceptance of CEPM's Rate Schedule FERC No. 1, providing for the sale of electricity at market-based rates; the granting of certain blanket approvals; and the waiver of certain Commission regulations. CEPM is a wholly-owned indirect subsidiary of Cogentrix Energy, Inc., a developer, owner, and operator of Independent power facilities.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

11. Equitable Power Services Company

[Docket No. ER95–1740–000]

Take notice that on September 12, 1995, Equitable Power Service Company (EPSC), tendered for filing a letter from the Executive Committee of the Western Systems Power Pool (WSPP) indicating that EPSC had completed all the steps for pool membership. EPSC requests that the Commission amend the WSPP Agreement to include it as a member.

EPSC requests an effective date of September 13, 1995 for the proposed amendment. Accordingly, EPSC requests waiver of the Commission's notice of requirements for good cause shown.

Copies of the filing were served upon the WSPP Executive Committee.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

12. Entergy Services, Inc.

[Docket No. ER95–1741–000]

Take notice that on September 12, 1995, Entergy Services, Inc. (ESI), acting as agent for Arkansas Power & Light Company (AP&L), Gulf States Utilities Company (GSU), Louisiana Power & Light Company (LP&L), Mississippi Power & Light Company (MP&L), New Orleans Public Service Inc. (NOPSI) (collectively the Entergy Operating Companies) tendered for filing an Interchange Agreement between Byng Public Works Authority and the Entergy Operating Companies, pursuant to which the Parties propose to provide each other with mutual support services, including General Purpose Energy. Entergy Services requests an effective date of no later than November 10, 1995.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

13. Minnesota Power & Light Company

[Docket No. ER95–1651–000]

Take notice that on August 28, 1995, Minnesota Power & Light Company tendered for filing signed Service Agreements with Citizens Lehman Power Sales, ENRON Power Marketing Inc., Grand River Dam Authority, InterCoast Power Marketing, and Utility 2000 Energy Corporation, under its Wholesale Coordination Sales Tariff to satisfy its filing requirements under this tariff.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

14. Jersey Central Power & Light Company, Metropolitan Edison Company, and Pennsylvania Electric Company

[Docket No. ER95–1693–000]

Take notice that on September 5, 1995, GPU Service Corporation (GPU), on behalf of Jersey Central Power & Light Company, (jointly refereed to as the ''GPU Operating Companies''), filed an executed Service Agreement between GPU and Phibro Inc. (PHI), dated August 23, 1995. This Service Agreement specifies that PHI has agreed to the rates, terms and conditions of the GPU Operating Companies' Operating Capacity and/or Energy Sales Tariff (''Sales Tariff'') designated as FERC Electric Tariff, Original Volume No. 1. The sales Tariff was accepted by the Commission by letter order issued on February 10, 1995 in *Jersey Central Power & Light Co., Metropolitan Edison Co. and Pennsylvania Electric Co.,* [Docket No. ER95–276–000 and allows GPU and PHI to enter into separately scheduled transactions under which the GPU Operating Companies will make available for sale, surplus operating capacity and/or energy at negotiated rates that are no higher than the GPU Operating Companies' cost of service.

GPU requests a waiver of the Commission's notice requirements for good cause shown and an effective date of August 23, 1995 for the Service Agreement.

GPU has served copies of the filing on regulatory agencies in New Jersey and Pennsylvania.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24459 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. ER95–1711–000, et al.]

Pacific Gas & Electric Company, et al.; Electric Rate and Corporate Regulation Filings

September 21, 1995.

Take notice that the following filings have been made with the Commission:

1. Pacific Gas and Electric Company

[Docket No. ER95–1711–000]

Take notice that on September 7, 1995, Pacific Gas and Electric Company (PG&E), tendered for filing an Amended Letter Agreement (the Amendment) to the Power Sale Agreement between PG&E and the Sacramento Municipal Utility District (SMUD). The Amendment would add a flexible energy pricing alternative to the present formula rate for PG&E's sales of firm power to SMUD. The capacity price will not change.

Copies of this filing have been served upon SMUD and the California Public Utilities Commission.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

2. Wisconsin Public Service Corporation

[Docket No. ER95–1721–000]

Take notice that on September 13, 1995, Wisconsin Public Service Corporation tendered for filing executed service agreements with Howard Energy Company, Inc., LG&E Power Marketing, Inc., MidCon Power Services Corp., and NorAm Energy Services, Inc. under its CS–1 Coordination Sales Tariff.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

3. Wisconsin Public Service Corporation

[Docket No. ER95–1732–000]

Take notice that on September 11, 1995, Wisconsin Public Service Corporation (WPSC), tendered for filing executed Transmission Service Agreements between WPSC and Howard Energy Company, Inc., LG&E Power Marketing, Inc., MidCon Power Services Corp., and Nor Am Energy Services, Inc. The Agreements provide for transmission service under T–1 Transmission Tariff, FERC Original Volume No. 4.

WPSC asks that the agreement become effective retroactively to the date of execution by WPSC.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

4. Northern States Power Company (Wisconsin)

[Docket No. ER95–1733–000]

Take notice that on September 11, 1995, Northern States Power Company, Eau Claire, Wisconsin (NSPW), tendered for filing the following document:

A Power and Energy Supply Agreement by and between the City of Barron, Wisconsin, and NSPW dated August 30, 1995. The City currently purchases power and energy from NSPW under a power sales agreement dated June 9, 1992, as amended on August 31, 1992, and October 29, 1992. The 1992 agreement as amended is superseded by the 1995 agreement. NSPW submitted a Certificate of Concurrence on behalf of the City of Barron.

NSPW requests an effective date of October 1, 1995. NSPW states that under this new agreement, the City of Barron will be entitled to discounts from NSPW's currently effective W–1 rate and that such discounts are being offered to all of its wholesale electric customers. The agreement contains a provision allowing the customer to obtain a negotiated rate upon two years prior notice.

A copy of the filing was served upon the City of Barron and the State of Wisconsin Public Service Commission.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

5. Maine Public Service Company

[Docket No. ER95–1734–000]

Take notice that on Sptember 12, 1995, Maine Public Service Company (Maine Public) filed and executed Service Agreement with Phibro, Inc. Maine Public states that the Service Agreement is being submitted pursuant to its tariff provision pertaining to the short-term non-firm sales of capacity

and energy which establishes a ceiling rate at Maine Public's cost of service for the units available for sale.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

6. Rochester Gas and Electric Corporation

[Docket No. ER95–1735–000]

Take notice that on September 12, 1995, Rochester Gas and Electric Corporation (RG&E), tendered for filing a Service Agreement for acceptance by the Federal Energy Regulatory Commission (Commission) between RG&E and MidCon Power Services Corp. The terms and conditions of service under this Agreement are made pursuant to RG&E's FERC Electric Rate Schedule, Original Volume 1 (Power Sales Tariff) accepted by the Commission in Docket No. ER94–1279. RG&E also has requested waiver of the 60-day notice provision pursuant to 18 CFR 35.11.

A copy of this filing has been served on the Public Service Commission of the State of New York.

Comment date: October 6, 1995, in accordance with Standard Paragraph E at the end of this notice.

7. UtiliCorp United Inc.

[Docket No. ES95–40–000]

Take notice that on September 15, 1995, UtiliCorp United Inc. filed an application under § 204 of the Federal Power Act seeking authorization to issue unsecured notes and other evidences of indebtedness, including financial guarantees of subsidiaries' or affiliates' securities, aggregating up to and including $350 million principal amount outstanding at any one time, during the period from January 1, 1996 through December 31, 1997, with final maturities not later than December 31, 1998.

Comment date: October 16, 1995, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24458 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. CP95–750–000, et al.]

East Tennessee Natural Gas Company, et al.; Natural Gas Certificate Filings

September 22, 1995.

Take notice that the following filings have been made with the Commission:

1. East Tennessee Natural Gas Company

[Docket No. CP95–750–000]

Take notice that on September 13, 1995, as supplemented on September 21, 1995, East Tennessee Natural Gas Company (East Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP95–750–000 a request pursuant to Section 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) for authorization to modify an existing delivery point metering facility for an existing customer, United Cities Gas Company (United Cities). East Tennessee makes such request, under its blanket certificate issued in Docket No. CP90–1292–000 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.

East Tennessee indicates that it currently delivers natural gas for United Cities at its Boones Creek Meter Station located in Washington County, Tennessee, under a firm transportation agreement pursuant to its Rate Schedule FT–A and the general terms and conditions of its FERC Gas Tariff. East Tennessee states that it has recently entered into an agreement with United Cities, to transport an additional 3,000 dekatherms per day to the Boones Creek Meter Station, and that such additional deliveries will cause the flow rate to exceed the flow rate that can be accurately measured at the existing facility. Therefore, in order to accommodate the increased deliveries to United Cities, and to improve the measurement accuracy at this facility, East Tennessee is proposing herein to install an additional meter run parallel to the existing meter station. It is stated that the meter run will consist of a 2-inch turbine meter, appurtenant facilities and electronic gas measurement facilities, and will be constructed within the confines of the Boones Creek meter station yard in Washington County, Tennessee at an estimated cost of $53,000. East Tennessee proposes to recover the incremental cost of constructing the facilities, from the shippers through the incremental reservation charges associated with the increased firm transportation service to be provided at this point.

It is stated that this modification, of the above stated delivery point will increase the available capacity at the Boones Creek Meter Station by 3,000 dekatherms per day and 1,095,000 dekatherms annually. East Tennessee further states that the additional capacity is available only at the points between Early Grove and the Boones Creek Meter Station due to East Tennessee's operational design. East Tennessee states that it has adequate capacity to accommodate the delivery of the additional volumes for the account of United Cities, without detriment or disadvantage to its other customers. It is averred that the total quantities to be delivered to United Cities will not exceed the quantities authorized by its existing tariff.

Comment date: November 6, 1995, in accordance with Standard Paragraph G at the end of this notice.

2. Northwest Pipeline Corporation

[Docket No. CP95–773–000]

Take notice that on September 20, 1995, Northwest Pipeline Corporation (Northwest), P.O. Box 58900, Salt Lake City, Utah 84158–0900, filed in Docket No. CP95–773–000 a request pursuant to Sections 157.205, 157.211 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211 and 157.216) for authorization to remove and abandon existing metering facilities at the Coburn Meter Station, Lane County, Oregon and to construct and upgrade facilities at the meter station to accommodate a request by Northwest Natural Gas Company (Northwest Natural) for additional delivery capacity and higher delivery pressures at the meter station, under the blanket certificate issued in Docket No. CP82–433–000, pursuant to Sections 7(b) and 7(c) of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northwest states that the existing Coburn Meter Station consists of a 2-inch tap, two 1-inch regulators, a 2-inch rotary meter and appurtenances. It is stated that the existing maximum design

capacity of the meter station is 550 million Btu per day at the contractual delivery pressure of 150 psig. It is also stated that Northwest presently has firm maximum daily delivery obligations to deliver up to a total of 466 dt equivalent of natural gas per day at 150 psig to Northwest Natural at the meter station under existing Rate Schedule TF–1 and TF–2 transportation agreements.

It is stated that Northwest Natural has requested that Northwest upgrade the meter station to provide 1,000 dt equivalent of natural gas per day at a delivery pressure of 400 psig. It is indicated that, to use the requested additional capacity to serve its growing requirements in the Coburn area, Northwest Natural and Northwest have agreed to amend their July 31, 1991, agreement to reallocate 534 dt equivalent of natural gas from the Brownsville-Halsey delivery point to the Coburg delivery point.

Northwest states that, to accommodate Northwest Natural's request, Northwest proposes to upgrade the meter station by removing the existing regulator pilots and throttle plates and installing replacement pilots and throttle plates, a gas filter and appurtenances with a maximum design delivery capacity of 1,400 dt equivalent of natural gas per day at a delivery pressure of 400 psig.

Northwest estimates the total cost of the proposed facility upgrade to be approximately $20,000, including the costs to remove the existing facilities. It is also indicated that, pursuant to the facilities agreement, Northwest Natural has agreed to extend the primary term of its November 1, 1993, Rate Schedule SGS–2 firm storage agreement with Northwest by one year until April 30, 1998. It is stated that the present value of additional future revenues generated by this term extension will exceed the present value of the incremental cost of service attributable to the proposed meter station upgrade. Northwest, pursuant to the terms of the facilities reimbursement provisions of its tariff, indicates that it will not be reimbursed for the Coburn meter facility costs.

Northwest advises that the total volumes to be delivered to the customer after the request do not exceed the total volumes authorized prior to the request. Also, Northwest indicates that the proposed activity is not prohibited by its existing tariff.

Comment date: November 6, 1995, in accordance with Standard Paragraph G at the end of this notice.

3. CNG Transmission Corporation

[Docket No. CP95–767–000]

Take notice that on September 19, 1995, CNG Transmission Corporation (CNG), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP95–767–000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon a natural gas storage service for New York State Electric and Gas Corporation (NYSEG), all as more fully set forth in the application on file with the Commission and open to public inspection.

CNG proposes to abandon the service which was carried out under the terms of a service agreement dated April 1, 1991, under CNG's Rate Schedule GSS. It is stated that the storage service was authorized by the Commission in Docket No. CP80–292–000 and extended in Docket No. CP91–554–000. It is asserted that CNG was authorized to store up to 275,000 dt equivalent of natural gas for NYSEG to serve its Lockport, New York, market, with a maximum storage demand of 3,750 dt equivalent of gas per day. It is stated that CNG and NYSEG have agreed to allow CNG to render this storage service under CNG's Part 284 blanket certificate. It is further stated that CNG would continue to provide NYSEG with secure access to firm storage service entitlements. It is stated that CNG would utilize the same facilities, and that no facilities would be abandoned.

Comment date: October 13, 1995, in accordance with Standard Paragraph F at the end of this notice.

4. Williams Natural Gas Company

[Docket No. CP95–774–000]

Take notice that on September 21, 1995, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed a prior notice request with the Commission in Docket No. CP95–774–000 pursuant to Section 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to abandon, replace, and relocate various pipeline facilities used to serve Western Resources, Inc. (WRI) in Shawnee and Douglas Counties, Kansas, under WNG's blanket certificate issued in Docket No. CP82–479–000 pursuant to Section 7 of the NGA, all as more fully set forth in the request which is open to the public for inspection.

WNG proposes to (1) abandon by reclaim approximately 10 miles of 8-inch diameter pipe and replace it with 10 miles of 10-inch diameter pipe on WNG's Forbes line, which serves the Forbes town border station (TBS) near Topeka, Kansas; (2) abandon by reclaim approximately 2.5 miles of 16-inch diameter pipe installed in 1930 and replace it with 2.5 miles of new 16-inch diameter pipe; and, (3) relocate the WRI Forbes and Berrytown TBS' and 18 WRI domestic customers, as well as the Auburn TBS and one domestic customer served by WNG, from the existing 8- and 16-inch diameter pipes to the new 10- and 16-inch diameter pipes. WNG states that no service would be lost under this proposal.

WNG also states that portions of the existing 8- and 16-inch diameter pipes run through a rock quarry owned and operated by Martin Marietta Aggregates (MMA). According to WNG, MMA plans to expand its mining operations and has agreed to pay WNG $165,000 to remove the pipe from its quarry. WNG would pay the remaining $2,546,840 in estimated removal and construction costs.

Comment date: November 6, 1995, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs:

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, 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/or 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.

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

Lois D. Cashell,

Secretary.

[FR Doc. 95–24457 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. CP85–221–052, et al.]

Frontier Gas Storage Company et al.; Natural Gas Certificate Filings

September 25, 1995.

Take notice that the following filings have been made with the Commission:

1. Frontier Gas Storage Company

[Docket No. CP85–221–052]

Take notice that on September 19, 1995, Frontier Gas Storage Company (Frontier), c/o Reid & Priest, Market Square, 701 Pennsylvania Ave., N.W., Suite 800, Washington, D.C. 20004, in compliance with the provisions of the Commission's February 13, 1985, Order in Docket No. CP82–487–000, *et al.*, submitted an executed Service Agreement under Rate Schedule LVS–1 providing for the possible sale of up to a daily quantity of 50,000 MMBtu, not to exceed 5 Bcf for the term of the Agreement, of Frontier's gas storage inventory on an ''as metered'' basis to Interenergy Resources Corporation.

Under Subpart (b) of Ordering Paragraph (F) of the Commission's February 13, 1985, Order, Frontier is ''authorized to commence the sale of its inventory under such an executed service agreement fourteen days after filing the agreement with the Commission, and may continue making such sale unless the Commission issues an order either requiring Frontier to stop selling and setting the matter for hearing or permitting the sale to continue and establishing other procedures for resolving the matter.''

Comment date: October 12, 1995, in accordance with the first paragraph of Standard Paragraph F at the end of this notice.

2. Texas Eastern Transmission Corporation

[Docket No. CP93–100–002]

Take notice that on September 21, 1995, Texas Eastern Transmission Corporation (Texas Eastern), 5400 Westheimer Court, P.O. Box 1642, Houston, Texas 77251–1642, filed an application with the Commission in Docket No. CP93–100–002 pursuant to Section 7(c) of the Natural Gas Act (NGA) for authorization to amend the Commission's order issued September 22, 1993, in Docket No. CP93–100–000,[1] all as more fully set forth in the application on file with the Commission and open to public inspection.

Texas Eastern proposes to defer the currently authorized rebuilding and upgrading of the Westinghouse Electric W–52 regenerative cycle gas turbines at the Grantville and Bechtelsville compressor stations in Pennsylvania. Texas Eastern proposes to defer the authorized 1996 upgrading of two turbines at the Grantville compressor station such that one unit would be upgraded in 1996 and the other unit would be upgraded in 1997. In addition, Texas Eastern proposes to defer the currently authorized 1997 upgrading of two turbines at the Bechtelsville compressor station such that one unit would be upgraded in 1998 and the other unit would be upgraded in 1999. Texas Eastern estimates that it would cost $16,979,000 to upgrade these four gas turbines on the proposed deferred basis.

Texas Eastern requests to amend the Commission order issued in Docket No. CP93–100–000 to better use and manage its construction resources. Texas Eastern states that the requested deferrals would not prohibit it from meeting system requirements.

Comment date: October 16, 1995, in accordance with Standard Paragraph F at the end of this notice.

3. El Paso Natural Gas Company

[Docket No. CP95–763–000]

Take notice that on September 19, 1995, El Paso Natural Gas Company (El Paso), a Delaware corporation, whose mailing address is Post Office Box 1492, El Paso, Texas 79978, filed a request for authorization in Docket No. CP95–763–000, pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) to construct and operate a tie-in facility in Luna County, New Mexico. El Paso states that the tie-in facility will be installed between El Paso's existing Truth or Consequences (T-or-C) Delivery Point and El Paso's 30'' O.D. Line No. 1600 (Waha-Ehrenberg Line) in Luna County, New Mexico, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

El Paso states that such connection will permit higher delivery pressures to PNM Gas Services, a division of Public Service Company of New Mexico (PNM Gas Services) (formerly Gas Company of New Mexico, a division of Public Service Company of New Mexico. The request states that El Paso provides firm transportation service to PNM Gas Services pursuant to the terms and conditions of a Transportation Service Agreement (TSA) dated November 12, 1990, as amended, between the parties. This TSA provides for the firm transportation of PNM Gas Services' full requirements of natural gas (except for those delivery points which have a specific maximum daily quantity) to consumers situated within the State of New Mexico.

The request further states that PNM Gas Services has indicated to El Paso that during the periods of peak demand on El Paso's Southern System, PNM Gas Services has experienced pressure problems on its distribution system serving the community of Truth or Consequences, New Mexico. In this regard, PNM Gas Services has requested that El Paso increase the existing delivery pressure at the T-or-C Delivery Point. El Paso is also aware of new and projected load growth along the T-or-C Line and in and round the community of Truth or Consequences, New Mexico.

El Paso states that consequently, it has agreed to connect El Paso's existing T-or-C Delivery Point and El Paso's 30'' O.D. Waha-Ehrenberg Line. The tie-in would be accomplished by connecting approximately 160 feet of new 4½″ O.D. pipeline to an existing 4½″ O.D. blow off valve assembly (physically located at El Paso's Florida Compressor Station). The tie-in facility would extend from

[1] 64 FERC ¶ 61,330 (1993).

the existing blow off valve on the Waha-Ehrenberg Line at the Florida Compression Station to the 4½″ O.D. T-or-C Line upstream of the existing 4½″ O.D. meter facility comprising the T-or-C Delivery Point. The tie-in permits El Paso to obtain the higher pressures available from the Waha-Ehrenberg Line and thereby deliver gas to PNM Gas Services at higher pressures. Increased delivery pressures will make it possible for PNM Gas Services to serve the full requirements of the community of Truth or Consequences and its environs through its distribution system.

El Paso states that the construction of the proposed tie-in facility is not prohibited by El Paso's existing Volume No. 1–A Tariff and the volumes to be delivered through the proposed facilities and the existing meter station are within PNM Gas Services' certificated entitlements. El Paso further states that it has sufficient capacity to accomplish the deliveries or receipts specified under the TSA without detriment or disadvantage to El Paso's other customers.

The request further states that El Paso's environmental analysis supports the conclusion that the construction and operation of the proposed tie-in facility will not be a major Federal action significantly affecting the human environment.

Comment date: November 9, 1995, in accordance with Standard Paragraph G at the end of this notice.

4. Columbia Gas Transmission Corporation

[Docket No. CP95–770–000]

Take notice that on September 20, 1995, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314–1599, filed in Docket No. CP95–770–000, a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.211) for authorization to construct and operate a new point of delivery to Hope Gas, Inc. (Hope) in Braxton County, West Virginia, under the blanket certificate issued in Docket No. CP83–76–000, pursuant to Section 7(c) of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Columbia states Hope has requested this new delivery point to serve its residential and industrial customers. Columbia and Hope relate that they will execute two new FTS Service Agreements to provide up to 900 Dth per day (229,950 Dth annually) of firm transportation service. Columbia relates it will provide the firm transportation service for Hope pursuant to its blanket certificate issued in Docket No. CP86–240–000, under existing authorized rate schedules, and within certificated entitlements. Columbia estimates the total cost of the installation at $125,000. Columbia says it will contribute up to approximately $120,000 for the construction of the new point of delivery and up to $5,000 toward the purchase of the land, with Hope responsible for any actual cost above these amounts. Columbia states it will comply with all of the environmental requirements of Section 157.206(d) of the Commission's Regulations prior to the construction of any facilities.

Comment date: November 9, 1995, in accordance with Standard Paragraph G at the end of this notice.

5. Texas Gas Transmission Corporation

[Docket No. CP95–771–000]

Take notice that on September 20, 1995, Texas Gas Transmission Corporation (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP95–771–000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to add an interconnect with Equitable Storage Company (Equitable), in Iberia Parish, Louisiana, under Texas Gas's blanket certificate issued in Docket No. CP82–407–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Texas Gas proposes to install, own and operate an interconnect consisting of side valve, dual 10-inch bi-directional orifice meter station, electronic flow measurement, flow control and related facilities on a site it would acquire. This interconnect would be located on Texas Gas's Eunice-Thibodaux 20-inch and 26-inch pipelines in Iberia Parish, Louisiana, and would be used as both a receipt and delivery point interconnecting the facilities of Texas Gas and an underground salt cavern gas storage facility, located near Lake Peignour, Louisiana, owned and operated by Equitable. Texas Gas states that Equitable would reimburse Texas Gas in full for the cost of the proposed facilities.

Texas Gas states that the maximum quantity of gas that would be delivered and/or received through the proposed interconnect would be 200,000 MMBtu per day. Texas Gas also states the proposed receipt/delivery point would be available to all existing and potential shippers receiving service under its transportation rate schedules as contained in Texas Gas's FERC Gas Tariff.

Comment date: November 9, 1995, in accordance with Standard Paragraph G at the end of this notice.

6. Williams Natural Gas Company

[Docket No. CP95–772–000]

Take notice that on September 20, 1995, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP95–772–000 a request pursuant to Sections 157.205, 157.208, 157.212 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211 and 157.216) for authorization to abandon and replace certain facilities located in Allen County, Kansas, and to convert 4 domestic customers to propane service, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

WNG proposes to abandon approximately 2.3 miles of the 8-inch North Iola lateral line by reclaim and the remaining 0.8 mile in place. WNG proposes to replace 0.85 mile of 8-inch line with 6-inch line as an extension of the South Iola line authorized in Docket No. CP95–525–000. It is stated that these abandonments would have no impact on the volumes of gas delivered, as the gas presently flowing on the North Iola pipeline would be transferred to the South Iola 6-inch line. It is stated that the smaller line operates at a higher pressure and can accommodate the same volumes.

In addition, WNG proposes to abandon a regulator setting, the South Iola town border meter setting and the Gates Rubber meter setting and replace the 2 meter settings with a single setting at the site of the South Iola town border. It is asserted that the City of Iola has agreed to the modifications proposed by WNG. It is further asserted that the proposed abandonment will have no negative impact on WNG's system operation and that no customers will lose service as a result of the abandonment.

The cost to replace the 8-inch line with 6-inch line and to install the new meter setting is estimated at $198,360. The total reclaim cost of 8-inch line and the meter and regulator settings is estimated at $18,500.

Comment date: November 9, 1995, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, 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/or 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.

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

Lois D. Cashell,

Secretary.

[FR Doc. 95–24456 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. TM96–1–84–000]

Caprock Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

September 26, 1995.

Take notice that on September 21, 1995, Caprock Pipeline Company (Caprock) tendered for filing to become part of its FERC Gas Tariff, First Revised Volume No. 1, the following revised tariff sheets, to become effective October 1, 1995:

Third Revised Sheet No. 4
Third Revised Sheet No. 5

Caprock states that the tariff sheets reflects the Commission's revised Annual Charge Adjustment unit charge.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before October 3, 1994. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24371 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP95–765–000]

Florida Gas Transmission Company; Notice of Request Under Blanket Authorization

September 26, 1995.

Take notice that on September 19, 1995, Florida Gas Transmission Company (FGT), 1400 Smith Street, P.O. Box 1188, Houston, Texas, 77251–1188, filed in Docket No. CP95–765–000 a request pursuant to Sections 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.216) for authorization to abandon and sell a minor pipeline lateral located in Indian River County, Florida, under FGT's blanket certificate issued in Docket No. CP82–553–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

FGT proposes to abandon and sell to South Florida Natural Gas Company (South Florida) the old Vero Beach 4-inch line which is approximately 9.7 miles in length and extends from FGT's 20-inch and 26-inch mainlines to mile post 9.7 where it connects to an existing 8-inch line, approximately .2 miles upstream from the Vero Beach Generating delivery meter station. FGT states that South Florida will use the subject line as part of 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 Section 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.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24372 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TM96–1–117–000]

K N Wattenberg Transmission Limited Liability Company; Notice of Proposed Changes in FERC Gas Tariff

September 26, 1995.

Take notice that on September 21, 1995, K N Wattenberg Transmission Limited Liability Company (K N Wattenberg) tendered for filing to become part of its FERC Gas Tariff, Original Volume No. 1, the following revised tariff sheets, to become effective October 1, 1995:

Third Revised Sheet No. 6
Second Revised Sheet No. 66

K N Wattenberg states that these tariff sheets reflect the Commission's revised Annual Charge Adjustment unit charge.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before October 3, 1995. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24374 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TM96–1–53–000]

K N Interstate Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

September 26, 1995.

Take notice that on September 21, 1995, K N Interstate Gas Transmission Company (KNI) tendered for filing to become part of its FERC Gas Tariff, the following revised tariff sheets:

Second Revised Volume No. 1–A

Eleventh Revised Sheet No. 4–D

First Revised Volume No. 1–C

Third Revised Sheet No. 4

KNI states that the tariff sheets reflects the Commission's revised Annual Charge Adjustment unit charge.

KNI requests that the tariff sheets be made effective October 1, 1995.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before October 3, 1995. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24373 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP95–768–000]

NorAm Gas Transmission Company; Notice of Request Under Blanket Authorization

September 26, 1995.

Take notice that on September 19, 1995, NorAm Gas Transmission Company (NGT), 1600 Smith Street, Houston, Texas 77002, filed in Docket No. CP95–768–000 a request pursuant to Sections 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.216) for authorization to abandon certain facilities in Louisiana, under NGT's blanket certificate issued in Docket No. CP82–384–000 and CP82–384–001 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

NGT proposes to abandon an inactive 1-inch tap on NGT's Line R at pipeline station no. 1643+53 in Section 28, Township 16 North, Range 13 West, Caddo Parish, Louisiana. NGT installed this tap in 1950 to deliver gas to a domestic customer served by Arkla. Arkla has informed NGT that this tap is no longer active and the residence served by this tap has been torn down and removed. The cost of the facilities to be abandoned is $92.00. This tap will be abandoned in place and all above-ground facilities will be removed. No service is being reduced or discontinued as a result of this abandonment.

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

Lois D. Cashell,

Secretary.

[FR Doc. 95–24375 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP95–761–000]

Northern Natural Gas Company; Notice of Request Under Blanket Authorization

September 26, 1995.

Take notice that on September 18, 1995, Northern Natural Gas Company (Northern), 111 South 103rd Street, Omaha, Nebraska 68124–1000, filed in Docket No. CP95–761–000 a request pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to upgrade an existing delivery point in Renville County, Minnesota, under Northern's blanket certificate 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 that is on file with the Commission and open to public inspection.

Northern states that service will be provided to Great Plains Natural Gas Company (Great Plains) under currently effective interruptible throughput service agreement(s). The upgrade of Renville #3 TBS is required for providing additional service for heating a new egg processing farm. The incremental volumes to be delivered to Great Plains are 190 MMBtu on a peak day and 33.902 MMBtu on an annual basis. The Renville #33 TBS is located at Section 3, T115N, R36W, Renville County, Minnesota and the estimated cost for upgrading is $1,000. Northern states that the total volumes to be delivered to Great Plains after the request do not exceed the total volumes authorized prior to the request. Northern states that the proposed activity is not prohibited by its existing tariff and that it has sufficient capacity to accommodate the changes proposed herein without detriment or disadvantage to its other customers.

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

Lois D. Cashell,

Secretary.

[FR Doc. 95–24376 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP95–442–000]

Northwest Pipeline Corporation; Notice of Proposed Changes in FERC Tariff

September 26, 1995.

Take notice that on September 22, 1995, Northwest Pipeline Corporation (Northwest) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets with a proposed effective date of November 1, 1995:

First Revised Sheet No. 204
First Revised Sheet No. 205

Northwest states that the purpose of this filing is to revise Northwest's gas quality specifications. Northwest proposes tariff revisions to provide that gas delivered into its system contain no more than 2% carbon dioxide on a volumetric basis and no more than 3% by volume of combined non hydrocarbon gases including, but not limited to, carbon dioxide, nitrogen and oxygen.

Northwest states that a copy of this filing has been served upon all Northwest's jurisdictional customer and upon relevant state regulatory commissions.

Any person desiring to be heard or protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before October 3, 1995. Protests will be considered by the Commission 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24377 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP95–440–000]

Sabine Pipe Line Company; Notice of Proposed Changes in FERC Gas Tariff and Request for Waiver of Tariff Provision

September 26, 1995.

Take notice that on September 20, 1995, Sabine Pipe Line Company (Sabine) tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 1, First Revised Sheet No. 226. Sabine requests an effective date of October 20, 1995 for the revised tariff sheet.

Sabine states that the purpose of the filing is to revise Sabine's nomination procedures. Sabine proposes to effect changes to the nomination deadline for transportation services by posting notice of the change on its electronic bulletin board for 30 days prior to the effective date of the change. Sabine states that this will give it the flexibility to respond more quickly to changes in the industry. Sabine further states that these procedures will not apply if Sabine proposes to extend the deadline to a period of time in excess of the current four business days.

In addition, Sabine requests a waiver of its current tariff to permit shippers to submit nominations by the third business day prior to the first of the month for transportation service for November of 1995.

Sabine states that copies of this filing were served on Sabine's jurisdictional customers, the state regulatory commissions of Texas and Louisiana, and other interested parties.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before October 3, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24378 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. TM94–5–49–004 and TM95–4–49–005 (Not Consolidated)]

Williston Basin Interstate Pipeline Company; Notice of Compliance Filing

September 26, 1995.

Take notice that on September 22, 1995, Williston Basin Interstate Pipeline Company (Williston Basin), tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 1, revised tariff sheets listed on Appendix A to the filing.

Williston Basin states that, in compliance with the Commission's June 28, 1995 Letter Order in Docket No. TM94–5–49–001, the Commission's June 30,1995 Order in Docket No.TM95–4–49–000, and the Commission's August 24, 1995 Letter Order in Docket Nos. TM94–5–49–002, TM95–4–49–002 and TM95–4–49–004, the revised tariff sheets reflect revised gas supply realignment surcharges based upon separate over- and/or under-recovery subaccounts for Rate Schedules FT–1 and ST–1, respectively. In addition, Williston Basin has revised the base rate unit cost for Rate Schedule IT–1 based on a throughput level of 7,354,757 Dth. The proposed effective date for the tariff sheets included in the filing is July 1, 1995.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). All such protests should be filed on or before October 3, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24379 Filed 9–29–95; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

Agency Information Collection Activities up for Renewal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR). listed below is coming up for renewal. Before submitting the renewal package to the Office of Management and Budget (OMB), EPA is soliciting comments on specific aspects of the collection as described below.

DATES: Comments must be submitted on or before December 1, 1995..

ADDRESSES: Environmental Protection Agency, Office of Solid Waste and Emergency Response, Office of Solid Waste, Permits and State Programs Division (5303W), 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Anita V. Nickens; U.S. EPA; Office of Solid Waste (5303W); 401 M Street SW., Washington, DC., 20460; Phone (703) 308–7049; FAX: (703) 308–8638.

SUPPLEMENTARY INFORMATION: *Affected entities:* Entities affected by this action are those States which seek initial authorization of their hazardous waste programs, program revisions, and whose program is being withdrawn.

Title: Final Authorization for Hazardous Waste Management Programs, ICR number 969, expires March 31, 1996.

Abstract: In order for a State to obtain final authorization for a State hazardous waste program or to revise its previously authorized program, it must submit an official application to the EPA Regional office for approval. The purpose of the application is to enable EPA to properly determine whether the State's program meets the requirements of § 3006 of RCRA. As required by § 271.5, the submission for final authorization must contain the following:

(1) A letter from the Governor of the State requesting program approval;

(2) A complete program description, as required by § 271.6 describing how the State intends to carry out its responsibilities under this subpart;

(3) An Attorney General's statement as required by § 271.7;

(4) A Memorandum of Agreement with the Regional Administrator as required by § 271.8;

(5) Copies of all applicable State statutes and regulations, including those governing State administrative procedures; and

(6) The showing required by § 271.20(c) of the State's public participation activities prior to program submission.

A State with an approved program may voluntarily transfer program responsibilities to EPA by notifying EPA of the proposed transfer, including submission of a plan for the orderly transfer of all relevant program information not in the possession of EPA, as required by section 271.23. Further, EPA may withdraw a State's authorized program under section 271.23.

Either EPA or the approved State may initiate a revision to the authorized program. State program revision may be necessary when the controlling Federal or State statutory or regulatory authority is modified or supplemented. In the event that the State is revising its program by adopting new Federal requirements, the State shall prepare and submit modified revisions of the program description, Attorney General's statement, Memorandum of Agreement, or such other documents as EPA determines to be necessary. The State shall inform EPA of any proposed modifications to its basic statutory or regulatory authority, its forms, procedures, or priorities, in accordance with section 271.21. If a State is proposing to transfer all or any part of any program from the approved State agency to any other agency, it must notify EPA in accordance with section 271.21 and submit revised organizational charts as required under section 271.6, in accordance with section 271.21. Further, whenever EPA has reason to believe that circumstances have changed with respect to a State program, EPA may request, and the State shall provide, a supplemental Attorney General's statement, program description, or such other documents or information are necessary. These paperwork requirements are mandatory. EPA will use the information submitted by the State in order to determine whether the State's program meets the statutory and regulatory requirements for authorization.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement: The total burden to respondents, as estimated in the currently approved ICR, is 7,637 hours per year, at a cost of $191,775. This estimate is based on the assumption that there would be one application for base program authorization over a three-year period and 25 applications for program revisions per year. The ICR estimates that the base program authorization application would require 601.5 burden hours and would cost $11,293.62. Program revision applications are estimated to require 261 burden hours and cost $5,115.87 each. The estimated labor cost of $25.77 per hour for managerial staff, $18.08 for technical staff, and $10.99 for clerical staff and associated costs resulting from information requirements are consistent with information obtained from Regional personnel who have worked on developing or reviewing program submissions to EPA.

Respondents: States with authorized State program.

Estimated No. of Respondents: 25.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: $183,234.

Frequency of Collection: Annual.

No person is required to respond to a collection of information unless its displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are displayed in 40 CFR Part 9.

Send comments regarding these matters, or any other aspect of the information collection, including suggestions for reducing the burden, to the address listed above.

Dated: September 25, 1995.

Elizabeth A. Cotsworth,

Acting Director Office of Solid Waste.

[FR Doc. 95–24448 Filed 9–29–95;8:45am]

BILLING CODE 6560–50–M

[FRL–5303–7]

Agency Information Collection Activities Up for Renewal; NESHAP for Benzene Emissions From Bulk Transfer Operations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) listed below is coming up for renewal. Before submitting the renewal package to the Office of Management and Budget (OMB), EPA is soliciting comments on specific aspects of the collection as described below.

DATES: Comments must be submitted on or before December 1, 1995.

ADDRESSES: United States Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Compliance, Manufacturing, Energy and Transportation Division, Energy and Transportation Branch (2223A), 401 M Street, S.W. Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Rafael Sánchez, United States Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Compliance, Manufacturing, Energy and Transportation Division, Energy and Transportation Branch (2223A), 401 M Street SW. Telephone: (202) 564–7028. Facsimile: (202) 564–0050.

SUPPLEMENTARY INFORMATION:

Affected entities: Entities affected by this action are those which the total of all loading racks at which benzene is loaded into tank trucks, railcars, or marine vessels at each benzene production facility and each bulk terminal.

Title: NESHAP for Benzene Emissions from Bulk Transfer Operations—40 CFR Part 61, Subpart BB, OMB No. 2060–0182, Expiration Date: 1/31/96.

Abstract: The National Emission Standards for Benzene Emissions from Benzene Transfer Operations were proposed on September 14, 1989 and promulgated on March 7, 1990. The standards are codified at 40 CFR Part 61, Subpart BB.

These standards apply to the following facilities in benzene transfer operations: The total of all loading racks at which benzene is loaded into tank trucks, railcars, or marine vessels at each benzene production facility and each bulk terminal. Specifically exempted from the regulation are loading racks at which only the following are loaded: benzene-laden waste (covered under Subpart FF of Part 61), gasoline, crude oil, natural gas liquids, petroleum distillates (e.g., fuel oil, diesel, or kerosene), or benzene-laden liquid from coke by-product recovery plants. Any affected facility which loads only liquid containing less than 70 weight-percent benzene or whose annual benzene loading is less than 1.3 million liters of 70 weight-percent or more benzene is exempt from the control requirements and need only maintain records and submit an initial report. The control requirements for bulk transfer facilities require that benzene emissions be routed to a control device that achieves a 98 weight-percent emissions reduction, and (2) that loading of benzene be limited to vapor-tight tank trucks or vapor-tight railcars.

Owners or operators of the affected facilities described must make the following one-time-only notices or reports: notification of anticipated startup; notification of actual startup; initial compliance report (or control exemption by sources below cut-off); notification of emission test, report following an emission test; notification of a monitoring system performance test; and report following a monitoring system performance test. These notifications and reports are general provisions and required of all sources subject to any NESHAP.

Monitoring and recording requirements specific to benzene transfer operating include vapor-tightness documentation, and monitoring and operation parameters specific to the control method chosen (incinerator, vent valves status, steam generator, process heater, flare, carbon adsorption). Sources must maintain records of periods exceeding most recent performance test parameters, including the date and time of any exceedance or deviation, the nature and cause of the malfunction and corrective measures taken.

Owners or operators are also required to maintain records of the occurrence and duration of any period during which the monitoring system is malfunctioning or inoperative. Reporting requirements specific to benzene transfer operations include an initial engineering report and a quarterly report by affected facilities subject to the standards at § 61.302. The quarterly reports include excess emissions and deviations in operating parameters. Sources not subject to the control standards must continue to record information and must file a report only the first year.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information:

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement

The majority of industry costs associated with the information collection activity in the standards are labor costs. The current average annual burden to industry from these recordkeeping and reporting requirements is estimated at 14,685 person-hours. The respondent costs have been calculated on the basis of $14.50 per hour plus 110 percent overhead. The current average annual burden to industry is estimated to be $447,158.

In addition to the loading rack affected facilities, owners and operators of tank trucks, railcars, and marine vessels are also impacted by the standards. Based upon available information, it has been estimated that there are 97 tank trucks and railcars, and 131 marine vessels subject to the standards. All tank trucks and railcars must be tested annually to ensure vapor-tightness. Marine vessels must either be checked for vapor-tightness or operated at negative pressure. In calculations of burden, 65 marine vessels are assumed to conduct vapor-tightness tests.

No person is required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are displayed in 40 CFR Part 9.

Send comments regarding these matters, or any other aspect of the information collection, including suggestions for reducing the burden, to the address listed above.

Dated: September 14, 1995.

Richard Biondi,

Acting Director, Manufacturing, Energy and Transportation Division, Office of Compliance.

[FR Doc. 95–24338 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5306–8]

Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses; Approval of a Notification of Intent To Certify Equipment

AGENCY: Environmental Protection Agency.

ACTION: Notice of agency certification of equipment for the Urban Bus Retrofit/Rebuild Program.

SUMMARY: The Agency received a notification of intent to certify equipment signed March 16, 1995, and with cover letter dated April 11, 1995, from the Detroit Diesel Corporation (DDC) with principal place of business at 13400 Outer Drive, West; Detroit, Michigan, 48239, for certification of urban bus retrofit/rebuild equipment pursuant to 40 CFR Sections 85.1401–85.1415. The equipment is applicable to Detroit Diesel Corporation's (DDC) petroleum-fueled 6V92TA model engines having mechanical unit injectors (MUI) that were originally manufactured between January 1979 and December 1989. On June 5, 1995, EPA published a notice in the Federal Register that the notification had been received and made the notification available for public review and comment for a period of 45-days (60 FR 29590). EPA has completed its review of this notification, and the comments received, and the Director of the Manufacturers Operations Division has determined that it meets all the requirements for certification. Accordingly, EPA approves the certification of this equipment effective October 2, 1995.

The certified equipment provides 25 percent or greater reduction in exhaust emissions of particulate matter (PM) for the engines for which it is certified (see below), and meets the requirements of the urban bus retrofit/rebuild program for certification. Therefore, as discussed below, this equipment may be used by operators choosing compliance program 2 and operators choosing compliance program 1 unless rebuild equipment is certified as a trigger of the 0.10 g/bhp-hr standard for these engines under the urban bus retrofit/rebuild program.

The DDC notification, as well as other materials specifically relevant to it, are contained in Public Docket A–93–42, category VII, entitled ''Certification of Urban Bus Retrofit/Rebuild Equipment''. This docket is located in room M–1500, Waterside Mall (Ground Floor), U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460.

Docket items may be inspected from 8:00 a.m. until 5:30 p.m., Monday through Friday. As provided in 40 CFR Part 2, a reasonable fee may be charged by the Agency for copying docket materials.

DATES: The date of this notice October 2, 1995 is the effective date of certification for the equipment described in DDC's notification. This certified equipment may be used immediately by urban bus operators.

FOR FURTHER INFORMATION CONTACT: William Rutledge, Technical Support Branch, Manufacturers Operations Division (6405J), U.S. Environmental Protection Agency, 401 M St. SW, Washington, D.C. 20460. Telephone: (202) 233–9297.

SUPPLEMENTARY INFORMATION:

I. Background

By a notification of intent to certify signed March 16, 1995, and with cover letter dated April 11, 1995, Detroit Diesel Corporation (DDC) applied for certification of equipment applicable to its 6V92TA model urban bus engines having mechanical unit injectors (MUI) that were originally manufactured between January 1979 and December 1989. The equipment to be certified, referred to as an ''upgrade'' kit, is basically later model-year components (such as turbocharger, blower, fuel injectors, and cylinder kits).

All parts of the certified equipment are contained in two basic types of kits. One of each basic type of kit is required for the rebuild of an engine. Twelve combinations of the two basic types of kits are certified—the specific combination to be used with a particular engine depends upon the direction of engine rotation, orientation of the engine block, cam gear mounting technique, and engine power level. One basic type of kit includes a gasket kit, air inlet hose, cylinder kit, and by-pass valve assembly. The other basic type of kit includes fuel injectors, camshafts, blower assembly, turbocharger, and cylinder head assemblies.

As discussed further below, two upgrade configurations based on the fuel injector timing height are certified. Either configuration, when applied to 1979 through 1987 model year engines, reduces PM by at least 25 percent. Only one configuration provides a reduction of 25 percent on 1988 and 1989 model year engines.

Using engine dynamometer testing in accordance with the Federal Test Procedure for heavy-duty diesel engines, DDC documented significant reductions in PM emissions. Baseline exhaust emissions data were developed by testing an engine rebuilt to a 1979 urban bus configuration. Other testing on the engine was conducted using each of the two certified upgrade configurations. Emission test data supplied by DDC in its notification are shown below in Table A. In addition to demonstrating reductions in PM exhaust emissions, the data indicate that applicable engines with the certified equipment installed will comply with the federal 1988 model year emission standards for hydrocarbon (HC), carbon monoxide (CO), oxides of nitrogen (NO_x), and smoke emissions.

TABLE A.—EMISSION TEST DATA (g/bhp-hr)

	Baseline 1979 config	1979—1987 upgrade	1988 & 1989 upgrade	1988/89 Federal standards
Gaseous and particulate emissions:				
HC	0.52	0.43	0.44	1.3
CO	3.74	1.35	1.33	15.5
NO_X	7.43	7.00	9.34	10.7
PM	0.530	0.257	0.232	0.60
Smoke emissions:				
Accel	11.5%	1.1%	1.9%	20%
Lug	2.5%	1.8%	3.2%	15%
Peak	16.5%	3.8%	3.7%	50%

DDC is certifying this equipment to PM emission levels of 0.30 g/bhp-hr for the 1979 through 1987 model year upgrade, and 0.23 g/bhp-hr for the 1988 and 1989 upgrade. The certification level for the 1979 through 1987 upgrade represents a 43 percent reduction in PM from the 1979 baseline configuration. The certification level for the 1988 and 1989 upgrade represents a 25 percent reduction from the PM level to which the 1988 and 1989 model year engine families were certified under the new-engine certification program (0.31 g/bhp-hr). The certification levels for

this equipment in the urban bus program are indicated below in Table B, and apply only to the model numbers listed.

TABLE B.—RETROFIT/REBUILD PM CERTIFICATION LEVELS FOR DDC EQUIPMENT

Engine model	Model No.	Upgrade configuration	Certification level (g/bhp-hr)
6V92TA MUI	8067–7427 8067–7428	1979–1987	0.30
	8067–4423 8067–3421	1988 & 1989	0.23

Certification of the 1979 through 1987 upgrade configuration is limited to 6V92TA MUI engines of model years 1979 through 1987. The 1988 and 1989 configuration is certified for all model years 1979 through 1989. Section IV below discusses operator requirements and responsibilities, including use of the DDC equipment to meet program requirements.

II. Summary and Analysis of Comments

EPA received comments from three parties on this DDC notification. Two of the commenters are transit operators and the third is a manufacturer of diesel exhaust catalysts. The comments generally fall into the areas of baseline data, emission levels at high altitude, cost, durability, and parts covered by warranty. One transit operator provided its experience with DDC's upgrade kit. Copies of the original comments can be found in the EPA docket referenced in the **SUMMARY** section above.

One of the transit operators states that thirteen of its engines have been rebuilt using DDC—s low-emission rebuild kits, and their experience has been positive. The engines have gotten better fuel economy and emitted less smoke.

One commenter questions whether 25 percent is demonstrated by DDC test results, because the baseline testing that DDC performed does not represent the typical emissions from currently rebuilt engines. The commenter cites testing it has done to show that current rebuilds are less that the baseline that DDC uses.

Sections 85.1403(b) and 85.1406(a)(2)(v)(B) of the program regulations are clear in this regard. The program requirement of reducing PM by 25 percent is based on the emission levels of the original engine configuration. In testing performed for certification under the urban bus program, DDC developed a baseline PM level of 0.530 g/bhp-hr for the test engine rebuilt to a 1979 model year configuration. This PM level is consistent with the ''pre-rebuild PM level'' of 0.50 g/bhp-hr for the 1979 through 1987 model year 6V92TA engines estimated in the program regulations. While some rebuilds, as of yet uncertified under the urban bus program, may result in lower PM exhaust levels than the original engine configurations, this is not the case for rebuilds which return an engine to an original configuration. The urban bus program will make engine configurations having lower PM levels a requirement. Certification is available for other rebuild kits which meet program requirements.

It was commented that the Agency should not certify the candidate equipment for high altitude regions of the country because no emissions data at high altitude have been provided.

Engine manufacturers, under the Agency—s new-engine certification program, are required to demonstrate compliance with exhaust emission standards only at low altitude, even though the standards apply to engines operating in both low-altitude and high-altitude areas of the country. In a consistent manner, the urban bus program does not require demonstration of compliance with emissions standards at high-altitude. Because DDC has demonstrated that use of its retrofit/rebuild equipment will reduce PM at low-altitude, the Agency expects that use of the certified equipment will also decrease PM emissions at high-altitude, although information on the order of magnitude of PM reduction, or absolute level of PM emissions, is not available.

In its comments the catalyst manufacturer requests certification for the combination of the candidate rebuild kit and a catalyst previously certified for the urban bus program. Review of this matter will be handled independently of certification of the DDC equipment, and a separate Federal Register notice will announce Agency intentions, as necessary.

Several questions were raised regarding the life cycle cost analysis provided by DDC in its notification in order to trigger program requirements. The Agency believes that there is no need to evaluate the life cycle cost data or to respond to comments at this time because the requirement to reduce PM by 25 percent has been triggered for applicable engines with the certification on May 31, 1995, of an exhaust catalyst manufactured by the Engelhard Corporation.

One commenter questions whether tune-ups and emissions-related parts are considered warranty items. The emissions warranties, required by program regulations, apply to all parts of the certified equipment described in DDC's notification of intent to certify, for the mileage intervals specified in Section 85.1409.

A comment was received that DDC has not demonstrated durability of the parts in the candidate upgrade kit. While durability demonstration is not specifically required by program regulations, the Agency believes that certifiers will want to evaluate the durability of their equipment before selling it under this program in order to minimize their liability risk. Section 85.1409 of the program regulations require that the certifier provide both an emissions defect and an emissions performance warranty to urban bus operators. Further, the Agency holds the certifier responsible for the emissions performance of their equipment and maintains the option of performing in-use testing through-out the 150,000 mileage period of that warranty.

A copy of the comments can be found in EPA Docket A–93–42, category VII.

III. Certification Approval

The Agency has reviewed this notification, along with comments received from interested parties, and finds that the equipment described in this notification of intent to certify:

(1) Reduces particulate matter exhaust emissions by at least 25 percent, without causing the applicable engine families to exceed other exhaust emissions standards;

(2) Will not cause an unreasonable risk to the public health, welfare or safety;

(3) Will not result in any additional range of parameter adjustability; and,

(4) Meets other requirements necessary for certification under the Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (40 CFR Sections 85.1401 through 85.1415).

The Agency hereby certifies this equipment for use in the urban bus retrofit/rebuild program as discussed below in Section IV.

IV. Operator Requirements and Responsibilities

In a Federal Register notice dated May 31, 1995 (60 FR 28402), the Agency certified an exhaust catalyst manufactured by the Engelhard Corporation, as a trigger of program requirements. For urban bus operators affected by this program and electing to comply with program 1 requirements, that certification means that rebuilds and replacements of model year 1979–1989 6V92TA MUIs (and all other engines for which that catalyst is applicable) performed 6 months or more after that date of certification, must be performed with equipment certified to reduce PM emissions by 25 percent or more. The certified DDC equipment may be used immediately by urban bus operators who have chosen to comply with either program 1 or program 2, as follows.

Today's Federal Register notice certifies the above-described DDC equipment, when properly applied, as meeting the requirement to reduce PM by 25 percent. Urban bus operators who choose to comply with program 1 may use the certified DDC equipment unless equipment is certified as triggering the 0.10 g/bhp-hr standard for the 1979 through 1989 6V92TA MUI engines. Either certified upgrade configuration when applied to engines of model year 1979 through 1987 meets the program requirement to reduce PM by at least 25 percent. The 1979 through 1987 upgrade configuration is not certified for 1988 and 1989 model year engines. To receive 25 percent reduction using the certified DDC upgrade kit, rebuilds of 1988 and 1989 model year engines must be performed using the 1988 and 1989 upgrade configuration.

Operators that have chosen to comply with program 2 may use the certified DDC equipment, as discussed in the above paragraph, along with the respective PM certification level from Table B when calculating their average fleet PM level.

As stated in the program regulations (40 CFR 85.1401 through 85.1415), operators should maintain records for each engine in their fleet to demonstrate that they are in compliance with the requirements beginning in January 1, 1995. These records include purchase records, receipts, and part numbers for the parts and components used in the rebuilding of urban bus engines.

Dated: September 25, 1995.

Richard Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 95–24356 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5308–1]

National Environmental Justice Advisory Council; Notifications of Charter Renewal and of Public Advisory Committee Meeting(s); Open Meeting

Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92–463, two notices are hereby given as follows: (1) The Charter is reissued for a 2 year period to renew the National Environmental Justice Advisory Council (NEJAC). Information regarding the new NEJAC membership and other pertinent Environmental Justice knowledge can be obtained by dialing the 24 Hour Office of Environmental Justice Information Line on 1–800–962–6215; and (2) The National Environmental Justice Advisory Council (NEJAC) along with the subcommittees will meet on the dates and times described below. All times noted are Eastern Standard Time. All meetings are open to the public. Due to limited space, seating at the NEJAC meeting will be on a first-come basis. Documents that are the subject of NEJAC reviews are normally available from the originating EPA office and are *not* available from the NEJAC. The meetings will occur at the Omni Shoreham Hotel, 2500 Calvert Street, NW, Washington, DC 20008, Phone: 202/234–0700, FAX: 202/265–5333.

The full NEJAC will meet Tuesday, December 12, from 9 a.m. to 7:30 p.m. and Thursday, December 14 from 1 p.m. to 5 p.m. to discuss the role of the new subcommittees, follow-up on pending items from the July meeting, and discuss new business for the NEJAC. A public comment period is scheduled from 6:00–7:30 p.m. on Tuesday, December 12.

The four subcommittees and the two newly added subcommittees named below will meet on Wednesday, December 13, from 8:00 a.m. to 5:00 p.m. and on Thursday, December 14, from 8:00 a.m. to 12:00 p.m. Any member of the public wishing further information on the subcommittee meetings should contact the specific Designated Federal Official at the telephone number listed below.

Members of the public who wish to make a brief oral presentation should contact Dee Richardson of PRC Environmental Management, Inc. no later than December 1, 1995 in order to have time reserved on the agenda. In general, each individual or group making an oral presentation will be limited to a total time of five minutes. Written comments of any length (at least 35 copies) should be received no later than December 1, comments received after that date will be provided to the Council as logistics allow. They should be sent to PRC Environmental Management, Inc., 1593 Spring Hill Road, Suite 300, Vienna, VA 22182. Telephone number is 703–287–8880 or FAX: 703–287–8910.

Subcommittee	Federal official and telephone number
Enforcement ..	Ms. Sherry Milan—202/260–9807.
Health and Research.	Mr. Lawrence Martin—202/260–0673.
International ...	Dr. Clarice Gaylord—202/260–6357.
Indigenous Peoples.	Ms. Elizabeth Bell—202/260–8106.
Public Participation.	Mr. Robert Knox—202/260–8195.
Waste/Facility Siting.	Ms. Jan Young—202/260–1691.

FOR FURTHER INFORMATION CONTACT: For hearing impaired individuals or non-English speaking attendees wishing to make arrangements for a sign language or foreign language interpreter, please call or fax Dee Richardson of PRC Environmental Management, Inc. at Phone: 703–287–8880 or Fax: 703–287–8910.

Dated: September 25, 1995.

Clarice E. Gaylord,

Designated Federal Official, National Environmental Justice Advisory Council.

[FR Doc. 95–24358 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5307–3]

Federal Facilities Cleanup Principles

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of ''Principles for Environmental Cleanup of Federal Facilities.''

SUMMARY: The Agency is informing the public of the availability of ''Principles for Environmental Cleanup of Federal Facilities,'' dated August 2, 1995. The

Principles were developed by the Federal Facilities Environmental Restoration Dialogue Committee (FFERDC), a federally chartered advisory committee. The FFERDC includes members from: national, regional, and locally based environmental, community, environmental justice, and labor organizations; state, tribal, and local governments; the U.S. Departments of Energy, Defense, Agriculture, and Interior; the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the Agency for Toxic Substances and Disease Registry.

The Principles are policy recommendations aimed at improving the process by which Federal facility environmental cleanup decisions are made, such that these decisions reflect the priorities and concerns of all stakeholders. The fourteen Principles cover the following subjects:

1. Nature of the Obligation
2. Sustained Commitment to Environmental Cleanup
3. Environmental Justice
4. Consistency of Treatment between Federal Facilities and Private Sites
5. Cleanup Contracting
6. Fiscal Management
7. Interdependent Decision-Making Roles and Responsibilities
8. The Role of Negotiated Cleanup Agreements
9. Consideration of Human Health Risk and Other Factors in Federal Facility Environmental Cleanup Decision Making
10. The Importance of Pollution Prevention and Pollution Control Activities
11. The Role of Future Land Use Determinations in Making Cleanup Decisions
12. The Role of Studies in the Cleanup Process
13. The Need for a Systematic Approach to Decision Making and Priority Setting
14. Stakeholder Involvement

FOR FURTHER INFORMATION CONTACT: The RCRA/Superfund Hotline at (800) 424–9346 (in the Washington, D.C. metropolitan area, (703) 412–9810). The Telecommunications Device for the Deaf (TDD) Hotline number is (800) 553–7672 (in the Washington, D.C. metropolitan area, (703) 412–3323). Or contact Sven-Erik Kaiser, Federal Facilities Restoration and Reuse Office (5101), U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, (202) 260–5138.

Dated: September 22, 1995.

Timothy Fields, Jr.,

Acting Assistant Administrator.

[FR Doc. 95–24357 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5309–4]

Notice of Final Decision To Grant BP Chemicals, Inc. a Modification of an Exemption From the Land Disposal Restrictions of the Hazardous and Solid Waste Amendments of 1984 Regarding Injection of Hazardous Wastes

AGENCY: United States Environmental Protection Agency.

ACTION: Notice of Final Decision on a Request by BP Chemicals, Inc., of Cleveland, Ohio, to Modify an Exemption from the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act.

SUMMARY: Notice is hereby given by the United States Environmental Protection Agency (USEPA or Agency) that modification of an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act (RCRA) has been granted to BP Chemicals, Inc. (BPCI) of Cleveland, Ohio. As required by 40 CFR Part 148, BPCI has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone utilized by BPCI's facility located at Lima, Ohio, for as long as the waste remains hazardous. This modification allows BPCI to inject additional RCRA-regulated hazardous wastes, identified by codes: P030, P069, P101, P120, U007, U056, U149, U191, U219, and D035 through four waste disposal wells (WDWs) at the facility at Lima, Ohio. This decision constitutes a final Agency action for which there is no administrative appeal.

BACKGROUND: On May 7, 1992, based on information submitted, the U.S. EPA granted BPCI an exemption from the land disposal restrictions of the 1984 Hazardous and Solid Waste Amendments. On July 10, 1994, BPCI requested guidance in adding additional waste streams which might be considered RCRA regulated wastes. On January 30, 1995, BPCI submitted a petition to modify the exemption to include wastes bearing ten additional wastes codes.

After careful review of the material submitted, the U.S. EPA has determined, as required by 40 CFR 148.20(f), that there is a reasonable degree of certainty that waste streams containing constituents designated by these codes will behave hydraulically and chemically similarly to wastes for which BPCI was granted an exemption, and will not migrate from the injection zone within 10,000 years. The injection zone is the Middle Run and Mt. Simon Sandstones and the Eau Claire Formation. The confining zone is comprised of that part of the Knox Dolomite between 2,100 and 2,430 feet in depth. A fact sheet containing a summary of the original decision now being modified was published in the Federal Register on March 12, 1992, at 57 FR 8753 et seq. The fact sheet for this modification was published in the Federal Register on July 24, 1995, at 60 FR 37892 et seq.

A public notice of the proposed decision was issued on July 28, 1995, and a public meeting was held in Lima, Ohio, on August 29, 1995. The public comment period expired on September 21, 1995. A number of comments were received and all comments have been considered in reaching this final decision. A responsiveness summary has been mailed to all commenters and included as part of the Administrative Record relating to this decision.

As a result of this action and the May 7, 1992, exemption, BPCI may inject wastes bearing the following codes:

Ignitability	D001
Corrosivity	D002
Cyanides	D003
Arsenic	D004
Barium	D005
Cadmium	D006
Total chromium	D007
Lead	D008
Mercury	D009
Selenium	D010
Silver	D011
Multi-source leachate	F039
Bottom stream from the wastewater stripper in the production of acrylonitrile.	K011
Bottom stream from the acetonitrile column in the production of acrylonitrile.	K013
Acetonitrile purification column. Bottom stream from the acetonitrile purification column in the production of acrylonitrile.	K014
Acrolein	P003
Allyl alcohol	P005
Cyanide salts	P030
Hydrogen cyanide	P063
Acetone cyanohydrin	P069
Potassium cyanide	P098
Propionitrile	P101
Sodium cyanide	P106
Vanadium pentoxide	P120
Acetaldehyde	U001
Acetone	U002
Acetonitrile	U003
Acrylamide	U007

Acrylic acid	U008
Acrylonitrile	U009
Benzene	U019
Chloroform	U044
Crotonaldehyde	U053
Cyclohexane	U056
Cyclohexanone	U057
Methylene chloride	U080
Formaldehyde	U122
Formic acid	U123
Furan	U124
Furfural	U125
Lindane	U129
Isobutyl alcohol	U140
Maleic anhydride	U147
Malononitrile	U149
Mercury	U151
Methacrylonitrile	U152
Methanol	U154
Methyl ethyl ketone	U159
Methyl isobutyl ketone	U161
Nitrobenzene	U169
Phenol	U188
2-Methyl pyridine	U191
Pyridine	U196
Carbon tetrachloride	U211
Tetrohydrofuran	U213
Thiourea	U219
Toluene	U220
Xylene	U239

BPCI may continue to inject wastes containing methyl ethyl ketone designated as D035 as well as wastes containing benzene, carbon tetrachloride, and pyridine bearing the waste codes D018, D019, and D038, respectively, which were considered in the original demonstration of no migration, after those codes are banned from land disposal if the demonstrations of no migration for those codes meet the standards promulgated in the final applicable land ban rule.

CONDITIONS: General conditions of this exemption are found at 40 CFR Part 148. The exemption granted to BPCI on May 7, 1992 included a number of conditions. The conditions numbered (1), (2), (3), (5), and (6) remain in force. The condition numbered (4) has been satisfied.

DATES: This action is effective as of September 22, 1995.

FOR FURTHER INFORMATION CONTACT: Harlan Gerrish, Lead Petition Reviewer, U.S. EPA, Region 5, telephone (312) 886–2939. Copies of the petition and all pertinent information relating thereto are on file and are part of the Administrative Record. It is recommended that you contact the lead reviewer prior to reviewing the Administrative Record.

Edward P. Watters,

Acting Director, Water Division.

[FR Doc. 95–24450 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5310–6]

Common Sense Initiative Council, Iron and Steel Sector Subcommittee Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of open meeting of the Public Advisory Common Sense Initiative Council, Iron and Steel Sector Subcommittee.

SUMMARY: Pursuant to the Federal Advisory Committee Act, Public Law 92–463, notice is given that the Iron and Steel Sector Subcommittee of the Common Sense Initiative Council will meet on October 26, 1995 in Washington, D.C. The Subcommittee is currently overseeing approved projects and exploring issues related to the iron and steel industry. Limited time will be provided for members of the public to make oral comments at the meeting.

OPEN MEETING NOTICE: Notice is hereby given that the Environmental Protection Agency is convening an open meeting of the Iron and Steel Sector Subcommittee on Thursday, October 26, 1995. The meeting will begin at 8:00 a.m. EST and run until 4:00 p.m. EST and will be held at the Georgetown University Conference Center, 3800 Reservoir Road, Washington, D.C. 20057, telephone number 202–687–3200. Seating will be available on a first come, first served basis. Limited time will be provided for public comment.

The Iron and Steel Subcommittee has created four work groups which are responsible for proposing to the full Subcommittee for its review and approval potential activities or projects that the Iron and Steel Sector Subcommittee will undertake, and for carrying out projects once approved. The Subcommittee has approved seven projects and their work plans. The purpose of this meeting is to discuss in detail the status of projects sponsored by the Compliance and the Innovative Technology work groups, to hear brief status updates from the Permits and Brownfields work groups, and to discuss the role of public participation in environmental decision making.

INSPECTION OF SUBCOMMITTEE DOCUMENTS: Documents relating to the above topics will be publicly available at the meeting. Thereafter, these documents and the minutes of the meeting will be available for public inspection in room 2417M of EPA Headquarters, 401 M Street, SW., Washington, DC 20460, telephone number 202–260–7417. Common Sense Initiative information can be accessed electronically through contacting Katherine Brown at: brown.katherine@epamail.gov.

FOR FURTHER INFORMATION: For more information about this meeting, please call either Ms. Mary Byrne at 312–353–2315 in Chicago, Illinois or Ms. Judith Hecht at 202–260–5682 in Washington, DC.

Dated: September 18, 1995.

Mahesh Podar,

Designated Federal Officer.

[FR Doc. 95–24454 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5307–8]

Public Meeting of the Sanitary Sewer Overflows Dialogue

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Environmental Protection Agency (EPA) is convening a public meeting of the Sanitary Sewer Overflows (SSOs) dialogue on October 12 and 13, 1995. The meeting has several purposes: (1) To discuss goals, objectives and desired outcomes for the SSO policy dialogue, such as ensuring national consistency and adequate municipal investment in collection system operation and maintenance; (2) to discuss collection system operation and maintenance incentives and strategy; (3) to discuss permit and compliance priorities; and (4) to discuss the overall SSO flowchart and components of the flowchart prepared in draft to describe how a community should respond to different types of SSOs. The meeting is open to the public without need for advance registration.

DATES: The SSO Dialogue will be held on October 12 and 13, 1995. On the 12th, the meeting will begin at approximately 8:30 a.m. EST and run until about 5 p.m. On the 13th, the meeting will run from about 8:30 a.m. until completion.

ADDRESSES: EPA plans to hold the SSO Dialogue at the conference room of Resolve, the Center for Environmental Dispute Resolution. The address for Resolve is 2828 Pennsylvania Ave. NW, Suite 402, Washington DC 20007. The telephone number is (202) 944–2300. However, the Agency's current contract situation may result in the meeting being held at the alternative site of the Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314. The Water Environment Federation telephone number is 703 684–2400.

FOR FURTHER INFORMATION CONTACT: Contact Lam Lim of EPA's Office of

Wastewater Management, at (202) 260–7371.

Dated: September 26, 1995.

Michael Cook,

Director, Office of Wastewater Management, Designated Federal Official.

[FR Doc. 95–24359 Filed 9–29–95; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Approved by Office of Management and Budget

September 26, 1995.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96–511. You are not required to respond to a collection of information unless it displays a currently valid control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418–1379.

Federal Communications Commission

OMB Control No.: 3060–0665.

Expiration Date: 09/30/98.

Title: Section 64.707 - Public Dissemination of Information by Providers of Operator Services.

Estimated Annual Burden: 3,488 total annual hours; 8 hours per response; 436 respondents.

Description: As required by 47 U.S.C. Section 226(d)(4)(B), Section 64.707 of the Commission's rules provides that operator service providers must regularly publish and make available upon request from consumers written materials that describe any changes in operator services and choices available to consumers.

OMB Control No.: 3060–0666.

Expiration Date: 09/30/98.

Title: Section 64.703(a) - Consumer Information—Branding by Operator Service Providers.

Estimated Annual Burden: 1,963,888 total annual hours; 4504.3 hours per response; 436 respondents.

Description: As required by 47 U.S.C. Section 226(b)(1), Section 64.703(a) of the Commission's rules provides that operator service providers disclose to consumers at the outset of operator-assisted calls their identify, and, upon request, rates for the call, collection methods, and complaint procedures.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95–24402 Filed 9–29–95; 8:45 am]

BILLING CODE 6712–01–F

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1068–DR]

Commonwealth of Puerto Rico; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the Commonwealth of Puerto Rico, (FEMA–1068–DR), dated September 16, 1995, and related determinations.

EFFECTIVE DATE: September 24, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the Commonwealth of Puerto Rico dated September 16, 1995, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 16, 1995:

Municipalities of Aquas Buenas, Barranquitas, Canovanas, Fajardo, Juncos, Loiza, Naguabo, Ceiba, and Comerio for Individual Assistance and Hazard Mitigation Assistance.

Carolina Municipality for Individual Assistance, Public Assistance and Hazard Mitigation Assistance.

Municipalities of Ciales and San Lorenzo for Public Assistance and Hazard Mitigation Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

G. Clay Hollister,

Deputy Associate Director, Response and Recovery Directorate.

[FR Doc. 95–24427 Filed 9–29–95; 8:45 am]

BILLING CODE 6718–02–P

[FEMA–1067–DR]

U.S. Virgin Islands; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the U.S. Virgin Islands, (FEMA–1067–DR), dated September 16, 1995, and related determinations.

EFFECTIVE DATE: September 20, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated September 20, 1995, the President amended the cost-sharing arrangements concerning Federal funds provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 51521 *et seq.*), in a letter to James L. Witt, Director of the Federal Emergency Management Agency, as follows:

I have determined that the damage in certain areas of the U.S. Virgin Islands, resulting from Hurricane Marilyn beginning on September 15, 1995 and continuing, is of sufficient severity and magnitude that special conditions are warranted regarding the cost-sharing arrangements concerning Federal funds provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act).

Therefore, I amend my September 16, 1995 major disaster declaration to provide that the Federal Emergency Management Agency (FEMA) may reimburse 100 percent of the costs of providing direct Federal assistance for emergency work which FEMA approves through September 24, 1995. You may extend this assistance for an additional period of time, if warranted.

Please notify the Governor of the U.S. Virgin Islands and the Federal Coordinating Officer of this amendment to my major disaster declaration.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

James L. Witt,

Director.

[FR Doc. 95–24426 Filed 9–29–95; 8:45 am]

BILLING CODE 6718–02–P

[FEMA–1067–DR]

U.S. Virgin Islands; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the U.S. Virgin Islands (FEMA–1067–DR), dated September 16, 1995, and related determinations.

EFFECTIVE DATE: September 22, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and

Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is September 15 through September 17, 1995.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

G. Clay Hollister,

Deputy Associate Director, Response and Recovery Directorate.

[FR Doc. 95–24366 Filed 9–29–95; 8:45 am]

BILLING CODE 6718–02–P

[FEMA–1067–DR]

U.S. Virgin Islands; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the U.S. Virgin Islands (FEMA–1067–DR), dated September 16, 1995, and related determinations.

EFFECTIVE DATE: September 24, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as authorized by the President in a letter dated September 20, 1995, FEMA is extending 100 percent Federal funding for direct Federal assistance emergency work for the U.S. Virgin Islands approved by FEMA through September 29, 1995.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

G. Clay Hollister,

Deputy Associate Director, Response and Recovery Directorate.

[FR Doc. 95–24424 Filed 9–29–95; 8:45am]

BILLING CODE 6718–02–M

FEDERAL RESERVE SYSTEM

Nancy A. Rigler, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 16, 1995.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Nancy A. Rigler, Sycamore, Illinois, John P. Rigler, New Hampton, Iowa, and Robert E. Rigler, Alexandria, Virginia, each to acquire an additional 6.44 percent, for a total of 26.18 percent each, of the voting shares of Rigler Investment Co., New Hampton, Iowa, and thereby indirectly acquire Security State Bank, New Hampton, Iowa.

Board of Governors of the Federal Reserve System, September 26, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95–24408 Filed 9–29–95; 8:45 am]

BILLING CODE 6210–01–F

Century South Banks, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than October 26, 1995.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. Century South Banks, Inc., Dahlonega, Georgia; to acquire 100 percent of the voting shares of Bank of Danielsville, Danielsville, Georgia.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. First United Bancorp, Inc., Madisonville, Kentucky; to become a bank holding company by acquiring 100 percent of the voting shares of First United Bank of Hopkins County, Inc., Madisonville, Kentucky, de novo bank.

C. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Coronado, Inc., Sterling, Kansas; to acquire 100 percent of the voting shares of Lyons Bankshares, Inc., Lyons, Kansas, and thereby indirectly acquire Coronado Bank of Lyons, Lyons, Kansas.

Board of Governors of the Federal Reserve System, September 26, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95–24409 Filed 9–29–95; 8:45 am]

BILLING CODE 6210–01–F

GOVERNMENT PRINTING OFFICE

Depository Library Council to the Public Printer; Meeting

The Depository Library Council to the Public Printer (DLC) will hold its Fall 1995 meeting on Monday, October 16, 1995, through Wednesday, October 18, 1995, in Memphis, Tennessee. The meeting sessions will take place from 8:30 a.m. until 5 p.m. on Monday and Tuesday, and from 8:30 a.m. until 11 a.m. on Wednesday. The sessions will be held at the East Memphis Hilton, 5069 Sanderlin Avenue, Memphis, Tennessee 38117. The purpose of this meeting is to discuss the Federal Depository Library Program. The meeting is open to the public.

A limited number of hotel rooms have been reserved at the East Memphis Hilton for anyone needing hotel accommodations. Telephone: 1–800–HILTONS or 901–767–6666; FAX: 901–683–8563. Please specify the Depository Library Council when you contact the

hotel. Room cost per night is $57 single and $67 double.

Michael F. DiMario,

Public Printer.

[FR Doc. 95–24418 Filed 9–29–95; 8:45 am]

BILLING CODE 1505–02–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Organization, Functions, and Delegations of Authority; Establishment of Program Support Center

Under the authority of Section 6 of Reorganization Plan No. 1 of 1953 and pursuant to the authorities vested in me as Secretary of Health and Human Services, I hereby establish the Program Support Center within the Department of Health and Human Services, under a new Part (P) of the Statement of Organization, Functions and Delegations of Authority. In addition this Notice amends: Part A, Chapter AM ''HHS Management and Budget Office,'' as last amended at 57 FR 8334 1993; and Chapter AH ''Office of the Assistant Secretary for Personnel Administration,'' as last amended at 57 FR 7391; and Part H, as follows: Chapter HA, ''Office of the Assistant Secretary for Health,'' as last amended at 60 FR 18418–9; Chapter HB, ''Health Resources and Services Administration,'' as last amended at 60 FR 29858–62; Chapter HF, ''Food and Drug Administration,'' as last amended at 60 FR 44503; and Chapter HG ''Indian Health Service,'' as last amended at 58 FR 36696.

The Program Support Center will serve as a customer service center to provide a wide range of administrative support services to components of the Department and other Federal agencies. Establishing the Program Support Center results in organization changes that will:

I. Delete the following components and functions from the Office of the Secretary and the Public Health Service and transfer them to the Program Support Center:

A. From Part A, the Office of the Secretary, the following components and functions:

1. From the Office of the Assistant Secretary for Personnel Administration (AH), the Office of Human Resource Information Management (AHF) and the Personnel Operations Division (AHH3).

2. From the Office of the Assistant Secretary for Management and Budget (AM): Office of Financial Operations (AMN5); Division of Accounting Operations (AMN52); Divisions of Cost Allocations Regions (II, VI and IX—AD2L5, AD6L5 and AD9L5), Division of Financial Systems Operations (AMN51); Division of Financial Systems Design and Analysis (AMN72); Division of Cost Allocation and Liaison (AMN64); Division of ADP Review (AMN63); Division of Support Services (AMMH3); Materiels Management Branch (AMQ 22); and Residual Regional Administrative Support Center functions from (RD1–X).

B. From the Public Health Service the following components and functions:

1. From the Office of the Assistant Secretary for Health (OASH) (HA)—the OASH Executive Office (HAU5); Administrative Services Center (HAU1); Division of Commissioned Personnel (HAN2); Parklawn Training Center (HAU363); Division of Human Resources Information (HAU38); Division of Payment Management (HAU45); Surplus Real Property function from within (HAU434); and Board for Corrections of PHS Commissioned Corps Personnel Records from within (HAU2)

2. From the Food and Drug Administration (HF)—Parklawn Computer Center (HFA715)

3. From the Health Resources and Services Administration (HB)—the Division of Fiscal Services (HBA47)

From the Indian Health Service (HG)—Perry Point Supply Service Center from within (HFA272)

II. Establish Part P, Program Support Center (PSC), of the Statement of Organization, Functions, and Delegations of authority of the Department of Health and Human Services to read as follows:

Chapter P, Program Support Center (PSC)

P.00 Mission. The Program Support Center (PSC) provides a wide range of support and administrative services nationwide to the operating components of the Department of Health and Human Services and other Federal agencies.

P.10 Organization. The Program Support Center is established as an Operating Division of the Department. The Program Support Center shall be under the direction of a Director who reports to the Secretary.

P.20 Functions. The functions of the Program Support Center (PSC) will include administrative responsibilities which include, but are not limited to, the following functions: (1) Payroll management and human resources services for civilian and commissioned personnel; (2) payment management, which pays for grants and contracts; (3) information systems, including local and wide-area network, telecommunications, and other ADP related services; (4) centralized procurement and acquisition; (5) building management and facilities and logistics support management; and (6) accounting, fiscal and cost allocation services.

A. *Office of the Director (PA).* The PSC Director is responsible to the Secretary in managing and directing the PSC. The Office functions include: (1) Providing leadership for the implementation of the PSC responsibilities in accomplishing its mission; (2) providing staff support to the Director of the PSC; (3) developing customer service strategic and marketing plans; and (4) coordinating publication of reports to HHS management, customers and employees.

III. Continuation of Regulations. Except as inconsistent with this reorganization, all regulations, rules, orders, statements of policy and interpretations with respect to the Office of the Secretary, and the Public Health Service heretofore issued and in effect prior to the date of this Reorganization, or to become effective subsequent to said date are continued in full force and effect.

IV. Prior Statements of Organization, Functions and Delegations of Authority. A. To the extent inconsistent with this Reorganization, all previous statements of organizations, functions and delegations of authority, as well as applicable present Chapters of the Department's Organizational Manual are hereby superseded by this Reorganization, except that pending further redelegation, all delegations to the Heads of the affected components to be transferred to the PSC are vested with the Director, Program Support Center, with authority to redelegate, consistent with this Reorganization and the provisions of the respective delegations. In addition, the PSC Director is also granted authority to approve the establishment of the PSC's organizational substructure.

B. All redelegations of authorities made to the Heads of the organizational units transferred by this Reorganization and to any other officer or employee of the Department of Health and Human Services and all further redelegations of such authorities in effect immediately prior to the effective date of this Reorganization shall continue in effect pending further redelegation.

Dated: September 25, 1995.

Donna E. Shalala,

Secretary.

[FR Doc. 95–24386 Filed 9–29–95; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Disease Prevention and Health Promotion

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

National Nutrition Monitoring Advisory Council: Notice of Meeting

SUMMARY: The National Nutrition Monitoring Advisory Council intends to hold its seventh meeting on October 24 from 9 a.m. to approximately 5:00 p.m. E.S.T., and October 25 from 9:00 a.m. to 1:00 p.m. E.S.T., in the Williamsburg Room (104A) in the Jamie Whitten USDA Administration Building, 14th Street and Independent Avenue, S.W., Washington, D.C. 20250. The meeting will be held pending the availability of Fiscal Year 1996 funds. It will be open to the public; seating is limited.

FOR FURTHER INFORMATION CONTACT: Dr. Linda Meyers, HHS Co-Executive Secretary to the Council, U.S. Department of Health and Human Services, Office of Disease Prevention and Health Promotion, Room 2132, Switzer Building, 330 C Street, S.W., Washington, D.C. 20201, (202) 205–9007.

SUPPLEMENTARY INFORMATION: The Nutrition Monitoring Advisory Council was established by Public Law 101–445 to evaluate the scientific and technical quality of the Ten-year Comprehensive Plan for the National Nutrition Monitoring and Related Research Program and the effectiveness of the coordinated program and to provide guidance to the Secretaries of USDA and HHS that include recommendations for strengthening the Program.

The Council meeting agenda will include updates and discussion on progress related to the Ten-Year Plan for Nutrition Monitoring and Related Research and discussion of the Council's annual report to the Secretaries.

The public may file statements with the Council before or after the meeting by addressing them to either of the contact persons listed above. Please call Linda Meyers (202/205–9007) by October 14 if you will require a sign language interpreter.

Done at Washington, D.C. this 25th day of September, 1995.

James A. Harrell,

Acting Director, Office of Disease Prevention and Health Promotion, U.S. Department of Health and Human Services.

[FR Doc. 95–24388 Filed 9–29–95; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Advisory Committees; Notice of Meetings

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also summarizes the procedures for the meetings and methods by which interested persons may participate in open public hearings before FDA's advisory committees.

FDA has established an Advisory Committee Information Hotline (the hotline) using a voice-mail telephone system. The hotline provides the public with access to the most current information on FDA advisory committee meetings. The advisory committee hotline, which will disseminate current information and information updates, can be accessed by dialing 1–800–741–8138 or 301–443–0572. Each advisory committee is assigned a 5-digit number. This 5-digit number will appear in each individual notice of meeting. The hotline will enable the public to obtain information about a particular advisory committee by using the committee's 5-digit number. Information in the hotline is preliminary and may change before a meeting is actually held. The hotline will be updated when such changes are made.

MEETINGS: The following advisory committee meetings are announced:

Gastroenterology and Urology Devices Panel of the Medical Devices Advisory Committee

Date, time, and place. October 20, 1995, 8 a.m., Corporate Bldg., ground floor conference room, 9200 Corporate Blvd., Rockville, MD. A limited number of overnight accommodations have been reserved at the Gaithersburg Marriott Washingtonian Hotel, 9751 Washingtonian Blvd., Gaithersburg, MD. Attendees requiring overnight accommodations may contact the hotel at 301–590–0044 and reference the FDA Panel meeting block. Reservations will be confirmed at the group rate based on availability. Attendees with a disability requiring special accommodations should contact Ed Rugenstein, Sociometrics, Inc., 301–608–2151. The availability of appropriate accommodations cannot be assured unless prior written notification is received.

Type of meeting and contact person. Open public hearing, 8 a.m. to 9 a.m., unless public participation does not last that long; open committee discussion, 9 a.m. to 3 p.m.; closed committee deliberations, 3 p.m. to 6 p.m.; Mary J. Cornelius, Center for Devices and Radiological Health (HFZ–470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–2194, or FDA Advisory Committee Information Hotline, 1–800–741–8138 (301–443–0572 in the Washington, DC area) Gastroenterology and Urology Devices Panel, code 12523.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulation.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before October 13, 1995, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss general issues related to a premarket approval application for an electromagnetic device intended to treat benign prostatic hyperplasia using localized heat.

Closed committee deliberations. FDA staff will present to the committee trade secret and/or confidential commercial information regarding medical devices. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Obstetrics and Gynecology Devices Panel of the Medical Devices Advisory Committee

Date, time, and place. October 23, 1995, 8:30 a.m., and October 24, 1995, 7:30 a.m., DoubleTree Hotel, Ballroom, 1750 Rockville Pike, Rockville, MD. A limited number of overnight accommodations have been reserved at the hotel. Attendees requiring overnight accommodations may contact the hotel

at 301–468–1100 and reference the FDA Panel meeting block. Reservations will be confirmed at the group rate based on availability. Attendees with a disability requiring special accommodations should contact Ed Rugenstein, Sociometrics, Inc., 301–608–2151. The availability of appropriate accommodations cannot be assured unless prior written notification is received.

Type of meeting and contact person. Open public hearing, October 23, 1995, 8:30 a.m. to 9:30 a.m., unless public participation does not last that long; open committee discussion, 9:30 a.m. to 5 p.m.; closed committee deliberations, October 24, 1995, 7:30 a.m. to 8:30 a.m.; open public hearing, 8:30 a.m. to 9:30 a.m., unless public participation does not last that long; open committee discussion, 9:30 a.m. to 5 p.m.; Alfred W. Montgomery, Center for Devices and Radiological Health (HFZ–470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–1180, or FDA Advisory Committee Information Hotline, 1–800–741–8138 (301–443–0572 in the Washington, DC area) Obstetrics and Gynecology Devices Panel, code 12524.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulation.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before October 4, 1995, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On October 23, 1995, the committee will consider a list of devices used for in vitro fertilization and other assisted reproduction technologies. The committee will provide expert advice on these devices that will be used to develop 510(k) guidance. On October 24, 1995, the committee will consider a draft guidance document on the preparation of an investigational device exemption for thermal endometrial ablation devices. Single copies of the list of in vitro fertilization devices and the guidance document for thermal endometrial ablation devices are available to the public after October 1, 1995, by contacting the Division of Small Manufacturers Assistance, 1350 Piccard Dr., Rockville, MD 20851, 1–800–638–2041.

Closed committee deliberations. On October 24, 1995, FDA staff will present to the committee trade secret and/or confidential commercial information regarding various medical devices used in obstetrics and gynecology that are currently being evaluated by FDA. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Vaccines and Related Biological Products Advisory Committee

Date, time, and place. October 26 and 27, 1995, 8 a.m., Parklawn Bldg., conference rooms D and E, 5600 Fishers Lane, Rockville, MD.

Type of meeting and contact person. Open committee discussion, October 26, 1995, 8 a.m. to 8:15 a.m.; open public hearing, 8:15 a.m. to 8:45 a.m., unless public participation does not last that long; open committee discussion, 8:45 a.m. to 1:30 p.m.; closed committee deliberations, 1:30 p.m. to 2:30 p.m.; open committee discussion, 2:30 p.m. to 6 p.m.; closed committee deliberations, October 27, 1995, 8 a.m. to 12:30 p.m.; open public hearing, 12:30 p.m. to 1 p.m., unless public participation does not last that long; open committee discussion, 1 p.m. to 5:15 p.m.; Nancy T. Cherry or Sandy M. Salins, Center for Biologics Evaluation and Research (HFM–21), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852, 301–827–0314, or FDA Advisory Committee Information Hotline, 1–800–741–8138 (301–443–0572 in the Washington, DC area), Vaccines and Related Biological Products Advisory Committee, code 12388.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of vaccines intended for use in the diagnosis, prevention, or treatment of human diseases.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before October 18, 1995, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On October 26, 1995, the committee will hear presentations on recent acellular pertussis trials sponsored by the Public Health Service, and on a new strategic plan for the year 2004 developed by the Center for Biologics Evaluation and Research. The committee will also consider whether a single formulation for pneumococcal conjugate vaccines should be adopted for children in the United States. On October 27, l995, the committee will discuss a draft Points to Consider document addressing the evaluation of combination vaccines. Copies of the document will be available at the meeting.

Closed committee deliberations. On October 26 and 27, l995, the committee will review trade secret and/or confidential commercial information relevant to pending investigational new drug applications or product licensing applications. These portions of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Medical Imaging Drugs Advisory Committee

Date, time, and place. October 26 and 27, 1995, 8 a.m., Holiday Inn, Plaza Ballroom, 8777 Georgia Ave., Silver Spring, MD.

Type of meeting and contact person. Open public hearing, October 26, 1995, 8 a.m. to 9 a.m., unless public participation does not last that long; closed committee deliberations, 9 a.m. to 11 a.m.; open committee discussion, 11 a.m. to 4 p.m.; open committee discussion, October 27, 1995, 8 a.m. to 4 p.m.; Leander B. Madoo (HFD–9), Center for Drug Evaluation and Research, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4695, or FDA Advisory Committee Information Hotline, 1–800–741–8138 (301–443–0572 in the Washington, DC area), Medical Imaging Drugs Advisory Committee, code 12540.

General function of committee. The committee reviews and evaluates data concerning the safety and effectiveness of marketed and investigational human drug products for use in diagnostic and therapeutic procedures using radioactive pharmaceuticals and contrast media used in diagnostic radiology.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before October 12, 1995, and submit a brief statement of the general nature of the evidence or

arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will hold a preliminary discussion in preparation for drafting of future ''Points to Consider for Diagnostic Imaging Agents''.

Closed committee deliberations. The committee will be briefed on confidential commercial information relevant to pending IND's and NDA's. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this Federal Register notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The agenda, the questions to be addressed by the committee, and a current list of committee members will be available at the meeting location on the day of the meeting.

Transcripts of the open portion of the meeting may be requested in writing from the Freedom of Information Office (HFI–35), Food and Drug Administration, rm. 12A–16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 a.m. and 4 p.m., Monday through Friday. Summary minutes of the open portion of the meeting may be requested in writing from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

The Commissioner has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA) (5 U.S.C. app. 2, 10(d)), permits such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, deliberation to formulate advice and recommendations to the agency on matters that do not independently justify closing.

This notice is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (5 U.S.C. app. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: September 26, 1995.

David A. Kessler,

Commissioner of Food and Drugs.

[FR Doc. 95–24354 Filed 9–29–95; 8:45 am]

BILLING CODE 4160–01–F

Health Care Financing Administration

[ORD–079–N]

New and Pending Demonstration Project Proposals Submitted Pursuant to Section 1115(a) of the Social Security Act: June 1995

AGENCY: Health Care Financing Administration (HCFA).

ACTION: Notice.

SUMMARY: This notice lists new proposals for Medicaid demonstration projects submitted to the Department of Health and Human Services during the month of June 1995 under the authority of section 1115 of the Social Security Act. This notice also lists proposals that were approved, disapproved, pending, or withdrawn during this time period. This notice also lists a new proposal that was submitted to the Department in March 1995 but was inadvertently

omitted from the notice of new proposals published in the Federal Register for that month. (This notice can be accessed on the Internet at HTTP://WWW.SSA.GOV/HCFA/HCFAHP2.HTML.)

COMMENTS: We will accept written comments on these proposals. We will, if feasible, acknowledge receipt of all comments, but we will not provide written responses to comments. We will, however, neither approve nor disapprove any new proposal for at least 30 days after the date of this notice to allow time to receive and consider comments. Direct comments as indicated below.

ADDRESSES: Mail correspondence to: Susan Anderson, Office of Research and Demonstrations, Health Care Financing Administration, Mail Stop C3–11–07, 7500 Security Boulevard, Baltimore, MD 21244–1850.

FOR FURTHER INFORMATION CONTACT: Susan Anderson, (410) 786–3996.

SUPPLEMENTARY INFORMATION:

I. Background

Under section 1115 of the Social Security Act (the Act), the Department of Health and Human Services (HHS) may consider and approve research and demonstration proposals with a broad range of policy objectives. These demonstrations can lead to improvements in achieving the purposes of the Act.

In exercising her discretionary authority, the Secretary has developed a number of policies and procedures for reviewing proposals. On September 27, 1994, we published a notice in the Federal Register (59 FR 49249) that specified (1) the principles that we ordinarily will consider when approving or disapproving demonstration projects under the authority in section 1115(a) of the Act; (2) the procedures we expect States to use in involving the public in the development of proposed demonstration projects under section 1115; and (3) the procedures we ordinarily will follow in reviewing demonstration proposals. We are committed to a thorough and expeditious review of State requests to conduct such demonstrations.

As part of our procedures, we publish a notice in the Federal Register with a monthly listing of all new submissions, pending proposals, approvals, disapprovals, and withdrawn proposals. Proposals submitted in response to a grant solicitation or other competitive process are reported as received during the month that such grant or bid is awarded, so as to prevent interference with the awards process.

II. Listing of New Proposal for the Month of March 1995

The following comprehensive health reform proposal was submitted during the month of March 1995 but was inadvertently omitted from the listing of new proposals for that month. This proposal is also included under the listing of pending comprehensive health reform proposals for the month of June 1995.

Demonstration Title/State: The Partnership Plan—New York.

Description: New York proposes to move most of the currently eligible Medicaid population and Home Relief (General Assistance) populations from a primarily fee-for-service system to a managed care environment. The State also proposes to establish special needs plans to serve individuals with HIV/AIDS and certain children with mental illnesses. The proposed enrollment date for Home Relief and Aid to Families with Dependent Children (AFDC) recipients is November 1, 1995, followed by a one year enrollment period for the SSI population beginning January 1, 1997.

Date Received: March 17, 1995.

State Contact: Richard T. Cody, Deputy Commissioner, Division of Health and Long Term Care, 40 North Pearl Street, Albany, NY 12243, (518) 474–9132.

Federal Project Officer: Debbie Van Hoven, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

III. Listing of New, Pending, Approved, and Withdrawn Proposals for the Month of June 1995

A. Comprehensive Health Reform Programs

1. New Proposals

The following comprehensive health reform proposal was received during the month of June:

Demonstration Title/State: Kentucky Health Care Partnership—Kentucky.

Description: Kentucky proposes to enroll all non-institutional AFDC, AFDC-related, and Aged, Blind, and Disabled Medicaid eligibles into regional managed care networks operated by a sole-source contractor. The proposed start date of the demonstration is December 1, 1995.

Date Received: June 19, 1995.

State Contact: Larry A. McCarthy, Director, Program Development and Budget, Department of Medicaid Services, 275 East Main Street, Frankfort, KY 40621, (406) 444–4540.

Federal Project Officer: Maria Boulmetis, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

2. Pending Proposals

Demonstration Title/State: Arizona Health Care Cost Containment System (AHCCCS)—Arizona.

Description: Arizona proposes to expand eligibility under its current section 1115 AHCCCS program to persons with incomes up to 100 percent of the Federal poverty level.

Date Received: March 17, 1995.

State Contact: Mabel Chen, M.D., Director, Arizona Health Care Cost Containment System, 801 East Jefferson, Phoenix, AZ 85034, (602) 271–4422.

Federal Project Officer: Joan Peterson, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: MediPlan Plus—Illinois.

Description: Illinois seeks to develop a managed care delivery system using a series of networks, either local or statewide, to tailor its Medicaid delivery system to the needs of local urban neighborhoods or large rural areas.

Date Received: September 15, 1994.

State Contact: Tom Toberman, Manager, Federal/State Monitoring, 201 South Grand Avenue East, Springfield, IL 62763, (217) 782–2570.

Federal Project Officer: Gina Clemons, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Community Care of Kansas—Kansas.

Description: Kansas proposes to implement a ''managed cooperation demonstration project'' in four predominantly rural counties, and to assess the success of a non-competitive managed care model in rural areas. The demonstration would enroll recipients currently eligible in the AFDC and AFDC-related eligibility categories, and expand Medicaid eligibility to children ages 5 and under with family incomes up to 200 percent of the Federal poverty level.

Date Received: March 23, 1995.

State Contact: Karl Hockenbarger, Kansas Department of Social and Rehabilitation Services, 915 Southwest Harrison Street, Topeka, KS 66612, (913) 296–4719.

Federal Project Officer: Jane Forman, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–21–04, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Louisiana Health Access—Louisiana.

Description: Louisiana proposes to implement a fully capitated statewide managed care program. A basic benefit package and a behavioral health and pharmacy wrap-around would be administered through the managed care plans. The State intends to expand Medicaid eligibility to persons with incomes up to 250 percent of the Federal poverty level (FPL); those with incomes above 133 percent of the FPL would pay all or a portion of premiums.

Date Received: January 3, 1995.

State Contact: Carolyn Maggio, Executive Director, Bureau of Research and Development, Louisiana Department of Health and Hospitals, P.O. Box 2870, Baton Rouge, LA 70821–2871, (504) 342–2964.

Federal Project Officer: Gina Clemons, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Missouri.

Description: Missouri proposes to require Medicaid beneficiaries to enroll in managed care delivery systems, and extend Medicaid eligibility to persons with incomes below 200 percent of the Federal poverty level. As part of the program, Missouri would create a fully capitated managed care pilot program to serve non-institutionalized persons with permanent disabilities on a voluntary basis.

Date Received: June 30, 1994.

State Contact: Donna Checkett, Director, Division of Medical Services, Missouri Department of Social Services, P.O. Box 6500, Jefferson City, MO 65102–6500, (314) 751–6922.

Federal Project Officer: Nancy Goetschius, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: The Granite State Partnership for Access and Affordability in Health Care—New Hampshire.

Description: New Hampshire proposes to extend Medicaid eligibility to adults with incomes below the AFDC cash standard and to create a public insurance product for low income workers. The State also seeks to implement a number of pilot initiatives to help redesign its health care delivery system.

Date Received: June 14, 1994.

State Contact: Barry Bodell, New Hampshire Department of Health and Human Services, Office of the Commissioner, 6 Hazen Drive, Concord, NH 03301–6505, (603) 271–4332.

Federal Project Officer: Maria Boulmetis, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: The Partnership Plan—New York.

Description: New York proposes to move most of the currently eligible Medicaid population and Home Relief (General Assistance) populations from a primarily fee-for-service system to a managed care environment. The State also proposes to establish special needs plans to serve individuals with HIV/AIDS and certain children with mental illnesses. The proposed enrollment date for Home Relief and Aid to Families with Dependent Children (AFDC) recipients is November 1, 1995, followed by a 1-year enrollment period for the SSI population beginning January 1, 1997.

Date Received: March 17, 1995.

State Contact: Richard T. Cody, Deputy Commissioner, Division of Health and Long Term Care, 40 North Pearl Street, Albany, NY 12243, (518) 474–9132.

Federal Project Officer: Debbie Van Hoven, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: SoonerCare—Oklahoma.

Description: Oklahoma proposes to implement a 5-year statewide managed care demonstration using both fully and partially capitated delivery systems. The emphasis of the program is to address access problems in rural areas by encouraging the development of rural-based managed care initiatives. The State will employ traditional fully capitated managed care delivery models for urban areas and will introduce a series of partial capitation models in the rural areas of the State. All currently eligible, non-institutionalized Medicaid beneficiaries will be enrolled during the first 2 years of the project.

Date Received: January 6, 1995.

State Contact: Dr. Garth Splinter, Oklahoma Health Care Authority, Lincoln Plaza, 4545 North Lincoln Blvd., Suite 124, Oklahoma City, OK 73105, (405) 530–3439.

Federal Project Officer: Helaine I. Fingold, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Health Access Plan Demonstration—Vermont.

Description: Vermont proposes to integrate Medicaid recipients into managed care plans and expand coverage to uninsured individuals up to 150 percent of the Federal poverty level. The State also proposes to provide pharmacy coverage to low-income Medicare beneficiaries.

Date Received: February 24, 1995.

State Contact: Veronica Celani, Health Policy Director, Vermont Agency of Human Services, 103 State Street, Waterbury, VT 05671, (802) 828–2949.

Federal Project Officer: Sherrie Fried, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

3. Approved Conceptual Proposals (Awards of Waivers Pending)

No conceptual proposals were approved during the month of June.

4. Approved Grant Proposals (Award of Waivers Pending)

No grant proposals were awarded during the month of June.

5. Approved Proposals

No comprehensive health reform proposals were approved during the month of June.

6. Disapproved Proposals

No comprehensive health reform proposals have been disapproved since January 1, 1993.

7. Withdrawn Proposals

No comprehensive health reform proposals were withdrawn during the month of June.

B. Other Section 1115 Demonstration Proposals

1. New Proposals

The following new proposals were received during the month of June.

Demonstration Title/State: Alternatives in Medicaid Home Care Demonstration—Colorado.

Description: Colorado proposes to conduct a pilot project that eliminates the restriction on provision of Medicaid home health services in locations other than the recipient's place of residence. The proposal would also permit nursing aides to perform functions which historically have been provided only by skilled nursing staff. Medicaid recipients participating in the project will be adults (including both frail elderly clients and younger clients with disabilities) who can live independently and self-direct their own care. The project would provide for delegation of specific functions from nurses to certified nurses aides, pay nurses for

shorter supervision and monitoring visits, and allow higher payments to aides performing delegated nursing tasks. Currently, home health agency nursing and nurse aide services are paid on a per visit basis. Each visit is approximately 2–4 hours in duration, and recipients must require skilled, hands-on care.

Date Received: June 3, 1995.

State Contact: Dann Milne, Director, Department of Health Care Policy and Financing, 1575 Sherman Street, Denver, CO 80203–1714, (303) 866–5912.

Federal Project Officer: Phyllis Nagy, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–21–06, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Montana Mental Health Access Plan—Montana.

Description: Montana proposes to provide all mental health services for current Medicaid eligibles through managed care and to expand Medicaid eligibility to persons with incomes up to 200 percent of the Federal poverty level. Newly eligible individuals would receive only mental health benefits, and would not be eligible for other health services under the demonstration. A single state-wide contractor would provide the mental health services and also determine eligibility, perform inspections, and handle credentialing.

Date Received: June 16, 1995.

State Contact: Nancy Ellery, State Medicaid Director, Department of Social and Rehabilitation Services, P.O. Box 4210, 111 North Sanders, Helena, MT 59604–4210, (406) 444–4540.

Federal Project Officer: Nancy Goetschius, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

2. Pending Proposals

Demonstration Title/State: Georgia's Children's Benefit Plan—Georgia.

Description: Georgia submitted a section 1115 proposal entitled ''Georgia Children's Benefit Plan'' to provide preventive and primary care services to children aged 1 through 5 living in families with incomes between 133 percent and 185 percent of the Federal poverty level. The duration of the project is 5 years with proposed project dates of July 1, 1995 to June 30, 2000.

Date Received: December 12, 1994.

State Contact: Jacquelyn Foster-Rice, Georgia Department of Medical Assistance, 2 Peachtree Street Northwest, Atlanta, GA 30303–3159, (404) 651–5785.

Federal Project Officer: Maria Boulmetis, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–18–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: High Cost User Initiative—Maryland.

Description: Maryland proposes to implement an integrated case management system for high-cost, high-risk Medicaid recipients.

Date Received: July 8, 1994.

State Contact: John Folkemer, Maryland Department of Health and Mental Hygiene, Office of Medical Assistance Policy, 201 West Preston Street, Baltimore, MD 21201, (410) 225–5206.

Federal Project Officer: William Clark, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–21–06, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Family Planning Services Section 1115 Waiver Request—Michigan.

Description: Michigan seeks to extend Medicaid eligibility for family planning services to all women of childbearing age with incomes at or below 185 percent of the Federal poverty level, and to provide an additional benefit package consisting of home visits, outreach services to identify eligibility, and reinforced support for utilization of services. The duration of the project is 5 years.

Date Received: March 27, 1995.

State Contact: Gerald Miller, Director, Department of Social Services, 235 South Grand Avenue, Lansing, MI 48909, (517) 335–5117.

Federal Project Officer: Suzanne Rotwein, Ph.D., Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–24–07, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Family Planning Proposal—New Mexico.

Description: New Mexico proposes to extend Medicaid eligibility for family planning services to all women of childbearing age with incomes at or below 185 percent of the Federal poverty level.

Date Received: November 1, 1994.

State Contact: Bruce Weydemeyer, Director, Division of Medical Assistance, P.O. Box 2348, Santa Fe, NM 87504–2348, (505) 827–3106.

Federal Project Officer: Suzanne Rotwein, Ph.D., Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–24–07, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: CHOICES—Citizenship, Health, Opportunities, Interdependence, Choices and Supports—Rhode Island.

Description: Rhode Island proposes to consolidate all current State and Federal funding streams for adults with developmental disabilities under one program using managed care/managed competition.

Date Received: April 5, 1994.

State Contact: Susan Babin, Department of Mental Health, Retardation, and Hospitals, Division of Developmental Disabilities, 600 New London Avenue, Cranston, RI 02920, (401) 464–3234.

Federal Project Officer: Melissa McNiff, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–21–06, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Family Planning Services Eligibility Requirements Waiver—South Carolina.

Description: South Carolina proposes to extend Medicaid coverage for family planning services for 22 additional months to postpartum women with monthly incomes under 185 percent of the Federal poverty level. The objectives of the demonstration are to increase the number of reproductive age women receiving either Title XIX or Title X funded family planning services following the completion of a pregnancy, increase the period between pregnancies among mothers eligible for maternity services under the expanded eligibility provisions of Medicaid, and estimate the overall savings in Medicaid spending attributable to providing family planning services to women for 2 years postpartum. The duration of the proposed project would be 5 years.

Date Received: May 4, 1995.

State Contact: Eugene A. Laurent, Executive Director, State Health and Human Services Finance Commission, P.O. Box 8206, Columbia, SC 29202–8206, (803) 253–6100.

Federal Project Officer: Suzanne Rotwein, Ph.D., Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–24–07, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Demonstration Title/State: Wisconsin.

Description: Wisconsin proposes to limit the amount of exempt funds that may be set aside as burial and related expenses for SSI-related Medicaid recipients.

Date Received: March 9, 1994.

State Contact: Jean Sheil, Division of Economic Support, Wisconsin Department of Health and Social Services, 1 West Wilson Street, Room 650, P.O. Box 7850, Madison, WI 53707, (608) 266–0613.

Federal Project Officer: J. Donald Sherwood, Health Care Financing Administration, Office of Research and Demonstrations, Mail Stop C3–16–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

3. Approved Conceptual Proposals (Award of Waivers Pending)

No conceptual proposals were awarded during the month of June.

4. Approved Proposals

No proposals were approved during the month of June.

5. Disapproved Proposals

No proposals were disapproved during the month of June.

6. Withdrawn Proposals

No proposals were withdrawn during the month of June.

IV. Requests for Copies of a Proposal

Requests for copies of a specific Medicaid proposal should be made to the State contact listed for the specific proposal. If further help or information is needed, inquiries should be directed to HCFA at the address above.

(Catalog of Federal Domestic Assistance Program, No. 93.779; Health Financing Research, Demonstrations, and Experiments.)

Dated: September 22, 1995.

Bruce C. Vladek,

Administrator, Health Care Financing Administration.

[FR Doc. 95–24400 Filed 9–29–95; 8:45 am]

BILLING CODE 4120–01–P

Health Resources and Services Administration

Proposed Data Collections Available for Public Comment and Recommendations

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Health Resources and Services Administration (HRSA) will publish periodic summaries of proposed projects. To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, call the HRSA Reports Clearance Officer on (301) 443–1129.

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Proposed Projects

1. *National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners: Regulations and Forms* (OMB No. 0915–0126)—Extension, No Change—The Data Bank forms and regulations received a short-term approval in June 1995. As part of the terms of clearance, HRSA was required to submit an updated analysis of small medical malpractice payments (concerning the issue of monetary threshold reporting of claims) and provide OMB with an updated chart of the distribution of malpractice awards. The requirements have been satisfied and the results of the analysis have been forwarded to OMB. The Data Bank regulations and forms are now being resubmitted for a 3-year approval. This request is for an extension with no changes. The burden estimates are as follows:

Title	Number of respondents	Frequency of response	Number of responses	Hours per response	Total burden hours
60.6(a) Reporting Corrections of Errors and Omissions	2,800	1.04	2,925	.25	731
60.6(b) Revisions to Original Report Actions	350	1.06	370	.75	278
60.7(b) Reporting Medical Malpractice Payments	150	105.33	15,800	.75	11,850
60.8(b) Reporting Licensure Action by State Boards	125	21.02	2,630	.75	1,973
60.9(a) Reporting Privileging and Professional Society Actions	1,000	1.08	1,075	.75	806
60.9(c) Request for Hearings by Entitles Found in Noncompliance	1	1	1	8.00	8
60.10(a)(1) Hospital Queries on Applicants; 60.11(a)(1) Other Hospital Queries; 60.11(a)(6) Queries for Professional Review	7,200	38.33	276,000	.08	23,000
60.10(a)(2) Biennial Queries by Hospitals	6,000	186.83	1,121,000	.08	93,417
60.11(a)(2) Practitioner Queries	29,000	1	29,000	.25	7,250
60.11(a)(3) State Licensure Board Queries	70	171	12,000	.08	1,000
60.11(a)(4) Queries by Nonhospital Health Care Entities	1,860	139.78	260,000	.08	21,667
60.11(a)(5) Queries by Attorneys	10	1	10	.25	3
60.11(a)(7) Queries for Research Purposes	100	1	1	1.00	100
60.14(b) Practitioner's Disputing Data Bank Reports	1,080	1	1,080	.17	180
60.14(b) Practitioner Requests for Secretarial Review	100	1	100	8.00	800
60.14(b) Practitioner Statements	2,700	1	2,700	1.00	2,700
Biennial Entity Verification Document	5,750	1	5,750	.25	1,438
Entity File Update	1,150	1	1,150	.25	288

Note: Estimated Total Annual Burden: 167,489

2. *Survey of Exchange Visitor Physicians Remaining in the United States on a Waiver*—NEW—Announcement is made of the intention to survey exchange visitor physicians, i.e., physicians who entered the United States on a J–1 visa to engage in graduate medical education, who have been granted waivers to the return home requirement. Exchange visitor foreign physicians receive a J–1 visa and agree to return to their home country or country of last residence for a minimum of two years upon completing their training. The Department of Health and Human Services needs information about practice specialty and site of these physicians to make informed decisions regarding the implementation of waiver policy. A survey will be conducted to obtain the following items of information: (1) marital status; (2) basis of waiver; (3) initial and current geographic location; (4) initial and current medical specialty; (5) number of years of training completed in the U.S.; (6) changes of venue after initial practice site; (7) sequence of specialties after initial practice specialty.

Type of form	Number of respondents	Frequency of response	Hours per response	Total burden hours
Survey of Physicians with J–1 Visa Waivers	1,457	1	.50	729

Send comments to Patricia Royston, HRSA Reports Clearance Officer, Room 14–36, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

Dated: September 27, 1995.

J. Henry Montes,

Associate Administrator for Policy Coordination.

[FR Doc. 95–24460 Filed 9–29–95; 8:45 am]

BILLING CODE 4160–15–P

Public Health Service

Notice Regarding Section 602 of the Veterans Health Care Act of 1992; New Drug Pricing

AGENCY: Public Health Service, HHS.

ACTION: Final notice.

SUMMARY: Section 602 of Public Law 102–585, the ''Veterans Health Care Act of 1992,'' enacted section 340B of the Public Health Service Act (''PHS Act''), ''Limitation on Prices of Drugs Purchased by Covered Entities.'' Section 340B provides that a manufacturer who sells covered outpatient drugs to eligible entities must sign a pharmaceutical pricing agreement with the Secretary of Health and Human Services in which the manufacturer agrees to charge a price for covered outpatient drugs that will not exceed an amount determined under a statutory formula.

The purpose of this notice is to inform interested parties of final guidelines regarding new drug pricing.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Marsha Alvarez, R. Ph., Director, Drug Pricing Program, Bureau of Primary Health Care, 4350 East-West Highway, Bethesda, MD 20814, Phone (301) 594–4353, FAX (301) 594–4982.

SUPPLEMENTARY INFORMATION:

(A) Background

Proposed guidelines for new drug pricing were announced in the Federal Register at 60 FR 27983 on May 26, 1995. A comment period of 30 days was established to allow interested parties to submit comments. The Office of Drug Pricing received two letters with comments concerning the mechanism for drug price calculation and retroactive drug price adjustment. Further, a letter was received with general comments commending the PHS for the development of an approach that avoids unnecessary administrative costs for manufacturers while assuring that covered entities receive the discount in a timely fashion.

The following section presents a summary of all major comments, grouped by subject, and a response to each comment. All comments were considered in developing this final notice. Also, changes were made to increase clarity and readability.

(B) Comments and Responses

Mechanism for Price Calculation

Comment: PHS does not calculate the ceiling price. Manufacturers determine this price, while the Health Care Financing Administration (''HCFA'') provides Average Manufacturer Price, (''AMP''), baseline AMP, and Best Price, (''BP''), data to PHS for auditing purposes.

Response: We agree, in part. The notice has been changed to reflect that HCFA would provide the data necessary to calculate the ceiling price, if necessary for resolving disputes, collecting pricing data, auditing a manufacturer, or other such program purposes.

Comment: AMP may be calculated using pricing data from a partial quarter, while the calculation of the baseline AMP utilizes data from the first full quarter after the day on which the drug was first sold.

Response: We agree. The notice has been changed accordingly.

Retroactive Pricing Adjustment

Comment: The Veterans Affairs new drug policy, implementing section 603 of the Veterans Health Care Act of 1992, does not require a manufacturer to issue a retroactive rebate for the purchase of a new drug for the first thirty days. A similar policy should be considered for PHS policy implementing section 602 (section 340B of the PHS Act).

Response: No change. Section 340B of the PHS Act requires all participating manufacturers to provide covered outpatient drugs at the discounted price. The law was effective December 1, 1992; therefore, any new covered outpatient drug must be discounted as of the date it is introduced into the market. We have attempted to implement this immediate discount mechanism by reasonably permitting manufacturers to estimate ceiling prices during the initial months of sale.

Comment: A manufacturer's obligation to make retroactive payments to covered entities should not be contingent upon the covered entity submitting a request for the retroactive rebate, providing such information, or taking any other action. The manufacturer must be unilaterally responsible for paying the rebates.

Response: No change. The mechanism for retroactive pricing adjustment was developed with the understanding most manufacturers sell drugs through wholesalers and would have difficulty determining to which entity the new drug was sold. Further, and more importantly, there was an attempt to evenly split the administrative burden of the process between the manufacturer and the entity. If an entity wishes a pricing adjustment, the dollar amount in question, one would expect, must be significant enough to balance the administrative burden involved in documenting and developing the request. While this type of requirement should decrease the numbers of smaller requests, still the manufacturer must remit all documented pricing adjustments requested which may result in a large number of checks or credits being cut by manufacturers.

Comment: Establish a 30-day deadline by which the pricing reconciliation must be paid.

Response: We agree. The notice has been changed to reflect a requirement that all pricing adjustments be completed by the end of the fourth quarter of sales (e.g., introduced on 1/15/95 and pricing adjustments due by 12/30/95). This has moved the deadline back ninety days from the proposed deadline.

(C) New Drug Pricing Revised Guidelines

Set forth below are the final guidelines for new drug pricing.

New Drug Pricing

Calculation of the current quarter PHS ceiling price for each covered outpatient drug, as provided in section 340B(a)(1) of the PHS Act, is based upon data supplied to the Medicaid Drug Rebate Program (i.e., AMP, baseline AMP and BP). The manufacturer calculates pricing information for all of its covered outpatient drugs and sends this pricing data to HCFA within 30 days after the

end of the quarter. HCFA will provide PHS with the data necessary for PHS to determine the ceiling price which will be used for resolving disputes, studies involving pricing data, auditing manufacturers, or other program purposes.

For calendar year 1995, the Medicaid rebate for single source and innovator multiple source drugs is the greater of 15.2 percent of the AMP or the AMP minus BP. In calendar year 1996, and thereafter, the rebate percentage decreases to 15.1 percent. An additional rebate must also be paid for single source and innovator multiple source drugs in the amount by which the increase in the baseline AMP exceeds the increase in the Consumer Price Index—Urban (CPI–U). The PHS ceiling price is computed based on the combined basic and additional rebate amounts calculated for the Medicaid program. For noninnovator multiple source drugs, the rebate percentage is 11 percent of the AMP.

For PHS pricing purposes, the timeframe for reporting the pricing data is a problem with respect to new drugs because there is a time lag for new drug pricing information. For new drugs, manufacturers are permitted to calculate the AMP using the pricing instituted in the first quarter; however, the baseline AMP is not available until the end of the first full quarter after the day on which the drug was first sold. For example, if a new drug was first sold on January 15, the quarterly AMP for the period 1/1 through 3/31 would be calculated using sales from 1/15 through 3/31 while the quarterly baseline AMP for the first full quarter would not be available. The baseline AMP must be determined for a full quarter; therefore, pricing data for the period 4/1 through 6/30 would be utilized. Thus, for the first and second quarter, the discount for the new drug would be a manufacturer's estimate and later adjusted using only the basic rebate amount.

This time lag is not a problem for the State Medicaid agencies because they bill manufacturers for a rebate after the covered outpatient drugs are dispensed to Medicaid beneficiaries. However, to comply with the requirements of section 340B of the PHS Act, the PHS ceiling price must be determined before the covered outpatient drug is sold to the covered entity.

Because there are no sales data for a new drug from which to determine the PHS ceiling price, the Office of Drug Pricing is proposing to utilize a ceiling price estimated by the manufacturer until sufficient data is available to calculate the AMP and BP of the new drug. Any adjustments necessary to reconcile differences between the first and second quarter estimated ceiling price and the third quarter ceiling price will be in the form of a retroactive charge back or rebate.

Because the manufacturer calculates the PHS ceiling price using a data lag, the manufacturer would estimate the new drug ceiling price for three quarters. For example, a new single source drug that enters the market in February (first quarter) will have an estimated PHS ceiling price for that quarter. The manufacturer must submit AMP and BP pricing data for sales within that quarter to HCFA within 30 days from the end of the quarter (4/30). HCFA will use this pricing data to calculate the basic rebate amount.

The manufacturer must estimate the ceiling price for the second quarter (April 1–June 30). Sales during the quarter will constitute the baseline AMP and BP. The manufacturer must submit baseline AMP and BP for the second quarter to HCFA within 30 days from the end of the second quarter (7/30). The additional rebate amount does not apply to this quarter since there must be two full quarters of pricing data to generate an additional rebate amount when a price increase exceeds the increase the CPI–U.

Because manufacturers must transmit pricing to wholesalers two weeks before the beginning of the quarter, the total rebate amount (basic plus additional rebate) for the third quarter (July 1–September 30) will not be available at that time.

Manufacturers must submit pricing data to HCFA by 10/30. Thus, the manufacturer must offer the third quarter discount using only the basic rebate amount.

Beginning with the fourth quarter (October 1–December 31), the manufacturer will have the necessary pricing data to calculate a total rebate amount. All retroactive charge backs or rebate adjustments necessary to reconcile the first, second, and third quarters estimated ceiling price must be completed by the end of the fourth quarter, i.e., December 31.

Example: Drug Enters Market February 15.

Calendar quarter	Baseline AMP	Add'l rebate (if applicable)	Pricing due to HCFA	Actual rebate amounts available from HCFA	
				Basic	Add'l
1 (Jan–Mar)			4/30	5/15	N/A
2 (April–June)	X		7/30	8/15	N/A
3 (July–Sept)		X	10/30	11/15	11/15
4 (Oct–Dec)		X	1/30	2/15	2/15

Dated: September 26, 1995.

Ciro V. Sumaya,

Administrator, Health Resources and Services Administration.

[FR Doc. 95–24349 Filed 9–29–95; 8:45 am]

BILLING CODE 4160–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK–964–1410–00–P]

Notice for Publication; F–14841–A2 and F–14841–B2; Alaska Native Claims Selection

In accordance with Departmental regulations 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(a), will be issued to Brevig Mission Native Corporation for approximately 21,682 acres. The lands involved are in the vicinity of Brevig Mission, Alaska, within Tps. 1 S., Rs. 36, 37 and 38 W.; T.3 S., R. 36 W.; and T. 1 N., R. 39 W., Kateel River Meridian, Alaska.

A notice of the decision will be published once a week, for four (4) consecutive weeks, in The Nome Nugget. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh

Avenue, #13, Anchorage, Alaska 99513–7599 [(907) 271–5960].

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until November 1, 1995, to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

Robin Rodriguez,

Land Law Examiner, Branch of Northern Adjudication.

[FR Doc. 95–24441 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–JA–M

[CO–030–05–1620–00–1784]

Southwest Colorado Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given that the next two meetings of the Southwest Colorado Resource Advisory Council will be held on Thursday, October 12, 1995, in Montrose Colorado, and on Thursday, November 9, 1995, at Ridgway State Park, Colorado.

DATES: The meetings are scheduled for Thursday, October 12, 1995, and Thursday, November 9, 1995.

ADDRESSES: For further information, contact Roger Alexander, Bureau of Land Management (BLM), Montrose District Office, 2465 South Townsend Avenue, Montrose, Colorado 81401; Telephone (970) 249–7791; TDD (970) 249–4639.

SUPPLEMENTARY INFORMATION: The October 12 meeting is scheduled to begin at 9 a.m. at BLM's Montrose District Office, 2465 South Townsend, Montrose, Colorado. The November 9 meeting is scheduled to begin at 9 a.m. at Ridgway State Park approximately 20 miles south of Montrose, Colorado. The agenda for both meetings will focus on the development of standards for rangeland health and guidelines for livestock grazing.

All Resource Advisory Council meetings are open to the public. Interested persons may make oral statements to the Council, or written statements may be submitted for the Council's consideration. Depending on the number of persons wishing to make oral statements, a per-person time limit may be established by the Montrose District Manager.

Summary minutes for the Council meeting will be maintained in the Montrose District Office and will be available for public inspection and reproduction during regular business hours within thirty (30) days following the meeting.

Dated: September 26, 1995.

Mark W. Stiles,

District Manager.

[FR Doc. 95–24437 Filed 9–29–95; 8:45 am]

BILLING CODE 4310–JB–M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32777]

Soo Line Railroad Company; Trackage Rights Exemption; Missouri Pacific Railroad Company

Missouri Pacific Railroad Company has agreed to grant overhead trackage rights to the Soo Line Railroad Company over 8.32+/− miles of rail line between milepost 16.94+/− near Dolton Junction and milepost 8.62+/− near 80th Street in Chicago, in Cook County, IL. The trackage rights were to become effective on September 23, 1995.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on Larry D. Starns, Esq., General Attorney, CP Legal Services, Office of the U.S. Regional Counsel, 1000 Soo Line Building, P.O. Box 530, 105 South Fifth St., Minneapolis, MN 55402.

As a condition to use of this exemption, any employees adversely affected by the trackage rights will be protected pursuant to *Norfolk and Western Ry. Co.—Trackage Rights—BN,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate,* 360 I.C.C. 653 (1980).

Decided: September 25, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95–24429 Filed 9–29–95; 8:45 am]

BILLING CODE 7035–01–P

Release of Waybill Data

The Commission has received a request from Mutén & Associates, Inc., for permission to use certain data from the Commission's 1993 and 1994 I.C.C. Waybill Samples. A copy of the request (WB484–9/15/95) may be obtained from the I.C.C. Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Commission's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927–6916.

Vernon A. Williams,

Secretary.

[FR Doc. 95–24428 Filed 9–29–95; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree, Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a consent decree in *United State of America* v. *Khubani Enterprises, Inc.,* Civ. Act. No. 95–4729 (AJL) (D.N.J.), was lodged with the United States District Court for the District of New Jersey on September 18, 1995. The proposed decree concerns alleged violations of the Clean Water Act, 33 U.S.C. § 1311, as a result of the discharge of fill materials onto approximately 24.8 acres of wetlands by Khubani Enterprises, Inc. (''Khubani''), in Fairfield Township, Essex County, New Jersey.

The Consent Decree permanently enjoins Khubani from discharging fill materials into any waters of the United States except in compliance with applicable federal, state and local laws, rules and regulations; provides for the payment of a $25,000 civil penalty to the United States; requires compliance with an administrative order on consent entered into between Khubani and the New Jersey Department of Environmental Protection; requires restoration of at least 2.6 acres of the violation site; and provides for a supplemental environmental project, pursuant to which Khubani will pay $75,000 to the New Jersey Nature Conservancy for the purchase and preservation of wetlands in the

Johnsonburg Swamp Preserve in New Jersey.

The Department of Justice will receive written comments relating to the consent decree for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Attention: Daniel W. Pinkston, Environmental Defense Section, P.O. Box 23986, Washington, D.C. 20026–3986, and should refer to *United States* v. *Khubani Enterprises, Inc.*, DJ Reference No. 90–5–1–4–354.

The proposed consent decree may be examined at the Offices of the United States Attorney for the District of New Jersey, Federal Building, Room 502, 970 Broad Street, Newark, New Jersey 07102; the New York District Office of the United States Army Corps of Engineers, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, New York 10278–0090, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of $7.75 for a copy of the consent decree with attachments.

Letitia J. Grishaw,

Chief, Environmental Defense Section, Environment and Natural Resources Division, United States Department of Justice.

[FR Doc. 95–24362 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–M

Notice of Lodging of Consent Decree, Pursuant to the Clean Water Act

In accordance with Departmental policy and 28 CFR § 50.7, notice is hereby given that a proposed consent decree in *United States of America and Division of Water Resources, Department of Natural Resources, State of West Virginia* v. *Rayle Coal Company, et al.*, Civil Action No. 87–0085–W(K) consolidated with *Rayle Coal Company, et al.* v. *United States Environmental Protection Agency and Division of Water Resources, Department of Natural Resources, State of West Virginia*, Civil Action No. 88–0094–W(K), was lodged on or about September 19, 1995, with the United States District Court for the Northern District of West Virginia.

The proposed consent decree pertains to the United States' claims pursuant to Sections 301 and 309 of the Clean Water Act (''CWA''), 33 U.S.C. §§ 1311 and 1319, and the State of West Virginia's claims pursuant to the West Virginia Water Pollution Control Act that the Defendants discharged effluent from an abandoned coal mine refuse pile on Defendants' property near Tridelphia, West Virginia into Storch's Run, a tributary of Middle Wheeling Creek, without a permit. In the Decree, the Defendants (specifically, Rayle Coal Company and Marietta Coal Company) are required to expeditiously apply for an NPDES permit for effluent discharged from their abandoned coal mine refuse pile into Storch's Run. Further, the Defendants are required: (1) To pay a civil penalty of $145,000 to the United States and the State of West Virginia; (2) to comply with interim effluent limitations at a specified discharge point until the Defendants' NPDES permit is final for purposes of administrative or judicial appeal; (3) to restore Storch's Run by cleaning treatment ponds, properly disposing of sludge from the cleanup and maintenance of the wastewater treatment system, by reclaiming all areas disturbed by restoration activities, and by certifying that the design and construction of the dams used in the treatment system meet appropriate state requirements; (4) to monitor and report compliance with the terms of the Consent Decree; (5) to pay stipulated penalties for failing to comply (a) with any interim effluent limitation, monitoring or reporting requirement in the Consent Decree, or (b) with effluent limitations set forth in the Defendants' NPDES permit for a six month compliance period.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States of America and Division of Water Resources, Department of Natural Resources, State of West Virginia* v. *Rayle Coal Company, et al.*, DOJ Ref. #90–5–1–1–2826.

The proposed consent decree may be examined at the Office of the United States Attorney, 1100 Main Street, Suite 200, Wheeling, West Virginia; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy of the body of the proposed decree, please refer to the referenced case and enclose a check in the amount of $10.25 (25 cents per page reproduction costs), for each copy. The check should be made payable to the Consent Decree Library.

Joel Gross,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95–24363 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–M

Antitrust Division

United States v. National Automobile Dealers Association; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b) through (h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the District of Columbia, in *United States* v. *National Automobile Dealers Association*, Civil Action No. 95–1804 (HHG). The Complaint alleged that the National Automobile Dealers Association (''NADA'') engaged in anticompetitive practices designed to lessen price competition among car dealers. Those practices included encouraging members to maintain specific inventory levels at their dealerships, urging members to boycott manufacturers and auto brokers, and soliciting agreements from members not to advertise prices based on their own cost of buying the automobile.

On September 20, 1995, the United States and the NADA filed a Stipulation in which they consented to the entry of a proposed Final Judgment that, if approved by the court, would enjoin the NADA for ten years from entering into agreements with dealers to fix or maintain motor vehicle prices, urging or encouraging dealers to adopt or to refrain from adopting specific pricing or advertising policies, urging dealers to boycott or reduce the business they do with manufacturers or brokers, and terminating any dealer for reasons relating to the dealer's prices or advertising policies. The proposed Final Judgment would also require the NADA to set up an antitrust compliance program.

Public comment is invited within the statutory 60-day comment period. Such comments and responses thereto will be published in the Federal Register and filed with the Court. Comments should be directed to Mary Jean Moltenbrey, Chief, Civil Task Force II, Antitrust Division, Department of Justice, Liberty Place Building, Room 300, 325 Seventh

Street, NW., Washington, DC 20530 (telephone: 202–616–5935).

Rebecca P. Dick,

Deputy Director, Office of Operations, Antitrust Division.

Complaint

(For Violations of Section 1 of the Sherman Act)

United States of America, Department of Justice, Washington, D.C. 20530, Plaintiff, v. National Automobile Dealers Association, 8400 Westpark Drive, McLean, Virginia 22102, Defendant. Civil Action No.: 1:95CV01804; Judge Harold H. Greene.

The United States of America, plaintiff, by its attorneys, acting under the direction of the Attorney General of the United States, brings this civil action to prevent and restrain the defendant, the National Automobile Dealers Association (''NADA''), from engaging in unlawful anticompetitive conduct intended to reduce price competition among automobile dealers, and complains and alleges as follows:

Since at least 1989, the NADA has actively engaged in a campaign designed to lessen price competition in the retail automobile industry. Through the use of a group boycott, the NADA attempted to pressure automobile manufacturers to change their policies by eliminating consumer rebates and significantly reducing discounts given to large volume automobile buyers, who often resold slightly used cars to consumers at prices substantially below the price of a new car. In particular, the NADA recommended that all dealers significantly reduce their inventories to 15–30 days' supply to coerce manufacturers to raise the prices the manufacturers charged large volume automobile buyers and thereby constrain the latter's ability to compete. The NADA also solicited agreements from its members not to advertise retail prices based on the invoice price of an automobile, and agreed to tell its members to refuse to do business with automobile brokers. The instant action seeks to enjoin the NADA from continuing to engage in conduct intended to limit price competition in the retail automobile industry.

I. The Defendant NADA

1. The NADA is a corporation organized and existing under and pursuant to the laws of the State of Delaware. It maintains offices at 8400 Westpark Drive, McLean, Virginia 22102, and 412 1st Street SE, Washington, DC 20003.

2. The NADA is a national trade association that represents franchised new car and truck dealers in the United States. In 1994, approximately 84% of franchised dealers in the United States were NADA members. Its members sold approximately $375 billion of cars and other automobile products and services in 1993.

II. Jurisdiction and Venue

3. This complaint is filed pursuant to Section 4 of the Sherman Act, 15 U.S.C. 4, in order to prevent and restrain violations by the NADA of Section 1 of the Sherman Act, 15 U.S.C. 1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. 1331 and 1337.

4. Venue is properly laid in this District pursuant to Section 12 of the Clayton Act, 15 U.S.C. 22, and under 28 U.S.C. 1391 because the NADA transacts business and is found within this District.

5. The NADA and its members are engaged in, and their activities substantially affect interstate commerce.

6. The members of the NADA compete with each other and with other car and truck dealers to sell cars and other automobile products and service to consumers. Dealers compete on, among other things, price, quality of service, and the selection of cars available for purchase at their dealerships.

III. Concerted Action

A. Agreement Concerning Inventory Levels

7. In recent years, automobile manufacturers have engaged in a number of sales and marketing practices that have been unpopular with many automobile dealers. Among these practices are the use of fleet subsidies and consumer rebates.

8. Fleet subsidies are substantial discounts offered by manufacturers on the purchase of large quantities of cars by rental car companies, large corporations, and other high volume buyers. Manufacturers have sometimes offered fleet subsidies that are larger than the discounts they offered to franchised dealers.

9. Fleet purchasers, and, in particular, rental car companies, frequently resell fleet vehicles directly to the public or, in some instances, to independent (*i.e.*, non-franchised) automobile dealers, who in turn sell them to the public. Through at least 1991, used fleet vehicles with relatively low mileage were often sold in the same year as new cars of the same model year. Thus, sales of some fleet vehicles competed directly with sales of new vehicles, but fleet vehicles were often priced at thousands of dollars less than a new car.

10. Consumer rebates are cash incentives offered by manufacturers directly to consumers. In recent years, manufacturers have increased the amount and frequency of consumer rebates that they offer to entice consumers to purchase new automobiles. In many cases, manufacturers' cash rebates constitute most, if not all, of a consumer's down payment for a new car. Consumer rebates thus make new cars more affordable to those who otherwise would not be able to purchase a new car.

11. Beginning at least as early as 1989 and continuing at least until 1992, the NADA frequently stated its opposition to the increased competition generated by fleet subsidies. In particular, it alleged that fleet subsidies created a class of nearly new vehicles that, because of their lower prices, unfairly competed with new vehicle sales. The NADA repeatedly urged manufacturers to stop offering fleet subsidies that were greater than the discounts offered to franchised dealers.

12. The NADA also objected to consumer rebates. It believed that when manufacturers offered rebates to consumers, franchised dealers were forced to offer their own rebates to consumers who purchased cars immediately before and after the rebate period. On numerous occasions between 1989 and 1992, the NADA urged manufacturers to give franchised dealers, rather than consumers, all of the discounts and incentives offered by manufacturers to induce the purchase of a new car.

13. In September, 1989, the NADA's president drafted a document entitled ''An Open Letter to All Dealers'' (''Open Letter''). The Open Letter discussed financial difficulties facing many dealers and stated that fleet subsidies contributed to automobile dealers' financial difficulties. It also discussed the NADA's attempts to convince manufacturers not to offer rebates and instead give all incentives to dealers.

14. The Open Letter concluded with several ''recommendations for survival.'' Among these was the recommendation that all automobile dealers reduce their inventories to a 15–30 day supply of new vehicles. The letter then stated that the NADA would ''advise dealers immediately of any movement by their franchisors which will assist dealers.''

15. The Open Letter was unanimously endorsed by the NADA's Executive Committee on October 16, 1989, and by its board of directors on October 17, 1989.

16. On October 23, 1989, the president of the NADA wrote to Oregon dealers, urging them to look for the Open Letter in the October 30 issue of

Automotive News, and calling the Open Letter the NADA's ''first response'' to manufacturers who made little or no compromise with the NADA.

17. In the October 30, 1989 Automotive News, the automobile industry's principal trade publication, the Open Letter appeared as a two page advertisement. It was also published in the NADA's official publication, Automotive Executive, and sent to numerous representatives of the media and major automobile manufacturers.

18. At the NADA's 1990 Annual Convention in Las Vegas, Nevada, the President of the NADA described the Open Letter and its effect upon manufacturers.

> We've tried to negotiate for years—and we tried all this year. Believe me, believe me, friends, I said to each of the big, big three, ''Throw a bone to a dog—give me at least one of our four priority issues I can take to our dealers at convention in Las Vegas.'' I couldn't come close until after our October 30th ad * * * but dealers all over this nation started looking at inventory and adjusting order banks to cut expenses for their very survival. Well, all of a sudden that got noticed! You bet!
>
> *Twenty-five thousand dealerships—doing anything more or less together—is bound to come to the attention of our suppliers.* [Emphasis added.]

19. The NADA and its officers and directors intended the Open Letter to constitute a threat to automobile manufacturers that dealers would collectively reduce their inventories unless manufacturers adopted policies more favorable to dealers.

B. Agreements Concerning Dealer Advertisements and Sales to Brokers

20. Like manufacturers, some dealers engage in sales and marketing practices that are unpopular with other dealers. Invoice advertising and selling cars to brokers are examples of dealer marketing practices that are unpopular with many dealers and the NADA.

21. ''Invoice advertising'' means advertising sponsored by a franchised dealer which reveals the dealer's invoice or cost to purchase a vehicle, or which offers to sell the vehicle to the public at a price based upon the dealer's invoice or cost to purchase the vehicle. Officers and directors of the NADA delivered numerous speeches denouncing invoice advertising because, *inter alia,* they believed that it has led to lower retail selling prices for new vehicles.

22. On several occasions between 1989 and 1994, an officer of the NADA contacted automobile manufacturers to complain about dealers who had advertised retail prices that were a specific dollar amount over the dealer's invoice.

23. The NADA officers also communicated directly with the dealers in question and obtained their agreement not to engage in further invoice advertising. In the course of these communications, the officer referred to his position with the NADA in a way that suggested that he was acting on behalf of the NADA in making the complaints and in seeking agreement from the dealers.

24. In February 1994, the NADA members, acting through their Board of Directors, appointed a task force to study the impact of automobile manufacturers' policies on new vehicles' suggested gross margins. This report, ultimately entitled ''A SPECIAL REPORT: From the NADA Task Force on Reduced New Vehicle Margins'' (''Reduced Margins Task Force Report'') was delivered to, among others, automobile manufacturers' dealer councils' chairmen and vice chairmen, automobile trade association executives, numerous NADA members, and representatives from major automobile manufacturers.

25. In addition to calling on all automobile manufacturers to increase their suggested gross profit margins, the NADA Reduced Margins Task Force Report included recommendations for manufacturers and dealers with respect to automobile brokers. Automobile brokers generally buy new vehicles from franchised dealers at discounted prices and resell the vehicles directly to the public in competition with franchised dealers.

26. The Reduced Margins Task Force Report included the following recommendation to automobile dealers:

> Refuse to do business with brokers or buying services. They inevitably do harm to new vehicle gross margin potential.

27. The NADA later sent a memorandum and revised pages for the Reduced Margins Task Force Report that eliminated this recommendation, but not until the report had been disseminated to over 200 dealer representatives and other individuals active in the automobile industry.

First Cause of Action

(Agreement To Boycott Manufacturers)

28. The NADA, through its officers and directors, agreed to orchestrate a group boycott of automobile manufacturers to coerce manufacturers to decrease the discounts offered to large volume buyers and to eliminate consumer rebates. Specifically, the NADA called upon its dealer members to reduce their inventories of new cars.

29. That agreement constituted a combination or conspiracy in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Serman Act, 15 U.S.C. 1.

30. Unless prevented and restrained, the NADA will continue to engage in the unlawful conduct as alleged herein.

Second Cause of Action

(Agreement To Fix Inventory Levels)

31. The NADA, through its officers and directors, agreed to urge its dealer members to maintain new vehicle inventory at levels equal to 15–30 days' supply.

32. That agreement constituted a combination or conspiracy in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act, 15 U.S.C. 1.

33. Unless prevented and restrained, the NADA will continue to engage in the unlawful conduct as alleged herein.

Third Cause of Action

(Agreement To Restrict Advertisements)

34. The NADA, through its officers and directors, solicited and obtained agreements from member dealers not to engage in invoice advertising.

35. Those agreements constituted combinations and conspiracies in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act, 15 U.S.C. 1.

36. Unless prevented and restrained, the NADA will continue to engage in the unlawful conduct as alleged herein.

Fourth Cause of Action

(Agreement To Boycott Automobile Brokers)

37. The NADA, through its officers and directors, agreed to urge its dealer members not to do business with automobile brokers.

38. That agreement constituted a combination and conspiracy in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act, 15 U.S.C. 1.

39. Unless prevented and restrained, the NADA will continue to engage in the unlawful conduct as alleged herein.

Prayer for Relief

Wherefore, plaintiff respectfully prays for relief as follows:

1. That this Court adjudge and decree that the NADA has entered into unlawful contracts, combinations, or conspiracies which unreasonably restrain trade in interstate commerce, in violation of Section 1 of the Sherman Act, 15 U.S.C. 1;

2. That the NADA and all persons, firms, and corporations acting on their

behalf and under their direction or control be permanently enjoined from engaging in, carrying out, renewing or attempting to engage in, carry out or renew, any contracts, agreements, practices, or understandings in violation of Section 1 of the Sherman Act, 15 U.S.C. 1;

3. That plaintiff have such other relief that the Court may consider necessary, just, or appropriate to restore competitive conditions in the markets affected by the NADA's unlawful conduct; and

4. That plaintiff recover the costs of this action.

Dated: September 20, 1995.

Anne K. Bingaman,

Assistant Attorney General.

Joel I. Klein,

Deputy Assistant Attorney General.

Rebecca P. Dick,

Deputy Director of Operations.

Mary Jean Moltenbrey,

Chief, Civil Task Force II.

Robert J. Zastrow,

Assistant Chief.

Minaksi Bhatt,

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Theodore R. Bolema,

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For the Defendant the National Automobile Dealers Association:

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Executive Vice President, National Automobile Dealers Association, 8400 Westpark Drive, McLean, VA 22102.

Glenn A. Mitchell,

Counsel for the National Automobile Dealers Association, Stein, Mitchell & Mezines, 1100 Connecticut Avenue, NW, Washington, D.C. 20035.

Arthur L. Herold.

Counsel for the National Automobile Dealers Association, Webster, Chamberlain & Bean, 1747 Pennsylvania Avenue, NW, Washington, D.C. 20006.

Stipulation

It is stipulated by and between the undersigned parties, by heir respective attorneys, that:

1. The Court has jurisdiction over the subject matter of this action and over each of the parties hereto, and venue of this action is proper in the District of Columbia;

2. The parties to this Stipulation consent that a Final Judgment in the form attached may be filed and entered by the Court, upon any party's or the Court's own motion, at any time after compliance with the requirements of the antitrust Procedures and Penalties Act (15 U.S.C. 16), without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before entry of the proposed Final Judgment by serving notice on the defendant and by filing that notice with the Court.

3. Defendant agrees to be bound by the provisions of the proposed Final Judgment pending its approval by the Court. If plaintiff withdraws its consent or the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever and its making shall be without prejudice to any party in this or any other proceedings.

For the Plaintiff the United States of America:

Anne K. Bingaman,

Assistant Attorney General.

Joel I. Klein,

Deputy Assistant Attorney General.

Rebecca P. Dick,

Deputy Director of Operations.

Mary Jean Moltenbrey,

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Arthur L. Herold,

Counsel for the National Automobile Dealers Association, Webster, Chamberlain & Bean, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

Final Judgment

Plaintiff, United States of America, filed its complaint on September 20, 1995. Plaintiff and defendant, National Automobile Dealers Association (''NADA''), by their respective attorneys, have consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law. Therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon consent of the parties hereto, it is hereby Ordered, Adjudged and Decreed as follows:

I. Jurisdiction

The Court has jurisdiction of the subject matter of this action and of the party consenting hereto. The complaint states a claim upon which relief may be granted against defendant under Section 1 of the Sherman Act (15 U.S.C. § 1).

II. Definitions

As used in this Final Judgment:

A. *Communication* means any exchange, transfer or dissemination of information, regardless of the means by which it is accomplished.

B. *Consumer* means any person who is an actual or potential purchaser of any motor vehicle.

C. *Dealer* means a person selling motor vehicles to consumers, including each of its divisions, parents, subsidiaries, and affiliates.

D. *Gross margin* means the different between an automobile manufacturer's suggested retail price for a motor vehicle and a dealer's cost to purchase that vehicle from the manufacturer.

E. *Manufacturer* means any person which manufactures motor vehicles, including each of its divisions, parents, subsidiaries, and affiliates.

F. *NADA* means the National Automobile Dealers Association, including each of its divisions, parents, subsidiaries, and affiliates, and any person acting on behalf of any of them, except that NADA shall not include

1. NADA Charitable Foundation;
2. Dealers Election Action Committee (DEAC);
3. National Automobile Dealers Insurance Trust (NADIT);
4. National Automotive Insurance and Service Agency, Inc. (NAISA);
5. National Automobile Dealers Association Retirement Trust (NADART);
6. NADA Services Corporation (NADASC);
7. Salesperson Certification Program;
8. American Truck Division (ATD).

G. *Organization* means any corporation, firm, company, sole proprietorship, partnership, joint venture, association, institute, or other business, legal, or government entity.

H. *Person* means any individual or natural person, corporation, firm, company, sole proprietorship, partnership, joint venture, association, institute, or other business, legal, or government entity, and any employee or agent thereof.

I. *Retail margin* means the difference between the price a consumer pays to purchase a motor vehicle and a dealer's cost to purchase that vehicle from the manufacturer.

III. Applicability

A. This Final Judgment applies to defendant and to each of its officers, directors, agents, employees, committee or task force members, successors, and assigns.

B. Defendant shall require, as a condition of any merger with or acquisition by any other organization, that the organization to which defendant is to be merged or by which it is to be acquired agree to be bound by the provisions of this Final Judgment.

IV. Prohibited Conduct

Defendant is hereby enjoined and restrained from:

A. Directly or indirectly entering into, adhering to, or enforcing any agreement with any dealer to fix, stabilize or maintain the prices at which motor vehicles may be sold or offered by any person for sale in the United States to any consumer;

B. Urging, encouraging, advocating or suggesting that dealers adopt specific prices, specific gross or retail margins, specific pricing systems, specific markups, specific discounts, or specific policies relating to the advertising of prices, invoices or costs for the sale of motor vehicles by dealers in the United States;

C. Urging, encouraging, advocating or suggesting that dealers refrain from adopting specific pricing systems or specific policies relating to the advertising of prices, invoices or costs for the sale of motor vehicle by dealers in the United States;

D. Urging, encouraging, advocating or suggesting that dealers (1) refuse to do business with particular persons or types of persons, (2) reduce the amount of business they do with particular persons or types of persons, or (3) do business with particular persons or types of persons only on specified terms;

E. Terminating from membership any dealer for reasons relating to that dealer's price or prices, gross or retail margins, pricing systems, markups, discounts, or specific policies relating to the advertising of prices, invoices or costs for motor vehicles in the United States.

V. Limiting Conditions

A. Nothing in this Final Judgment shall prohibit defendant from:

1. Continuing to disseminate specific valuation information in the N.A.D.A. Official Used Car Guide;

2. Engaging in collective actions to procure government action when such actions are protected under the Noerr-Pennington doctrine, as established by Eastern Railroad Presidents Conference v. Noerr Motor Freight, Inc., 365 U.S. 127, 81 S.Ct. 523 (1961) and United Mine Workers v. Pennington, 381 U.S. 657, 85 S.Ct. 1585 (1965);

3. Presenting the views, opinions or concerns of its members on topics to manufacturers, dealers, consumers or other interested parties, provided that such activities do not violate any provision contained in Part IV. above;

4. Conducting surveys or gathering statistical facts or other facts and data relating to dealers, publishing or disseminating such information in written materials, studies, reports, seminars or programs, or otherwise providing information to manufacturers, dealers, consumers or other interested parties in accordance with Maple Flooring Mfrs. Ass'n v. United States, 268 U.S. 563 (1925) and its progeny, provided that such activities do not violate any provision contained in Part IV. above;

5. Participating in bona fide dispute resolution activities, including but not limited to AUTOCAP, involving complaints by specific consumers or dealers arising from specific transactions to which such consumers or dealers are parties;

6. Disseminating information about, or encouraging compliance with, any laws and government regulations including, but not limited to, tax laws, Federal Trade Commission rules and guides, Internal Revenue Service cash reporting requirements, and Federal Reserve Board regulations.

B. Nothing in this Final Judgment shall prohibit any individual dealer, acting along and not on behalf of or in concert with defendant or any of defendant's officers, directors, agents, employees, committee or task force members, successors, or assigns, from negotiating any terms of the dealer's business relationship with any manufacturer, including a manufacturer's policies.

VI. Notification Provisions

Defendant is ordered and directed:

A. To publish the Final Judgment and a written notice, in the form attached as Appendix A to this Final Judgment, in Automotive Executive within sixty (60) days of the entry of this final Judgment; and

B. To send a written notice, in the form attached as appendix A to this Final Judgment, to each dealer who becomes a member of NADA within ten (10) years of entry of this Final Judgment and who was not previously given such notice. Such notice shall be sent within thirty (30) days after the dealer becomes a member of NADA.

VII. Compliance Program

Defendant is ordered to establish and maintain an antitrust compliance program which shall include designating, within 30 days of entry of this Final Judgment, an Antitrust Compliance Officer with responsibility for implementing the antitrust compliance program and achieving full compliance with this Final Judgment. The Antitrust Compliance Officer shall, on a continuing basis, be responsible for the following:

A. Furnishing a copy of this Final Judgment within thirty (30) days of entry of the Final Judgment to each of defendant's officers, directors, employees, and committee or task force members, except for employees whose functions are purely clerical or manual and members of committees or task forces that do not address issues related to the sale or purchase of automobiles;

B. Furnishing in a timely manner a copy of this Final Judgment to any person who succeeds to a position described in Section VII (A);

C. Arranging for an annual briefing to each person designated in Sections VII (A) or (B) on the meaning and requirements of this Final Judgment and the antitrust laws;

D. Obtaining from each person designated in Sections VII (A) or (B), certification that he or she (1) has read and, to the best of his or her ability, understands and agrees to abide by the terms of this Final Judgment; (2) is not aware of any violation of the Final Judgment that has not been reported to the Antitrust Compliance Officer; and (3) understands that any person's failure to comply with this Final Judgment may result in an enforcement action for civil or criminal contempt of court against NADA and/or any person who violates this Final Judgment;

E. Maintaining (1) a record of all certifications received pursuant to Section VII (D); (2) a file of all documents related to any alleged violation of this Final Judgment; and (3) a record of all non-privileged communications related to any such violation, which shall identify the date and place of the communication, the persons involved, the subject matter of the communication, and the results of any related investigation;

F. Reviewing the final draft of each speech and policy statement made by any officer, director, employee, or committee or task force member in order to ensure its adherence with this decree;

G. Reviewing the purpose for the formation or creation of each committee and task force in order to ensure its adherence with this decree;

H. Reviewing the content of each letter, memorandum, and report written by or on behalf of any director in his or her capacity as an NADA director or on NADA stationery in order to ensure its adherence with this decree.

VIII. Certification

A. Within 75 days of the entry of this Final Judgment, defendant shall certify to plaintiff whether the defendant has designated an Antitrust Compliance Officer and has distributed the Final Judgment in accordance with Section VI (A) above.

B. For ten years after the entry of this Final Judgment, on or before its anniversary date, the defendant shall file with the plaintiff an annual statement as to the fact and manner of its compliance with the provisions of Sections VI and VII.

C. If defendant's antitrust Compliance Officer learns of any violations of any of the terms and conditions contained in this Final Judgment, defendant shall immediately take appropriate action to terminate or modify the activity so as to comply with this Final Judgment.

IX. Plaintiff Access

A. For the purpose of determining or securing compliance with this Final Judgment, and for no other purpose, duly authorized representatives of plaintiff shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant, made to its principal office, be permitted, subject to any legally recognized privilege:

1. Access during the defendant's office hours to inspect and copy all records and documents in the possession or under the control of defendant, which may have counsel present, relating to any matters contained in this Final Judgment; and

2. To interview the defendant's officers, employees and agents, who may have counsel present, regarding any such matters. The interviews shall be subject to the defendant's reasonable convenience.

B. Upon the written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division made to defendant at its principal office, defendant shall submit such written reports, under oath if requested, with respect to any of the matters contained in this Final Judgment as may be requested, subject to any legally recognized privilege.

C. No information or documents obtained by the means provided in this Section VIII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which the United States is a party, or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

D. If at the information or documents are furnished by defendant to plaintiff, defendant represents and identifies in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(7) of the Federal Rules of Civil Procedure, and defendant marks each pertinent page of such material, ''Subject to claim of protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure,'' then ten (10) days' notice shall be give by plaintiff to defendant prior to divulging such material in any legal proceeding (other than a grand jury proceeding), so that defendant shall have an opportunity to apply to this Court for protection pursuant to Rule 26(c)(7) of the Federal Rules of Civil Procedure.

X. Duration of Final Judgment

Except as otherwise provided hereinabove, this Final Judgment shall remain in effect until ten (10) years from the date of entry.

XI. Construction, Enforcement, Modification and Compliance

Jurisdiction is retained by the Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification of any of its provisions, for its enforcement or compliance, and for the punishment of any violation of its provisions.

XII. Public Interest

Entry of this Final Judgment is in the public interest.

Dated: _____

_____

United States District Judge

Appendix A

On September 20, 1995, the Antitrust Division of the United States Department of Justice filed a civil suit that alleged that the National Automobile Dealers Association (''NADA'') had engaged in certain practices that violated one section of the antitrust laws. NADA denies that its conduct violated the law. However, in order to avoid the delay, expense and burden of protracted litigation, NADA, without admitting any violation of the law and without being subject to any monetary penalties, has agreed to the entry of a civil Consent Order to settle this matter. This Consent Order applies to NADA and all of its officers, directors, employees, agents, and committee and task force members, but not to dealers acting on their own.

Under the Consent Order, NADA may not enter into, adhere to, or enforce any agreement with any dealer to fix the prices at which new cars are sold or offered. NADA is also prohibited from recommending that dealers (1) adopt specific prices or pricing policies, specific margins, or specific advertising policies relating to prices or costs for automobile sales, (2) refrain from adopting specific pricing systems or specific policies relating to the advertising of prices or costs for automobile sales, as invoice advertising, and (3) refuse to do business or reduce the amount of business they do with particular people or types of people. NADA is further prohibited from terminating from membership any dealer based upon that dealer's prices or specific policies relating to the advertising of prices or costs for automobile sales. Failure to comply with this Consent Order may result in conviction for criminal contempt of court.

This Consent Order does not prohibit NADA from continuing certain activities, including publishing the N.A.D.A. Official Used Car Guide, lobbying before legislatures and regulatory agencies, offering dispute resolution programs, including the AUTOCAP program, educating members on compliance with laws and regulations, and presenting dealers' views to manufacturers, consumers or other interested parties in ways that do not otherwise violate the Consent Order.

Competitive Impact Statement

The United States of America, pursuant to Section 2 of the Antitrust Procedures and Penalties Act (''APPA''), 15 U.S.C. 16(b), submits this Competitive Impact Statement regarding the proposed Final Judgment submitted for entry in this civil antitrust proceeding.

1. Nature and Purpose of the Proceeding

On September 20, 1995, the United States filed a civil antitrust complaint under Section 4 of the Sherman Act, as amended, 15 U.S.C. 4, alleging that the defendant, the National Automobile Dealers Association (''NADA''), entered into agreements intended to lessen competition in the retail automobile industry in violation of Section 1 of the Sherman Act, 15 U.S.C. 1. Specifically, the complaint alleges that the NADA, through its officers and directors:

(a) Agreed to orchestrate a group boycott in an attempt to coerce automobile manufacturers to decrease the discounts offered to large volume buyers and to eliminate consumer rebates;

(b) Agreed to urge its dealer members to maintain new vehicle inventories at levels equal to 15–30 days' supply;

(c) Solicited and obtained agreements from member dealers not to engage in invoice advertising; and

(d) Agreed to urge its members not to do business with automobile brokers.

The complaint seeks relief that would prevent the NADA from continuing or renewing the alleged practices and agreements, or engaging in other practices or agreements that would have a similar purpose or effect.

On September 20, 1995, the United States and the NADA also filed a stipulation in which they consented to the entry of a proposed Final Judgment that would prohibit the NADA from engaging in certain anticompetitive practices, and would require the NADA to implement an antitrust compliance program. The proposed Final Judgment provides all of the relief that the United States seeks in the Complaint.

The United States and the NADA have agreed that the Court may enter the proposed Final Judgment after compliance with the Antitrust Procedures and Penalties Act (''APPA''), 15 U.S.C. 16 (b)–(h), provided the United States has not withdrawn its consent. Entry of the proposed Final Judgment will terminate the action, except that the Court will retain jurisdiction over the matter proceedings to construe, modify, or enforce the Final Judgment, or to punish violations of any of its provisions.

II. Description of Practices Giving Rise to the Alleged Violation of the Antitrust Laws

The NADA is a national trade association, headquartered in McLean, Virginia, that represents approximately 84% of the franchised new car and truck dealers in the United States. Franchised dealers purchase new cars and trucks from manufacturers pursuant to franchise agreements, and in turn sell those cars and trucks and provide related services to consumers. The members of the NADA compete with each other and with other car and truck dealers to sell motor vehicles and other auto products and services to consumers. Dealers compete by offering different prices, quality of service, and selection of cars. NADA's members had retail sales of products and services of approximately $375 billion in 1993.

1. Agreement Concerning Inventory Levels

In recent years, automobile manufacturers have used certain sales and marketing practices designed to stimulate car sales, including fleet subsidies and consumer rebates. Fleet subsidies are discounts offered to purchasers of large quantities of cars, such as rental car companies and large corporations. These discounts can be larger than the discounts offered to franchised dealers. Fleet purchasers often resell fleet vehicles directly to the public or to non-franchised automobile dealers, who in turn sell them to the public. Prior to 1991, many fleet vehicles were sold in the same year as new cars of the same model year. Fleet vehicles, therefore, directly competed with new vehicle sales, but fleet cars were sometimes offered at prices thousands of dollars less than similar new cars. During the late 1980's and early 1990's, the NADA objected to manufacturers' practices of offering substantial fleet discounts. The NADA claimed that fleet subsidies created a class of vehicles that, because of their lower prices and mileage, unfairly increased competition with new vehicle sales.

The NADA also objected to manufacturers' use of consumer rebates to stimulate sales. Consumer rebates are cash incentives offered by manufacturers directly to consumers. In recent years, manufacturers have increased the amount and frequency of consumer rebates that they offered to entice consumers to purchase new automobiles. During the time period covered by the Complaint, many analysts estimated that consumer rebates saved consumers as much as $1,000 per car. Many franchised dealers believe that when manufacturers offer rebates to consumers, franchised dealers are forced to offer their own rebates to consumers who purchase cars immediately before or after the rebate period. During the late 1980's and early 1990's, the NADA repeatedly urged manufacturers to give franchised dealers, rather than consumers, all discounts and incentives designed to stimulate sales.

In September, 1989, the NADA's president drafted a document entitled ''An Open Letter to All Dealers'' (''Open Letter''). The Open Letter claimed that manufacturers' use of fleet subsidies had contributed to automobile dealers' financial difficulties. It also discussed the NADA's attempts to convince consumer manufacturers not to offer rebates to consumes, and instead to give all incentives to dealers. The Open Letter concluded with a recommendation that all automobile dealers reduce their inventories to a 15–30 day supply of new vehicles. The letter then stated that the NADA would ''advise dealers immediately of any movement by their franchisers which will assist dealers.''

Dealers customarily have substantially more than 15–30 days' supply of new cars in inventory at any given time. Sixty to ninety days' supply is more typical. A dealer that unilaterally reduced its inventory by a substantial amount would risk losing sales to other dealers that maintain greater selection of cars. If dealers collectively reduced inventories, however, they could lower their inventory costs without losing sales to competing dealers. Such an action would adversely affect manufacturers, which would see a dramatic reduction in orders.

On October 23, 1989, the NADA president wrote a letter to Oregon dealers in which he called the Open Letter the NADA's ''first response'' to manufacturers who made little or no compromise with the NADA. The Open Letter was unanimously endorsed by the NADA's Executive Committee and board of directors and published in the October 30, 1989 issue of Automotive News as a two page advertisement. It was also published in the NADA's official publication, Automotive Executive, and sent to numerous representatives of the media and major automobile manufacturers.

At the NADA's 1990 Annual Convention, the NADA president claimed that the had been unable to obtain any concessions from manufacturers until after the Open Letter was published and dealers responded by cutting their new car orders. He further observed that: ''Twenty-five thousand dealerships—doing anything more or less together—is bound to come to the attention of our suppliers.''

The Complaint alleges that the Open Letter reflected an agreement by the NADA to reduce and maintain inventory levels equal to 15–30 day's supply unless and until automobile manufacturers adopted policies more favorable to dealers. An agreement by a trade association to recommend that all dealers maintain a particular inventory level is a *per se* violation of section 1 of the Sherman Act. An agreement by a trade association to boycott a supplier by encouraging its members to withhold or reduce orders is also a *per se* violation of the Sherman Act.

2. Agreement Concerning Advertising

Invoice advertising is advertising that reveals the dealer's invoice or cost to purchase a vehicle, or offers to sell the vehicle to the public at price based upon the dealer's invoice or cost to purchase the vehicle. The Complaint alleges that the NADA has frequently expressed its opposition to invoice advertising, at least in part because it believes that such advertising leads to

lower retail selling prices for new vehicles.

On several occasions between 1989 and 1994, an officer of the NADA contacted automobile manufacturers to complain about dealers who had engaged in invoice advertising. The NADA officer also complained directly to the dealers in question about the advertisements. He used NADA letterhead and referred to his position with the NADA in a manner that suggested that the was acting on behalf of NADA in communicating his complaints and seeking agreement from the dealers. In some instances, the NADA officer obtained the dealers' agreement not to engage in further invoice advertising. Such an agreement by a trade association or its members not to engage in certain types of advertising is a *per se* violation of the antitrust laws.

3. Agreement To Boycott Brokers

Automobile brokers generally buy new vehicles from franchised dealers at discounted prices and resell the vehicles directly to the public in competition with franchised dealers. On numerous occasions, the NADA has expressed its dissatisfaction with competition by brokers. In 1994 a task force appointed by the NADA's Board of Directors issued a report urging dealers to boycott automobile brokers. The report recommended that dealers ''Refuse to do business with brokers or buying services. They inevitably do harm to new vehicle gross margin potential.'' Although the NADA eventually revised the report to eliminate that recommendation, the original version of the report was first disseminated to over 200 dealer representatives and other individuals active in the automobile industry. An agreement by a trade association or its members not to do business with other competitors or customers for purposes of restricting price competition is a *per se* violation of the Sherman Act.

III. Explanation of the Proposed Final Judgment

The parties have stipulated that the Court may enter the proposed Final Judgment at any time after compliance with the APPA. The proposed Final Judgment states that it shall not constitute an admission by either party with respect to any issue of fact or law. Section III of the proposed Final Judgment provides that it shall apply to the NADA and each of its officers, directors, agents, employees, committee and task force members, and successors, and any organization that acquires or merges with the NADA.

Section IV of the Proposed Final Judgment contains five categories of prohibited conduct. Section IV(A) contains a general prohibition against any agreements by the NADA with dealers to fix, stabilize or maintain prices at which motor vehicles may be sold or offered in the United States to any consumer. Sections IV (B)–(E) address the specific activities of the NADA and its officers and directors that were the source of the antitrust violations.

Section IV(B) of the Proposed Final Judgment prohibits the NADA from urging, encouraging, advocating, or suggesting that dealers adopt specific margins, specific discounts, or specific policies relating to the advertising of prices or dealer costs of motor vehicles. Similarly, Section IV(C) prohibits the NADA from discouraging dealers from adopting specific pricing systems or specific policies relating to the advertising of prices or dealer costs of motor vehicles. Sections IV (B) and (C) prohibit the NADA from urging or encouraging members to make uniform or collective decisions with respect to key areas in which they compete, such as prices or advertisements.

Section IV(D) prohibits the NADA from urging dealers to refuse to do business with particular types of persons, to reduce their business with particular types of persons, or to do business with particular persons only on specified terms. This provision is intended to prohibit the NADA from using the threat of a group boycott to attempt to pressure manufacturers into changing policies. It will also bar the NADA from urging dealers to reduce or eliminate the amount of business they do with particular types of buyers, such as brokers. Finally, Section IV(E) prohibits the NADA from terminating the membership of any dealer for reasons relating to that dealer's pricing or advertising of prices or dealer costs.

Section V of the Proposed Final Judgment contains certain limiting provisions that clarify the scope of the prohibitions in Section IV. Section V identifies specific NADA activities that are unlikely to restrict competition and are not prohibited by the decree. Specifically, Section V(A) provides that the NADA may (1) continue to disseminate specific valuation information in the N.A.D.A. Official Used Car Guide; (2) engage in collective action to procure government action, such as lobbying activities, when those actions are immune from antitrust challenge under the Noerr-Pennington doctrine; (3) present the views, opinions, or concerns of its members on topics to manufacturers, dealers, consumers, or other interested parties, provided that such activities do not violate any provision contained in Part IV; (4) conduct surveys, and gather and disseminate information, in accordance with *Maple Flooring Mfrs. Ass'n* v. *United States*, 268 U.S. 563 (1925) and its progeny; (5) participate in bona fide dispute resolution activities involving the parties to specific transactions; and (6) disseminate information about laws and government regulations that affect dealers, and encourage dealers to comply with those laws. Section V(B) clarifies that nothing in the proposed Final Judgment limits individual dealers' rights to act independently.

Section VI of the Proposed Final Judgment requires the NADA to publish a notice describing the Final Judgment in Automotive Executive, the NADA's automobile industry trade publication, within 60 days after this proposed Final Judgment is entered, and to send a copy of the notice to each dealer who becomes a member of the NADA during the ten-year life of this Final Judgment.

Secitons VII and VIII require the NADA to set up an antitrust compliance program to ensure that the NADA's members are aware of and comply with the limitations in the proposed Final Judgment and antitrust laws. They require the NADA to designate an antitrust compliance officer and to furnish a copy of the Final Judgment, together with a written explanation of its terms, to each of its officers, directors, non-clerical employees, and members of committees and task forces that address issues related to the purchase and sale of automobiles. The NADA is also required to review the final draft of each speech and policy statement by each officer, director, employee, and committee and task force member, as well as the content of each letter, memorandum and report written by or on behalf of each director in his capacity as NADA director, in order to ensure adherence to the Final Judgment.

Section IX of the Proposed Final Judgment provides that, upon request of the Department of Justice, the NADA shall submit written reports, under oath, with respect to any of the matters contained in the Final Judgment. Additionally, the Department of Justice is permitted to inspect and copy all books and records, and to interview officers, directors, employees and agents of the NADA.

The Government believes that the proposed Final Judgment is fully adequate to prevent the continuation or recurrence of the violations of Section 1 of the Sherman Act alleged in the Complaint, and that disposition of this

proceeding without further litigation is appropriate and in the public interest.

IV. Remedies Available to Potential Private Litigants

Section 4 of the Clayton Act, 15 U.S.C. 15, provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages the person has suffered, as well as costs and reasonable attorneys fees. Entry of the proposed Final Judgment will neither impair nor assist the bringing of any private antitrust damage action. Under the provisions of Section 5(a) of the Clayton Act, 15 U.S.C. 16(a), the Final Judgment has no *prima facie* effect in any subsequent private lawsuit that may be brought against the defendant.

V. Procedures Available for Modification of the Proposed Final Judgment

The United States and the defendant have stipulated that the proposed Final Judgment may be entered by the Court after compliance with the provisions of the APPA, provided that the United States has not withdrawn its consent.

The APPA provides a period of at least 60 days preceding the effective date of the proposed Final Judgment within which any person may submit to the United States written comments regarding the proposed Final Judgment. Any person who wants to comment should do so within 60 days of the date of publication of this Competitive Impact Statement in the Federal Register. The United States will evaluate the comments, determine whether it should withdraw its consent, and respond to the comments. The comments and the response of the United States will be filed with the Court and published in the Federal Register.

Written comments should be submitted to: Mary Jean Moltenbrey, Chief, Civil Task Force II, U.S. Department of Justice, Antitrust Division, 315 7th Street, NW., Room 300, Washington, DC. 20530.

Under Section X of the proposed Final Judgment, the Court will retain jurisdiction over this matter for the purpose of enabling either of the parties to apply to the Court for such further orders or directions as may be necessary for the construction, implementation, modification, or enforcement of the Final Judgment, or for the punishment of any violations of the Final Judgment.

VI. Alternatives to the Proposed Final Judgment

The only alternative to the proposed Final Judgment considered by the Government was a full trial on the merits and on relief. Such litigation would involve substantial cost to the United States and is not warranted, because the proposed Final Judgment provides appropriate relief against the violations alleged in the Complaint.

VII. Determinative Materials and Documents

No particular materials or documents were determinative in formulating the proposed Final Judgment. Consequently, the Government has not attached any such materials or documents to the proposed Final Judgment.

Dated: September 20, 1995.

Respectfully submitted,

Mary Jean Moltenbrey,

Chief.

Robert J. Zastrow,

Assistant Chief.

Minaksi Bhatt,

Susan L. Edelheit,

D.C. Bar #250720.

Theodore R. Bolema,

Attorneys, Civil Task Force II Antitrust Division, U.S. Department of Justice, 325 7th Street, NW., Room 300, Washington, DC. 20530.

[FR Doc. 95–24380 Filed 9–29–95; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF LABOR

Office of the Secretary

Certification Records for Tests, Inspections, Maintenance Checks and Training

AGENCY: Office of the Secretary, Labor.

SUMMARY: The Director, Office of Information Resources Management Policy, invites comments on the following proposed expedited review information collection request as required by the Paperwork Reduction Act of 1980, as amended.

DATES: This expedited review is being requested in accordance with the Act, since allowing for the normal review period would adversely affect the public interest. Approval by the Office of Management and Budget (OMB) has been requested by September 29, 1995.

ADDRESSES: Written comments should be addressed to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, 725 17th St., NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection request should be addressed to Theresa M. O'Malley, Department of Labor, 200 Constitution Ave., NW Room N–1301, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Theresa M. O'Malley, (202) 219–5095. Individuals who use a telecommunications device for the deaf (TTY/TDY) may call (202) 219–4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 3517) requires that the Director of OMB provide interested persons an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with the agency's ability to perform its statutory obligations.

The Director, Office of Information Resources Management Policy, publishes this notice simultaneously with the submission of this request to OMB. This notice contains the following information:

Type of Review: Expedited Review
Title: Certification Records For Tests, Inspections, Maintenance Checks and Training
Frequency of Response: Varies
Affected Public: Business or other for-profit; Federal Government; State Government
Number of Respondents: 6 Million
Estimated Time per Response: Five minutes to two hours
Total Annual Burden Hours: 8.7 million
Respondents Obligation to Reply:
Description: There are 33 provisions in OSHA's safety standards (Parts 1910, 1915, and 1926) that require employers to conduct tests, inspections, maintenance checks or training, and to prepare a certification record which indicates the date of the test, inspection, maintenance check or training was done and what was inspected, etc. The record must be signed and kept on file.

Signed at Washington, D.C., this 26th day of September 1995.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

[FR Doc. 95–24399 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–26–M

Employment and Training Administration

[TA–W–29,571; TA–W–29,571A]

AT&T Microelectronics, Allentown, Pennsylvania and Orlando, Florida; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued an Amended Certification of Eligibility to Apply for Worker Adjustment Assistance on May 16, 1994, applicable to all workers at AT&T Microelectronics located in Allentown, Pennsylvania.

At the request of an affected worker, the Department reviewed the certification for the subject firm. New findings show that worker separations have occurred at the subject firm's production facility in Orlando, Florida. The workers produce integrated circuits.

The intent of the Department's certification is to include all workers of AT&T Microelectronics adversely affected by increased imports. Accordingly, the Department is amending the certification to cover the workers of the subject firm in Orlando, Florida.

The amended notice applicable to TA–W–29,571 is hereby issued as follows:

All workers of AT&T Microelectronics, Allentown, Pennsylvania (TA–W–29,571) and Orlando, Florida (TA–W–29,517A) engaged in employment related to the production of integrated circuits who became totally or partially separated from employment on or after February 17, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 19th day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95–24396 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–29,496]

Electronix Servicenter, Irving, Texas; Notice of Revised Determination on Reconsideration

The Department, on its own motion, has reconsidered its negative determination in *Former Employees of Electronix Service Center* v. *Robert Reich,* No. 94–06–00356, U.S. Court of International Trade. As a result of this reconsideration, the Department is now certifying the workers of Electronix Servicenter (''Electronix''), in Irving, Texas, as eligible to apply for trade adjustment assistance under Section 223 of the Trade Act of 1974.

As stated in the Department's July 13, 1994, denial on reconsideration for the subject firm, Electronix's customers reported no imports of computers like or directly competitive with those produced by Electronix. Administrative Record (''AR'') at 43. New investigation findings, however, show that a major customer of Electronix changed its earlier statement to the Department and reported that, during the base period in question, it purchased computers competitive with those produced by Electronix workers, at discount retail stores. When combined with nationwide import figures, this new finding suggests that Electronix customers could be purchasing indirect imports of computers. These import figures show that the value of U.S. imports of data processing equipment and parts increased absolutely and relative to domestic shipments in the time period relevant to the investigation. AR at 13–15.

The Irving facility was closed August 31, 1993 and all workers separated at that time.

Conclusion

After careful review of the additional facts obtained on reconsideration, it is concluded that increased imports of articles like or directly competitive with computers produced at Electronix Servicenter, Irving, Texas contributed importantly to the decline in sales or production and to the total or partial separation of workers at subject firm. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

''All workers of Electronix Servicenter, Irving, Texas who became totally or partially separated from employment on or after September 29, 1992 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.''

Signed at Washington, DC this 20th day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95–24394 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–30,880]

G.E. Power Systems Including Corporate Research and Development and G.E. Computer Services Schenectady, New York; Amend Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on May 18, 1995, applicable to all workers of G.E. Power Systems, Schenectady, New York. The certification was amended June 9, 1995 to include the Corporate Research and Development Division of the subject firm. The amended notice was published in the Federal Register on June 21, 1995 (60 FR 32347).

At the request of the petitioners the Department reviewed the certification for workers of the subject firm. New findings show some workers were transferred from the subject firm to G.E. Capital Computer Services but continued to provide ongoing support services for G.E. Power Systems. Layoffs subsequently occurred at G.E. Capital Computer Services. The Department is amending the certification to include workers of G.E. Capital-Computer Services that provided support services related to the production of steam turbines and generators.

The intent of the Department's certification is to include all workers of G.E. Power Systems adversely affected by imports.

The amended notice applicable to TA–W–30,880 is hereby issued as follows:

''All workers of G.E. Power Systems, including Corporate Research and Development, and workers of G.E. Capital Computer Services providing support services related to the production of steam turbines and generators at G.E. Power Systems, Schenectady, New York who became totally or partially separated from employment on or after November 19, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.''

Signed at Washington, DC, this 21st day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services Office of Trade Adjustment Assistance.

[FR Doc. 95–24393 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address show below, not later than October 12, 1995.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 12, 1995.

The petitions filed in the case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 18th day of September, 1995.

Victor J. Trunzo,

Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

Appendix

PETITIONS INSTITUTED ON 09/18/95

TA–W	Subject firm (petitioners)	Location	Date of petition	Product(s)
31,417	Parker Drilling Co. (Co.)	Tulsa, OK	09/01/95	Crude Oil & Natural Gas.
31,418	Lincoln Brass Works Inc. (IAM)	Waynesboro, TN	08/10/95	Manifolds, Brass Valves & Assemblies.
31,419	Fifth Street Slacks (Wkrs.)	Louisville, GA	09/07/95	Men's and Boys' Slacks.
31,420	Eaton Corporation (Wkrs.)	Crystal Lake, IL	09/06/95	Timer Motors for Washers & Driers.
31,421	Continental Systems (Co.)	Jonesboro, AR	09/07/95	Exercise Equipment.
31,422	Concord Fabrics, Inc. (Wkrs.)	Washington, GA	08/28/95	Woven Fabrics.
31,423	Astor Knitting Mills, Inc (Wkrs.)	Reading, PA	09/07/95	Ladies' Swimsuits.
31,424	AI of Tennessee, Inc (Co.)	Powell, TN	09/07/95	Men's & Ladies' Sweatshirts, T-Shirts.
31,425	Walker Equipment Corp. (Co.)	Ringgold, GA	08/29/95	Telephone Headsets & Handsets.
31,426	Wonder Well Service, Inc. (Wkrs.)	Glenville, WV	08/11/95	Provide Well Services.
31,427	Tri-Con Industries (UNITE)	Cape Girardeau, MO	09/01/95	Auto Seat Covers.
31,428	Shorewood Packaging (IUE)	Pittsford, NY	09/05/95	Packaging for Retail Merchandise.
31,429	Pine Shirt Company (Co.)	Pottsville, PA	09/05/95	Ladies' Blouses.
31,430	Pennant Service Co. (Co.)	Denver, CO	08/29/95	Provide Oil & Gas Well Services.
31,431	Max Kahn Curtain Corp (Co.)	Evergreen, AL	08/29/95	Soft Home Furnishings.
31,432	B.W. Harris Mfg. Co. (Co.)	West St. Paul, MN	08/25/95	Men's Outerwear.
31,433	Smith Valve Corp. (Wkrs.)	Whitinsville, MA	09/07/95	Brass Ball Valves.
31,434	CVI, Incorporated (PPF)	Hilliard, OH	06/06/95	Cryogenics & High Vaccum Equipment.
31,435	Consolidated Oil & Gas (Wkrs.)	Denver, CO	08/31/95	Oil & Gas Exploration, Production.
31,436	Elf Exploration, Inc. (Wkrs.)	Houston, TX	08/31/95	Oil and Gas.
31,437	HALC (Wkrs.)	Belle Vernon, PA	09/05/95	Christmas Theme Apparel.
31,438	Angelica Uniform Group (Wkrs.)	Ackerman, MS	08/31/95	Men's & Ladies' Dress & Work Shirts.
31,439	Prestwyck Ltd. (Wkrs.)	Thomson, GA	09/05/95	Ladies' Sportswear.

[FR Doc. 95–24395 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

Sara Lee Knit Products; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on August 26, 1994, applicable to all workers of Sara Lee Knit Products at various plants in Martinsville, Virginia and Midway, Georgia. The certification was subsequently amended to include Sara Lee Knit Product workers at the subject firm plants located in Gretna, Virginia and Morganton, North Carolina. The amended notices were issued September 16, 1994 and February 25, 1995, and published in the Federal Register on September 27, 1994 (59 FR 49257) and March 10, 1995 (60 FR 13179), respectively.

The Department reviewed the subject certification, and is again amending the certification to cover the workers at the Sara Lee Knit Product locations in Mocksville and Sparta, North Carolina. The workers produce T-shirts. The findings show that production and sales data for these additional locations were included in the corporate statistics provided by Sara Lee. Company officials report layoffs have occurred.

The intent of the Department's certification is to include all workers of Sara Lee Knit Products who were adversely affected by imports.

The amended notice applicable to TA–W–30,089 through TA–W–30,092 is hereby issued as follows:

''All workers of Sara Lee Knit Products, Martinsville, Virginia (TA–W–30,089); Gretna, Virginia (TA–W–30,089A); Morganton, North Carolina (TA–W–30,089B); Mocksville, North Carolina (TA–W–30,089C); Sparta, North Carolina (TA–W–30,089D); Midway, Georgia (TA–W–30,090); Cloverleaf Knitting, Martinsville, Virginia (TA–W–30,091); and Central Distribution, Martinsville, Virginia (TA–W–30,092) respectively, who became totally or partially separated from employment on June 27, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.''

Signed at Washington, D.C. this 19th day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95–24397 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

Texaco Exploration and Production, Inc.; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 2, 1994, applicable to all workers of Texaco Exploration and Production, Inc., operating at various locations in the United States. The certification was subsequently amended December 16, 1994 and March 16, 1995, to include workers of the subject firm operating in additional States. The amendments were published in the Federal Register on January 4, 1995 (60 FR 48) and March 27, 1995 (60 FR 15793), respectively.

At the request of petitioners, the Department reviewed the subject certification. New information received from the company shows that certain groups within the Comptrollers Department of Texaco, Inc., including Producing Accounting—Bakersfield; Denver; New Orleans; Midland; Gas-East; Gas-West; and Texaco Natural Gas directly support the operations of Texaco Exploration and Production, Inc. New findings show that there have been worker separations. Further findings show that effective January 1, 1995 all Texaco, Inc. service departments, including the Comptrollers Department, were assigned to a new subsidiary called Texaco Groups Inc. Accordingly, the Department is amending the certification to include workers in the Comptrollers Department.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased imports.

The amended notice applicable to TA–W–30,378B, TA–W–30,378C, TA–W–30,378F, and TA–W–30,378K is hereby issued as follows:

''All workers of Texaco Exploration and Production, Inc. and the Comptrollers Department of Texaco, Inc. a/k/a Texaco Group Inc., operating out of various locations as specified below engaged in the exploration and production of crude oil, natural gas liquids and natural gas who became totally or partially separated from employment on or after October 3, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974:

TA–W–30,378B California (Including Producing Accounting—Bakersfield)
TA–W–30,378C Colorado (Including Producing Accounting—Denver)
TA–W–30,378F Louisiana (Including Producing Accounting—New Orleans)
TA–W–30,378K Texas (Including Producing Accounting—Midland; Producing Accounting—Gas-East; Producing Accounting—Gas-West; and Producing Accounting—Texaco Natural Gas).''

Signed at Washington, D.C. this 21st day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95–24392 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

Sara Lee Knit Products; Amended Certification Regarding Eligibility To Apply for NAFTA Transitional Adjustment Assistance

In accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 USC 2273), the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on August 5, 1994, applicable to all workers of the several plants and facilities of the Sara Lee Knit Products, in Martinsville, Virginia.

The certification was subsequently amended to cover workers at the subject firm locations in Gretna, Virginia and Morganton, North Carolina. The notice was published in the Federal Register on March 10, 1995 (60 FR 13182).

At the request of the company the Department reviewed the certification for workers of the subject firm. New information received from the company reveals that worker separations have occurred at the Sara Lee Knit Product locations in Mocksville and Sparta, North Carolina.

The intent of the Department's certification is to include all workers who were adversely affected by increased imports. Accordingly, the Department is again amending the certification to include the Sara Lee Knit Products workers located in Mocksville and Sparta, North Carolina.

The amended notice applicable to NAFTA—00168 is hereby issued as follows:

''All workers of Sara Lee Knit Products plants located in Martinsville, Virginia (NAFTA–00168); Gretna, Virginia (NAFTA–00168A); Morganton, North Carolina (NAFTA–00168B); Mocksville, North Carolina (NAFTA–00168C); and Sparta, North Carolina (NAFTA–00168D) who became totally or partially separated from employment on or after December 8, 1993 are eligible to apply for NAFTA–TAA Section 250 of the Trade Act of 1974.''

Signed at Washington, DC, this 19th day of September 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95–24398 Filed 9–29–95; 8:45 am]

BILLING CODE 4510–30–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 95–090]

Notice of Prospective Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of prospective patent license.

SUMMARY: NASA hereby gives notice that VivoRx Pharmaceuticals, Inc., of Santa Monica, California, has requested a partially exclusive license to practice the inventions described in: U.S. Patent No. 5,153,132 entitled ''Three-Dimensional Co-Culture Process''; U.S. Patent No. 5,308,764 entitled ''Multi-Cellular Three-Dimensional Living Mammalian Tissue''; U.S. Patent No. 5,155,034 entitled ''Three-Dimensional Cell to Tissue Assembly Process''; U.S. Patent No. 5,330,908 entitled ''High Density Cell Culture System''; U.S. Patent No. 4,839,046 entitled ''Bio-Reactor Chamber''; U.S. Patent No. 5,026,650 entitled ''Horizontally Rotated Cell Culture System with a Coaxial Tubular Oxygenator''; and U.S. Patent No. 5,002,890 entitled ''Spiral Vane Bio-Reactor''; and the inventions disclosed in the following patent applications: Serial No. 08/170,488, Three-Dimensional Co-Culture Process''; Serial No. 08/066,292, ''Process for Complex Three-Dimensional Co-Culture of Normal Human Small Intestine''; Serial No. 08/277,827, ''Horizontal Rotating Ozygentator for High-Density Cell Culture''; Serial No. 08/172,962, ''Process for Developing High-Fidelity Three Dimensional Tumor Models for Human Bladder Carcinoma''; Serial No. 08/366,065, ''Horizontal Rotating-Wall Vessel Propagation in Vitro Human Tissue Models''; and Serial No. 08/291,791, ''Recombinant Protein Production and Insect Cell Culture and Process''; all of which are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should

be sent to Mr. James M. Cate, Patent Attorney, NASA Johnson Space Center.

DATES: Responses to this Notice must be received by December 1, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. James M. Cate, NASA Johnson Space Center, Mail Code HA, Houston, TX 77058; telephone number (713) 483–1001.

Dated: September 22, 1995.

Edward A. Frankle,

General Counsel.

[FR Doc. 95–24352 Filed 9–29–95; 8:45 am]

BILLING CODE 7510–01–M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–275 and 50–323]

Pacific Gas and Electric Company, (Diablo Canyon Nuclear Power Plant Units 1 and 2)

Exemption

I

On November 2, 1984, the Commission issued Facility Operating License No. DPR–80 and on August 26, 1985, the Commission issued Facility Operating License No. DPR–82 to Pacific Gas and Electric Company (the licensee) for the Diablo Canyon Nuclear Power Plant, Units 1 and 2 (DCPP), respectively. The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

II

It is stated in 10 CFR 73.55, ''Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,'' paragraph (a), that ''The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.''

It is specified in 10 CFR 73.55(d), ''Access Requirements,'' paragraph (1), that ''The licensee shall control all points of personnel and vehicle access into a protected area.'' It is specified in 10 CFR 73.55(d)(5) that ''A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort * * *'' It also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected areas without escort provided the individual ''receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area. * * *''

The licensee proposed to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at each entrance/exit location and would allow all individuals with unescorted access to keep their badges with them when departing the site.

An exemption from certain requirements of 10 CFR 73.55(d)(5) is required to allow contractors who have unescorted access to take their badges offsite instead of returning them when exiting the site. By letter dated May 5, 1995, and supplements dated July 28, 1995, September 14, 1995 and September 19, 1995, the licensee requested an exemption from certain requirements of 10 CFR 73.55(d)(5) for this purpose.

III

Pursuant to 10 CFR 73.5, ''Specific exemptions,'' the Commission may, upon application of any interested person or upon its own initiative, grant such exemptions in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. Pursuant to 10 CFR 73.55, the Commission may authorize a licensee to provide measures for protection against radiological sabotage provided the licensee demonstrates that the measures have ''the same high assurance objective'' and meet ''the general performance requirements'' of the regulation, and ''the overall level of system performance provides protection against radiological sabotage equivalent'' to that which would be provided by the regulation.

At the DCPP site, unescorted access into protected areas is controlled through the use of a photograph on a combination badge and keycard. (Hereafter, these are referred to as badges.) The security officers at the entrance station use the photograph on the badge to visually identify the individual requesting access. The badges for both licensee employees and contractor personnel who have been granted unescorted access are issued upon entrance at the entrance/exit location and are returned upon exit. The badges are stored and are retrievable at the entrance/exit location. In accordance with 10 CFR 73.55(d)(5), contractor individuals are not allowed to take badges offsite. In accordance with the plant's physical security plan, neither licensee employee nor contractors are allowed to take badges offsite.

Under the proposed system, each individual who is authorized for unescorted access into protected areas would have the physical characteristics of their hand (hand geometry) registered with their badge number in the access control system. When an individual enters the badge into the card reader and places the hand on the measuring surface, the system would record the individual's hand image. The unique characteristics of the extracted hand image would be compared with the previously stored template in the access control system to verify authorization for entry. Individuals, including licensee employees and contractors, would be allowed to keep their badges with them when they depart the site and thus eliminate the process to issue, retrieve and store badges at the entrance stations to the plant. Badges do not carry any information other than a unique identification number.

All other access processes, including search function capability, would remain the same. This system would not be used for persons requiring escorted access, i.e., visitors.

Based on a Sandia report entitled, ''A Performance Evaluation of Biometric Identification Devices'' (SAND91—0276 UC—906 Unlimited Release, printed June 1991), and on the licensee's experience with the current photo-identification system, the licensee stated that the false acceptance rate for the hand geometry system is comparable to that of the current system. The biometric system has been in use for a number of years at several sensitive Department of Energy facilities. The licensee will implement a process for testing the proposed system to ensure continued overall level of performance equivalent to that specified in the regulation. The Physical Security Plan for DCPP will be revised to include implementation and testing of the hand geometry access control system and to allow licensee employees and contractors to take their badges offsite.

The licensee will control all points of personnel access into a protected area under the observation of security personnel through the use of a badge and verification of hand geometry. A numbered picture badge identification system will continue to be used for all individuals who are authorized unescorted access to protected areas. Badges will continue to be displayed by all individuals while inside the protected area.

Since both the badges and hand geometry would be necessary for access into the protected areas, the proposed system would provide for a positive verification process and the potential loss of a badge by an individual, as a result of taking the badge offsite, would not enable an unauthorized entry into protected areas.

For the foregoing reasons, pursuant to 10 CFR 73.55, the NRC staff has determined that the proposed alternative measures for protection against radiological sabotage meet ''the same high assurance objective,'' and ''the general performance requirements'' of the regulation and that ''the overall level of system performance provides protection against radiological sabotage equivalent'' to that which would be provided by the regulation.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Pacific Gas and Electric Company an exemption from those requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges upon exit from the protected area such that individuals not employed by the licensee, i.e., contractors, who are authorized unescorted access into the protected area, may take their picture badges offsite.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (60 FR 49640).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 26th day of September 1995.

For The Nuclear Regulatory Commission.

Jack W. Roe,

Director, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 95–24406 Filed 9–29–95; 8:45 am]

BILLING CODE 7590–01–P

1995 All Agreement States Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The Nuclear Regulatory Commission (NRC) staff plans to convene a public meeting with representatives of the 29 Agreement States to discuss technical and program management issues in the regulation of Atomic Energy Act radioactive materials. Panel discussions will be held and individual presentations will be made to clarify and enhance a general understanding of regulatory requirements designed to protect the safety of the public and radiation workers. The progress of ongoing revisions to current NRC regulations, as well as, implementation of new regulatory requirements will be discussed. The status of reporting specific radiological incidents and the exchange of radiological safety information will also be discussed.

DATE: The public meeting will be held on Monday, October 30, 1995, from 8:00 a.m. to 5:00 p.m. and 7:00 p.m. to 9:00 p.m.; Tuesday, October 31, 1995, from 8:00 a.m. to 5:00 p.m.; and Wednesday November 1, 1995, from 8:00 a.m. to 12:00 noon.

ADDRESSES: The meeting is to be held at the Ramada Congress Hotel, 520 South Michigan Avenue, Chicago, Illinois, Telephone (312) 427–3800.

FOR FURTHER INFORMATION CONTACT: Lloyd A. Bolling, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone (301) 415–2327, FAX (301) 415–3502 and Internet (LAB@NRC.GOV).

SUPPLEMENTARY INFORMATION: The following topics will be covered at this meeting:

1. Implementation of the Integrated Materials Performance Evaluation Program (IMPEP).
2. Business Process Reengineering—Materials Licensing.
3. Development of Implementation Procedures for New Agreement State Program Policies.
4. Materials Regulation Issues—NESHAPS, Sealed Source and Device Registry and Regulations Development—10 CFR Part 34 on Industrial Radiography, 10 CFR Part 21 on the Reporting of Defects and Non-Compliance, and Status of Revision of 10 CFR Part 40.
5. Control and Accountability of Generally Licensed Devices, Process for Accepting Abandoned Radioactive Material.
6. Operational Events, Abnormal Occurrence Reporting, Nuclear Materials Events Database, and Allegations Handling.
7. The meeting will be conducted in a manner that will expedite the orderly conduct of business. A transcript of the meeting will be available for inspection, and copying for a fee, at the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C. 20555 on or about November 25, 1995.

The following procedures apply to public attendance at the meeting:

1. Questions or statements from attendees other than participants, i.e., participating representatives of each Agreement State and participating NRC staff will be entertained as time permits; and
2. Seating for the public will be on a first-come, first-served basis.

Dated at Rockville, Maryland this 22nd day of September, 1995.

For the Nuclear Regulatory Commission.

Richard L. Bangart,

Director, Office of State Programs.

[FR Doc. 95–24405 Filed 9–29–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 50–336]

Northeast Nuclear Energy Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Northeast Nuclear Energy Company (the licensee) to withdraw its December 16, 1994, application for proposed amendment to Facility Operating License No. DPR–65 for the Millstone Nuclear Power Station, Unit No. 2 located in New London County, Connecticut.

The proposed amendment would have revised the Technical Specifications to require the wind direction and wind speed sensors at the 142 foot elevation to identify the data to determine action required to preclude flood damage to the Service Water Pumps. Also the proposed change would have corrected a typographical error in the location of the sensors at the 374 foot elevation.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on February 1, 1995 (60 FR 6303). However, by letter dated September 18, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated December 16, 1994, and the licensee's letter dated September 18, 1995, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Learning Resource Center, Three Rivers Community-Technical College, Thames

Valley Campus, 574 New London Turnpike, Norwich, CT 06360.

Dated at Rockville, Maryland, this 25th day of September 1995.

For the Nuclear Regulatory Commission.

Guy S. Vissing,

Senior Project Manager, Project Directorate I–3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–24407 Filed 9–29–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 50–443]

North Altantic Energy Service Company, et al.; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF–86 issued to North Atlantic Energy Service Corporation (the licensee) for operation of the Seabrook Station, Unit No. 1 located in Rockingham County, New Hampshire.

The proposed amendment would modify the Appendix A Technical Specifications (TSs) for the Turbine Cycle Safety Valves. Specifically, the proposed amendment would change Seabrook Station Appendix A Technical Specification Table 3.7–1 to reduce the maximum allowable Power Range Neutron Flux - High setpoints with inoperable Main Steam Safety Valves (MSSVs) and Table 3.7–2 to reduce the opening setpoints of the MSSVs.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below.

A. The changes do not involve a significant increase in the probability or consequences of an accident previously evaluated (10 CFR 50.92(c)(1)) because the proposed setpoint reductions assure that the secondary system pressure will be limited to within 110% (1320 psia) of its design pressure of 1200 psia during the most severe anticipated system operational transient. The most severe anticipated transient remains a turbine trip from 100% rated thermal power coincident with an assumed loss of condenser heat sink. No other changes are made to the design or manner of operation of structures, systems or components.

B. The changes do not create the possibility of a new or different kind of accident from any accident previously evaluated (10 CFR 50.92(c)(2)) because the changes do not cause the associated structures, systems, or components to be operated outside their original design envelope. No other changes are made to the design or manner of operation of structures, systems, or components, and no new failure mechanisms are introduced.

C. The changes do not involve a significant reduction in a margin of safety (10 CFR 50.92(c)(3)) because the changes will assure that the associated structures, systems and components will continue to be operated within their original design envelope, and the proposed changes assure that the acceptance criteria for previously evaluated accidents will continue to be met. The proposed changes assure that the consequences of postulated overpressure events will remain in compliance with the Basis to Technical Specification 3.7.1.1. Specifically, the Secondary System pressure will be limited to within 110% (1320 psia) of its design pressure of 1200 psia during the most severe anticipated system operational transient. The most severe anticipated transient remains a Turbine trip from 100% Rated Thermal Power coincident with an assumed loss of condenser heat sink.

Based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the Federal Register a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 1, 1995, 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 request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at Exeter Public Library, Founders Park, Exeter, NH 03833. 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 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 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 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. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1–(800) 248–5100 (in Missouri 1–(800) 342–6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Phillip F. McKee: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Lillian M. Cuoco, Esquire, Northeast Utilities Service Company, Post Office Box 270, Hartford CT 06141–0270, 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 presiding Atomic Safety and Licensing Board that the petition and/or request should be granted 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 5, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at Exeter Public Library, Founders Park, Exeter, NH 03833.

Dated at Rockville, Maryland, this 26th day of September 1995.

For the Nuclear Regulatory Commission.

Albert W. De Agazio, Sr.,

Project Manager, Project Directorate I–3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–24404 Filed 9–29–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket Nos. 50–445 and 50–446]

Texas Utilities Electric Company, Comanche Peak Steam Electric Station, Units 1 and 2; Exemption

I

The Texas Utilities Electric Company (the licensee) is the holder of Facility Operating License Nos. NPF–87 and NPF–89, which authorize operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

These facilities, consist of two pressurized water reactors located at the licensee's site in Somervell County, Texas.

II

Title 10 CFR 50.71 ''Maintenance of records, making of reports,'' paragraph (e)(4) states, in part, that ''Subsequent revisions [to the Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months.'' The two CPSES units share a common FSAR; therefore, this rule requires the licensee to update the same document within 6 months after a refueling outage for either unit.

III

10 CFR 50.12(a), ''Specific exemptions,'' states that * * *

The Commission may, upon application by any interested person, or upon its own

initiative, grant exemption from the requirements of the regulations of this part, which are—(1) Authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present.

10 CFR 50.12(a)(2)(ii) states that special circumstances are present when * * *

Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule * * *

IV

As noted in the staff's safety evaluation the licensee's proposed schedule for FSAR updates will ensure that the CPSES FSAR will be maintained current within 24 months of the last revision and will not exceed a 24 month interval for submission of the 10 CFR 50.59 design change report. The Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law, will not present an undue risk to the public health and safety and is consistent with common defense or security, and is otherwise in the public interest. The Commission has also determined that special circumstances as defined in 10 CFR 50.12(a)(2)(ii). The Commission hereby grants the licensee an exemption from the requirement of 10 CFR 50.71(e)(4) to submit updates to the CPSES FSAR within six months of each outage. The licensee will be required to submit updates to the CPSES FSAR once per fuel cycle (based on the unit with the shortest interval between scheduled refueling outages), but not to exceed 24 months from the last submittal.

Pursuant to 10 CFR 51.32, the Commission has determined that granting of this exemption will have no significant effect on the quality of the human environment (60 FR 49293). This exemption is effective upon issuance.

Dated at Rockville, Maryland this 25th day of September 1995.

For The Nuclear Regulatory Commission.

Jack W. Roe,

Director, Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation.

[FR Doc. 95–24403 Filed 9–29–95; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 21375; 811–6301]

Neuberger & Berman Series Trust; Notice of Application

September 25, 1995.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for deregulation under the Investment Company Act of 1940 (the ''Act'').

APPLICANT: Neuberger & Berman Series Trust.

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant requests an order declaring it has ceased to be an investment company.

FILING DATE: The application was filed on September 11, 1995.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 20, 1995, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for laywers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicant, 605 Third Avenue, New York, New York 10158–0006.

FOR FURTHER INFORMATION CONTACT: Diane L. Titus, Paralegal Specialist, at (202) 942–0584, or C. David Messman, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is an open-end, non-diversified management investment company, organized as a business trust under the laws of the Commonwealth of Massachusetts. On April 19, 1991, applicant registered under the Act and filed a registration statement under the Securities Act of 1933. Applicant's registration statement was never declared effective, and applicant has not issued any securities. The SEC has deemed applicant's registration statement to be abandoned.

2. Applicant has not, within the past 18 months, transferred any of its assets to a separate trust, the beneficiaries of which were or are securityholders of applicant. Applicant has no assets, debts or liabilities and has no securityholders. Applicant is not a party to any litigation or administrative proceedings.

3. Applicant is not now engaged, and does not propose to engage, in any business activities other than those necessary for the winding up of its affairs.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret M. McFarland,

Deputy Secretary.

[FR Doc. 95–24347 Filed 9–29–95; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–21374; File No. 812–9646]

Northbrook Life Insurance Company, et al.

September 25, 1995.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice of application for an amended order under the Investment Company Act of 1940 (the ''1940 Act'').

APPLICANTS: Northbrook Life Insurance Company (''Northbrook''), Northbrook Variable Annuity Account II (''Variable Account''), and Dean Witter Reynolds, Inc. (''Dean Witter'').

RELEVANT 1940 ACT SECTIONS: Amended order requested under Section 6(c) of the 1940 Act granting exemptions from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act.

SUMMARY OF APPLICATION: Applicants seek to amend an order under Section 6(c) of the 1940 Act which exempted Applicants from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act to the extent necessary to permit the deduction of a mortality and expense risk charge from the assets of the Variable Account in connection with the issuance and sale of certain variable annuity contracts (the ''Contracts''). Applicants propose to amend the Contracts to provide an optional enhanced death benefit and to deduct an increased mortality and expense risk charge in connection therewith.

FILING DATE: The application was filed on June 28, 1995, and amended on September 15, 1995.

HEARING OR NOTIFICATION OF HEARING: An amended order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on October 19, 1995, and should be accompanied by proof of service on Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the requester's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Commission's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street, N.W., Washington, D.C. 20549. Applicants, David E. Stone, Esq., Northbrook Life Insurance Company, 3100 Sanders Road, J5B, Northbrook, Illinois 60062.

FOR FURTHER INFORMATION CONTACT: Mark C. Amorosi, Attorney, or Wendy Finck Friedlander, Deputy Chief, at (202) 942–0670, Office of Insurance Products (Division of Investment Management).

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from the Commission's Public Reference Branch.

Applicant's Representations

1. By order dated August 29, 1990 (the ''Order''),[1] Applicants received relief pursuant to Section 6(c) of the 1940 Act exempting them from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act to the extent necessary to allow Northbrook to deduct from the Variable Account the mortality and expense risk charge imposed under the Contracts. Applicants propose amending the Contracts (the ''Amended Contracts'') to provide an optional enhanced death benefit and to deduct an increased mortality and expense risk charge in connection therewith.

2. Northbrook, the depositor and sponsor of the Variable account, is a stock life insurance company organized under the laws of Illinois in 1978. Northbrook is a wholly-owned subsidiary of Allstate Life Insurance Company which is a wholly-owned subsidiary of Allstate Insurance Company. Northbrook sells annuities and individual life insurance and is licensed to operate in the District of Columbia, all states (except New York) and Puerto Rico.

3. The Variable Account was established by Northbrook as a segregated investment account under the laws of Illinois on May 18, 1990, pursuant to a resolution of the Board of Directors, as a funding medium for variable annuity contracts. The Variable Account is registered under the 1940 Act as a unit investment trust. The Variable Account is divided into eleven subaccounts, each of which invests solely in a corresponding portfolio (the ''Portfolios'') of the Dean Witter Variable Investment Series (the ''Fund''). Each Portfolio has different investment objectives and policies and operates as a separate investment fund.

4. Dean Witter, a member of the National Association of Securities Dealers and New York Stock Exchange, is the principal underwriter for the Contracts and is intended to be the principal underwriter of the Amended Contracts. Dean Witter is a wholly-owned subsidiary of Dean Witter, Discover & Co.

5. Applicants state that the Amended Contracts are identical to the Contracts with the exception of the death benefit provided and the mortality and expense risk charge imposed in connection therewith. Under the Contracts, if the owner or the last surviving annuitant dies prior to the payout start date, the death benefit (the ''Standard Death Benefit'') will be the greatest of (a) the sum of all purchase payments less any amounts deducted in connection with partial withdrawals including any applicable early withdrawal charges or premium taxes; or (b) the cash value on the date that Northbrook receives due proof of death; or (c) the cash value on the most recent death benefit anniversary less any amounts deducted in connection with partial withdrawals, including any applicable early withdrawal charges and premium taxes deducted from the cash value, since that anniversary. The death benefit anniversary is every sixth contract anniversary.

6. Applicants state that under the Amended Contracts, owners may elect an additional death benefit option (the ''Enhanced Death Benefit'') at the time of initial purchase. If the owner dies prior to the payout start date and has elected the Enhanced Death Benefit option, the amount payable will be the greater of the Standard Death Benefit or the Enhanced Death Benefit, which is calculated as follows:

(a) On the date of issue, the Enhanced Death Benefit is equal to the initial purchase payment.

(b) On each certificate anniversary, but not beyond the certificate anniversary preceding all owner(s)' 75th birthday, the Enhanced Death Benefit will be recalculated as follows:

(i) The Enhanced Death Benefit as of the prior certificate anniversary multiplied by 1.05 (which results in an increase of 5% annually).

(c) Further, for all ages, the Enhanced Death Benefit will be adjusted on each certificate anniversary, or upon receipt of a death claim, as follows:

(i) The Enhanced Death Benefit will be reduced by the percentage of any cash value withdrawn since the prior certificate anniversary.

(ii) Any additional purchase payments since the prior certificate anniversary will be added.

The Enhanced Death Benefit will never be greater than the maximum death benefit allowed by applicable state non-forfeiture laws. In addition, the Enhanced Death Benefit does not apply to the death of the annuitant if the annuitant is different from the owner.

7. Various fees and charges are deducted under the Amended Contracts. An annual contract maintenance charge of $30 will be deducted from cash value to reimburse Northbrook for certain administrative expenses. This fee is guaranteed not to increase for the duration of the Amended Contract. A daily asset-based administration charge equal to an effective annual rate of 0.10% of the daily net assets in the Variable Account will be deducted to cover actual administrative expenses which exceed the revenues from the contract maintenance charge. Applicants state that they will rely on the provisions of Rule 26a–1 under the 1940 Act for any exemptive relief necessary to permit the deductions for these administrative charges.

8. Northbrook reserves the right to deduct state premium taxes relative to the Amended Contract either (a) from premium payments as received, (b) upon a total withdrawal, or (c) at the payout start date. Premium taxes currently range from 0% up to 3.5%.

9. Certain full or partial withdrawals will be subject to a contingent deferred sales charge (''Early Withdrawal Charge'') during the first six Amended Contract years as follows:

Number of contract years since purchase payment being withdrawn was made	Applicable withdrawal charge percentage
0 years	6
1 year	5
2 years	4
3 years	3
4 years	2

[1] Release No. IC–17710 (Aug. 29, 1990).

Number of contract years since purchase payment being withdrawn was made	Applicable withdrawal charge percentage
5 years	1
6 years or more	0

Withdrawals are deemed to be from purchase payments on a first in, first out basis. The Early Withdrawal Charge will be deducted from the amount paid. Applicants state that there will be no Early Withdrawal Charge on the first withdrawal of each contract year on amounts up to the Free Withdrawal Amount, *i.e.*, 15% of purchase payments.

10. The Early Withdrawal Charge will be used to pay sales commissions and other promotional or distribution expenses associated with the marketing of the Amended Contracts. Applicants state that the Early Withdrawal Charge may not generate sufficient revenues to pay the cost of distributing the Amended Contracts. To the extent that the Early Withdrawal Charge is insufficient to cover all sales and distribution expenses, the deficiency will be met from Northbrook's general account, which may include profits derived from the mortality and expense risk charge.

11. Shares of the Portfolios are sold to the Variable Account at net asset value. The Fund pays its investment adviser a monthly fee for managing its investments and business affairs. Each Portfolio bears certain expenses.

12. A daily charge equal to an effective annual rate of 1.25% of the net assets in the Variable Account will be deducted to compensate Northbrook for bearing certain mortality and expense risks under the Contracts. Of that amount, approximately 0.85% is for mortality risks and approximately 0.40% is for the expense risk.

13. With respect to the amended Contracts, Northbrook intends to deduct an amount which will vary depending on the death benefit option elected by the owner. If the owner elects the Standard Death Benefit, Northbrook intends to deduct a mortality and expense risk charge equal on an annual basis to 1.25% of the daily net assets of the Variable Account. If the owner elects the Enhanced Death Benefit, the mortality and expense risk charge will be equal on an annual basis to 1.38% of the daily net assets of the Variable Account. Of that amount, approximately 0.98% (0.85% for the Standard Death Benefit and 0.13% for the Enhanced Death Benefit) is for mortality risks and approximately 0.40% is for the expense risk. Only owners who elect the Enhanced Death Benefit will be assessed the 0.13% increase in the mortality risk charge.

14. Applicants represent that the level of the mortality and expense risk charges is guaranteed not to increase under the Contracts and the Amended Contracts. The mortality risk arises from Northbrook's guarantee to cover all death benefits and to make income payments in accordance with the income payment tables, thereby relieving the annuitants of the risk of outliving funds accumulated for retirement. The expense risk assumed by Northbrook is the risk that Northbrook's actual administrative costs will exceed the amount recovered through the administrative expense and contract maintenance charges. If the mortality or expense risk charges are insufficient to cover the actual costs, Applicants state that Northbrook will bear the loss. To the extent that the charges are in excess of actual costs, Applicants state that Northbrook, at its discretion, may use the excess to offset losses when the charges are not sufficient to cover expenses.

Applicants' Legal Analysis

1. Section 6(c) of the 1940 Act authorizes the Commission to grant an exemption from any provision, rule or regulation of the 1940 Act to the extent that it is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act. Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act, in relevant part, prohibit a registered unit investment trust, its depositor or principal underwriter, from selling periodic payment plan certificates unless the proceeds of all payments, other than sales loads, are deposited with a qualified bank and held under arrangements which prohibit any payment to the depositor or principal underwriter except a reasonable fee, as the Commission may prescribe, for performing bookkeeping and other administrative duties normally performed by the bank itself.

2. Pursuant to Section 6(c), Applicants request that the Commission amend the Order to grant exemptions from Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act to the extent necessary to permit Northbrook to deduct mortality and expense risk charge of 1.38% from the assets of the Variable Account in connection with the issuance of the Amended Contracts for which the Enhanced Death Benefit option has been elected.

3. Applicants represent that the 1.25% mortality and expense risk charge for the Standard Death Benefit is reasonable in relation to the risks assumed by Northbrook under the Amended Contracts and reasonable in amount as determined by industry practice with respect to comparable annuity products. Applicants state that this representation is based upon their analysis of publicly available information about comparable industry products, taking into consideration such factors as current charge levels and benefits provided, the existence of expense charge guarantees and guaranteed annuity rates. Northbrook represents that it will maintain at its home office, a memorandum, available to the Commission, setting forth in detail the products analyzed in the course of, and the methodology and results of, its comparative review.

4. Applicants represent that the mortality risk charge of 0.13% for the Enhanced Death Benefit is reasonable in relation to the risks assumed by Northbrook under the Amended Contracts. Applicants state that in making this determination, Northbrook conducted a large number of trials at various issue ages to determine the expected cost of the Enhanced Death Benefit. Hypothetical asset returns were projected using generally accepted actuarial simulation methods. For each asset return pattern generated, hypothetical accumulated values were calculated by applying the projected asset returns to the initial value in a hypothetical account. Each accumulated value so calculated was then compared to the amount of the Enhanced Death Benefit payable in the event of the hypothetical owners' death during the year in question. By analyzing the results of several such simulations, Applicants state that Northbrook was able to determine actuarially the level cost of providing the Enhanced Death Benefit. Based on this analysis, Northbrook determined that a mortality risk charge of 0.13% was reasonable for providing the Enhanced Death Benefit. Northbrook represents that the basis for this determination will be set forth in a memorandum which will be maintained at its home office and will be available to the Commission upon request.

5. Applicants acknowledge that the Early Withdrawal Charge may be insufficient to cover all costs relating to the distribution of the Amended Contracts. Applicants also acknowledge that, if a profit is realized from the mortality and expense risk charge, all or a portion of such profit may be available to pay distribution expenses not reimbursed by the Early Withdrawal Charge. Northbrook represents that there is a reasonable likelihood that the

proposed distribution financing arrangements will benefit the Variable Account and Amended Contract owners. Northbrook represents that the basis for that conclusion is set forth in a memorandum which will be maintained at its home office and will be available to the Commission upon request.

6. Northbrook represents that the Variable Account will invest only in management investment companies which undertake, in the event they should adopt a plan pursuant to Rule 12b–1 of the 1940 Act to finance distribution expenses, to have a board of directors or trustees, a majority of whom are not ''interested persons'' of the company within the meaning of Section 2(a)(19) of the 1940 Act, formulate and approve any such plan.

Conclusion

For the reasons set forth above, Applicants represent that the exemptions requested are necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret M. McFarland,

Deputy Secretary.

[FR Doc. 95–24348 Filed 9–29–95; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–21377; International Series Release No. 859; 812–9728]

The Canadian Depository for Securities Limited and the Investment Dealers Association of Canada; Notice of Application

September 26, 1995.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: The Canadian Depository for Securities Limited (''CDS'') and the Investment Dealers Association of Canada (''IDA'').

RELEVANT ACT SECTIONS: Order requested under section 6(c) of the Act that would exempt certain custodial arrangements from all provisions of the Act.

SUMMARY OF APPLICATION: Applicants request an order under section 6(c) to exempt the custodial arrangements for stripping certain Canadian debt securities from all provisions of the Act.

FILING DATES: The application was filed on August 22, 1995, and amended on September 20, 1995.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 23, 1995 and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street, NW., Washington, DC 20549. Applicants, CDS, 85 Richmond Street West, Toronto, Ontario, M5H 2C9 Canada; IDA, 121 King Street West, Suite 1600, Toronto, Ontario, M5H 3T9 Canada.

FOR FURTHER INFORMATION CONTACT: Sarah A. Buescher, Staff Attorney, at (202) 942–0573, or C. David Messman, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicants' Representations

1. CDS is the major securities depository and clearing corporation in Canada. CDS is regulated by the Ontario Securities Commission and by the Commission des valeurs mobilières du Québec pursuant to provincial securities acts. CDS also has entered into an oversight agreement with the Bank of Canada, and CDS cooperates with the Office of the Superintendent of Financial Institutions. CDS is qualified to serve in Canada as an eligible foreign custodian for registered United States investment companies under rule 17f–5 of the Act.[1]

2. IDA is the national self-regulatory organization for the Canadian securities industry, and is the primary regulator of the Canadian fixed income market, including Canadian treasury bills and government and corporate bonds and debentures.

3. A group of CDS participants, including major IDA member firms and certain Canadian chartered banks and trust companies, have created payment strips (''Canadian Strips'') by stripping Canadian securities into component parts for sale to investors. The most common form of Canadian Strips involves separating bonds of Canadian federal or provincial government issuers into individual interest and principal payment components. Each individual Canadian Strip is then separately held by the CDS participant or traded.

4. CDS participants sell Canadian Strips directly to investors and maintain a secondary market for the Strips. Canadian Strips are typically held by CDS participants as nominees for investors. The investors have accounts with CDS participants and are the beneficial owners of the Strips. CDS participants generally follow the instructions of beneficial owners with respect to matters relating to securities held by them as nominees, including matters relating to defaults.

5. Originally, CDS participants created Canadian Strips by physically separating individual coupons from bearer bond certificates (''Physical Strips''). Certificates underlying Physical Strips are in bearer form, held for CDS by Canadian banks or trust companies. In 1987, CDS participants began depositing Physical Strips into CDS and also began stripping Canadian debt securities electronically on a book-entry only basis under CDS procedures. The electronic ledger system at CDS separates the underlying securities held in participants' accounts into the corresponding book-entry only strip payment components (''Book-Entry Strips''). The certificates underlying Book-Entry Strips are registered on the books of the issuer in the name of CDS or its custodian. Canadian Strips include Physical Strips deposited with CDS and Book-Entry Strips which are recorded on CDS ledgers.

6. The total face value of Canadian Strips on deposit as of April 30, 1995 was Cdn $130 billion, of which more than 95% relate to bonds issued or guaranteed either by Canada or a Canadian province, approximately 3.5% relate to Canadian corporate issuers, and the remainder relate to municipal and other Canadian issuers, such as colleges and hospitals, that are typically supported by provincial government credit. More than 85% of the face value of the Canadian Strips as of April 30, 1995 were Book-Entry Strips.

7. The CDS custody arrangements are governed by the CDS rules and operating procedures (''CDS Rules''), which allow participants to create

[1] *See* The Canadian Depository for Securities Limited (pub. avail. Aug. 4, 1994).

Canadian Strips and thereafter trade them separately, combine them to create strip payment packages, or reconstitute them into underlying bonds.

8. Upon default or certain other events, such as a change in tax laws, CDS would typically have certain rights as registered owner, including the right in some instances to declare the principal of all the underlying bonds then held by it to be immediately due and payable. Under the terms of the underlying bonds, such as those issued by the Government of Canada and Canadian provinces, the rights of a bondholder to act upon a default can be exercised typically only by a person recognized as a bondholder on the records of the bond issuer. Beneficial owners of the underlying bonds do not appear to have the legal right under applicable Canadian law to be recognized by the bond issuer. Accordingly, since bonds underlying Canadian Strips are commonly held in the name of CDS as bondholder, neither investors that beneficially own strips nor CDS participants acting as nominees for investors would be able to enforce their rights directly against the issuer of such underlying bonds upon a default.

9. Under CDS Rules, CDS exercises its rights as registered owner in accordance with instructions given by CDS participants. CDS participants that hold Strips as nominees for investors will instruct CDS generally in accordance with instructions received from such investors. In the event of an underlying bond default, CDS will endeavor to follow instructions from CDS participants to the extent practicable, and take such action as it, in good faith and in light of any legal advice it may receive, deems reasonable. Consequently, investors in Canadian Strips are affected in their right to enforce the terms of the underlying bond directly against the issuer because they may proceed against the issuer only by giving directions to CDS through their CDS participants. When the underlying bonds are in default or accelerated, the entitlement of each holder of Canadian Strips will be transformed into an undivided interest in the proceeds thereafter received on the underlying bonds, allocated among the holders based on the ''proportionate economic interest'' of their respective Canadian strips determined in accordance with a specified procedure.

10. CDS acts as receiving and disbursing agent and depository/recordkeeper for the Canadian Strips and, if directed to do so by the holders in accordance with the CDS Rules, to exercise any rights of a registered holder of the underlying bonds, including any right to accelerate payment of principal thereunder. CDS has no authority to exercise any investment discretion at any time with respect either to any payments received or to any underlying bonds generally.

11. Any offers and sales of Canadian Strips to United States investors will be made in full compliance with applicable United States securities laws, including those relating to registration, disclosure, and investor suitability requirements.

Applicants' Legal Analysis

1. Section 3(a)(3) of the Act defines an investment company as any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis.

2. Applicants recognize that the CDS custody arrangements may be viewed as creating an investment company within the meaning of section 3(a)(3) of the Act by virtue of the procedures governing the exercise of remedies and the allocation of any payments subsequently received. The CDS custody arrangements may be viewed as constituting a separate issuer that both (a) issues the Strips as securities with enforcement and payment rights that differ from the enforcement and payment rights of the underlying bonds and (b) holds the underlying bonds as separate securities in the CDS arrangement. An issuer that issues securities such as the Strips and holds other securities such as the underlying bonds may be an investment company within the meaning of section 3(a)(3).

3. Applicants request an order under section 6(c) of the Act exempting the CDS custody arrangements from all provisions of the Act. Section 6(c) provides that the SEC may exempt any person or transaction from any provision of the Act or any rule thereunder to the extent that such exemption is necessary in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

4. Applicants represent that the nature of the Canadian Strips and the limited activities of the applicants are not of a character intended to be regulated by the Act and do not give rise to the abuses against which the Act was directed. CDS is not involved in a general program of investing, trading or dealing in securities. CDS does not exercise any investment discretion, and performs administrative functions.

5. The investor in Canadian Strips is aware of the issuer of the bonds underlying the Canadian Strips at the time of purchase. Applicants represent that, since the Canadian Strips are sold exclusively on the basis of the credit of the bond issuer, purchasers look ultimately to the issuer for their assurance of repayment, rather than to CDS.

6. Applicants represent that, given the remoteness of any claims of CDS creditors, the CDS custody arrangements do not appear to present any significant credit risk in addition to that presented by the investment in the underlying bonds themselves.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret M. McFarland,

Deputy Secretary.

[FR Doc. 95–24481 Filed 9–29–95; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the Federal Register notifying the public that the agency has made such a submission.

DATES: Comments should be submitted on or before November 1, 1995. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83–1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Georgia Greene, Small Business Administration, 409 3RD Street, SW., 5th Floor, Washington, DC 20416, Telephone: (202) 205–6629.

OMB Reviewer: Donald Arbuckle, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

Title: Candidate for Appointment to SBA Advisory Councils and Nominee for State Small Business Person of the Year.

SBA Form No.: SBA Form 898.

Frequency: On Occasion.

Description of Respondents: Individuals seeking appointment to SBA Advisory Councils.

Annual Responses: 1,000.

Annual Burden: 104.

Dated: September 27, 1995.

Georgia Greene,

Chief, Administrative Information Branch.

[FR Doc. 95–24412 Filed 9–29–95; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 2260]

Public Information Collection Requirement Submitted to OMB for Review

AGENCY: Department of State.

ACTION: The Department of State has submitted the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35.

SUMMARY: Operation of a motor vehicle in the United States by foreign diplomatic personnel is a benefit under the Foreign Missions Act. Administration of this benefit requires the Department of State to register, title, and issue license plates to motor vehicles owned by foreign diplomatic personnel and missions, and to collect information regarding the insurance of motor vehicles owned by foreign diplomatic personnel and official representatives of foreign governments to international organizations in the United States. The following summarizes the information collection proposal submitted to OMB:

Type of request—Reinstatement.

Originating office—Office of Foreign Missions.

Title of information collection—

—Application for Registration (Mission Vehicle).

—Application for Registration (Personal Vehicle).

—Application for Title.

—Application for Replacement Plates.

Frequency—On occasion and annually.

Form Numbers—DSP–100, 101, 102, 104.

Respondents—Foreign government representatives.

Estimated number of respondents—18,488.

Average hours per response—0.5.

Total estimated burden hours.—9244.

44 U.S.C. 3504(h) does not apply.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the proposed forms and supporting documents may be obtained from Charles S. Cunningham (202) 647–0596. Comments and questions should be directed to (OMB) Jefferson Hill (202) 395–3176.

Dated: August 25, 1995.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 95–24342 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–24–M

[Public Notice 2261]

Public Information Collection Requirement Submitted to OMB for Review

AGENCY: Department of State.

ACTION: The Department of State has submitted the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35.

SUMMARY: The Office of Foreign Missions (OFM) was created in October 1982, to oversee and regulate the benefits, privileges, and immunities afforded foreign diplomatic and consular personnel assigned to the United States. The operation of a motor vehicle in the United States by foreign diplomatic and consular personnel is a benefit under the Foreign Missions Act, 22 U.S.C. 4301 *et seq.,* which must be obtained through the U.S. Department of State, Office of Foreign Missions consistent with 22 U.S.C. 4304. Driver of Foreign Missions consistent with 22 U.S.C. 4304. Driver licenses are being conferred under the provisions of Section 4304 of the Foreign Missions Act and in accordance with Section 4307, this benefit cannot be denied by an act of any Federal agency. The information collected on this form is transmitted to a data base and is used to produce driver licenses for foreign mission members and their families who enjoy immunities and are eligible to drive. The following summaries enjoy immunities and are eligible to drive. The following summarizes the information collection proposal submitted to OMB:

Type of request—Reinstatement.

Originating office—Office of Foreign Missions.

Title of information collection—U.S. State Department, Driver License Application.

Frequency—On occasion and annually.

Form Number—DS–103.

Respondents—Foreign government representatives and their families who enjoy immunities and are eligible to drive. Estimated number of respondents—12,500.

Average hours per response—0.5.

Total estimated burden hours—6,250.

44 U.S.C. 3504(h) does not apply.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the proposed forms and supporting documents may be obtained from Charles S. Cunningham (202) 647–0596. Comments and questions should be directed to (OMB) Jefferson Hill (202) 395–3176.

Dated: August 25, 1995.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 95–24343 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–24–M

[Public Notice 2245]

Bureau of Oceans and International Environmental and Scientific Affairs; United States Man and the Biosphere Program: Request for Proposals for the Biosphere Reserve Directorate

The Biosphere Reserve (BR) Directorate of the U.S. Man and the Biosphere Program (U.S. MAB) announces a catalytic grants program to support Biosphere Reserve workshops and partnership-building activities that promote cooperative regional ecosystem-based initiatives.

A total of $100,000 is available to support small grants in two distinct categories: (1) Conferences, workshops or forums; and (2) partnership projects. The projected maximum single grant award is $15,000. Grants are expected to average between $7,000 and $10,000. Organizations and persons interested in applying for these grants are encouraged to first obtain a copy of the Strategic Plan for the U.S. Biosphere Reserve Program, from the U.S. MAB Secretariat.

Funding Objectives

The purpose of the grants is to assist projects that produce short-term tangible results furthering the mission of the United States Biosphere Reserve Program as defined in Strategic Plan for the U.S. Biosphere Reserve Program, dated December 1994. ''The mission of the U.S. Biosphere Reserve Program is to establish and support a U.S. network of designated biosphere reserves that are fully representative of the biogeographical areas of the United States. The program promotes a sustainable balance among the

conservation of biological diversity, compatible economic use, and cultural values, through public and private partnerships, interdisciplinary research, education, and communication.''

Focal Issues

Within the mission of the U.S. Biosphere Reserve Program a wide range of conference and workshop topics are eligible. For example: a forum for Biosphere Reserve stakeholders at a single Biosphere Reserve unit or cluster of units; a regional or local vision setting workshop; or a conference for Biosphere Reserves stakeholders from throughout a region focusing on an issue or management approach of shared interest. Other ideas for conferences and workshop topics promoting the mission of Biosphere Reserves are welcome.

The U.S. Biosphere Reserve Directorate also intends to support partnership projects. Proposals are sought which strengthen cooperative relationships for enhancing the functions of Biosphere Reserves. Innovative and new approaches to conservation challenges will be given priority. Examples of eligible projects could include: assessing natural or cultural resources; building public support for conservation and sustainable development; fostering demonstrations of cooperative ecosystem management, or developing local planning mechanisms. Other ideas for partnership projects that promote the mission of Biosphere Reserves are welcome.

Feasibility studies for expanding the activities of existing Biosphere Reserves to more fully implement the regional, ecosystem-based mission of the BR program also are encouraged. However, feasibility studies for designating new Biosphere Reserve units are ineligible.

Proposals may include a request for partial staff support only if the proposal and the staff position are related to expanding the regional activities of a Biosphere Reserve or promoting a cooperative program involving multiple agencies and nongovernmental partners.

Proposal Content

Each proposal should have a title page and a one page synopsis of the proposal activities.

A maximum of three additional pages should describe: (1) The affected Biosphere Reserve or Biosphere Reserve cluster; (2) the applicant's relationship to the Biosphere Reserve; (3) the proposed conference or partnership project; (4) how the proposed conference or project relates to past, current, and projected BR activities at the site; (5) how the proposal complies generally and specifically with the evaluation criteria; and (6) how the results of the conference or activity will be evaluated.

All proposals must also include a one page itemized budget including personnel, travel, operation, and equipment/supplies with justification. The budget page should show the status of any matching funds to the proposed activity.

A one-page map of the affected Biosphere Reserve, showing protected area(s), zone(s) of managed use, and zone of cooperation if applicable. The site of the proposed activities must be included.

The last page of the proposal should be a one-page letter of endorsement from the Biosphere Reserve manager(s). If the proposed activity would involve or benefit more than one Biosphere Reserve, one page letters of endorsement should indicate the support of the managers of the involved or affected Biosphere Reserves. Biosphere Reserve managers should endorse no more than one single proposal in each funding category this year.

Evaluation and Review Process

A review panel of The U.S. Biosphere Reserve Directorate will evaluate proposals based upon the following criteria:

- Alignment of the proposal with the mission and goals of the United States Biosphere Reserve Program as defined in Strategic Plan for the U.S. Biosphere Reserve Program dated December 1994, available from the U.S. MAB Secretariat, (address below);
- Likelihood that the proposal will result in tangible progress within a year toward promoting cooperative regional, ecosystem based initiatives that integrate conservation and sustainable development at Biosphere Reserve sites;
- Demonstrated local support for the project;
- Innovation in implementing Biosphere Reserve functions;
- Potential to replicate the concept or project at other Biosphere Reserve sites;
- Extent to which grant funds will be leveraged with matching funds or support from other private or public sources;
- Demonstrated capacity of the applicant to implement the proposal;
- Endorsement from Biosphere Reserve Manager(s).

Limitations

Grants may not be used for: feasibility studies for designating new biosphere reserves; institutional overhead; academic research; acquisition of land, buildings, or capital equipment; general support of agency functions; or political activities. All grants should produce tangible results within one year. Members of the Biosphere Reserve Directorate are not eligible to receive benefits from funds awarded through this request for proposals.

Awards will be announced by January 31, 1996. Principals will receive from the U.S. MAB Secretariat copies of all U.S. MAB/BR review evaluations of their proposals and a written notification of the directorate's decision on their proposal.

Submission of Proposals by December 1, 1995 and for further information: U.S. Man and the Biosphere Program, OES/ETC/MAB, Department of State, Washington, DC 20522–4401, Tel: (202) 776–8318, Fax: (202) 776–8367, Attn: Biosphere Reserve Directorate.

Dated: August 22, 1995.

Roger E. Soles,

Executive Director, U.S. Man and the Biosphere Program, Office of Ecology and Terrestrial Conservation.

[FR Doc. 95–24340 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–09–M

[Public Notice No. 2255]

Advisory Committee to the United States Section of the International Commission for the Conservation of Atlantic Tunas

The Advisory Committee to the United States Section of the International Commission for the Conservation of Atlantic Tunas (ICCAT) will meet on October 18, 1995 from 7:30 p.m. to 9:30 p.m. and October 19, 1995, from 9:00 a.m. to 5:30 p.m. at the Sheraton International Airport at Baltimore/Washington Airport, 7032 Elm Rd., Baltimore, Maryland. The meeting will discuss an overview of highly migratory species research, the implementation of ICCAT conservation measures by the U.S. and other countries, reports of the Committee's working groups, and other matters. The meeting will be open to the public.

The Advisory Committee will also meet October 18, 1995 from 7:00 p.m. to 9:30 p.m., and October 20, 1995 from 8:30 a.m. to 3:00 p.m. These sessions will not be open to the public inasmuch as the discussion will involve classified information and discussion of that information as it relates to the United States negotiating position to be taken at the Annual Meeting of the International Commission for the Conservation of Atlantic Tunas to be held in Madrid, Spain from November 10–17, 1995. The members of the Advisory Committee will examine various options for the

U.S. negotiating position at this meeting, and these considerations must necessarily involve review of classified matters. Accordingly, the determination has been made to close part of the October 18 session and the October 20 session pursuant to Section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, and 5 U.S.C. 522b (c)(1) and (c)(9).

Requests for further information on the meeting should be directed to Mr. Brian S. Hallman, Deputy Director, Office of Marine Conservation (OES/OMC), Room 7820, U.S. Department of State, Washington, D.C. 20520–7818. Mr. Hallman can be reached by telephone on (202) 647–2335 or by FAX (202) 736–7350.

Dated: September 18, 1995.

R. Tucker Scully,

Acting Deputy Assistant Secretary for Oceans.

[FR Doc. 95–24369 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–09–M

[Public Notice No. 2256]

Overseas Security Advisory Council; Notice of Closed Meeting

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on Tuesday and Wednesday, November 7 and 8, 1995, at the U.S. Department of State, Washington, DC. Pursuant to Section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b(c) (1) and (4), it has been determined the meeting will be closed to the public. Matters relative to classified national security information as well as privileged commercial information will be discussed. The agenda calls for the discussion of classified and corporate proprietary/security information as well as private sector physical and procedural security policies and protective programs at sensitive U.S. Government and private sector locations overseas.

For more information contact Marsha Thurman, Overseas Security Advisory Council, Department of State, Washington, DC 20522–1003, phone: 202–663–0869.

Dated: September 19, 1995.

Mark Mulvey,

Director of the Diplomatic Security Service.

[FR Doc. 95–24376 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–24–M

[Public Notice No. 2263]

Advisory Committee Study Group Meetings on U.N. (UNCITRAL) Initiatives on Cross-Border Insolvency

A Study Group on Cross-Border Insolvency of the Secretary of State's Advisory Committee on Private International Law has been established to review international organization efforts to harmonize rules applicable to cross-border insolvency involving business entities. The Study Group will hold two meetings in Washington, DC, Friday, October 13 and Friday, October 27, from 1 pm to 5 p.m.

The purpose of the meetings will be to review a new project by the United Nations Commission on International Trade Law (UNCITRAL) involving preparation of model legislation or international guidelines on certain aspects of cross-border insolvency. Possible United States positions concerning the first UNCITRAL Working Group meeting on this topic beginning October 30, 1995 will also be considered. The Commission decided at its most recent Plenary session in May, 1995 to work primarily on procedural, rather than substantive, rules which could cover matters such as judicial cooperation with regard to jurisdiction, access to proceedings for foreign trustees and other interests, coordination of hearings, recognition of judgments, and enforcement. Consideration may also be given at this stage to international cooperation on asset tracing and recovery. Additional matters, including substantive law involving priorities of claims, relation to other law such as secured interests, and priorities as to distribution would only be considered, if at all, at a later stage.

The relationship of the Commission's project generally to U.S. interests, and its impact on facilitation of international trade will be considered. Current projects by other organizations will also be reviewed in this context, including the American Law Institute's project to consider harmonization of bankruptcy law between the NAFTA states, and projects by the International Bar Association, INSOL and others.

Background documents include an UNCITRAL Secretariat Report on the international judicial colloquium on cross-border insolvency at Toronto, Canada in March, 1995, U.N. Doc.A/CN.9/413, April 12, 1995, and a Report by INSOL International (International Association of Insolvency Practitioners) on the Joint Project of UNCITRAL and INSOL: cross-border insolvency access and recognition, March 1, 1995. Copies of these documents are available from the Legal Adviser's Office at the address indicated below.

Background documents may be requested from, and persons who cannot attend the meetings are welcome to submit comments to, the Office of Legal Adviser (L/PIL), Department of State, State Annex 44, Suite 355 South Building, Washington, DC 20520, attention Harold S. Burman. The meetings are open to the public up to the capacity of the meeting room and subject to the rulings of the Chair; meetings will be held at the State Department, the October 13 meeting at A.I.D. Conference Room 5951, and October 27 at the Bureau of European Affairs Conference Room 6219A. Since access to the building is controlled, persons wishing to participate should advise the Office of Legal Adviser not later than three days before the meeting of their name, address, telephone, affiliation, and social security number. For further information, please call Seema Aziz at (202) 776–8426 or 8420.

Peter H. Pfund,

Assistant Legal Adviser.

[FR Doc. 95–24440 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–08–M

[Public Notice 2259]

Bureau of Consular Affairs, Overseas Citizen Services

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: The Department of State issued a public announcement concerning the recent determination by the Secretary of the U.S. Department of Transportation that the international airport in Manila, The Philippines, does not administer nor maintain effective security measures.

FOR FURTHER INFORMATION CONTACT: Margery Lemb, American Citizens Services, Department of State, 2201 C Street, NW, Room 4811, Washington, D.C. 20520, 202–647–5000.

SUPPLEMENTARY INFORMATION: 60 FR 41907, August 14, 1995.

Pursuant to 49 U.S.C. 44908(a), on September 11, 1995, the Department of State issued the following public announcement:

On August 7, 1995, the United States Secretary of Transportation determined that the Ninoy Aquino International Airport Manila, The Philippines, does not currently maintain security measures which are fully consistent with the standards established by the International Civil Aviation Organization (ICAO). The Department of Transportation believes that air service

operations can be safely continued if proper precautions are carefully observed. Currently, U.S. air carriers and foreign air carriers which fly directly to the U.S. are providing additional security measures that counter the deficiencies identified at Ninoy Aquino International Airport.

Dated: September 15, 1995.

Georgia Rogers,

Managing Director, Overseas Citizens Services.

[FR Doc. 95–24341 Filed 9–29–95; 8:45 am]

BILLING CODE 4710–06–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Sale in the U.S. of Transportation by Air to Lebanon

On September 15, 1995, the President determined that the prohibition contained in PD 85–14, insofar as it applies to the transportation to Lebanon of non-U.S. citizens, U.S. citizens who have received written approval from the State Department, and their accompanying baggage, should be removed. In furtherance of that determination, we found on September 26, 1995, in Order 95–9–30, that it is consistent with the public interest to exempt U.S. and foreign air carriers from the conditions imposed by Order 85–7–45 to the extent necessary to allow non-U.S. citizens and those U.S. citizens who have received written approval from the State Department, to purchase in the United States transportation for themselves and their accompanying baggage to and from Lebanon. This exemption is effective October 25, 1995.

Furthermore, in Order 95–9–30 we required that at the point of sale, the agent or carrier making the sale obtain from each non-U.S. citizen to whom the ticket is being issued, A) a statement signed by that person that he or she is not a citizen of the United States, and B) a photocopy of the page(s) of each such person's passport showing the name, nationality, and passport number, and a photocopy of the entry VISA that the person has obtained for entry into Lebanon. With respect to U.S. citizens, the agent or carrier at the point of sale must obtain a photocopy of the page of each such person's passport that includes the State Department endorsement permitting one round trip to Lebanon. All carriers and agents must retain such records for a period of at least 12 months. These steps were taken as a means of ensuring and policing compliance with the new travel regime.

We directed that a copy of this notice be published in the Federal Register.

Patrick V. Murphy,

Deputy Assistant Secretary for Aviation and International Affairs.

Dated: September 26, 1995.

[FR Doc. 95–24436 Filed 9–29–95; 8:45 am]

BILLING CODE 4910–62–P

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Public Information Collection Requirements Submitted to OMB for Review

September 26, 1995.

The Office of Thrift Supervision (OTS) has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–11. Copies of the submission(s) may be obtained by calling the OTS Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the OTS Clearance Officer, Office of Thrift Supervision, 1700 G Street, N. W., Washington, D.C. 20552.

OMB Number: 1550–0085.

Form Number: OTS Form 1602.

Type of Review: Revision of an existing collection.

Title: Ongoing Survey for Interpretive Opinions.

Description: This information collection is needed to obtain feedback on the quality of opinions produced by the Office of Thrift Supervision in order to meet the goals of the National Performance Review with respect to customer service on a long-term basis.

Respondents: Savings and Loan Associations and Savings Banks.

Estimated Number of Respondents: 50.

Estimated Burden Hours Per Respondent: .25 Hr.

Frequency of Response: 1.

Estimated Total Reporting Burden: 12.5 Hrs.

Clearance Officer: Colleen M. Devine, (202) 906–6025, Office of Thrift Supervision, 1700 Street, N.W., Washington, D.C. 20552.

OMB Reviewer: Milo Sunderhauf, (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, D.C. 20503.

Catherine C. M. Teti,

Director, Records Management and Information Policy.

[FR Doc. 95–24443 Filed 9–29–95; 8:45 am]

BILLING CODE 6720–01–P

[AC–47; OTS Nos. H–1932 and 02167]

American National Bankshares, M.H.C., Baltimore, MD; Approval of Conversion Application

Notice is hereby given that on September 12, 1995, the Assistant Director, Corporate Activities Division, Office of Thrift Supervision, or her designee, acting pursuant to delegated authority, approved the application of American National Bankshares, M.H.C., Baltimore, Maryland, to convert to the stock form of organization. Copies of the application are available for inspection at the Information Services Division, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552, and the Southeast Regional Office, Office of Thrift Supervision, 1475 Peachtree Street, N.E., Atlanta, Georgia 30309.

Dated: September 27, 1995.

By the Office of Thrift Supervision.

Kimberly M. White,

Corporate Technician.

[FR Doc. 95–24444 Filed 9–29–95; 8:45 am]

BILLING CODE 6720–01–M

[AC–48; OTS Nos. 01744]

Boston Federal Savings Bank, Burlington, MA; Approval of Conversion Application

Notice is hereby given that on September 6, 1995, the Assistant Director, Corporate Activities Division, Office of Thrift Supervision, or her designee, acting pursuant to delegated authority, approved the application of Boston Federal Savings Bank, Burlington, Massachusetts, to convert to the stock form of organization. Copies of the application are available for inspection at the Information Services Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, and the Northeast Regional Office, Office of Thrift Supervision, 10 Exchange Place, 18th Floor, Jersey City, New Jersey 07302.

Dated: September 27, 1995.

By the Office of Thrift Supervision.

Kimberly M. White,

Corporate Technician.

[FR Doc. 95–24445 Filed 9–29–95; 8:45 am]

BILLING CODE 6720–01–M

Sunshine Act Meetings

Federal Register
Vol. 60, No. 190
Monday, October 2, 1995

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).

FEDERAL HOUSING FINANCE BOARD

''FEDERAL REGISTER'' CITATION OF PREVIOUS ANNOUNCEMENT: 60 FR 48748, September 20, 1995.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., Tuesday, September 26, 1995.

CHANGES IN THE MEETING: The following topics were withdrawn from the open portion of the meeting:

Membership.

Affordable Housing Program Application Subsidy Limits—Interim Final Rule.

The Board determined that agency business requires its consideration of this matter on less than seven days notice to the public and that no earlier notice of this change in the subject matter of the meeting was possible.

CONTACT PERSON FOR MORE INFORMATION: Elaine L. Baker, Secretary to the Board, (202) 408–2837.

Rita I. Fair,

Managing Director.

[FR Doc. 95–24510 Filed 9–28–95; 2:14 pm]

BILLING CODE 6725–01–P

SECURITIES AND EXCHANGE COMMISSION

Agency Meeting

''FEDERAL REGISTER'' CITATION OF PREVIOUS ANNOUNCEMENT: [60 FR 49667, September 26, 1995].

STATUS: Closed meeting.

PLACE: 450 Fifth Street, N.W., Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: September 26, 1995.

CHANGE IN THE MEETING: Cancellation.

The closed meeting scheduled for Thursday, September 28, 1995, at 10:00 a.m., has been cancelled.

Commissioner Wallman, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary (202) 942–7070.

Dated: September 27, 1995.

Jonathan G. Katz,

Secretary.

[FR Doc. 95–24538 Filed 9–28–95; 2:15 pm]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

Agency Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of October 2, 1995.

An open meeting will be held on Thursday, October 5, 1995, at 10:00 a.m.

The subject matter of the open meeting scheduled for Thursday, October 5, 1995, at 10:00 a.m., will be:

(1) The Commission will consider a recommendation to propose an amendment to the current Rule 16b–3 exemption from Section 16(b) of the Securities Exchange Act of 1934 for employee transactions that would provide an alternative to the Rule 16b–3 amendments proposed in Release 34–34514, and to extend the comment period for Releases 34–34514 and 34–34681 until December 15, 1995. Comment also would be solicited on other issues regarding Section 16. For further information, contact Anne M. Krauskopf, Office of Chief Counsel, Division of Corporation Finance, at (202) 942–2900.

(2) The Commission will consider whether to issue an interpretive release and solicit comments relating to electronic delivery of information under the federal securities laws and regulations. The Commission also will consider proposing minor technical amendments to its rules that are premised on the distribution of paper documents. For further information, contact Joseph P. Babits or James R. Budge in the Division of Corporation Finance at (202) 942–2910; Emanuel D. Strauss in the Division of Investment Management at (202) 942–0548.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary (202) 942–7070.

Jonathan G. Katz,

Secretary.

Dated: September 27, 1995.

[FR Doc. 95–24539 Filed 9–28–95; 2:15 pm]

BILLING CODE 8010–01–M

federal register

Monday
October 2, 1995

Part II

Department of Health and Human Services

Health Resources and Services Administration

Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice.

SUMMARY: This notice provides lists of all areas, population groups, and facilities designated as primary medical care, mental health, and dental health professional shortage areas (HPSAs) as of June 15, 1995. HPSAs are designated or withdrawn by the Secretary of Health and Human Services (HHS) under the authority of section 332 of the Public Health Service (PHS) Act.

FOR FURTHER INFORMATION CONTACT: For further information on the HPSA designations listed below, or to request additional designations or withdrawals or reinstatement of a withdrawn designation, please contact Evan R. Arrindell, D.S.W., Acting Director, Division of Shortage Designation, Bureau of Primary Health Care, Health Resources and Services Administration, Room 9–1D1, 4350 East-West Highway, Bethesda, Maryland 20814 (301–594–0816).

SUPPLEMENTARY INFORMATION:

1. Background

Section 332 of the PHS Act provides that the Secretary of HHS shall designate HPSAs based on criteria established by regulation. HPSAs are defined in section 332 to include (1) urban and rural geographic areas, (2) population groups, and (3) facilities with shortages of health professionals. Section 332 further requires that the Secretary annually publish a list of the designated geographic areas, population groups, and facilities. The list of HPSAs is to be reviewed at least annually and revised as necessary. The Health Resources and Services Administration's (HRSA) Bureau of Primary Health Care has the responsibility for designating and updating these HPSAs.

Public or nonprofit entities are eligible to apply for assignment of National Health Service Corps (NHSC) personnel to provide primary health services in or to these HPSAs. NHSC health professionals with a service obligation may only serve in federally designated HPSAs. Programs with clinical training sites located in HPSAs are eligible to receive priority for certain residency training program grants administered by HRSA's Bureau of Health Professions.

Several programs administered by the Health Care Financing Administration also use the HPSA designation. Certain qualified providers in HPSAs are eligible for increased levels of Medicare and Medicaid reimbursement.

2. Development of the Designation and Withdrawal Lists

Criteria for designating HPSAs were published as final regulations (42 CFR Part 5) in 1980. Criteria were then defined for each of seven health professional types (primary medical care, dental, psychiatric, vision care, podiatric, pharmacy, and veterinary care). The criteria for correctional facility HPSAs were revised in 1989, and the criteria for psychiatric HPSAs were expanded to mental health HPSAs in 1992. The currently-funded PHS programs which use the HPSA designations involve only the primary medical care, mental health, or dental HPSAs. Individual requests for designation or withdrawal of a particular area, population group, or a facility as a HPSA are continuously received and reviewed by HRSA's Bureau of Primary Health Care (BPHC). The review process includes routine submission of such requests to the appropriate State Health Planning and Development Agency (SHPDA) and/or a unit of the State Health Department, the Governor, and other interested organizations and individuals for their comments and recommendations. Requests regarding primary medical care and mental health HPSAs are also submitted to the appropriate State medical society for comment, and dental HPSA requests are submitted to the appropriate State dental society.

Annually, lists of designated HPSAs are provided to all SHPDAs and/or State health departments, State medical and dental societies and others, together with a request to review and update the data on which the designations are based. Emphasis is placed on updating those designations which are more than 3 years old or where significant changes relevant to the designation criteria have occurred.

Recommendations for possible additions, continuations, revisions or withdrawals from the HPSA list are reviewed by the BPHC, and the review findings are provided by letter to the agency or individual requesting action or providing data, with copies to other interested organizations and individuals. These letters constitute the official notice of designation as a HPSA, rejection of recommendations for HPSA designation, revision of a HPSA designation, and/or advance notice of pending withdrawals from the HPSA list. Designations (or revisions of designations) are effective as of the date of the letter making (or revising) the designation; proposed withdrawals become effective after a 60-day waiting period and publication in the Federal Register (or publication of a Federal Register list that does not include them.)

This notice contains three lists of designated HPSAs. Each list (primary medical care, mental health, and dental) includes all those areas, population groups, and facilities which were designated HPSAs as of June 15, 1995. This notice incorporates the most recent annual review of designated HPSAs and supersedes the Primary Medical Care HPSA list published in the Federal Register on January 21, 1994; the Psychiatric HPSA list published August 19, 1983; and the Dental HPSA list published January 8, 1986. Each list includes the current definitions for each designated service area, and excludes any HPSA or portion of a designated HPSA which has been withdrawn since the last list was published. Any HPSA, or portion thereof, which was proposed for withdrawal on or before June 15, 1995, has been excluded from these lists.

3. Format of Lists

Each list of designated HPSAs (primary medical care, dental, and mental health) is arranged by State. Within each State, the list is first presented by county. If only a portion (or portions) of a county is (are) designated, or if the county is part of a larger designated service area, or if a population group residing in the county or a facility located in the county has been designated, the name of the service area, population group, or facility involved is listed under the county name. Counties which have a geographic HPSA designation in addition to one or more facility designations within the county are indicated by a (g) following the county name.

Following the county listing, a list of any designated service areas is presented, identifying their component parts—counties, towns, townships, census tracts (CTs), minor civil divisions (MCDs), census county divisions (CCDs), block numbering areas (BNAs), or magisterial districts, as defined by the Bureau of the Census. Those counties (or parts of counties included in service areas) which are classified as nonmetropolitan are indicated by an asterisk (*).

''Nonmetropolitan'' refers to those counties not included in the statistical definitions of metropolitan areas established by the Office of Management and Budget (OMB Bulletin 94–07 dated July 5, 1994).

Following the service area listing, a list of designated population groups (if any) is presented identifying each group and the geographic area wherein it resides. Following the population group listing, a list by name and location of any separately designated facilities (including prisons, correctional institutions, health centers, or hospitals) is presented.

The National Health Service Corps Revitalization Amendments of 1990 (Public Law 101–697, enacted November 16, 1990) amended existing statute to require that priority in assignment of NHSC personnel be given to entities serving HPSAs with the greatest health professional shortage, as determined by certain exclusive factors. A notice was published in the Federal Register (56 FR 41363) on August 20, 1991, dealing with the application of those factors to determine the HPSAs of greatest shortage. The scoring process described therein is now used annually to determine HPSAs of greatest shortage and in developing NHSC placement lists. ''HPSAs of greatest shortage'' replaces the ''degree-of-shortage groups'' originally used to determine relative priorities for placement of NHSC personnel. The ''degree-of-shortage groups'' (rankings from 01 to 04, with 01 being the highest degree of shortage) shown in previous listings of designated HPSAs are no longer a determining factor in NHSC placement decisions and do not appear in these lists.

4. Future Updates of Lists of Designated HPSAs

The lists of HPSAs below consist of all those which were designated as of June 15, 1995. It should be noted that additional HPSAs may have been designated by letter since June 15. The appropriate agencies and individuals have been or will be notified of these actions by letter.

Any designated HPSA listed below is subject to withdrawal from designation if new information received and confirmed by HRSA indicates that the relevant data for the area involved have significantly changed since its designation or that incorrect or incomplete data were used in making the original designation. Interested parties will be notified by mail of any proposed withdrawal, which by regulation will become effective only after interested parties in the area affected have been afforded the opportunity to submit additional information in support of its continued or revised designation.

All requests for new designations, updates, or withdrawals should be based on the relevant criteria in regulations published on November 17, 1980, the amendments made for correctional facilities on March 2, 1989, or amendments made for mental health HPSAs on January 22, 1992.

Dated: September 8, 1995.

Ciro V. Sumaya,

Administrator.

PRIMARY MEDICAL CARE: Alabama
County Listing

County Name

Autauga
  Population Group: Med Ind—Autauga Co
Baldwin
  Service Area: Atmore/Century (AL/FL)
*Barbour
  Service Area: Clayton
*Bibb
Blount
Bullock
  Service Area: Bullock-Macon
*Butler
*Chambers
  Service Area: La Fayette
  Population Group: Med Ind—Valley
*Cherokee
*Chilton
*Choctaw
*Clarke
  Service Area: Coffeeville
  Service Area: Grove Hill/Fulton
*Cleburne
Colbert
  Service Area: Cherokee
*Conecuh
*Coosa
*Covington
  Service Area: South Covington
*Crenshaw
*Cullman
  Population Group: Med Ind—Cullman Co
*Dallas
  Population Group: Med Ind—Dallas Co
*De Kalb
Elmore
*Escambia
  Service Area: Atmore/Century (AL/FL)
Etowah
  Population Group: Med Ind—Etowah Co
*Fayette
  Population Group: Med Ind—Fayette Co
*Franklin
  Population Group: Pov Pop—Red Bay/Vina/Belmont (AL/MS)
*Geneva
Greene
  Service Area: Greene-Hale
Hale
  Service Area: Greene-Hale
*Henry
*Jackson
  Population Group: Med Ind—Jackson Co
Jefferson
  Population Group: Pov Pop—Central Birmingham
*Lamar

PRIMARY MEDICAL CARE: Alabama
County Listing

County Name

Lauderdale
  Service Area: West Limestone
Lawrence
Limestone
  Service Area: West Limestone
  Population Group: Pov Pop—Limestone Co
*Lowndes
Macon
  Service Area: Bullock-Macon
Madison
  Population Group: Pov Pop—Madison Co
*Marengo
  Population Group: Med Ind—Marengo Co
*Marshall
  Population Group: Med Ind—Marshall Co
Mobile
  Service Area: Bayou La Batre/Grand Bay
  Service Area: North Mobile
  Population Group: Pov Pop—E Mobile/Prichard
  Facility: Univ S. Al. Chldrns Md. Ctr.
*Monroe
  Service Area: Atmore/Century (AL/FL)
  Population Group: Med Ind—Monroeville
Montgomery
  Population Group: Med Ind—Montgomery Co
Morgan
  Population Group: Pov Pop—Morgan Co
*Perry
*Pickens
*Randolph
Russell
  Service Area: Cottonton/Hurtsboro
Shelby
St Clair
*Sumter
*Talladega (g)
  Facility: FCI Talladega
*Tallapoosa
  Service Area: Camp Hill
Tuscaloosa
  Population Group: Low Inc—Tuscaloosa Co
Walker
  Population Group: Med Ind—Walker Co
*Washington
*Wilcox
*Winston

PRIMARY MEDICAL CARE: Alabama
Service Area Listing

Service Area Name

Atmore/Century (AL/FL)
  County—Baldwin
    Parts:
      C.T. 101
  County—Escambia
    Parts:
      C.T. 9703–9707
  County—Monroe
    Parts:
      C.T. 9862
Bayou La Batre/Grand Bay
  County—Mobile
    Parts:
      C.T. 66–67
      C.T. 72.02
      C.T. 73
Bullock-Macon

PRIMARY MEDICAL CARE: Alabama
Service Area Listing

Service Area Name

County—Macon
Camp Hill
County—Tallapoosa
Parts:
Camp Hill CCD
Dadeville CCD
Tallassee CCD
Cherokee
County—Colbert
Parts:
Cherokee CCD
Clayton
County—Barbour
Parts:
Clayton CCD
Clio CCD
Louisville CCD
Coffeeville
County—Clarke
Parts:
Coffeeville CCD
Cottonton/Hurtsboro
County—Russell
Parts:
Cottonton-Seale CCD
Hurtsboro CCD
Greene-Hale
County—Hale
Grove Hill/Fulton
County—Clarke
Parts:
Fulton CCD
Grove Hill CCD
La Fayette
County—Chambers
Parts:
Five Points CCD
Lafayette CCD
Milltown CCD
North Mobile
County—Mobile
Parts:
C.T. 58–60
South Covington
County—Covington
Parts:
Falco CCD
Florala CCD
West Limestone
County—Lauderdale
Parts:
C.T. 117–118
County—Limestone
Parts:
C.T. 202–203

PRIMARY MEDICAL CARE: Alabama
Population Group Listing

Population Group

Low Inc—Tuscaloosa Co
County—Tuscaloosa
Parts:
Low Income
Med Ind—Autauga Co
County—Autauga
Parts:
Medically Indigent
Med Ind—Cullman Co
County—Cullman
Parts:
Medically Indigent

PRIMARY MEDICAL CARE: Alabama
Population Group Listing

Population Group

Med Ind—Dallas Co
County—Dallas
Parts:
Medically Indigent
Med Ind—Etowah Co
County—Etowah
Parts:
Medically Indigent
Med Ind—Fayette Co
County—Fayette
Parts:
Medically Indigent
Med Ind—Jackson Co
County—Jackson
Parts:
Medically Indigent
Med Ind—Marengo Co
County—Marengo
Parts:
Medically Indigent
Med Ind—Marshall Co
County—Marshall
Parts:
Medically Indigent
Med Ind—Monroeville
County—Monroe
Parts:
Beatrice CCD
Frisco City CCD
Monroeville CCD
Peterman CCD
Vredenburgh CCD
Med Ind—Montgomery Co
County—Montgomery
Parts:
Medically Indigent
Med Ind—Valley
County—Chambers
Parts:
Lanett CCD
Langdale CCD
Med Ind—Walker Co
County—Walker
Parts:
Medically Indigent
Pov Pop—Central Birmingham
County—Jefferson
Parts:
C.T. 3–5
C.T. 7–8
C.T. 11–12
C.T. 14–16
C.T. 19.02
C.T. 22
C.T. 23.03–23.04
C.T. 24
C.T. 27
C.T. 29
C.T. 30.01–30.02
C.T. 31–34
C.T. 39–40
C.T. 42
C.T. 45
C.T. 51.01
C.T. 55
Pov Pop—E Mobile/Prichard
County—Mobile
Parts:
C.T. 1–3
C.T. 4.01–4.02
C.T. 5–6
C.T. 7.01–7.02

PRIMARY MEDICAL CARE: Alabama
Population Group Listing

Population Group

C.T. 8
C.T. 10.01–10.02
C.T. 11
C.T. 12.01
C.T. 13.01–13.02
C.T. 14
C.T. 15.01–15.02
C.T. 16
C.T. 23.01–23.02
C.T. 24
C.T. 26
C.T. 38.01
C.T. 39.01–39.02
C.T. 40–50
Pov Pop—Limestone Co
County—Limestone
Parts:
Pov Pop
Pov Pop—Madison Co
County—Madison
Parts:
Pov Pop
Pov Pop—Morgan Co
County—Morgan
Parts:
Pov Pop
Pov Pop—Red Bay/Vina/Belmont (AL/MS)
County—Franklin
Parts:
Red Bay CCD
Vina CCD

PRIMARY MEDICAL CARE: Alabama
Facility Listing

Facility Name

FCI Talladega
County—Talladega
Univ S. Al. Chldrns Md. Ctr.
County—Mobile

PRIMARY MEDICAL CARE: Alaska
Census Area Listing

Census Area Name

*Aleutians East Area
*Aleutians West Area
Anchorage Borough
Facility: Cook Inlet Pre-Trial Fac.
Facility: Highland Mtn/Meadow Crk Corr. C.
*Bethel Area
*Fairbanks North Star Boro
Population Group: Med Ind—Fairbanks North Star Boro
*Haines Borough
*Kenai Peninsula Borough
Facility: Spring Creek Corr. C.
Facility: Wildwood Corr. C.
*Matanuska-Susitna Borough
Service Area: Talkeetna/Trapper Creek
Facility: Palmer Corr. C.
*N.W. Arctic Borough
*Nome Area
Service Area: St. Lawrence Is.
Service Area: Unalakleet
*North Slope Borough
*Prince Of Wales-Outer Ket
*Southeast Fairbanks
*Valdez-Cordova Area
Service Area: Valdez/Whittier
*Wade Hampton Area

PRIMARY MEDICAL CARE: Alaska
Census Area Listing

Census Area Name

*Wrangell-Petersburg Area
*Yukon-Koyukuk

PRIMARY MEDICAL CARE: Alaska
Service Area Listing

Service Area Name

St. Lawrence Is.
Census Area—Nome Area
Parts:
Gambell Vil.
Savoonga Vil.
Talkeetna/Trapper Creek
Census Area—Matanuska-Susitna Borough
Parts:
Block Group 1
Block Group 3
Chase CDP
Skwentna CDP
Talkeetna CDP
Trapper Creek CDP
Unalakleet
Census Area—Nome Area
Parts:
Koyuk Vil.
Shaktoolik Vil.
St. Michaels Vil.
Stebbins Vil.
Unalakleet City
Valdez/Whittier
Census Area—Valdez-Cordova Area
Parts:
Prince William Sound Sub

PRIMARY MEDICAL CARE: Alaska
Population Group Listing

Population Group

Med Ind—Fairbanks North Star Boro
Census Area—Fairbanks North Star Boro
Parts:
Med Ind

PRIMARY MEDICAL CARE: Alaska
Facility Listing

Facility Name

Cook Inlet Pre-Trial Fac.
Census Area—Anchorage Borough
Highland Mtn/Meadow Crk Corr. C.
Census Area—Anchorage Borough
Palmer Corr. C.
Census Area—Matanuska-Susitna Borough
Spring Creek Corr. C.
Census Area—Kenai Peninsula Borough
Wildwood Corr. C.
Census Area—Kenai Peninsula Borough

PRIMARY MEDICAL CARE: Arizona
County Listing

County Name

*Apache
Service Area: Ganado/Rough Rock
Service Area: Kayenta
Population Group: Low Inc—St Johns/Springerville
*Cochise
Service Area: Bowie
Service Area: Tombstone
Population Group: Med Ind—Bisbee
*Coconino
Service Area: Hopi
Service Area: Kanab/Fredonia (UT/AZ)
Service Area: Page/Tuba City
*Gila
Service Area: Young
*Graham
Service Area: Bonita-Klondyke
Service Area: Pima
Service Area: San Carlos
*La Paz
Service Area: Parker
Maricopa
Service Area: Gila Bend
Population Group: Med Ind—Guadalupe
Population Group: Med Ind—Central/S Phoenix
Population Group: Med Ind/MFW—Chandler/Queen Creek
Population Group: Med Ind/MFW—El Mirage
Population Group: Pov Pop/MFW—Buckeye
Facility: FCI Phoenix
Facility: Maricopa Co. Jails
Mohave
Service Area: Bullhead City
Service Area: Dolan Springs
Service Area: Hurricane/Mohave North (UT/AZ)
*Navajo
Service Area: Ganado/Rough Rock
Service Area: Heber/Overgaard
Service Area: Holbrook
Service Area: Hopi
Service Area: Kayenta
Pima
Service Area: Ajo
Service Area: Arivaca
Service Area: Continental
Population Group: Med Ind—Catalina
Population Group: Med Ind—South Tucson
Population Group: Pov Pop—Marana
Facility: FCI Tucson
Facility: Pima Co Adult Detention Ctr
Pinal
Service Area: San Pedro Valley
Service Area: Superior
Population Group: Med Ind/MFW—Central/West Pinal
Facility: Ins Med Fac—Florence
*Santa Cruz
*Yavapai
Service Area: Mayer/Humboldt
Service Area: Seligman
Yuma
Service Area: Gila Bend
Population Group: Pov Pop/MFW—Somerton

PRIMARY MEDICAL CARE: Arizona
Service Area Listing

Service Area Name

Ajo
County—Pima
Parts:
Ajo CCD
Arivaca
County—Pima
Parts:
C.T. 43.05
Bonita-Klondyke
County—Graham
Parts:
Bonita-Klondyke CCD
Bowie
County—Cochise
Parts:
Bowie CCD
Bullhead City
County—Mohave
Parts:
Bullhead City-Riviera
Continental
County—Pima
Parts:
C.T. 41.02
Dolan Springs
County—Mohave
Parts:
C.T. 9502
C.T. 9504–9505
Ganado/Rough Rock
County—Apache
Parts:
C.T. 9701
C.T. 9775
C.T. 9778
County—Navajo
Parts:
C.T. 9653
C.T. 9675
Gila Bend
County—Maricopa
Parts:
E.D. 394–396 (Gila Bend CCD)
E.D. 399–400 (Gila Bend CCD)
County—Yuma
Parts:
E.D. 233 (Wellton CCD)
E.D. 235 (Wellton CCD)
Heber/Overgaard
County—Navajo
Parts:
C.T. 9607 (Wellton CCD)
Holbrook
County—Navajo
Parts:
Little Colo. CCD (E.1/2)
Hopi
County—Coconino
Parts:
Hopi CCD
County—Navajo
Parts:
Hopi CCD
Hurricane/Mohave North (UT/AZ)
County—Mohave
Parts:
Mohave North CCD
Kanab/Fredonia (UT/AZ)
County—Coconino
Parts:
Kaibab CCD
Kayenta
County—Apache
Parts:
Dennehotso CCD
County—Navajo
Parts:
Western CCD
Mayer/Humboldt

PRIMARY MEDICAL CARE: Arizona
Service Area Listing

Service Area Name

County—Yavapai
Parts:
Humboldt CCD
Page/Tuba City
County—Coconino
Parts:
Tuba City CCD
Parker
County—La Paz
Parts:
C.T. 202–204
Pima
County—Graham
Parts:
Pima CCD
San Carlos
County—Graham
Parts:
San Carlos CCD
San Pedro Valley
County—Pinal
Parts:
San Manuel CCD
Seligman
County—Yavapai
Parts:
Ashfork CCD
Superior
County—Pinal
Parts:
C.T. 2
C.T. 4
Tombstone
County—Cochise
Parts:
C.T. 4
Young
County—Gila
Parts:
C.T. 9806–9807

PRIMARY MEDICAL CARE: Arizona
Population Group Listing

Population Group

Low Inc—St Johns/Springerville
County—Apache
Parts:
C.T. 9702–9705
Med Ind—Bisbee
County—Cochise
Parts:
Bisbee CCD
Med Ind—Catalina
County—Pima
Parts:
C.T. 47.07
Med Ind—Central/S Phoenix
County—Maricopa
Parts:
C.T. 1115–1124
C.T. 1126–1133
C.T. 1135–1161
C.T. 1162.02–1162.04
C.T. 1163–1165
C.T. 1166.02
C.T. 1167.02–1167.04
Med Ind—Guadalupe
County—Maricopa
Parts:
C.T. 3200.02
Med Ind—South Tucson

PRIMARY MEDICAL CARE: Arizona
Population Group Listing

Population Group

County—Pima
Parts:
C.T. 1–12
C.T. 13.01–13.02
C.T. 14
C.T. 20–24
C.T. 25.01–25.02
C.T. 37.01–37.03
C.T. 38–39
C.T. 41.03–41.04
C.T. 43.01
C.T. 43.08–43.09
Med Ind/MFW—Central/West Pinal
County—Pinal
Parts:
Casa Grande CCD
Coolidge CCD
Eloy CCD
Florence CCD
Maricopa–Stanfield CCD
Med Ind/MFW—Chandler/Queen Creek
County—Maricopa
Parts:
C.T. 5227.03
C.T. 5227.19
C.T. 5229.02
C.T. 5231.02
Med Ind/MFW—El Mirage
County—Maricopa
Parts:
C.T. 405.02
C.T. 405.09
C.T. 608–609
C.T. 610.03–610.08
C.T. 612–614
C.T. 821.01
C.T. 822.02
C.T. 1125.05–1125.06
Pov Pop—Marana
County—Pima
Parts:
C.T. 44.08–44.09
Pov Pop/MFW—Buckeye
County—Maricopa
Parts:
C.T. 506–507
Pov Pop/MFW—Somerton
County—Yuma
Parts:
C.T. 114–116

PRIMARY MEDICAL CARE: Arizona
Facility Listing

Facility Name

FCI Phoenix
County—Maricopa
FCI Tucson
County—Pima
Ins Med Fac—Florence
County—Pinal
Maricopa Co. Jails
County—Maricopa
Pima Co Adult Detention Ctr
County—Pima

PRIMARY MEDICAL CARE: Arkansas
County Listing

County Name

*Arkansas
Service Area: Dewitt

PRIMARY MEDICAL CARE: Arkansas
County Listing

County Name

*Boone
Service Area: Lead Hill
*Bradley
Service Area: Hermitage
*Chicot
Service Area: Dermott/Mcgehee
*Clark
Service Area: Glenwood/Amity
*Clay
*Cleburne
*Cleveland
Crawford
Service Area: West Fork/Mountainburg
Crittenden
Service Area: Parkin/Earle
*Cross
Service Area: Parkin/Earle
*Dallas
Service Area: Bearden
Service Area: Carthage
Service Area: Sparkman
*Desha
Service Area: Dermott/Mcgehee
Service Area: Snow Lake
*Drew
Service Area: Dermott/Mcgehee
Faulkner
Service Area: Greenbrier
Service Area: Vilonia
*Franklin
*Grant
*Howard
Service Area: Umpire
*Izard
Service Area: Horseshoe Bend
Jefferson
Service Area: Altheimer
Service Area: North Pine Bluff
Service Area: Redfield
Service Area: Richland
*Johnson
Service Area: Oark
*Lafayette
*Lawrence
*Lincoln
*Logan
Lonoke
Population Group: Pov Pop—Cabot
*Marion
Service Area: Lead Hill
*Monroe
Service Area: Clarendon/Holly Grove
*Montgomery
*Nevada
*Newton
*Ouachita
Service Area: Bearden
Service Area: Reader
Service Area: Stephens
*Perry
*Phillips
*Pike
Service Area: Glenwood/Amity
*Poinsett
*Polk
Service Area: Grannis/Wickes
*Pope
Service Area: Hector
*Prairie
Pulaski
Service Area: College Station
*Randolph

PRIMARY MEDICAL CARE: Arkansas
County Listing

County Name

Sebastian
  Service Area: Diamond
*Sharp
*St Francis
*Union
  Service Area: Strong
*Van Buren
Washington
  Service Area: West Fork/Mountainburg
  Service Area: West Washington
*Woodruff
*Yell
  Service Area: Havana

PRIMARY MEDICAL CARE: Arkansas
Service Area Listing

Service Area Name

Altheimer
  County—Jefferson
    Parts:
      C.T. 1.02
      C.T. 1.85
      C.T. 7
Bearden
  County—Dallas
    Parts:
      Holly Springs Twp
  County—Ouachita
    Parts:
      Carroll Twp
      Cleveland Twp
      Freeo Twp
      Union Twp
      Valley Twp
Carthage
  County—Dallas
    Parts:
      Chester Twp.
      Smith Twp.
      Willow Twp.
Clarendon/Holly Grove
  County—Monroe
    Parts:
      Cache Twp.
      Cleburne Twp
      Cypress Ridge Twp.
      Duncan Twp.
      Hindman Twp.
      Jackson Twp.
      Keevil Twp.
      Montgomery Twp.
      Pine Ridge Twp.
      Raymond Twp.
      Roc Roe Twp.
      Smalley Twp.
College Station
  County—Pulaski
    Parts:
      C.T. 2
      C.T. 4–5
      C.T. 40.01
      C.T. 40.03
      C.T. 40.05
Dermott/Mcgehee
  County—Chicot
    Parts:
      Bowie Twp
  County—Desha
    Parts:
      Bowie Twp
      Clayton Twp

PRIMARY MEDICAL CARE: Arkansas
Service Area Listing

Service Area Name

      Franklin Twp
      Halley Twp
      Richland Twp
  County—Drew
    Parts:
      Bartholomew Twp
      Collins Twp
      Franklin Twp
Dewitt
  County—Arkansas
    Parts:
      Arkansas Twp
      Barton Twp
      Bayou Meto Twp
      Brewer Twp
      Chester Twp
      Crockett Twp
      Garland Twp
      Keaton Twp
      La Grue Twp
      Point De Luce Twp
      Prairie Twp
      Stanley Twp
Diamond
  County—Sebastian
    Parts:
      Diamond Twp.
      Hartford Twp.
      Jim Fork Twp.
      Mississippi Twp.
      Sugarloaf Twp.
Glenwood/Amity
  County—Clark
    Parts:
      Amity Twp.
  County—Pike
    Parts:
      Antoine Twp.
      Clark Twp.
      Eagle Twp.
      Mountain Twp.
      Self Creek Twp.
Grannis/Wickes
  County—Polk
    Parts:
      Ozark Twp.
      White Twp.
Greenbrier
  County—Faulkner
    Parts:
      Benton Twp
      California Twp
      Enola Twp.
      Hardin Twp
      Matthews Twp.
      Mount Vernon Twp.
      Mountain Twp.
      Union Twp.
      Walker Twp.
Havana
  County—Yell
    Parts:
      Bluffton Twp.
      Briggsville Twp.
      Crawford Twp.
      Dutch Creek Twp.
      Gravelly Hill Twp.
      Herring Twp.
      Ions Creek Twp.
      Richland Twp.
      Riley Twp.
      Waveland Twp.

PRIMARY MEDICAL CARE: Arkansas
Service Area Listing

Service Area Name

Hector
  County—Pope
    Parts:
      Center Twp.
      Freeman Twp.
      Griffin Twp.
      Jackson Twp.
      Liberty Twp.
      Martin Twp.
      Phoenix Twp.
      Smyrna Twp.
Hermitage
  County—Bradley
    Parts:
      Eagle Twp.
      Marion Twp.
      Ouachita Twp.
      Palestine Twp.
      River Twp.
      Sumpter Twp.
      Washington Twp.
Horseshoe Bend
  County—Izard
    Parts:
      Baker Twp.
      Franklin Twp.
      Jefferson Twp.
      New Hope Twp.
      Violet Hill Twp.
Lead Hill
  County—Boone
    Parts:
      Sugar Loaf Twp
  County—Marion
    Parts:
      Crockett Twp.
      Franklin Twp.
      Keesee Twp.
      Sugarloaf Twp.
North Pine Bluff
  County—Jefferson
    Parts:
      C.T. 5.02
      C.T. 6
      C.T. 6.99
      C.T. 10–13
      C.T. 14.02
      C.T. 21.01
Oark
  County—Johnson
    Parts:
      Batson Twp.
      Dickerson Twp.
      Hill Twp.
      Low Gap Twp.
      Mulberry Twp.
Parkin/Earle
  County—Crittenden
    Parts:
      Tyronza Twp.
  County—Cross
    Parts:
      Tyronza Twp.
Reader
  County—Ouachita
    Parts:
      Behestian Twp.
      Red Hill Twp.
Redfield
  County—Jefferson
    Parts:
      Barraque Twp

PRIMARY MEDICAL CARE: Arkansas
Service Area Listing

Service Area Name

Jefferson Twp
Richland
County—Jefferson
Parts:
C.T. 8
Snow Lake
County—Desha
Parts:
Mississippi Twp
Sparkman
County—Dallas
Parts:
Manchester Twp.
Nix Twp.
Owen Twp.
Stephens
County—Ouachita
Parts:
Jefferson Twp.
Liberty Twp.
Smackover Twp.
Strong
County—Union
Parts:
Harrison Twp.
Lapile Twp.
Umpire
County—Howard
Parts:
Burg Twp.
Clay Twp.
Duckett Twp.
Mountain Twp.
Umpire Twp.
Vilonia
County—Faulkner
Parts:
Bristol Twp.
Cypress Twp.
Eagle Twp.
Harve Twp.
Newton Twp.
Palarm Twp.
Wilson Twp.
West Fork/Mountainburg
County—Crawford
Parts:
Chester Twp
Mountainburg Twp
Porter Twp.
Sand Point Twp.
Shepherd Twp.
Upper Twp.
Whitley Twp.
Winfrey Twp.
County—Washington
Parts:
Crawford Twp.
Durham Twp.
Lees Creek Twp.
Reed Twp.
Valley Twp.
West Fork Twp.
White River Twp.
Winslow Twp.
West Washington
County—Washington
Parts:
Boston Twp.
Cane Hill Twp.
Cove Creek Twp.
Dutch Mills Twp.

PRIMARY MEDICAL CARE: Arkansas
Service Area Listing

Service Area Name

Illinois Twp.
Morrow Twp.
Prairie Grove Twp.
Price Twp.
Rheas Hill Twp.
Starr Hill Twp.
Vineyard Twp
Wedington Twp.

PRIMARY MEDICAL CARE: Arkansas
Population Group Listing

Population Group

Pov Pop—Cabot
County—Lonoke
Parts:
Caroline Twp
Goodrum Twp
Magness Twp
Oak Grove Twp
Ward Twp
York Twp

PRIMARY MEDICAL CARE: California
County Listing

County Name

Alameda
Service Area: Central Oakland
Service Area: East Oakland
Service Area: West Berkeley
Population Group: Inmates—FCI Dublin
*Alpine
Service Area: Markleeville
Butte
Service Area: Biggs/Gridley/Live Oak
Service Area: Feather Falls
Service Area: Oroville/Palermo
Population Group: Low Inc—Paradise
*Calaveras
Service Area: San Andreas
Service Area: West Point/Wilseyville
Population Group: Low Inc—Angels
*Colusa
Contra Costa
Service Area: East Contra Costa
El Dorado
Service Area: Georgetown Divide
Fresno
Service Area: Coalinga
Service Area: Edison/Easton
Service Area: Firebaugh/Mendota
Service Area: Hanford/Lemoore
Service Area: Huron
Service Area: Kerman
Service Area: San Joaquin-Tranquility
Population Group: Pov Pop—Fowler/Selma/Kingsburg
Population Group: Pov Pop/MFW—Reedley/Parlier/Orange
Facility: Valley Medical Center
*Glenn
Service Area: Orland
Service Area: Willows
*Humboldt
Service Area: Willow Creek
*Imperial
Service Area: Brawley/Calipatria-Westmorland
Service Area: Calexico
Service Area: East Imperial
Service Area: El Centro

PRIMARY MEDICAL CARE: California
County Listing

County Name

Service Area: West Imperial
Population Group: Medicaid—Winterhaven-Bard
Facility: Ins Med Fac—El Centro
*Inyo
Service Area: Southern Inyo
Kern
Service Area: Arvin/Lamont
Service Area: Delano/Mcfarland
Service Area: Frazier Park
Service Area: Lake Isabella
Service Area: Se Kern, Boron, California City
Service Area: Taft
Service Area: Tehachapi
Population Group: Inmates—FPC Boron
Population Group: Low Inc—E Bakersfield/Lakeview
Population Group: Medicaid—Ridgecrest
Population Group: Pov/MFW—Buttonwillow/Wasco/Shafter
*Kings
Service Area: Hanford/Lemoore
*Lassen
Service Area: Adin-Lookout
Service Area: Honey Lake
Service Area: Madeline Plains
Los Angeles
Service Area: Avalon/Goodyear/Main
Service Area: E San Pedro/Wilmington/Long Beach Port
Service Area: East Compton
Service Area: East L.A./City Terrace
Service Area: Figueroa/Firestone/Gr Meadows/Watts
Service Area: N. El Monte/S. El Monte
Service Area: Pico Rivera South
Service Area: Santa Catalina Island
Service Area: Venice
Population Group: Inmates—MDC Los Angeles
Population Group: Low Inc—Pacoima/Sun Valley North
Population Group: Low Inc—Mission Hills/San Fernando
Population Group: Low Inc—El Sereno/Highland Park
Facility: FCI Terminal Island
Facility: Harbor-UCLA Med Ctr Ambulatory Clinics
Facility: Ins Med Fac—San Pedro
Facility: Long Beach Comprehensive Hlth Ctr
Facility: Martin Luther King Jr. Gen Hosp
Madera
Service Area: Chowchilla
Service Area: Madera West/Southwest
Service Area: Oakhurst
Marin
Service Area: Bolinas/Stinson Beach
*Mariposa
Service Area: Mariposa/Coulterville
*Mendocino
Service Area: Boonville/Navarro/Philo/Yorkville
Service Area: Covelo
Service Area: Laytonville/Leggett
Service Area: Redwood/Potter Valley
Population Group: Medicaid—Ukiah/Hopland
Merced
Population Group: Low Inc—Gustine

PRIMARY MEDICAL CARE: California
County Listing

County Name

Population Group: Low Inc—Southwest Merced
Population Group: Low Inc/MFW—Dos Palos/Los Banos
Population Group: Medicaid-Atwater/Livingston-Delhi/Hilmar
Population Group: MFW/Span Sp—Planada-Le Grand
Facility: Merced Comm Med Ctr
*Modoc
Service Area: Adin-Lookout
Service Area: Tule Lake
*Mono
Service Area: Mono North/Topaz Walker
Service Area: Mono South/Mammoth Lakes
Monterey
Service Area: Coastal/Big Sur/Lucial
Service Area: E Salinas/N Central Salinas
Service Area: King City/Greenfield/Soledad
Service Area: Pajaro
Napa
Population Group: Low Inc—Southern Napa Co
Population Group: Low Inc/MFW—Northern Napa Co
Orange
Population Group: Low Inc—Central Santa Ana
Population Group: Low Inc/MFW—San Juan Capistrano
Placer
Service Area: Colfax-Summit
Service Area: Foresthill/Back Country
Population Group: Low Inc—Lake Tahoe/Tahoe City
Population Group: Medicaid—Auburn/Colfax/Foresthill
*Plumas
Population Group: Pov. Pop.—Quincy
Riverside
Service Area: Chuckwalla/Desert Center/Eagle Mt
Service Area: Palo Verde/Blythe
Service Area: S Coachella Valley/Mecca
Sacramento
Service Area: Galt
Population Group: Pov Pop—South Sacramento
*San Benito
Service Area: Hollister/San Juan Bautista
Service Area: San Benito/Bitterwater
San Bernardino
Service Area: Helendale/Silver Lakes
Service Area: Red Mountain/Trona
Service Area: S Barstow-Victorville/Adelanto/Apple Val
Population Group: Low Inc—Lake Arrowhead
Population Group: Pov. Pop.—Big Bear Lake
San Diego
Service Area: Borrego Springs
Service Area: Encanto/Lincoln Acres/National City
Service Area: Golden Hills/Logan Heights
Service Area: Mountain Empire
Service Area: Ramona
Service Area: San Ysidro
Population Group: Inmates—MCC San Diego

PRIMARY MEDICAL CARE: California
County Listing

County Name

Population Group: Low Inc—City Heights/Downtown
Population Group: Medicaid—Vista/Oceanside/Carlsbad
San Francisco
Population Group: Low Inc—South Of Market
San Joaquin
Service Area: South And East Stockton
Population Group: Low Inc—Escalon/Manteca/Ripon
San Mateo
Service Area: E Menlo Park/E Palo Alto
Santa Barbara
Service Area: Cuyama
Service Area: Guadalupe
Facility: USP Lompoc
Santa Cruz
Service Area: Watsonville
Shasta
Service Area: Central Shasta/Shingletown/Whitmore
Service Area: E Shasta—Burney/Cassel/Fall River Mill
Service Area: Sacramento Canyon/Castella/Lakehead/O'Br
Service Area: Southwest Shasta
Population Group: Medicaid—Central-North Redding
Population Group: Medicaid—South Redding-Anderson
Facility: Shasta Primary Care Clinic
*Sierra
Service Area: Downieville
*Siskiyou
Service Area: Butte Valley/Dorris
Service Area: Etna/Ft. Jones
Service Area: Happy Camp
Service Area: McCloud-Medicine Lake
Service Area: Tule Lake
Population Group: Low Inc—Dunsmuir
Population Group: Low Inc—Mt Shasta/Weed
Solano
Service Area: Dixon
Population Group: Medicaid—Vacaville
Sonoma
Service Area: Cloverdale
Service Area: Guerneville
Service Area: Sonoma Valley
Population Group: Low Inc—Healdsburg/Geyserville
Stanislaus
Service Area: West Modesto
Population Group: Low Inc—Newman
Population Group: Medicaid—Oakdale/Riverbank
Sutter
Service Area: Biggs/Gridley/Live Oak
Service Area: Meridian/Robbins
Population Group: Low Inc—Sutter/Yuba City
*Tehama
Service Area: Corning/Sw East Tehama/Las Molinas
Service Area: Red Bluff
Population Group: Medicaid—Tehama Co
*Trinity
Service Area: Hayfork/Forest Glen/Peanut
Service Area: Mad River/Ruth/Zenia
Service Area: Willow Creek
Tulare

PRIMARY MEDICAL CARE: California
County Listing

County Name

Service Area: Porterville
Service Area: Springville
Service Area: Woodlake/Three Rivers
Population Group: Low Inc/MFW—Exeter/Ivanhoe/Lindsay
Population Group: Medicaid—Cutler/Orosi/Dinuba
Population Group: Pov/MFW—Visalia
*Tuolumne
Service Area: Groveland
Population Group: Medicaid—Tuolumne Co
Ventura
Population Group: Low Inc/MFW—Ventura
Yolo
Service Area: East Yolo
Service Area: Esparto
Service Area: Knights Landing
Yuba
Population Group: Low Inc—Sutter/Yuba City
Population Group: Low Inc—Yuba Foothills

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

Adin-Lookout
County—Lassen
Parts:
Big Valley CCD
County—Modoc
Parts:
Adin-Lookout CCD
Arvin/Lamont
County—Kern
Parts:
C.T. 62–64
Avalon/Goodyear/Main
County—Los Angeles
Parts:
C.T. 2281–2289
C.T. 2291–2294
C.T. 2311
C.T. 2318–2319
C.T. 2328
C.T. 2392–2393
C.T. 2395–2396
C.T. 5328–5329
Biggs/Gridley/Live Oak
County—Butte
Parts:
C.T. 34–36
County—Sutter
Parts:
C.T. 507
Bolinas/Stinson Beach
County—Marin
Parts:
C.T. 1321
Boonville/Navarro/Philo/Yorkville
County—Mendocino
Parts:
C.T. 112
Borrego Springs
County—San Diego
Parts:
C.T. 210
Brawley/Calipatria-Westmorland
County—Imperial
Parts:
C.T. 101–107

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

C.T. 123.02
Butte Valley/Dorris
County—Siskiyou
Parts:
C.T. 2
Calexico
County—Imperial
Parts:
C.T. 119–122
Central Oakland
County—Alameda
Parts:
C.T. 4053–4063
C.T. 4065
C.T. 4070–4072
Central Shasta/Shingletown/Whitmore
County—Shasta
Parts:
C.T. 126
Chowchilla
County—Madera
Parts:
C.T. 2–3
Chuckwalla/Desert Center/Eagle Mt
County—Riverside
Parts:
C.T. 458
Cloverdale
County—Sonoma
Parts:
C.T. 1541–1542
Coalinga
County—Fresno
Parts:
C.T. 79.98
C.T. 80–81
Coastal/Big Sur/Lucial
County—Monterey
Parts:
C.T. 115
Colfax-Summit
County—Placer
Parts:
C.T. 219.01–219.02
C.T. 220.01–220.02
Corning/Sw East Tehama/Las Molinas
County—Tehama
Parts:
C.T. 9–11
C.T. 12.98
Covelo
County—Mendocino
Parts:
C.T. 101
Cuyama
County—Santa Barbara
Parts:
C.T. 18
Delano/Mcfarland
County—Kern
Parts:
C.T. 46–50
Dixon
County—Solano
Parts:
C.T. 2533.98
C.T. 2534
Downieville
County—Sierra
Parts:
West Sierra CCD
E Menlo Park/E Palo Alto
County—San Mateo
Parts:
C.T. 6117–6120
C.T. 6121.98
E Salinas/N Central Salinas
County—Monterey
Parts:
C.T. 5–9
C.T. 13
C.T. 17–18
E San Pedro/Wilmington/Long Beach Port
County—Los Angeles
Parts:
C.T. 2941–2943
C.T. 2945–2949
C.T. 2949.99
C.T. 2961
C.T. 2961.99–2962.00
C.T. 2962.99
C.T. 2971
C.T. 2971.99
C.T. 5727–5729
C.T. 5755–5756
C.T. 5756.99–5757.00
C.T. 5757.99
E Shasta—Burney/Cassel/Fall River Mill
County—Shasta
Parts:
C.T. 127
East Compton
County—Los Angeles
Parts:
C.T. 5416.01–5416.02
C.T. 5420
C.T. 5421.01–5421.02
C.T. 5422
C.T. 5424.01–5424.02
C.T. 5704
East Contra Costa
County—Contra Costa
Parts:
C.T. 3010
C.T. 3020.01–3020.02
C.T. 3031–3032
C.T. 3040
East Imperial
County—Imperial
Parts:
C.T. 124
East L.A./City Terrace
County—Los Angeles
Parts:
C.T. 5303–5306
C.T. 5308–5311
C.T. 5312.01–5312.02
C.T. 5313.01–5313.02
C.T. 5315.01–5315.02
C.T. 5316.01–5316.02
C.T. 5317.01–5317.02
East Oakland
County—Alameda
Parts:
C.T. 4073–4075
C.T. 4084–4097
C.T. 4102–4104
East Yolo
County—Yolo
Parts:
C.T. 101.01–101.02
C.T. 102.01
C.T. 102.03–102.04
C.T. 103
C.T. 105.06
Edison/Easton
County—Fresno
Parts:
C.T. 2–3
C.T. 7–11
C.T. 19
El Centro
County—Imperial
Parts:
C.T. 108–111
C.T. 112.01–112.02
C.T. 113–117
C.T. 118.01–118.03
Encanto/Lincoln Acres/National City
County—San Diego
Parts:
C.T. 30.01–30.02
C.T. 31.01–31.02
C.T. 32.02
C.T. 33
C.T. 114
C.T. 114.99–115.00
C.T. 116–122
Esparto
County—Yolo
Parts:
C.T. 115 (Esparto)
Etna/Ft. Jones
County—Siskiyou
Parts:
C.T. 6 (Fort Jones CCD)
C.T. 8 (Etna CCD)
Feather Falls
County—Butte
Parts:
C.T. 24 (Esparto)
Figueroa/Firestone/Gr Meadows/Watts
County—Los Angeles
Parts:
C.T. 2397–2398
C.T. 2400
C.T. 2402–2414
C.T. 2420–2423
C.T. 2426–2427
C.T. 2430–2431
C.T. 5349–5350
C.T. 5351.01–5351.02
C.T. 5352–5354
C.T. 5404
Firebaugh/Mendota
County—Fresno
Parts:
C.T. 83
C.T. 84.01–84.02
Foresthill/Back Country
County—Placer
Parts:
C.T. 202
Frazier Park
County—Kern
Parts:
C.T. 33.02
Galt
County—Sacramento
Parts:
C.T. 94.01–94.02
C.T. 95
Georgetown Divide
County—El Dorado
Parts:
C.T. 306.01–306.03

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

Golden Hills/Logan Heights
County—San Diego
Parts:
C.T. 34.02
C.T. 35–36
C.T. 38
C.T. 38.99–39.00
C.T. 40–41
C.T. 45–50
C.T. 50.99–51.00
C.T. 51.99–52.00
Groveland
County—Tuolumne
Parts:
Groveland CCD
Guadalupe
County—Santa Barbara
Parts:
C.T. 25
Guerneville
County—Sonoma
Parts:
C.T. 1537.01–1537.02
C.T. 1543
C.T. 1543.99
Hanford/Lemoore
County—Fresno
Parts:
C.T. 74
County—Kings
Parts:
C.T. 1–3
C.T. 4.01–4.02
C.T. 5–12
C.T. 16 (Pt)
Happy Camp
County—Siskiyou
Parts:
C.T. 5 (Pt)
Hayfork/Forest Glen/Peanut
County—Trinity
Parts:
C.T. 3.98
Helendale/Silver Lakes
County—San Bernardino
Parts:
C.T. 116–117
Hollister/San Juan Bautista
County—San Benito
Parts:
C.T. 1.98
C.T. 2–7
C.T. 9
Honey Lake
County—Lassen
Parts:
Honey Lake CCD
Huron
County—Fresno
Parts:
C.T. 78
Kerman
County—Fresno
Parts:
C.T. 39–41
King City/Greenfield/Soledad
County—Monterey
Parts:
C.T. 111–113 (King City)
Knights Landing
County—Yolo
Parts:

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

C.T. 114
Lake Isabella
County—Kern
Parts:
C.T. 51.01
C.T. 52
Laytonville/Leggett
County—Mendocino
Parts:
C.T. 102
Mad River/Ruth/Zenia
County—Trinity
Parts:
C.T. 4
Madeline Plains
County—Lassen
Parts:
Madeline Plains CCD
Madera West/Southwest
County—Madera
Parts:
C.T. 4
C.T. 5.02–5.05
C.T. 6.01–6.02
C.T. 7–10
Mariposa/Coulterville
County—Mariposa
Parts:
Coulterville CCD
Mariposa CCD
Markleeville
County—Alpine
Parts:
Markleeville CCD
McCloud-Medicine Lake
County—Siskiyou
Parts:
C.T. 12
Meridian/Robbins
County—Sutter
Parts:
C.T. 509
Mono North/Topaz Walker
County—Mono
Parts:
C.T. 1
Mono South/Mammoth Lakes
County—Mono
Parts:
C.T. 2
Mountain Empire
County—San Diego
Parts:
C.T. 211
N. El Monte/S. El Monte
County—Los Angeles
Parts:
C.T. 4315
C.T. 4323–4328
C.T. 4331–4335
C.T. 4337–4340
Oakhurst
County—Madera
Parts:
Oakhurst-North Fork CCD
Orland
County—Glenn
Parts:
C.T. 101–102
Oroville/Palermo
County—Butte
Parts:

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

C.T. 25–33
Pajaro
County—Monterey
Parts:
C.T. 101.98
C.T. 102.01–102.02
Palo Verde/Blythe
County—Riverside
Parts:
C.T. 459–462
Pico Rivera South
County—Los Angeles
Parts:
C.T. 5007–5009
C.T. 5023–5025
C.T. 5026.01–5026.02
C.T. 5027
C.T. 5029.02
C.T. 5320–5322
Porterville
County—Tulare
Parts:
C.T. 33–41
C.T. 45
Ramona
County—San Diego
Parts:
C.T. 208.01
C.T. 208.04
C.T. 208.97–208.98
Red Bluff
County—Tehama
Parts:
C.T. 2
C.T. 4–8
Red Mountain/Trona
County—San Bernardino
Parts:
C.T. 89.01
Redwood/Potter Valley
County—Mendocino
Parts:
C.T. 108
S Barstow-Victorville/Adelanto/Apple Val
County—San Bernardino
Parts:
C.T. 91.02–91.04
C.T. 97.04–97.06
C.T. 98
C.T. 99.01–99.03
C.T. 100.03–100.08
S Coachella Valley/Mecca
County—Riverside
Parts:
C.T. 456.01–456.02
Sacramento Canyon/Castella/Lakehead/O'Br
County—Shasta
Parts:
C.T. 125
San Andreas
County—Calaveras
Parts:
C.T. 2–3
San Benito/Bitterwater
County—San Benito
Parts:
C.T. 8
San Joaquin-Tranquility
County—Fresno
Parts:
C.T. 82
San Ysidro

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

County—San Diego
Parts:
C.T. 100.01–100.05
C.T. 100.07–100.09
C.T. 101.03–101.04
C.T. 101.06–101.09
C.T. 102–105
Santa Catalina Island
County—Los Angeles
Parts:
C.T. 5990–5991
Se Kern, Boron, California City
County—Kern
Parts:
C.T. 55.03–55.06
C.T. 56–59
Sonoma Valley
County—Sonoma
Parts:
C.T. 1501–1502
C.T. 1503.01–1503.02
C.T. 1504–1505
South And East Stockton
County—San Joaquin
Parts:
C.T. 1–3
C.T. 5–8
C.T. 8.99
C.T. 16–26
C.T. 27.01–27.02
C.T. 28–29
C.T. 36.01–36.02
C.T. 37–39
Southern Inyo
County—Inyo
Parts:
Death Valley CCD
Independence CCD (S 1/2)
Lone Pine CCD
Southwest Shasta
County—Shasta
Parts:
C.T. 124
Springville
County—Tulare
Parts:
C.T. 27
Taft
County—Kern
Parts:
C.T. 33.03–33.04
C.T. 34–36
Tehachapi
County—Kern
Parts:
C.T. 60.01–60.02
C.T. 61
Tule Lake
County—Modoc
Parts:
Tule Lake CCD
County—Siskiyou
Parts:
C.T. 1 (Tule Lake CCD)
Venice
County—Los Angeles
Parts:
C.T. 2731–2739
Watsonville
County—Santa Cruz
Parts:
C.T. 1101–1103

PRIMARY MEDICAL CARE: California
Service Area Listing

Service Area Name

C.T. 1104.98
C.T. 1105–1107
C.T. 1223
C.T. 1224.97–1224.98
C.T. 1225.98
West Berkeley
County—Alameda
Parts:
C.T. 4220–4223
C.T. 4230–4234
C.T. 4240
West Imperial
County—Imperial
Parts:
C.T. 123.01
West Modesto
County—Stanislaus
Parts:
C.T. 15
C.T. 16.01–16.02
C.T. 17
C.T. 22–24
C.T. 31
West Point/Wilseyville
County—Calaveras
Parts:
C.T. 4–5
Willow Creek
County—Humboldt
Parts:
C.T. 101 (Trinity–Klamath
County—Trinity
Parts:
C.T. 2 (lower Trinity)
Willows
County—Glenn
Parts:
C.T. 103–105
Woodlake/Three Rivers
County—Tulare
Parts:
C.T. 1
C.T. 7

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

Inmates—FCI Dublin
County—Alameda
Parts:
FCI Dublin
Inmates—FPC Boron
County—Kern
Parts:
FPC Boron
Inmates—MCC San Diego
County—San Diego
Parts:
MCC San Diego
Inmates—MDC Los Angeles
County—Los Angeles
Parts:
MDC Los Angeles
Low Inc—Angels
County—Calaveras
Parts:
C.T. 1
Low Inc—Central Santa Ana
County—Orange
Parts:
C.T. 744.05

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

C.T. 745.01
C.T. 746.01–746.02
C.T. 747.01–747.02
C.T. 748.01–748.02
C.T. 748.05–748.06
C.T. 749.01–749.02
C.T. 750.01–750.02
C.T. 751
C.T. 752.01–752.02
Low Inc—City Heights/Downtown
County—San Diego
Parts:
C.T. 14–15
C.T. 22–24
C.T. 25.01–25.02
C.T. 26
C.T. 27.01
C.T. 27.04–27.06
C.T. 34.01
C.T. 42–44
C.T. 53–58
C.T. 58.99
C.T. 60–61
Low Inc—Dunsmuir
County—Siskiyou
Parts:
C.T. 11
Low Inc—E Bakersfield/Lakeview
County—Kern
Parts:
C.T. 10
C.T. 11.01–11.03
C.T. 12–15
C.T. 20–22
C.T. 23.01–23.02
C.T. 24–26
C.T. 30
Low Inc—El Sereno/Highland Park
County—Los Angeles
Parts:
C.T. 1831.01–1831.02
C.T. 1832–1833
C.T. 1835–1838
C.T. 1991
C.T. 1992.01–1992.02
C.T. 1993
C.T. 1998
C.T. 2011–2012
C.T. 2013.01–2013.02
C.T. 2014.01–2014.02
C.T. 2015.01–2015.02
C.T. 2016–2017
C.T. 5307
Low Inc—Escalon/Manteca/Ripon
County—San Joaquin
Parts:
C.T. 49.01
C.T. 49.98
C.T. 50.01–50.02
C.T. 51.01
C.T. 51.06
C.T. 51.08–51.20
Low Inc—Gustine
County—Merced
Parts:
C.T. 20
Low Inc—Healdsburg/Geyserville
County—Sonoma
Parts:
C.T. 1538–1540
Low Inc—Lake Arrowhead
County—San Bernardino

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

Parts:
C.T. 108–110
Low Inc—Lake Tahoe/Tahoe City
County—Placer
Parts:
C.T. 201.01–201.07
Low Inc—Mission Hills/San Fernando
County—Los Angeles
Parts:
C.T. 1042.01–1042.02
C.T. 1044.01
C.T. 1061.02
C.T. 1064.01
C.T. 1066.01–1066.02
C.T. 1070
C.T. 1091
C.T. 1094–1095
C.T. 3201–3203
Low Inc—Mt Shasta/Weed
County—Siskiyou
Parts:
C.T. 9–10
Low Inc—Newman
County—Stanislaus
Parts:
C.T. 32
C.T. 33.98
C.T. 34.98
C.T. 35
Low Inc—Pacoima/Sun Valley North
County—Los Angeles
Parts:
C.T. 1041.01–1041.02
C.T. 1043
C.T. 1044.02
C.T. 1045–1046
C.T. 1047.01–1047.02
C.T. 1048
C.T. 1210–1212
C.T. 1218–1219
C.T. 1221–1222
Low Inc—Paradise
County—Butte
Parts:
C.T. 17–23
Low Inc—South Of Market
County—San Francisco
Parts:
C.T. 122–125
C.T. 176.02
C.T. 176.98
C.T. 177–178
C.T. 179.01–179.02
C.T. 179.99–180.00
C.T. 201.98
C.T. 226–229
C.T. 607
Low Inc—Southern Napa Co
County—Napa
Parts:
C.T. 2001–2014
Low Inc—Southwest Merced
County—Merced
Parts:
C.T. 9
C.T. 15–16
Low Inc—Sutter/Yuba City
County—Sutter
Parts:
C.T. 501–504
C.T. 505.01–505.02
C.T. 506.01–506.02

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

C.T. 508
C.T. 510
County—Yuba
Parts:
C.T. 401–407
C.T. 409.00–409.02
C.T. 410
Low Inc—Yuba Foothills
County—Yuba
Parts:
C.T. 411
Low Inc/MFW—Dos Palos/Los Banos
County—Merced
Parts:
C.T. 21.98
C.T. 22
C.T. 23.01–23.02
C.T. 24
Low Inc/MFW—Exeter/Ivanhoe/Lindsay
County—Tulare
Parts:
C.T. 8
C.T. 14–16
C.T. 25–26
C.T. 28
Low Inc/MFW—Northern Napa Co
County—Napa
Parts:
C.T. 2015–2020
Low Inc/MFW—San Juan Capistrano
County—Orange
Parts:
C.T. 421.03
C.T. 421.05–421.10
C.T. 422.01
C.T. 422.03–422.04
C.T. 423.10–423.13
C.T. 423.22–423.23
Low Inc/MFW—Ventura
County—Ventura
Parts:
Camarillo CCD
Fillmore-Piru CCD
Las Posas CCD
Los Padres CCD
Meiners Oaks-Ojai CCD
Oxnard CCD
Santa Paula CCD
Ventura CCD
Medicaid—Auburn/Colfax/Foresthill
County—Placer
Parts:
C.T. 203–205
C.T. 215.01
C.T. 215.01
C.T. 216
C.T. 218
C.T. 218.02
Medicaid—Central-North Redding
County—Shasta
Parts:
C.T. 101–119
Medicaid—Cutler/Orosi/Dinuba
County—Tulare
Parts:
Dinuba CCD
Orosi-Cutler CCD
Medicaid—Oakdale/Riverbank
County—Stanislaus
Parts:
C.T. 1
C.T. 2.01–2.03

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

C.T. 3
C.T. 4.01–4.02
Medicaid—Ridgecrest
County—Kern
Parts:
C.T. 53
C.T. 54.01–54.04
C.T. 55.01
Medicaid—South Redding-Anderson
County—Shasta
Parts:
C.T. 120–123
Medicaid—Tehama Co
County—Tehama
Parts:
Medicaid Eligible
Medicaid—Tuolumne Co
County—Tuolumne
Parts:
Medicaid Eligible
Medicaid—Ukiah/Hopland
County—Mendocino
Parts:
Hopland CCD
Ukiah CCD
Medicaid—Vacaville
County—Solano
Parts:
Vacaville CCD
Medicaid—Vista/Oceanside/Carlsbad
County—San Diego
Parts:
C.T. 178.01
C.T. 178.03
C.T. 178.05–178.08
C.T. 179–184
C.T. 185.01
C.T. 185.04
C.T. 185.07–185.08
C.T. 185.97–185.98
C.T. 186.01
C.T. 186.03
C.T. 186.05–186.07
C.T. 192.02–192.04
C.T. 193
C.T. 194.01–194.02
C.T. 195
C.T. 196.01–196.02
C.T. 197.01–197.02
C.T. 198.01–198.02
C.T. 199.01–199.03
C.T. 200.05–200.12
C.T. 203.01
Medicaid—Winterhaven-Bard
County—Imperial
Parts:
C.T. 125
Medicaid-Atwater/Livingston-Delhi/Hilmar
County—Merced
Parts:
C.T. 1–2
C.T. 3.01–3.02
C.T. 4
C.T. 5.01–5.02
C.T. 6–8
C.T. 301
MFW/Span Sp—Planada-Le Grand
County—Merced
Parts:
Planada-Le Grand CCD
Pov Pop—Fowler/Selma/Kingsburg
County—Fresno

PRIMARY MEDICAL CARE: California
Population Group Listing

Population Group

Parts:
C.T. 16–17
C.T. 70.01–70.02
C.T. 71–73
Pov Pop—South Sacramento
County—Sacramento
Parts:
C.T. 27–28
C.T. 30
C.T. 31.01–31.02
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36–37
C.T. 44.01–44.02
C.T. 45
C.T. 46.01–46.02
Pov Pop/MFW—Reedley/Parlier/Orange
County—Fresno
Parts:
C.T. 63
C.T. 65
C.T. 66.01–66.02
C.T. 67
C.T. 68.01–68.02
C.T. 69
Pov. Pop.—Big Bear Lake
County—San Bernardino
Parts:
C.T. 112–115
Pov. Pop.—Quincy
County—Plumas
Parts:
Quincy CCD
Pov/MFW—Buttonwillow/Wasco/Shafter
County—Kern
Parts:
C.T. 37
C.T. 39–45
Pov/MFW—Visalia
County—Tulare
Parts:
C.T. 9
C.T. 10.01–10.02
C.T. 11–13
C.T. 17.01–17.02
C.T. 18–19
C.T. 20.01–20.05

PRIMARY MEDICAL CARE: California
Facility Listing

Facility Name

FCI Terminal Island
County—Los Angeles
Harbor-Ucla Med Ctr Ambulatory Clinics
County—Los Angeles
Ins Med Fac—El Centro
County—Imperial
Ins Med Fac—San Pedro
County—Los Angeles
Long Beach Comprehensive Hlth Ctr
County—Los Angeles
Martin Luther King Jr. Gen Hosp
County—Los Angeles
Merced Comm Med Ctr
County—Merced
Shasta Primary Care Clinic
County—Shasta
USP Lompoc
County—Santa Barbara
Valley Medical Center
County—Fresno

PRIMARY MEDICAL CARE: Colorado
County Listing

County Name

Adams
Service Area: Bennett/Strasburg
Service Area: Commerce City
Population Group: Low Inc—Thornton
Population Group: MSFW—Ft Lupton/Brighton
*Alamosa
Population Group: Low Inc—Alamosa Co
Arapahoe
Service Area: Bennett/Strasburg
*Archuleta
*Baca
*Bent
Boulder
Population Group: MSFW—Ft Lupton/Brighton
Population Group: Pov Pop—Lafayette/Louisville
*Chaffee
Service Area: Northern Chaffee
*Cheyenne
*Clear Creek
*Conejos
Population Group: Med Ind—Conejos Co
*Costilla
*Crowley
*Custer
*Delta
Population Group: Low Inc—Delta Co
Denver
Service Area: Globeville
Service Area: Montbello
*Dolores
Douglas
Facility: FCI Englewood
*Eagle
Service Area: Eagle-Gypsum
El Paso
Service Area: Calhan-Yoder
Population Group: Med Ind—Colorado Springs
*Elbert
Service Area: Limon
*Fremont
Facility: FCI Florence
*Garfield
Service Area: Rifle
*Gilpin
*Hinsdale
*Huerfano
Service Area: Gardner
*Jackson
*Kiowa
*Lake
*Las Animas
Population Group: Low Inc—Las Animas Co
Lincoln
Service Area: Limon
*Logan
Service Area: Crook/Fleming
*Mesa
Service Area: Collbran
*Mineral
*Moffat
Service Area: Rangely
*Montrose
Service Area: Nucla/Norwood
*Morgan
Population Group: Low Inc—Morgan Co
*Otero
Population Group: Med Ind Pop—Otero Co

PRIMARY MEDICAL CARE: Colorado
County Listing

County Name

*Park
Service Area: Fairplay
Service Area: Lake George
*Phillips
Population Group: Low Inc—Phillips Co
*Prowers
Pueblo
Population Group: Med Ind—Pueblo Co
*Rio Blanco
Service Area: Meeker
Service Area: Rangely
*Rio Grande
*Routt
Service Area: Oak Creek/Yampa
*Saguache
*San Juan
*San Miguel
Service Area: Nucla/Norwood
Sedgwick
Service Area: Julesburg (CO/NB)
*Teller
Service Area: Cripple Creek
*Washington
Weld
Population Group: MSFW—Ft Lupton/Brighton

PRIMARY MEDICAL CARE: Colorado
Service Area Listing

Service Area Name

Bennett/Strasburg
County—Adams
Parts:
East Adams CCD
County—Arapahoe
Parts:
East Arapahoe CCD
Calhan-Yoder
County—El Paso
Parts:
C.T. 39.01
C.T. 46
Collbran
County—Mesa
Parts:
Collbran CCD
Commerce City
County—Adams
Parts:
C.T. 87.03
C.T. 87.05–87.06
C.T. 88.01–88.02
C.T. 89.01
C.T. 89.52
Cripple Creek
County—Teller
Parts:
Cripple Creek CCD
Crook/Fleming
County—Logan
Parts:
Crook CCD
Fleming CCD
Eagle-Gypsum
County—Eagle
Parts:
Eagle-Gypsum CCD
Fairplay
County—Park
Parts:
Fairplay CCD

PRIMARY MEDICAL CARE: Colorado
Service Area Listing

Service Area Name

Gardner
County—Huerfano
Parts:
Gardner CCD
Globeville
County—Denver
Parts:
C.T. 15
C.T. 35
Julesburg (CO/NB)
County—Sedgwick
Lake George
County—Park
Parts:
Lake George CCD
Limon
County—Elbert
Parts:
Agate CCD
Simla CCD
County—Lincoln
Meeker
County—Rio Blanco
Parts:
Meeker CCD
Montbello
County—Denver
Parts:
C.T. 83.04–83.06
C.T. 83.11–83.12
Northern Chaffee
County—Chaffee
Parts:
Buena Vista CCD
Nucla/Norwood
County—Montrose
Parts:
Nucla CCD
County—San Miguel
Parts:
Norwood CCD
Oak Creek/Yampa
County—Routt
Parts:
Oak Creek CCD
Yampa CCD
Rangely
County—Moffat
Parts:
Artesia CCD
County—Rio Blanco
Parts:
Rangely CCD
Rifle
County—Garfield
Parts:
Grand Valley CCD
New Castle CCD
Rifle CCD

PRIMARY MEDICAL CARE: Colorado
Population Group Listing

Population Group

Low Inc—Alamosa Co
County—Alamosa
Parts:
Low Income
Low Inc—Delta Co
County—Delta
Parts:
Low Inc
MFW
Low Inc—Las Animas Co
County—Las Animas
Parts:
Low Income
Low Inc—Morgan Co
County—Morgan
Parts:
Low Income
Low Inc—Phillips Co
County—Phillips
Parts:
Low Income
Low Inc—Thornton
County—Adams
Parts:
C.T. 85.05–85.08
C.T. 85.15–85.18
C.T. 90.01–90.03
C.T. 91.02
C.T. 92.01–92.03
C.T. 93.04
C.T. 93.06–93.10
C.T. 93.13–93.18
C.T. 94.01
C.T. 94.03
C.T. 94.05–94.07
C.T. 95.01–95.02
C.T. 95.53
C.T. 96.03–96.06
C.T. 97.50
Med Ind—Colorado Springs
County—El Paso
Parts:
C.T. 13.01
C.T. 14–17
C.T. 21.01
C.T. 22–23
C.T. 26–29
Med Ind—Conejos Co
County—Conejos
Parts:
Medically Indigent
Med Ind—Pueblo Co
County—Pueblo
Parts:
Medically Indigent
Med Ind Pop—Otero Co
County—Otero
Parts:
Medically Indigent
MSFW—Ft Lupton/Brighton
County—Adams
Parts:
C.T. 85.13–85.14
C.T. 86.01–86.02
County—Boulder
Parts:
C.T. 128
C.T. 132.01
C.T. 132.04
C.T. 133.02
C.T. 133.05–133.08
C.T. 134.01–134.02
C.T. 135.01
C.T. 135.03–135.04
County—Weld
Parts:
MSFW
Pov Pop—Lafayette/Louisville
County—Boulder
Parts:
C.T. 127.98
C.T. 129.01–129.02
C.T. 130.02
C.T. 130.98
C.T. 131.02–131.05

PRIMARY MEDICAL CARE: Colorado
Facility Listing

Facility Name

FCI Englewood
County—Douglas
FCI Florence
County—Fremont

PRIMARY MEDICAL CARE: Connecticut
County Listing

County Name

Fairfield
Service Area: Central/East Bridgeport
Service Area: South End Stamford
Service Area: Southwest Bridgeport
Population Group: Inmates—FCI Danbury
Population Group: Low Inc—Stratford
Population Group: Low Inc—Danbury
Population Group: Low Inc—S Norwalk
Hartford
Service Area: Charter Oak/Frog Hollow/Parkville/Barry
Service Area: North-Central Hartford
Population Group: Low Inc—Central New Britain
Middlesex
Population Group: Med Ind/Homeless—C Middletown
New Haven
Service Area: Central Waterbury
Service Area: Fair Haven
Population Group: Low Inc—Central New Haven
Population Group: Low Inc—West Haven
Population Group: Low Inc—Meriden
Population Group: Med Ind—Ansonia
New London
Service Area: Central Groton
Population Group: Low Inc—Norwich
Population Group: Low Inc—Central New London
Windham
Population Group: Low Inc—Town Of Windham

PRIMARY MEDICAL CARE: Connecticut
Service Area Listing

Service Area Name

Central Groton
County—New London
Parts:
C.T. 7022–7023
C.T. 7025
C.T. 7027–7028
Central Waterbury
County—New Haven
Parts:
C.T. 3501–3505
C.T. 3508
C.T. 3512
C.T. 3514
Central/East Bridgeport
County—Fairfield

PRIMARY MEDICAL CARE: Connecticut
Service Area Listing

Service Area Name

Parts:
C.T. 713–717
C.T. 735–736
C.T. 738–744
Charter Oak/Frog Hollow/Parkville/Barry
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049
Fair Haven
County—New Haven
Parts:
C.T. 1421
C.T. 1423–1425
C.T. 1426.01–1426.02
North-Central Hartford
County—Hartford
Parts:
C.T. 5005
C.T. 5008–5018
C.T. 5020
C.T. 5022
C.T. 5034–5035
C.T. 5037
South End Stamford
County—Fairfield
Parts:
C.T. 222–223
Southwest Bridgeport
County—Fairfield
Parts:
C.T. 702–712

PRIMARY MEDICAL CARE: Connecticut
Population Group Listing

Population Group

Inmates—FCI Danbury
County—Fairfield
Parts:
FCI Danbury
Low Inc—Central New Britain
County—Hartford
Parts:
C.T. 4159–4162
C.T. 4166
C.T. 4168
C.T. 4171
Low Inc—Central New Haven
County—New Haven
Parts:
C.T. 1402–1409
C.T. 1413
C.T. 1415–1416
Low Inc—Central New London
County—New London
Parts:
C.T. 6901
C.T. 6903–6906
C.T. 6906.99–6907.00
C.T. 6907.99
Low Inc—Danbury
County—Fairfield
Parts:
C.T. 2101–2114
Low Inc—Meriden
County—New Haven
Parts:

PRIMARY MEDICAL CARE: Connecticut
Population Group Listing

Population Group

C.T. 1701.01–1701.02
C.T. 1702.01–1702.02
C.T. 1703–1717
Low Inc—Norwich
County—New London
Parts:
Bozrah Town
Franklin Town
Griswold Town
Lisbon Town
Montville Town
Norwich Town
Preston Town
Sprague Town
Voluntown Town
Low Inc—S Norwalk
County—Fairfield
Parts:
C.T. 440–442
C.T. 444–445
Low Inc—Stratford
County—Fairfield
Parts:
Stratford Town
Low Inc—Town Of Windham
County—Windham
Parts:
Windham Town
Low Inc—West Haven
County—New Haven
Parts:
West Haven Town
Med Ind—Ansonia
County—New Haven
Parts:
Ansonia Town
Derby Town
Seymour Town
Med Ind/Homeless—C Middletown
County—Middlesex
Parts:
C.T. 5411
C.T. 5415–5418
C.T. 5421

PRIMARY MEDICAL CARE: DELAWARE
County Listing

County Name

New Castle
Service Area: Middletown-Odessa
Service Area: Wilmington-Southbridge

PRIMARY MEDICAL CARE: DELAWARE
Service Area Listing

Service Area Name

Middletown-Odessa
County—New Castle
Parts:
C.T. 166–169
Wilmington-Southbridge
County—New Castle
Parts:
C.T. 1
C.T. 6.01–6.02
C.T. 7–9
C.T. 15–17
C.T. 19–23
C.T. 154–155

PRIMARY MEDICAL CARE: District Of Columbia
County Listing

County Name

Dist Of Columbia
Service Area: Anacostia
Service Area: Brentwood
Service Area: East Capitol St. (Far S.E.)
Service Area: Mt. Pleasant/Upper Cardozo
Service Area: South Capitol
Service Area: Suitland
Population Group: Homeless—Downtown Washington

PRIMARY MEDICAL CARE: District Of Columbia
Service Area Listing

Service Area Name

Anacostia
County—Dist Of Columbia
Parts:
C.T. 74.01
C.T. 74.03–74.04
C.T. 74.06–74.09
C.T. 75.02–75.04
C.T. 76.01
C.T. 76.05
Brentwood
County—Dist Of Columbia
Parts:
C.T. 47
C.T. 79.01
C.T. 79.03
C.T. 80.01
C.T. 84.02
C.T. 84.10
C.T. 85.10
C.T. 86
C.T. 88.02–88.04
C.T. 89.03–89.04
C.T. 91.02
East Capitol St. (Far S.E.)
County—Dist Of Columbia
Parts:
C.T. 77.03
C.T. 77.07–77.09
C.T. 78.03–78.04
C.T. 78.06–78.09
C.T. 96.02–96.03
C.T. 99.03–99.07
Mt. Pleasant/Upper Cardozo
County—Dist Of Columbia
Parts:
C.T. 25.02
C.T. 27.01–27.02
C.T. 28.01–28.02
C.T. 29–30
C.T. 36–39
C.T. 43
South Capitol
County—Dist Of Columbia
Parts:
C.T. 60.20
C.T. 64.10
C.T. 71–72
Suitland
County—Dist Of Columbia
Parts:
C.T. 73.02
C.T. 98.01–98.08

PRIMARY MEDICAL CARE: District Of Columbia
Population Group Listing

Population Group

Homeless—Downtown Washington
County—Dist Of Columbia
Parts:
C.T. 40.01–40.02
C.T. 41
C.T. 42.02
C.T. 46
C.T. 48.01–48.02
C.T. 49.01–49.02
C.T. 50–51
C.T. 52.10
C.T. 52.20
C.T. 53.01–53.02
C.T. 54.01–54.02
C.T. 55.01–55.02
C.T. 56
C.T. 57.01–57.02
C.T. 58–59

PRIMARY MEDICAL CARE: Florida
County Listing

County Name

Alachua
Population Group: Medicaid—Alachua Co
*Baker
Population Group: Medicaid/MFW—Baker Co
Facility: Baker Corr Inst
Bay
Population Group: Medicaid—Bay Co
Bradford (g)
Facility: Florida State Prs
Brevard
Population Group: Medicaid/MFW—Brevard Co
Facility: Brevard Corr Inst
Broward
Population Group: Pov/MFW—Pompano
*Calhoun (g)
Facility: Calhoun Corr Inst
Charlotte
Population Group: Low Inc—Charlotte Co
*Citrus
Population Group: Medicaid—Citrus Co
Clay
Service Area: Keystone Heights
Collier
Service Area: Everglades
Service Area: Imokalee
*Columbia
Population Group: Pov Pop—Columbia Co
Dade
Service Area: Model Cities
Service Area: Southern Dade (Homestead)
Service Area: Wynwood
Population Group: Inmates—MCC Miami
Population Group: Low Inc—North Beach
Population Group: Low Inc—Little Havana
Population Group: Low Inc—South Beach
Facility: Coconut Grove Comm Hth Ctr
Facility: Doris Ison Comm Hlth Ctr
Facility: Jackson Mem. Hosp. Outpt. Clinics
Facility: S Florida Recept Ctr
*De Soto
Population Group: Pov/MFW—Desoto Co
*Dixie (g)
Facility: Cross City Corr Inst
Escambia
Service Area: Atmore/Century (AL/FL)

PRIMARY MEDICAL CARE: Florida
County Listing

County Name

Facility: Century Corr Inst
*Franklin
Population Group: Med Ind—Franklin Co
Gadsden
*Gilchrist
Glades
Service Area: Glades/Hendry
*Gulf
Population Group: Medicaid—Gulf Co
*Hamilton
*Hardee
*Hendry
Service Area: Glades/Hendry
Facility: Hendry Corr Inst
Hernando
Population Group: Medicaid/MFW—Hernando Co
*Highlands
Population Group: Pov/MFW—Highlands Co
Facility: Avon Park Corr Inst
Hillsborough
Service Area: East Tampa/Ybor City
Population Group: Pov/MFW—E Hillsborough
*Holmes (g)
Facility: Holmes Corr Inst
*Indian River
Population Group: Medicaid/MFW—Indian River Co
*Jackson
Population Group: Medicaid—Jackson Co
Facility: Apalachee Correctional Inst
Facility: FCI Marianna
*Jefferson
*Lafayette (g)
Facility: Mayo Corr Inst
Lake
Population Group: MSFW—Lake/Orange
Lee
Population Group: Medicaid/MSFW—Lee Co
Leon
Population Group: Low Inc—Bond Community
*Levy
*Madison
Manatee
Population Group: Medicaid/MFW—Manatee Co
Marion
Population Group: Medicaid/MFW—Marion Co
Martin
Service Area: Indiantown
*Monroe
Population Group: Medicaid—Monroe Co
Nassau
Service Area: Callahan/Hilliard
Okaloosa
Population Group: Inmates—FPC Elgin
Population Group: Low Inc—Crestview
Facility: Okaloosa Corr Inst
*Okeechobee
Population Group: Medicaid/MFW—Okeechobee Co
Orange
Population Group: MSFW—Lake/Orange
Palm Beach
Service Area: West Palm Beach
Population Group: MFW—Belle Glade/Pahokee

PRIMARY MEDICAL CARE: Florida
County Listing

County Name

Pasco
Population Group: Pov/MFW—Eastern Pasco
Facility: Zephryhills Corr Inst
Pinellas
Population Group: Pov Pop—Inner St. Petersburg
Polk
Service Area: Frostproof/Lake Wales
Service Area: Polk City/Eva
*Putnam
Seminole
Population Group: Medicaid/MFW—Seminole Co
St Johns
Population Group: Medicaid/MFW—St. Johns Co
St Lucie
Population Group: Pov/MFW—St. Lucie Co
*Sumter (g)
Facility: Sumter Corr Inst
*Suwannee
*Taylor
*Union (g)
Facility: North Florida Reception Ctr.
Volusia
Population Group: Medicaid/MFW—Volusia Co
*Wakulla
*Walton (g)
Facility: Walton Corr Inst
*Washington
Population Group: Medicaid—Washington Co

PRIMARY MEDICAL CARE: Florida
Service Area Listing

Service Area Name

Atmore/Century (AL/FL)
County—Escambia
Parts:
C.T. 38–40
Callahan/Hilliard
County—Nassau
Parts:
C.T. 504–505
East Tampa/Ybor City
County—Hillsborough
Parts:
C.T. 10
C.T. 17–19
C.T. 30–44
C.T. 49–51
Everglades
County—Collier
Parts:
C.T. 111.01–111.02
Frostproof/Lake Wales
County—Polk
Parts:
C.T. 142–144
C.T. 154–158
C.T. 160
C.T. 161.98
Glades/Hendry
County—Glades
County—Hendry
Imokalee
County—Collier
Parts:
C.T. 112.01–112.03

PRIMARY MEDICAL CARE: Florida
Service Area Listing

Service Area Name

C.T. 113–114
Indiantown
County—Martin
Parts:
Indiantown CCD
Keystone Heights
County—Clay
Parts:
Keystone Heights CCD
Model Cities
County—Dade
Parts:
C.T. 4.08
C.T. 8.01–8.02
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 15.01–15.02
C.T. 16.01–16.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03–19.04
C.T. 23
Polk City/Eva
County—Polk
Parts:
C.T. 116
C.T. 123–124
Southern Dade (Homestead)
County—Dade
Parts:
C.T. 103–105
C.T. 106.02
C.T. 107.01
C.T. 108–109
C.T. 110.01–110.02
C.T. 111
C.T. 112.01–112.02
C.T. 113
C.T. 114.98
West Palm Beach
County—Palm Beach
Parts:
C.T. 20–26
Wynwood
County—Dade
Parts:
C.T. 14.01–14.02
C.T. 20.01
C.T. 20.03–20.04
C.T. 21
C.T. 22.01–22.02
C.T. 25–26
C.T. 27.01–27.02
C.T. 28–29

PRIMARY MEDICAL CARE: Florida
Population Group Listing

Population Group

Inmates—FPC Elgin
County—Okaloosa
Parts:
FPC Elgin
Inmates—MCC Miami
County—Dade
Parts:
MCC Miami
Low Inc—Bond Community
County—Leon
Parts:

PRIMARY MEDICAL CARE: Florida
Population Group Listing

Population Group

C.T. 1
C.T. 4–6
C.T. 10.01
C.T. 11.01–11.02
C.T. 12–14
Low Inc—Charlotte Co
County—Charlotte
Parts:
Low Income
Low Inc—Crestview
County—Okaloosa
Parts:
C.T. 203–207
Low Inc—Little Havana
County—Dade
Parts:
C.T. 30.02
C.T. 36.02
C.T. 49.01–49.02
C.T. 50.01–50.02
C.T. 51
C.T. 52.01
C.T. 53.01–53.02
C.T. 54.01–54.02
C.T. 55.01–55.02
C.T. 56
C.T. 57.03–57.04
C.T. 58.01
C.T. 61.01–61.02
C.T. 62
C.T. 63.01–63.02
C.T. 64.01–64.03
C.T. 65
Low Inc—North Beach
County—Dade
Parts:
C.T. 39.01–39.02
C.T. 39.04–39.06
Low Inc—South Beach
County—Dade
Parts:
C.T. 42–45
Med Ind—Franklin Co
County—Franklin
Parts:
Medically Indigent
Medicaid—Alachua Co
County—Alachua
Parts:
Medicaid Eligible
Medicaid—Bay Co
County—Bay
Parts:
Medicaid Eligible
Medicaid—Citrus Co
County—Citrus
Parts:
Medicaid Eligible
Medicaid—Gulf Co
County—Gulf
Parts:
Medicaid Eligible
Medicaid—Jackson Co
County—Jackson
Parts:
Medicaid Eligible
Medicaid—Monroe Co
County—Monroe
Parts:
Medicaid Eligible
Medicaid—Washington Co
County—Washington

PRIMARY MEDICAL CARE: Florida
Population Group Listing

Population Group

Parts:
Medicaid Eligible
Medicaid/MFW—Baker Co
County—Baker
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Brevard Co
County—Brevard
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Hernando Co
County—Hernando
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Indian River Co
County—Indian River
Parts:
Medicaid/Mig Fmwkrs
Medicaid/MFW—Manatee Co
County—Manatee
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Marion Co
County—Marion
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Okeechobee Co
County—Okeechobee
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Seminole Co
County—Seminole
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—St. Johns Co
County—St Johns
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Volusia Co
County—Volusia
Parts:
Medicaid Eligible/MFW
Medicaid/MSFW—Lee Co
County—Lee
Parts:
Medicaid Eligible/MSFW
MFW—Belle Glade/Pahokee
County—Palm Beach
Parts:
C.T. 80.01–80.02
C.T. 81.01–81.02
C.T. 82.01–82.03
C.T. 83.01–83.02
MSFW—Lake/Orange
County—Lake
Parts:
MSFW
County—Orange
Parts:
MSFW
Pov Pop—Columbia Co
County—Columbia
Parts:
Pov Pop
Pov Pop—Inner St. Petersburg
County—Pinellas
Parts:
C.T. 201.01
C.T. 203.01
C.T. 204–208
C.T. 209.95
C.T. 210.95

PRIMARY MEDICAL CARE: Florida
Population Group Listing

Population Group

C.T. 212–213
C.T. 213.99–214.00
C.T. 215
C.T. 216.95
C.T. 218.95
C.T. 219.95
C.T. 220
C.T. 234–235
Pov/MFW—Desoto Co
County—De Soto
Parts:
Pov Pop/MFW
Pov/MFW—E Hillsborough
County—Hillsborough
Parts:
C.T. 121.03–121.06
C.T. 122.01
C.T. 122.03–122.04
C.T. 123.01–123.02
C.T. 124–131
C.T. 132.01–132.02
C.T. 133.01–133.02
C.T. 133.04–133.05
C.T. 134.01–134.03
C.T. 135.01–135.02
C.T. 136–138
C.T. 139.02–139.05
C.T. 140.01–140.03
C.T. 141.01
C.T. 141.03–141.04
Pov/MFW—Eastern Pasco
County—Pasco
Parts:
C.T. 319
C.T. 320.01–320.02
C.T. 321.01–321.02
C.T. 322–329
C.T. 330.01–330.04
C.T. 331
Pov/MFW—Highlands Co
County—Highlands
Parts:
Migrants
Pov Pop
Pov/MFW—Pompano
County—Broward
Parts:
C.T. 103.01–103.02
C.T. 107
C.T. 303–306
C.T. 308.01
Pov/MFW—St. Lucie Co
County—St Lucie
Parts:
Pov Pop/MFW

PRIMARY MEDICAL CARE: Florida
Facility Listing

Facility Name

Apalachee Correctional Inst
County—Jackson
Avon Park Corr Inst
County—Highlands
Baker Corr Inst
County—Baker
Brevard Corr Inst
County—Brevard
Calhoun Corr Inst
County—Calhoun
Century Corr Inst
County—Escambia

PRIMARY MEDICAL CARE: Florida
Facility Listing

Facility Name

Coconut Grove Comm Hth Ctr
County—Dade
Cross City Corr Inst
County—Dixie
Doris Ison Comm Hlth Ctr
County—Dade
Florida State Prs
County—Bradford
FCI Marianna
County—Jackson
Hendry Corr Inst
County—Hendry
Holmes Corr Inst
County—Holmes
Jackson Mem. Hosp. Outpt. Clinics
County—Dade
Liberty Corr Inst
Mayo Corr Inst
County—Lafayette
North Florida Reception Ctr.
County—Union
Okaloosa Corr Inst
County—Okaloosa
S Florida Recept Ctr
County—Dade
Sumter Corr Inst
County—Sumter
Walton Corr Inst
County—Walton
Zephryhills Corr Inst
County—Pasco

PRIMARY MEDICAL CARE: Georgia
County Listing

County Name

*Atkinson
*Bacon
Population Group: Pov Pop—Bacon Co
*Baker
*Banks
Bartow
Population Group: Low Inc—Bartow Co
*Ben Hill
Population Group: Pov Pop—Ben Hill Co
*Berrien
*Brantley
*Brooks
Bryan
Service Area: Pembroke
*Burke
Butts
*Calhoun
Population Group: Pov Pop—Calhoun Co
*Camden
Service Area: Woodbine
*Candler
Population Group: Low Inc—Candler Co
*Charlton
Chatham
Population Group: Pov Pop—N W Savannah
Chattahoochee
*Chattooga
Cherokee
Clarke
Population Group: Low Inc—Central City Athens
*Clay
*Clinch
Cobb

PRIMARY MEDICAL CARE: Georgia
County Listing

County Name

Population Group: Low Inc—Central Marietta
*Colquitt
*Crawford
Dade
Population Group: Pov Pop—Dade Co
*Dawson
De Kalb
Service Area: South Decatur/Candler/Mcafee
*Decatur
Population Group: Low Inc—Decatur Co
*Dodge
Population Group: Low Inc—Dodge Co
*Dooly
Population Group: Low Inc—Dooly Co
Dougherty
Service Area: East Albany
Service Area: South Albany
Douglas
Population Group: Low Inc—Douglasville
Effingham
*Elbert
Population Group: Pov Pop—Elbert Co
*Emanuel
*Evans
Population Group: Low Inc—Evans Co
Fannin
Population Group: Low Inc—Fannin Co
Forsyth
Population Group: Pov Pop—Forsyth Co
*Franklin
Population Group: Pov Pop—Franklin Co
Fulton
Service Area: Atlanta/Southside
Service Area: West Atlanta
Population Group: Med Ind—Palmetto
Facility: Us Pen—Atlanta
*Gilmer
Population Group: Low Inc—Gilmer Co
*Glascock
*Gordon
Population Group: Low Inc—Gordon
*Grady
Population Group: Pov Pop—Grady Co
*Greene
*Hall
Population Group: Low Inc—Hall Co
*Hancock
*Haralson
Population Group: Low Inc—Haralson Co
*Hart
Population Group: Low Inc—Hart Co
*Heard
Henry
Population Group: Low Inc—Henry Co
Houston
Population Group: Low Inc—Houston Co
*Irwin
Jackson
Population Group: Low Inc—Jackson Co
*Jasper
*Jeff Davis
Population Group: Low Inc—Jeff Davis Co
*Jefferson
*Jenkins
Population Group: Low Inc—Jenkins Co
*Johnson
Jones
Population Group: Pov Pop—Jones Co
*Lamar
Population Group: Pov Pop—Lamar Co

PRIMARY MEDICAL CARE: Georgia
County Listing

County Name

*Lanier
Lee
*Liberty
*Lincoln
*Long
*Lumpkin
Population Group: Low Inc—Lumpkin Co
Madison
*Marion
Population Group: Low Inc—Marion Co
*McIntosh
*Meriwether
*Mitchell
Population Group: Low Inc—Mitchell Co
Montgomery
Service Area: Montgomery/Wheeler
*Murray
Muscogee/Columbus
Population Group: Pov Pop—Central Muscogee
*Olgethorpe
Paulding
Peach
Service Area: Fort Valley
Pickens
Population Group: Low Inc—Pickens Co
*Pierce
Population Group: Low Inc—Pierce Co
*Pike
Population Group: Low Income—Pike Co
*Polk
*Putnam
*Rabun
*Randolph
Population Group: Pov Pop—Randolph Co
*Schley
Population Group: Low Inc—Schley Co
*Screven
*Seminole
Stewart
Service Area: Stewart/Webster
*Talbot
*Tattnall
*Taylor
Population Group: Low Inc—Taylor Co
*Telfair
Population Group: Low Inc—Telfair Co
*Terrell
*Toombs
Population Group: Med Ind—Toombs Co
*Towns
Population Group: Low Inc—Towns Co
*Treutlen
*Turner
Twiggs
*Union
Population Group: Low Inc—Union Co
Walker
*Ware
Population Group: Low Inc—Ware Co
*Warren
*Washington
Population Group: Pov Pop—Washington Co
*Wayne
Facility: FCI Jesup
Webster
Service Area: Stewart/Webster
Wheeler
Service Area: Montgomery/Wheeler
*White
*Whitfield

PRIMARY MEDICAL CARE: Georgia
County Listing

County Name

Population Group: Low Inc—Whitfield Co
*Wilcox
*Wilkes
*Wilkinson
*Worth

PRIMARY MEDICAL CARE: Georgia
Service Area Listing

Service Area Name

Atlanta/Southside
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52–53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67
C.T. 68.01–68.02
C.T. 69–73
East Albany
County—Dougherty
Parts:
C.T. 1–2
C.T. 101–102
C.T. 103.01–103.02
C.T. 107–108
Fort Valley
County—Peach
Parts:
Fort Valley CCD
Montgomery/Wheeler
County—Montgomery
County—Wheeler
Pembroke
County—Bryan
Parts:
C.T. 201 (Pembroke CCD)
South Albany
County—Dougherty
Parts:
C.T. 12 (Pembroke CCD)
C.T. 14.01–14.02
C.T. 15
C.T. 106.01–106.02
South Decatur/Candler/Mcafee
County—De Kalb
Parts:
C.T. 205–209
C.T. 227
C.T. 231.01
C.T. 235.01–235.02
C.T. 236–237
Stewart/Webster
County—Stewart
County—Webster
West Atlanta
County—Fulton
Parts:
C.T. 8
C.T. 22–26
C.T. 36–41
C.T. 42.95
C.T. 43
C.T. 60–62
C.T. 66.02
C.T. 78.04

PRIMARY MEDICAL CARE: Georgia
Service Area Listing

Service Area Name

C.T. 80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02
C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
Woodbine
County—Camden
Parts:
Woodbine CCD

PRIMARY MEDICAL CARE: Georgia
Population Group Listing

Population Group

Low Inc—Bartow Co
County—Bartow
Parts:
Low Income
Low Inc—Candler Co
County—Candler
Parts:
Low Income Pop
Low Inc—Central City Athens
County—Clarke
Parts:
C.T. 1–7
C.T. 9–10
Low Inc—Central Marietta
County—Cobb
Parts:
C.T. 307–308
C.T. 309.02
Low Inc—Decatur Co
County—Decatur
Parts:
Low Income
Low Inc—Dodge Co
County—Dodge
Parts:
Low Income
Low Inc—Dooly Co
County—Dooly
Parts:
Low Income
Low Inc—Douglasville
County—Douglas
Parts:
C.T. 803
Low Inc—Evans Co
County—Evans
Parts:
Low Income
Low Inc—Fannin Co
County—Fannin
Parts:
Low Income
Low Inc—Gilmer Co
County—Gilmer
Parts:
Low Income
Low Inc—Gordon
County—Gordon
Parts:
Low Income
Low Inc—Hall Co
County—Hall
Parts:
Low Income
Low Inc—Haralson Co
County—Haralson

PRIMARY MEDICAL CARE: Georgia
Population Group Listing

Population Group

Parts:
Low Income
Low Inc—Hart Co
County—Hart
Parts:
Low Income
Low Inc—Henry Co
County—Henry
Parts:
Low Income
Low Inc—Houston Co
County—Houston
Parts:
Low Income
Low Inc—Jackson Co
County—Jackson
Parts:
Low Income
Low Inc—Jeff Davis Co
County—Jeff Davis
Parts:
Low Income
Low Inc—Jenkins Co
County—Jenkins
Parts:
Low Income
Low Inc—Lumpkin Co
County—Lumpkin
Parts:
Low Income
Low Inc—Marion Co
County—Marion
Parts:
Low Income
Low Inc—Mitchell Co
County—Mitchell
Parts:
Low Income
Low Inc—Pickens Co
County—Pickens
Parts:
Low Income
Low Inc—Pierce Co
County—Pierce
Parts:
Low Income
Low Inc—Schley Co
County—Schley
Parts:
Low Income
Low Inc—Taylor Co
County—Taylor
Parts:
Low Income
Low Inc—Towns Co
County—Towns
Parts:
Low Income
Low Inc—Union Co
County—Union
Parts:
Low Income
Low Inc—Walton Co
Parts:
Low Income
Low Inc—Ware Co
County—Ware
Parts:
Low Income
Low Inc—Whitfield Co
County—Whitfield
Parts:

PRIMARY MEDICAL CARE: Georgia
Population Group Listing

Population Group

Low Income
Low Income—Pike Co
County—Pike
Parts:
Low Income
Low Income—Telfair Co
County—Telfair
Parts:
Low Income
Med Ind—Palmetto
County—Fulton
Parts:
C.T. 104
C.T. 105.04–105.06
Med Ind—Toombs Co
County—Toombs
Parts:
Medically Indigent
Pov Pop—Bacon Co
County—Bacon
Parts:
Pov Pop
Pov Pop—Ben Hill Co
County—Ben Hill
Parts:
Pov Pop
Pov Pop—Calhoun Co
County—Calhoun
Parts:
Pov Pop
Pov Pop—Central Muscogee
County—Muscogee/Columbus
Parts:
C.T. 1
C.T. 13
C.T. 15
C.T. 18–20
C.T. 22–25
C.T. 27–28
C.T. 29.01–29.02
C.T. 30–34
Pov Pop—Dade Co
County—Dade
Parts:
Pov Pop
Pov Pop—Elbert Co
County—Elbert
Parts:
Pov Pop
Pov Pop—Forsyth Co
County—Forsyth
Parts:
Pov Pop
Pov Pop—Franklin Co
County—Franklin
Parts:
Pov Pop
Pov Pop—Grady Co
County—Grady
Parts:
Pov Pop
Pov Pop—Jones Co
County—Jones
Parts:
Pov Pop
Pov Pop—Lamar Co
County—Lamar
Parts:
Pov Pop
Pov Pop—N W Savannah
County—Chatham
Parts:

PRIMARY MEDICAL CARE: Georgia
Population Group Listing

Population Group

C.T. 1
C.T. 3
C.T. 6.01
C.T. 8–13
C.T. 15
C.T. 17–28
C.T. 32
C.T. 33.01–33.02
C.T. 36.01–36.02
C.T. 37
C.T. 44–45
C.T. 101.01
C.T. 106.04
Pov Pop—Randolph Co
County—Randolph
Parts:
Pov Pop
Pov Pop—Washington Co
County—Washington
Parts:
Pov Pop

PRIMARY MEDICAL CARE: Georgia
Facility Listing

Facility Name

FCI Jesup
County—Wayne
US Pen—Atlanta
County—Fulton

PRIMARY MEDICAL CARE: Hawaii
County Listing

County Name

*Hawaii
Service Area: Hamakua
Service Area: Pahoa
Honolulu
Population Group: Pov Pop—Kokua/Kalihi-Palama
*Maui/Kalawao
Service Area: Hana/Haiku
Service Area: Island Of Lanai
Service Area: Island Of Molokai

PRIMARY MEDICAL CARE: Hawaii
Service Area Listing

Service Area Name

Hamakua
County—Hawaii
Parts:
C.T. 219–221
Hana/Haiku
County—Maui/Kalawao
Parts:
C.T. 301–302
Island Of Lanai
County—Maui/Kalawao
Parts:
C.T. 316
Island Of Molokai
County—Maui/Kalawao
Parts:
C.T. 317–319
Pahoa
County—Hawaii
Parts:
C.T. 211

PRIMARY MEDICAL CARE: Hawaii
Population Group Listing

Population Group
Pov Pop—Kokua/Kalihi-Palama
County—Honolulu
Parts:
C.T. 51–57
C.T. 57.99–58.00
C.T. 59–62
C.T. 63.01–63.02
C.T. 64.01–64.02
C.T. 65–66

PRIMARY MEDICAL CARE: Idaho
County Listing

County Name
Ada
Facility: Idaho State Pen.
*Adams
*Bannock
Service Area: Malad City/Downey
Benewah
Service Area: St. Maries
*Bingham
Service Area: American Falls
Population Group: MSFW—E Snake River Valley
*Blaine
Service Area: Carey
*Boise
*Bonner
Service Area: Clark Fork
Service Area: Priest River
*Bonneville
Population Group: MSFW—Bonneville Co
Butte
Service Area: Arco/Mackay
*Camas
Canyon
Service Area: Nyssa (OR/ID)
Population Group: MSFW—S. Treasure Valley
*Caribou
*Cassia
Service Area: Albion/Malta
Service Area: Oakley
Population Group: MSFW—E. Magic Valley
*Clark
*Clearwater
Service Area: Pierce/Weippe
*Custer
Service Area: Arco/Mackay
Service Area: Challis
Service Area: Stanley
*Elmore
*Franklin
*Fremont
*Gem
Population Group: MSFW—N. Treasure Valley (ID/OR)
*Gooding
Population Group: MSFW—W. Magic Valley
*Idaho
Service Area: Riggins
*Jefferson
Service Area: Mud Lake
Population Group: MSFW—E Snake River Valley
*Jerome
Population Group: MSFW—W. Magic Valley
*Kootenai

PRIMARY MEDICAL CARE: Idaho
County Listing

County Name
Service Area: St. Maries
*Lemhi
*Lewis
Service Area: Winchester
*Madison
Population Group: MSFW—Madison Co
*Minidoka
Service Area: Minidoka
Population Group: MSFW—E. Magic Valley
Oneida
Service Area: Malad City/Downey
*Owyhee
Service Area: Grand View/Bruneau
Service Area: N.W. Owyhee
Population Group: MSFW—S. Treasure Valley
*Payette
Service Area: New Plymouth
Population Group: MSFW—N. Treasure Valley (ID/OR)
*Power
Service Area: American Falls
Population Group: MSFW—E. Magic Valley
*Teton
*Twin Falls
Service Area: Buhl
Population Group: MSFW—W. Magic Valley
*Washington
Population Group: MSFW—N. Treasure Valley (ID/OR)

PRIMARY MEDICAL CARE: Idaho
Service Area Listing

Service Area Name
Albion/Malta
County—Cassia
Parts:
Albion CCD
American Falls
County—Bingham
Parts:
Aberdeen CCD
County—Power
Parts:
American Falls CCD
Rockland CCD
Arco/Mackay
County—Custer
Parts:
Mackay CCD
Buhl
County—Twin Falls
Parts:
Buhl CCD
W. Salmon Falls CCD
Carey
County—Blaine
Parts:
Carey CCD
Challis
County—Custer
Parts:
Challis CCD
Clark Fork
County—Bonner
Parts:
Clark Fork CCD
Grand View/Bruneau

PRIMARY MEDICAL CARE: Idaho
Service Area Listing

Service Area Name
County—Owyhee
Parts:
Bruneau CCD
Grand View CCD
Malad City/Downey
County—Bannock
Parts:
C.T. 19 (S Bannock CCD)
County—Oneida
Minidoka
County—Minidoka
Parts:
Minidoka CCD
Mud Lake
County—Jefferson
Parts:
Hamer CCD
Roberts CCD
N.W. Owyhee
County—Owyhee
Parts:
Homedale CCD
Marsing CCD
Murphy CCD
New Plymouth
County—Payette
Parts:
New Plymouth CCD
Nyssa (OR/ID)
County—Canyon
Parts:
Parma CCD
Wilder CCD
Oakley
County—Cassia
Parts:
Oakley CCD
Pierce/Weippe
County—Clearwater
Parts:
Pierce-Headquarters CCD
Weippe CCD
Priest River
County—Bonner
Parts:
Blanchard-Glengary CCD
Priest River CCD
Riggins
County—Idaho
Parts:
Riggins CCD
St. Maries
County—Kootenai
Parts:
Harrison CCD
Worley CCD
Stanley
County—Custer
Parts:
Stanley CCD
Winchester
County—Lewis
Parts:
Winchester CCD

PRIMARY MEDICAL CARE: Idaho
Population Group Listing

Population Group
MSFW—Bonneville Co
County—Bonneville
Parts:

PRIMARY MEDICAL CARE: Idaho
Population Group Listing

Population Group

MSFW
MSFW—E Snake River Valley
County—Bingham
Parts:
MSFW
County—Jefferson
Parts:
MSFW
MSFW—E. Magic Valley
County—Cassia
Parts:
MSFW
County—Minidoka
Parts:
MSFW
County—Power
Parts:
MSFW
MSFW—Madison Co
County—Madison
Parts:
MSFW
MSFW—N. Treasure Valley (ID/OR)
County—Gem
Parts:
MSFW
County—Payette
Parts:
MSFW
County—Washington
Parts:
MSFW
MSFW—S. Treasure Valley
County—Canyon
Parts:
MSFW
County—Owyhee
Parts:
MSFW
MSFW—W. Magic Valley
County—Gooding
Parts:
MSFW
County—Jerome
Parts:
MSFW
County—Twin Falls
Parts:
MSFW

PRIMARY MEDICAL CARE: Idaho
Facility Listing

Facility Name

Idaho State Pen.
County—Ada

PRIMARY MEDICAL CARE: Illinois
County Listing

County Name

Alexander
Service Area: Cairo
*Brown
*Carroll
*Cass
*Clay
Clinton
Cook
Service Area: Auburn Gresham
Service Area: Austin
Service Area: Douglas/Armour Sq/Near South Side

PRIMARY MEDICAL CARE: Illinois
County Listing

County Name

Service Area: Humboldt Park
Service Area: Logan Square
Service Area: New City
Service Area: North Lawndale
Service Area: Oakland/Grand Blvd./Kenwood/Wash. Pk.
Service Area: Riverdale/West Pullman
Service Area: Roseland/Pullman/Burnside
Service Area: S Lawndale
Service Area: South Chicago
Service Area: South Deering
Service Area: West Englewood/Englewood
Service Area: West/East Garfield Park
Population Group: Inmates—MCC Chicago
Population Group: Low Inc—Chatham/Avalon Pk/Gr Grand Cro
Population Group: Low Inc—South Shore
Population Group: Low Inc—Near West Side (Pt)
Facility: Alivio Med Ctr
Facility: Cook Co. Dept. Of Corr. Comp.
Facility: Erie Family Hc (Teens)
Facility: Erie Family Hc (West Town)
Facility: Erie Family Hc (Seniors)
Facility: Erie Family Hc (Humboldt Park)
Facility: Il Masonic Med Ctr Outpt Clinic
Facility: Infant Welfare Society
Facility: Pcc Community Wellness Ctr
Facility: S. Chicago Comm. Hosp.
*Cumberland
*De Witt
*Edgar
*Edwards
*Fulton
Service Area: Lewistown/Astoria
*Henderson
*Jackson
Population Group: Med Ind—Jackson Co
*Jasper
Jersey
*Jo Daviess
Service Area: Stockton/Warren
*Johnson
Kankakee
Service Area: Pembroke
*Lawrence
Population Group: Low Inc—Lawrence Co
*Macoupin
Madison
Service Area: East St. Louis
Population Group: Med Ind—Alton/Wood River
*Massac
Population Group: Med Ind—Massac Co
Mercer
Service Area: Aledo/Alexis
Ogle
Service Area: Polo
Peoria
Service Area: South Peoria
*Pope
Pulaski
Service Area: Cairo
Rock Island
Population Group: Medicaid—Quad-Cities (IA/IL)
*Scott
St Clair
Service Area: East St. Louis
*Stark
*Union
*Warren

PRIMARY MEDICAL CARE: Illinois
County Listing

County Name

Service Area: Aledo/Alexis
*Wayne
Will
Service Area: Eastside Joliet
Facility: Joliet Corr Inst
*Williamson
Facility: USP Marion
Winnebago
Service Area: Rockford Westside

PRIMARY MEDICAL CARE: Illinois
Service Area Listing

Service Area Name

Aledo/Alexis
County—Warren
Parts:
Spring Grove Twp
Auburn Gresham
County—Cook
Parts:
C.T. 7101–7115
Austin
County—Cook
Parts:
C.T. 2501–2524
Cairo
County—Pulaski
Douglas/Armour Sq/Near South Side
County—Cook
Parts:
C.T. 3301–3305
C.T. 3401–3406
C.T. 3501–3515
East St. Louis
County—Madison
Parts:
C.T. 4007
County—St Clair
Parts:
C.T. 5004–5006
C.T. 5009–5014
C.T. 5021–5022
C.T. 5024.01
C.T. 5024.03–5024.04
C.T. 5025
C.T. 5027–5030
C.T. 5041
C.T. 5042.01
C.T. 5044
Eastside Joliet
County—Will
Parts:
C.T. 8812–8813
C.T. 8820–8822
C.T. 8824–8825
C.T. 8830
Humboldt Park
County—Cook
Parts:
C.T. 2301–2318
Lewistown/Astoria
County—Fulton
Parts:
Astoria Twp
Bernadotte Twp
Cass Twp
Farmers Twp
Isabel Twp
Kerton Twp
Lewistown Twp
Liverpool Twp

PRIMARY MEDICAL CARE: Illinois
Service Area Listing

Service Area Name

Pleasant Twp
Putman Twp
Vermont Twp
Waterford Twp
Woodland Twp
Logan Square
County—Cook
Parts:
C.T. 2201–2229
New City
County—Cook
Parts:
C.T. 6101–6122
North Lawndale
County—Cook
Parts:
C.T. 2901–2927
Oakland/Grand Blvd./Kenwood/Wash. Pk.
County—Cook
Parts:
C.T. 3601–3605
C.T. 3701–3704
C.T. 3801–3820
C.T. 3901–3907
C.T. 4001–4008
Pembroke
County—Kankakee
Parts:
Pembroke Twp.
Polo
County—Ogle
Parts:
Brookville Twp
Buffalo Twp
Eagle Point Twp
Forreston Twp
Leaf River Twp
Lincoln Twp
Maryland Twp
Mount Morris Twp
Pine Creek Twp
Woosung Twp
Riverdale/West Pullman
County—Cook
Parts:
C.T. 5301–5306
C.T. 5401
Rockford Westside
County—Winnebago
Parts:
C.T. 10–11
C.T. 21
C.T. 24–29
C.T. 31–32
Roseland/Pullman/Burnside
County—Cook
Parts:
C.T. 4701
C.T. 4901–4914
C.T. 5001–5003
S Lawndale
County—Cook
Parts:
C.T. 3001–3020
South Chicago
County—Cook
Parts:
C.T. 4601–4610
South Deering
County—Cook
Parts:
C.T. 5101–5105

PRIMARY MEDICAL CARE: Illinois
Service Area Listing

Service Area Name

South Peoria
County—Peoria
Parts:
C.T. 1–13
Stockton/Warren
County—Jo Daviess
Parts:
Apple River Twp.
Berreman Twp.
Derinda Twp.
Nora Twp.
Pleasant Valley Twp.
Rush Twp.
Stockton Twp.
Thompson Twp.
Wards Grove Twp.
Warren Twp.
Woodbine Twp.
West Englewood/Englewood
County—Cook
Parts:
C.T. 6701–6720
C.T. 6801–6814
West/East Garfield Park
County—Cook
Parts:
C.T. 2601–2610
C.T. 2701–2719

PRIMARY MEDICAL CARE: Illinois
Population Group Listing

Population Group

Inmates—MCC Chicago
County—Cook
Parts:
MCC Chicago
Low Inc—Chatham/Avalon Pk/Gr Grand Cro
County—Cook
Parts:
C.T. 4401–4409
C.T. 4501–4503
C.T. 6901–6915
Low Inc—Lawrence Co
County—Lawrence
Parts:
Low Income
Low Inc—Near West Side (Pt)
County—Cook
Parts:
C.T. 2801–2828
C.T. 2838–2843
Low Inc—South Shore
County—Cook
Parts:
C.T. 4301–4314
Med Ind—Alton/Wood River
County—Madison
Parts:
Alton Twp
Wood River Twp
Med Ind—Jackson Co
County—Jackson
Parts:
Medically Indigent
Med Ind—Massac Co
County—Massac
Parts:
Medically Indigent
Medicaid—Quad–Cities (IA/IL)
County—Rock Island
Parts:
Medicaid Eligibles

PRIMARY MEDICAL CARE: Illinois
Facility Listing

Facility Name

Alivio Med Ctr
County—Cook
Cook Co. Dept. Of Corr. Comp.
County—Cook
Erie Family Hc (Humboldt Park)
County—Cook
Erie Family Hc (Seniors)
County—Cook
Erie Family Hc (Teens)
County—Cook
Erie Family Hc (West Town)
County—Cook
Il Masonic Med Ctr Outpt Clinic
County—Cook
Infant Welfare Society
County—Cook
Joliet Corr Inst
County—Will
Pcc Community Wellness Ctr
County—Cook
S. Chicago Comm. Hosp.
County—Cook
USP Marion
County—Williamson

PRIMARY MEDICAL CARE: Indiana
County Listing

County Name

Adams
*Benton
*Brown
*Carroll
*Crawford
*Franklin
*Grant
Population Group: Med Ind—Grant Co
*Greene
Harrison
Service Area: Elizabeth
Service Area: Fredricksburg
Howard
Population Group: Med Ind—Kokomo
*Jasper
Population Group: Low Inc—Jasper Co
*Jennings
*Knox
Service Area: Bicknell
*Lagrange
Lake
Service Area: East Chicago
Service Area: Gary
Marion
Service Area: Blackburn (Indianapolis)
Service Area: Forest Manor (Indianapolis)
Service Area: Highland-Brookside (Indianapolis)
Service Area: Near North Side (Indianapolis)
Service Area: South Central Indianapolis
Service Area: Southwest Indianapolis
*Newton
*Noble
*Ohio
*Owen
*Pike
*Putnam
Facility: Indiana State Farm
*Randolph
*Ripley
Service Area: Osgood/Versailles
Scott

PRIMARY MEDICAL CARE: Indiana
County Listing

County Name

*Spencer
St Joseph
Service Area: Southwest South Bend
*Starke
*Steuben
*Sullivan
*Switzerland
Vermillion
Service Area: Northern Vermillion
Vigo
Population Group: Inmates—USP Terre Haute
*Warren
*Washington
Service Area: Fredricksburg
*White

PRIMARY MEDICAL CARE: Indiana
Service Area Listing

Service Area Name

Bicknell
County—Knox
Parts:
Vigo Twp
Washington Twp
Widner Twp
Blackburn (Indianapolis)
County—Marion
Parts:
C.T. 3501–3502
C.T. 3511–3512
C.T. 3515
East Chicago
County—Lake
Parts:
C.T. 301–310
Elizabeth
County—Harrison
Parts:
Boone Twp.
Posey Twp.
Taylor Twp.
Forest Manor (Indianapolis)
County—Marion
Parts:
C.T. 3225–3227
C.T. 3505–3508
C.T. 3523
Fredricksburg
County—Harrison
Parts:
Blue River Twp
Morgan Twp
County—Washington
Parts:
Posey Twp
Gary
County—Lake
Parts:
C.T. 101
C.T. 102.98
C.T. 103–134
C.T. 411–412
C.T. 413.01
Highland-Brookside (Indianapolis)
County—Marion
Parts:
C.T. 3526–3527
C.T. 3544–3545
C.T. 3547–3551
Near North Side (Indianapolis)

PRIMARY MEDICAL CARE: Indiana
Service Area Listing

Service Area Name

County—Marion
Parts:
C.T. 3517
C.T. 3519
C.T. 3521
C.T. 3528
C.T. 3531–3532
Northern Vermillion
County—Vermillion
Parts:
Eugene Twp
Highland Twp
Vermillion Twp
Osgood/Versailles
County—Ripley
Parts:
Brown Twp.
Center Twp.
Johnson Twp.
Otter Creek Twp.
Shelby Twp.
Washington Twp.
South Central Indianapolis
County—Marion
Parts:
C.T. 3556–3557
C.T. 3559
C.T. 3562
C.T. 3569–3572
C.T. 3578–3580
Southwest Indianapolis
County—Marion
Parts:
C.T. 3414–3415
C.T. 3417
C.T. 3424–3426
C.T. 3563–3564
C.T. 3581
Southwest South Bend
County—St Joseph
Parts:
C.T. 6
C.T. 17–24
C.T. 27
C.T. 29–30

PRIMARY MEDICAL CARE: Indiana
Population Group Listing

Population Group

Inmates—USP Terre Haute
County—Vigo
Parts:
USP Terre Haute
Low Inc—Jasper Co
County—Jasper
Parts:
Low Income
Med Ind—Grant Co
County—Grant
Parts:
Medically Indigent
Med Ind—Kokomo
County—Howard
Parts:
Kokomo City

PRIMARY MEDICAL CARE: Indiana
Facility Listing

Facility Name

Branchville Training Ctr

PRIMARY MEDICAL CARE: Indiana
Facility Listing

Facility Name

Indiana State Farm
County—Putnam

PRIMARY MEDICAL CARE: Iowa
County Listing

County Name

*Adair
Service Area: Redfield
*Benton
Black Hawk
Population Group: Medicaid—Blackhawk Co
*Boone
Service Area: Dayton/Gowrie
Bremer
Service Area: Sumner/Tripoli
*Buchanan
*Butler
*Calhoun
Service Area: Dayton/Gowrie
*Cedar
Service Area: Lowden/Lost Nation
*Cherokee
Service Area: Kingsley/Anthon/Mapleton
*Clayton
Service Area: Elkader/Strawberry Point
*Clinton
Service Area: Lowden/Lost Nation
Dallas
Service Area: Redfield
*Davis
*Delaware
Service Area: Elkader/Strawberry Point
*Fremont
Service Area: Glenwood/Tabor
*Greene
Service Area: Dayton/Gowrie
*Grundy
Service Area: Grundy
*Guthrie
Service Area: Guthrie Center
Service Area: Redfield
*Hamilton
Service Area: Dayton/Gowrie
*Hancock
*Harrison
Service Area: Onawa (IA/NE)
*Jackson
Service Area: Lowden/Lost Nation
*Jones
Service Area: Lowden/Lost Nation
*Kossuth
*Louisa
*Lyon
Service Area: Rock Rapids
*Madison
Service Area: Redfield
Mills
Service Area: Glenwood/Tabor
*Monona
Service Area: Kingsley/Anthon/Mapleton
Service Area: Onawa (IA/NE)
*O Brien
*Plymouth
Service Area: Kingsley/Anthon/Mapleton
Service Area: Le Mars/Akron
Pottawattamie
Service Area: Oakland
Scott
Service Area: Lowden/Lost Nation

PRIMARY MEDICAL CARE: Iowa
County Listing

County Name

Population Group: Medicaid—Quad-Cities (IA/IL)
*Tama
*Taylor
*Webster
Service Area: Dayton/Gowrie
Woodbury
Service Area: Kingsley/Anthon/Mapleton
Service Area: Onawa (IA/NE)
Population Group: Medicaid—Sioux City

PRIMARY MEDICAL CARE: Iowa
Service Area Listing

Service Area Name

Dayton/Gowrie
County—Boone
Parts:
Dodge Twp
Grant Twp
Pilot Mound Twp
County—Calhoun
Parts:
Reading Twp
County—Greene
Parts:
Dawson Twp
Paton Twp
County—Hamilton
Parts:
Marion Twp
Webster Twp
County—Webster
Parts:
Burnside Twp
Clay Twp
Dayton Twp
Gowrie Twp
Hardin Twp
Lost Grove Twp
Roland Twp
Sumner Twp
Webster Twp
Yell Twp
Elkader/Strawberry Point
County—Clayton
Parts:
Boardman Twp
Cass Twp
Cox Creek Twp
Grand Meadow Twp
Highland Twp
Lodomillo Twp
Marion Twp
Monona Twp
Sperry Twp
Wagner Twp
County—Delaware
Parts:
Honey Creek Twp
Richland Twp
Glenwood/Tabor
County—Fremont
Parts:
Green Twp
Monroe Twp
Riverside Twp
Scott Twp
County—Mills
Grundy
County—Grundy
Parts:

PRIMARY MEDICAL CARE: Iowa
Service Area Listing

Service Area Name

Black Hawk Twp
Colfax Twp
Lincoln Twp
Melrose Twp
Palermo Twp
Pleasant Valley Twp
Shiloh Twp
Washington Twp
Guthrie Center
County—Guthrie
Parts:
Baker Twp
Bear Grove Twp
Beaver Twp
Cass Twp
Dodge Twp
Grant Twp
Highland Twp
Jackson Twp
Orange Twp
Richland Twp
Seely Twp
Thompson Twp
Union Twp
Valley Twp
Victory Twp
Kingsley/Anthon/Mapleton
County—Cherokee
Parts:
Grand Meadow Twp
County—Monona
Parts:
Cooper Twp
Grant Twp
Maple Twp
County—Plymouth
Parts:
Elkhorn Twp
Garfield Twp
County—Woodbury
Parts:
Arlington Twp
Banner Twp
Floyd Twp
Grange Twp
Grant Twp
Kedron Twp
Liston Twp
Little Sioux Twp
Miller Twp
Morgan Twp
Moville Twp
Oto Twp
Rock Twp
Rutland Twp
Union Twp
West Fork Twp
Willow Twp
Wolf Creek Twp
Le Mars/Akron
County—Plymouth
Parts:
America Twp
Elgin Twp
Fredonia Twp
Grant Twp
Henry Twp
Johnson Twp
Liberty Twp
Marion Twp
Meadow Twp
Plymouth Twp

PRIMARY MEDICAL CARE: Iowa
Service Area Listing

Service Area Name

Portland Twp
Preston Twp
Remsen Twp
Sioux Twp
Stanton Twp
Union Twp
Washington Twp
Westfield Twp
Lowden/Lost Nation
County—Cedar
Parts:
Inland Twp
Massillon Twp
Springfield Twp
County—Clinton
Parts:
Liberty Twp
Sharon Twp
Spring Rock Twp
County—Jackson
Parts:
Monmouth Twp
County—Jones
Parts:
Oxford Twp
Wyoming Twp
County—Scott
Parts:
Liberty Twp
Oakland
County—Pottawattamie
Parts:
Belknap Twp
Carson Twp
Center Twp
Grove Twp
James Twp
Knox Twp
Layton Twp
Lincoln Twp
Macedonia Twp
Pleasant Twp
Silver Creek Twp
Valley Twp
Washington Twp
Onawa (IA/NE)
County—Harrison
Parts:
Jackson Twp
Little Sioux Twp
County—Monona
Parts:
Ashton Twp
Belvidere Twp
Center Twp
Fairview Twp
Franklin Twp
Jordan Twp
Kennebec Twp
Lake Twp
Lincoln Twp
Onawa City
Sherman Twp
Sioux Twp
Soldier Twp
Spring Valley Twp
St Clair Twp
West Fork Twp
Willow Twp
County—Woodbury
Parts:
Lakeport Twp

PRIMARY MEDICAL CARE: Iowa
Service Area Listing

Service Area Name

Sloan Twp
Willow Twp
Redfield
County—Adair
Parts:
Lincoln Twp
County—Dallas
Parts:
Linn Twp
Union Twp
County—Guthrie
Parts:
Penn Twp
Stuart Twp
County—Madison
Parts:
Madison Twp
Penn Twp
Rock Rapids
County—Lyon
Parts:
Allison Twp
Cleveland Twp
Dale Twp
Doon Twp
Elgin Twp
Garfield Twp
Grant Twp
Larchwood Twp
Liberal Twp
Midland Twp
Riverside Twp
Rock Twp
Sioux Twp
Wheeler Twp
Sumner/Tripoli
County—Bremer
Parts:
Dayton Twp
Frederika Twp
Fremont Twp
Le Roy Twp
Sumner City
Sumner #2 Twp

PRIMARY MEDICAL CARE: Iowa
Population Group Listing

Population Group

Medicaid—Blackhawk Co
County—Black Hawk
Parts:
Medicaid Eligible
Medicaid—Quad-Cities (IA/IL)
County—Scott
Parts:
Medicaid Eligible
Medicaid—Sioux City
County—Woodbury
Parts:
C.T. 7–8
C.T. 10
C.T. 12–16

PRIMARY MEDICAL CARE: Kansas
County Listing

County Name

Chautauqua
Service Area: Elk/Chautauqua
*Cherokee
*Cheyenne

PRIMARY MEDICAL CARE: Kansas
County Listing

County Name

*Clark
Service Area: Ashland
*Cloud
*Doniphan
Douglas
Population Group: Low Inc—Douglas Co
*Edwards
Elk
Service Area: Elk/Chautauqua
*Ellsworth
*Geary
*Gray
*Jackson
*Jefferson (g)
Facility: USP Leavenworth
*Jewell
*Kearny
*Kingman
*Kiowa
*Lincoln
*Linn
*Lyon
Population Group: Low Inc—Lyon Co
*Marion
*Norton
*Osage
*Osborne
*Pawnee
*Phillips
*Pratt
*Rawlins
*Reno
Population Group: Low Inc—Reno Co
*Republic
*Rooks
*Russell
*Smith
*Stevens
*Wabaunsee
*Wallace
*Wichita

PRIMARY MEDICAL CARE: Kansas
Service Area Listing

Service Area Name

Ashland
County—Clark
Parts:
Center Twp
Englewood Twp
Sitka Twp
Elk/Chautauqua
County—Chautauqua
County—Elk

PRIMARY MEDICAL CARE: Kansas
Population Group Listing

Population Group

Low Inc—Douglas Co
County—Douglas
Parts:
Low Income
Low Inc—Lyon Co
County—Lyon
Parts:
Low Income
Low Inc—Reno Co
County—Reno
Parts:
Low Income

PRIMARY MEDICAL CARE: Kansas
Facility Listing

Facility Name

USP Leavenworth
County—Jefferson

PRIMARY MEDICAL CARE: Kentucky
County Listing

County Name

*Adair
*Allen
*Anderson
*Ballard
*Bath
Population Group: Med Ind—Bath Co
*Bell
Service Area: Western Harlan
Service Area: Williamsburg/Saxton
Boyd
Facility: FCI Ashland
*Bracken
*Breathitt
*Breckinridge
Population Group: Low Inc—Breckinridge Co
Bullitt
Service Area: Lebanon Junction
*Butler
Campbell
Population Group: Pov Pop—Inner City Newport
*Carroll
Carter
*Casey
*Clay (g)
Facility: FCI Manchester
*Clinton
*Crittenden
*Cumberland
Population Group: Low Inc—Cumberland Co
*Edmonson
*Elliott
*Estill
Fayette
Population Group: Pov. Pop.—N. Central Lexington
*Fleming
*Floyd
Service Area: Mud Creek
*Gallatin
*Garrard
Population Group: Med Ind—Garrard Co
*Grant
*Grayson
Population Group: Med Ind—Grayson Co
*Green
Population Group: Low Inc—Green Co
*Hancock
*Harlan
Service Area: Cumberland
Service Area: Pine Mountain
Service Area: Upper Clover
Service Area: Western Harlan
Population Group: Med Ind—Harlan/Evarts/Grays Knob
Facility: Clover Fork Clinic
*Hart
*Henry
*Hickman
*Jackson
Jefferson
Service Area: West End (Louisville)
*Knott

PRIMARY MEDICAL CARE: Kentucky
County Listing

County Name

*Knox
*Laurel
*Lee
*Leslie
*Letcher
  Service Area: Jenkins/Mcroberts
  Service Area: Western Letcher
*Lewis
*Lincoln
  Service Area: Crab Orchard
*Livingston
*Logan
  Population Group: Med Ind—Logan Co
*Lyon
Madison
  Population Group: Low Inc—Madison Co
*Magoffin
*McLean
*Meade
*Menifee
*Morgan
  Population Group: Med Ind—Morgan Co
  Facility: Eastern Ky. Corr. Complex
*Muhlenberg
*Nicholas
*Ohio
Oldham
  Facility: Ky. State Ref.
*Owen
*Owsley
*Pendleton
*Perry
  Service Area: Ary
  Service Area: Buckhorn
  Service Area: Western Letcher
  Population Group: Med Ind—Hazard
*Pike
  Service Area: Mud Creek
  Service Area: Phelps
*Powell
*Robertson
*Rockcastle
*Spencer
  Population Group: Med Ind—Spencer Co
*Todd
*Trimble
*Washington
  Population Group: Med Ind—Washington Co
*Wayne
  Population Group: Med Ind—Wayne Co
*Whitley
  Service Area: Williamsburg/Saxton
*Wolfe
  Population Group: Med Ind—Wolfe Co

PRIMARY MEDICAL CARE: Kentucky
Service Area Listing

Service Area Name

Ary
  County—Perry
    Parts:
      Dice CCD
Buckhorn
  County—Perry
    Parts:
      Buckhorn CCD
Crab Orchard
  County—Lincoln
    Parts:
      Crab Orchard CCD

PRIMARY MEDICAL CARE: Kentucky
Service Area Listing

Service Area Name

Cumberland
  County—Harlan
    Parts:
      Cumberland CCD
Jenkins/Mcroberts
  County—Letcher
    Parts:
      Jenkins CCD
Lebanon Junction
  County—Bullitt
    Parts:
      Lebanon Junction CCD
Mud Creek
  County—Floyd
    Parts:
      McDowell CCD
      Mud Creek CCD
      Wheelwright-Weeksbury CCD
  County—Pike
    Parts:
      Long Fork CCD
Phelps
  County—Pike
    Parts:
      Feds Creek CCD
      Phelps CCD
Pine Mountain
  County—Harlan
    Parts:
      Pine Mountain CCD
Upper Clover
  County—Harlan
    Parts:
      Upper Clover CCD
West End (Louisville)
  County—Jefferson
    Parts:
      C.T. 1–30
      C.T. 32–35
Western Harlan
  County—Bell
    Parts:
      Tejay CCD
  County—Harlan
    Parts:
      Alva CCD
Western Letcher
  County—Letcher
    Parts:
      Blackey CCD
  County—Perry
    Parts:
      Daisy CCD
Williamsburg/Saxton
  County—Bell
    Parts:
      Pruden-Fonde CCD
  County—Whitley
    Parts:
      Pearl CCD
      Saxton CCD
      Siler CCD
      Williamsburg CCD

PRIMARY MEDICAL CARE: Kentucky
Population Group Listing

Population Group

Low Inc—Breckinridge Co
  County—Breckinridge
    Parts:
      Low Income

PRIMARY MEDICAL CARE: Kentucky
Population Group Listing

Population Group

Low Inc—Cumberland Co
  County—Cumberland
    Parts:
      Low Income
Low Inc—Green Co
  County—Green
    Parts:
      Low Income
Low Inc—Madison Co
  County—Madison
    Parts:
      Low Income
Med Ind—Bath Co
  County—Bath
    Parts:
      Medically Indigent
Med Ind—Garrard Co
  County—Garrard
    Parts:
      Medically Indigent
Med Ind—Grayson Co
  County—Grayson
    Parts:
      Medically Indigent
Med Ind—Harlan/Evarts/Grays Knob
  County—Harlan
    Parts:
      Cawood Div
      Harlan Div
      Poor Fork Div
      Wallins Creek Div
Med Ind—Hazard
  County—Perry
    Parts:
      Defiance-Vigor CCD
      Hazard CCD
      Krypton CCD
      Viper CCD
Med Ind—Logan Co
  County—Logan
    Parts:
      Medically Indigent
Med Ind—Morgan Co
  County—Morgan
    Parts:
      Medically Indigent
Med Ind—Spencer Co
  County—Spencer
    Parts:
      Medically Indigent
Med Ind—Washington Co
  County—Washington
    Parts:
      Medically Indigent
Med Ind—Wayne Co
  County—Wayne
    Parts:
      Medically Indigent
Med Ind—Wolfe Co
  County—Wolfe
    Parts:
      Medically Indigent
Pov Pop—Inner City Newport
  County—Campbell
    Parts:
      C.T. 501–506
Pov. Pop.—N. Central Lexington
  County—Fayette
    Parts:
      C.T. 1–5
      C.T. 8–14

PRIMARY MEDICAL CARE: Kentucky
Population Group Listing

Population Group

C.T. 18–19
C.T. 38.01

PRIMARY MEDICAL CARE: Kentucky
Facility Listing

Facility Name

Clover Fork Clinic
County—Harlan
Eastern Ky. Corr. Complex
County—Morgan
FCI Ashland
County—Boyd
FCI Manchester
County—Clay
Ky. State Ref.
County—Oldham

PRIMARY MEDICAL CARE: Louisiana
Parish Listing

Parish Name

Acadia
*Allen
Population Group: Inmates—Fdc Oakdale II
Facility: FCI Oakdale I
Ascension
Service Area: Ascension/Northeast Iberville
*Assumption
*Avoyelles
*Bienville
Caddo
Population Group: Pov Pop—Mlk Drive Area
Population Group: Pov Pop—Central Shreveport
Calcasieu
Service Area: North Lake Charles
Facility: Moss Reg Med Ctr Outpt Clinic
*Caldwell
*Cameron
*Catahoula
*Claiborne
Population Group: Med Ind—Claiborne Par
*Concordia
*De Soto
East Baton Rouge
Service Area: Eden Park
Facility: Ambul. Clinic—Long Hosp.
*East Carroll
*East Feliciana
*Franklin
*Grant
*Iberia
Population Group: Medicaid—Iberia Par
*Iberville
Service Area: Ascension/Northeast Iberville
Population Group: Low Inc—Iberville Par
*Jackson
*Lasalle
*Lincoln
Livingston
*Madison
*Morehouse
Population Group: Low Inc—Morehouse Par
*Natchitoches
Population Group: Medicaid—Natchitoches Co
Orleans
Population Group: Low Inc—Irish Channel

PRIMARY MEDICAL CARE: Louisiana
Parish Listing

Parish Name

Ouachita
Population Group: Med Ind—Ouachita Par
Plaquemines
*Pointe Coupee
Rapides
Facility: Long Reg Med Ctr Outpt Clinic
*Richland
*Sabine
St Charles
*St Helena
St Landry
Population Group: Med Ind—St. Landry Par
St Martin
*St Mary
*Tangipahoa
Terrebonne
Facility: So. Louisiana Med. Ctr.
*Union
*Vermilion
*Washington
Population Group: Med Ind—Washington Par
Webster
*West Carroll
*West Feliciana
*Winn

PRIMARY MEDICAL CARE: Louisiana
Service Area Listing

Service Area Name

Ascension/Northeast Iberville
Parish—Ascension
Parish—Iberville
Parts:
Ward 4–5
Eden Park
Parish—East Baton Rouge
Parts:
C.T. 8–10
C.T. 12–16
C.T. 21–22
C.T. 24–25
North Lake Charles
Parish—Calcasieu
Parts:
C.T. 2–4
C.T. 14–15

PRIMARY MEDICAL CARE: Louisiana
Population Group Listing

Population Group

Inmates—Fdc Oakdale II
Parish—Allen
Parts:
Fdc Oakdale II
Low Inc—Iberville Par
Parish—Iberville
Parts:
Dist. 1
Dist. 8
Dist. 9
Dist. 10
Dist. 11
Dist. 12
Dist. 2
Dist. 6
Dist. 7
Low Inc—Irish Channel
Parish—Orleans

PRIMARY MEDICAL CARE: Louisiana
Population Group Listing

Population Group

Parts:
C.T. 77–80
C.T. 81.01–81.02
C.T. 82–89
Low Inc—Morehouse Par
Parish—Morehouse
Parts:
Low Income
Med Ind—Claiborne Par
Parish—Claiborne
Parts:
Medically Indigent
Med Ind—Ouachita Par
Parish—Ouachita
Parts:
Medically Indigent
Med Ind—St. Landry Par
Parish—St Landry
Parts:
Medically Indigent
Med Ind—Washington Par
Parish—Washington
Parts:
Medically Indigent
Medicaid—Iberia Par
Parish—Iberia
Parts:
Medicaid Eligible
Medicaid—Natchitoches Co
Parish—Natchitoches
Parts:
Medicaid Eligible
Pov Pop—Central Shreveport
Parish—Caddo
Parts:
C.T. 201–202
C.T. 204
C.T. 206–213
C.T. 218–220
Pov Pop—Mlk Drive Area
Parish—Caddo
Parts:
C.T. 246

PRIMARY MEDICAL CARE: Louisiana
Facility Listing

Facility Name

Ambul. Clinic—Long Hosp.
Parish—East Baton Rouge
FCI Oakdale I
Parish—Allen
Long Reg Med Ctr Outpt Clinic
Parish—Rapides
Moss Reg Med Ctr Outpt Clinic
Parish—Calcasieu
So. Louisiana Med. Ctr.
Parish—Terrebonne

PRIMARY MEDICAL CARE: Maine
County Listing

County Name

Androscoggin
Service Area: Jay/Livermore Falls
*Aroostook
Service Area: Ashland
Service Area: Danforth
Service Area: Fort Kent
Service Area: Island Falls
Service Area: St. Francis
Service Area: Van Buren

PRIMARY MEDICAL CARE: Maine
County Listing

County Name

Cumberland
Service Area: Casco Bay Islands
Service Area: Parsonfield (ME/NH)
Population Group: Med Ind—Portland
*Franklin
Service Area: Jay/Livermore Falls
Service Area: Rangeley
Service Area: Rumford
*Hancock
Population Group: Med Ind—Bar Harbor
Population Group: Med Ind—Blue Hill Pcaa #40
*Kennebec
Service Area: Jay/Livermore Falls
Service Area: Richmond
*Knox
Population Group: Med Ind—Blue Hill Pcaa #40
*Lincoln
Service Area: Richmond
*Oxford
Service Area: Bethel
Service Area: Jay/Livermore Falls
Service Area: Parsonfield (ME/NH)
Service Area: Rangeley
Service Area: Rumford
Population Group: Med Ind—Norway
Penobscot
Service Area: Danforth
Service Area: Dexter
Service Area: Howland
Service Area: Island Falls
*Piscataquis
Service Area: Bingham
Service Area: Milo
Population Group: Low Inc—Skowhegan
*Sagadahoc
Service Area: Richmond
*Somerset
Service Area: Bingham
Service Area: Dexter
Service Area: Jackman
Population Group: Low Inc—Skowhegan
Waldo
Population Group: Med Ind—Belfast
*Washington
Service Area: Danforth
Service Area: Eastport
Service Area: Jonesport
Service Area: Topsfield
Population Group: Med Ind—Calais
Population Group: Med Ind—Milbridge
York
Service Area: Parsonfield (ME/NH)

PRIMARY MEDICAL CARE: Maine
Service Area Listing

Service Area Name

Ashland
County—Aroostook
Parts:
Ashland Town
Garfield Plt
Masardis Town
Nashville Plt
Oxbow Plt
Portage Lake Town
Bethel
County—Oxford
Parts:
Bethel Twn.

PRIMARY MEDICAL CARE: Maine
Service Area Listing

Service Area Name

Gilead Twn.
Greenwood Twn.
Newry Twn.
North Oxford Unorg.
Upton Twn.
Woodstock Twn.
Bingham
County—Piscataquis
Parts:
Kingsbury Twn.
County—Somerset
Parts:
Bingham Twn.
Brighton Plt.
Caratunk Twn.
Moscow Twn.
N.E. Somerset Unorg. (S.
Pleasant Ridge Twn.
Solon Twn.
The Forks Twn.
West Forks Twn.
Casco Bay Islands
County—Cumberland
Parts:
Cliff Is.
Cushing Is.
Great Chebeague Is.
Great Diamond Is.
Little Chebeague Is.
Little Diamond Is.
Long Is.
Peak's Is.
Danforth
County—Aroostook
Parts:
Bancroft Twn.
Orient Twn.
Weston Twn.
County—Penobscot
Parts:
Drew Plt.
Kingman Unorg.
Prentiss Plt.
Whitney (Unorg.)
County—Washington
Parts:
Danforth
Dexter
County—Penobscot
Parts:
Corinna Twn.
Dexter Twn.
Garland Twn.
County—Somerset
Parts:
Cambridge Twn.
Ripley Twn.
Eastport
County—Washington
Parts:
Eastport City
Passamaquoddy Pleasant Point Res
Pembroke Twn.
Perry Twn.
Fort Kent
County—Aroostook
Parts:
Eagle Lake Twn.
Fort Kent Twn.
Frenchville Twn.
Madawaska Twn.
New Canada Twn.

PRIMARY MEDICAL CARE: Maine
Service Area Listing

Service Area Name

St. Agatha Twn.
Wallagrass Plt.
Winterville Plt.
Howland
County—Penobscot
Parts:
Burlington Twn.
E. Central Penobscot Unorg
Edinburg Twn.
Enfield Twn.
Howland Twn.
Lagrange Twn.
Lowell Twn.
Maxfield Twn.
Passadumkeag Twn.
Seboeis Plt.
Island Falls
County—Aroostook
Parts:
Crystal Town
Dyer Brook Town
Hersey Town
Island Falls Town
Moro Plt
S Aroostook Unorg
Sherman Town
County—Penobscot
Parts:
Mt Chase Town
N Penobscot Unorg
Patten Town
Stacyville Town
Jackman
County—Somerset
Parts:
Dennistown Twn.
Jackman Twn.
Moose River Twn.
Jay/Livermore Falls
County—Androscoggin
Parts:
Livermore Falls Twn.
Livermore Twn.
County—Franklin
Parts:
Jay Twn.
County—Kennebec
Parts:
Fayette Twn.
County—Oxford
Parts:
Canton Twn.
Hartford Twn.
Sumner Twn.
Jonesport
County—Washington
Parts:
Addison Twn.
Beals Twn.
Centerville Twn.
Columbia Falls Twn.
Jonesboro Twn.
Jonesport Twn.
Milo
County—Piscataquis
Parts:
Atkinson Twn.
Brownville Twn.
Lake View Plnt
Medford Twn.
Milo Twn.
N.E. Piscataquis Unorg.

PRIMARY MEDICAL CARE: Maine
Service Area Listing

Service Area Name

S.E. Piscataquis Unorg.
Sebec Twn.
Parsonfield (ME/NH)
County—Cumberland
Parts:
Baldwin Town
County—Oxford
Parts:
Hiram Town
Porter Town
County—York
Parts:
Cornish Town
Limerick Town
Parsonsfield Town
Rangeley
County—Franklin
Parts:
Coplin Plt.
Dallas Plt.
Eustis Twn.
Madrid Twn.
N. Franklin Unorg.
Rangeley Plt.
Rangeley Twn.
Sandy River Plt.
County—Oxford
Parts:
Lincoln Plt.
Magalloway Plt.
Oxford Unorg.
Richmond
County—Kennebec
Parts:
Litchfield Town
County—Lincoln
Parts:
Dresden Town
County—Sagadahoc
Parts:
Bowdoinham Town
Richmond Town
Rumford
County—Franklin
Parts:
Carthage Twn.
Weld Twn.
County—Oxford
Parts:
Andover Twn.
Byron Twn.
Dixfield Twn.
Hanover Twn.
Mexico Twn.
Milton Unorg.
Peru Twn.
Roxbury Twn.
Rumford Twn.
St. Francis
County—Aroostook
Parts:
Allagash Twn.
St. Francis Twn.
St. John Plt.
Topsfield
County—Washington
Parts:
Codyville Plt
Grand Lake Stream Plt
N Washington Unorg
Passamaquoddy Indian Res
Talmadge Town

PRIMARY MEDICAL CARE: Maine
Service Area Listing

Service Area Name

Topsfield Town
Vanceboro Town
Waite Town
Van Buren
County—Aroostook
Parts:
Grand Isle Town
Hamlin Town
Van Buren Town

PRIMARY MEDICAL CARE: Maine
Population Group Listing

Population Group

Low Inc—Skowhegan
County—Piscataquis
Parts:
Wellington Town
County—Somerset
Parts:
Anson Town
Athens Town
Canaan Town
Cornville Town
Embden Town
Harmony Town
Highland Plantation
Madison Town
Mercer Town
New Portland Town
Norridgewock Town
Skowhegan Town
Smithfield Town
Starks Town
Med Ind—Bar Harbor
County—Hancock
Parts:
Bar Harbor Town
Cranberry Isles Town
Frenchboro Town
Mount Desert Isle Town
Southwest Harbor Town
Swans Island Town
Tremont Town
Med Ind—Belfast
County—Waldo
Parts:
Belfast City
Belmont Town
Brooks Town
Jackson Town
Knox Town
Liberty Town
Monroe Town
Montville Town
Morrill Town
Northport Town
Searsmont Town
Searsport Town
Stockton Springs
Swanville Town
Waldo Town
Med Ind—Blue Hill Pcaa #40
County—Hancock
Parts:
Blue Hill Town
Brooklin Town
Brooksville Town
Castine Town
Deer Isle Town
Penobscot Town
Sedgwick Town

PRIMARY MEDICAL CARE: Maine
Population Group Listing

Population Group

Stonington Town
Surry Town
County—Knox
Parts:
Isle Au Haut Town
Med Ind—Calais
County—Washington
Parts:
Alexander Town
Baileyville Town
Baring Town
Calais City
Charlotte Town
Cooper Town
Crawford Town
Meddybemps Town
Plantation #21
Princeton Town
Robbinston Town
Med Ind—Milbridge
County—Washington
Parts:
Beddington Town
Cherryfield Town
Columbia Town
Deblois Town
Harrington Town
Milbridge Town
Steuben Town
Med Ind—Norway
County—Oxford
Parts:
Buckfield Town
Hebron Town
Norway Town
Otisfield Town
Oxford Town
Paris Town
Waterford Town
West Paris Town
Med Ind—Portland
County—Cumberland
Parts:
C.T. 1–3
C.T. 3.99–4.00
C.T. 5–6
C.T. 9–10
C.T. 12–14

PRIMARY MEDICAL CARE: Maryland
County Listing

County Name

Allegany
Service Area: Hancock (MD/PA/WV)
Anne Arundel
Service Area: Owensville
Baltimore City (Indep)
Service Area: North Central Baltimore
Service Area: O'Donnell Heights
Service Area: Orleans Square
Service Area: West Baltimore
Population Group: Medicaid—South Baltimore City
Facility: Homeless—Baltimore City
*Caroline
Population Group: Medicaid—Caroline Co
Cecil
Population Group: Medicaid—Cecil Co
*Dorchester
Population Group: Medicaid—Dorchester Co

PRIMARY MEDICAL CARE: Maryland
County Listing

County Name

*Kent
Population Group: Medicaid—Kent Co
Queen Annes
Population Group: Medicaid—Centreville/Queenstown
*Somerset
Population Group: Medicaid—Somerset Co
Washington
Service Area: Hancock (MD/PA/WV)
*Wicomico
Population Group: Medicaid—Wicomico Co
*Worcester
Population Group: Medicaid—Berlin/Ocean City
Population Group: Medicaid—Snow Hill/Pocomoke

PRIMARY MEDICAL CARE: Maryland
Service Area Listing

Service Area Name

Hancock (MD/PA/WV)
County—Allegany
Parts:
Dist. 1 (Orleans)
County—Washington
Parts:
Dist. 15 (Indian Spring)
Dist. 5 (Hancock)
North Central Baltimore
County—Baltimore City (Indep)
Parts:
C.T. 805
C.T. 901–909
C.T. 1204
O'Donnell Heights
County—Baltimore City (Indep)
Parts:
C.T. 2606.04
Orleans Square
County—Baltimore City (Indep)
Parts:
C.T. 103
C.T. 105
C.T. 201–202
C.T. 601–603
C.T. 701–704
C.T. 802
C.T. 803.01–803.02
C.T. 804
C.T. 806–808
Owensville
County—Anne Arundel
Parts:
C.T. 7012–7014
C.T. 7070
C.T. 7080.98
West Baltimore
County—Baltimore City (Indep)
Parts:
C.T. 1801–1803
C.T. 1901–1903
C.T. 2001–2005

PRIMARY MEDICAL CARE: Maryland
Population Group Listing

Population Group

Medicaid—Berlin/Ocean City
County—Worcester
Parts:
Dist. 3 (Berlin)
Dist. 4 (Newark)
Dist. 5 (St. Martin)
Dist. 10 (Ocean City)
Medicaid—Caroline Co
County—Caroline
Parts:
Medicaid Eligible
Medicaid—Cecil Co
County—Cecil
Parts:
Medicaid Eligible
Medicaid—Centreville/Queenstown
County—Queen Annes
Parts:
Dist. 1 (Dixon)
Dist. 2 (Church Hill)
Dist. 3 (Centreville)
Dist. 5 (Queenstown)
Dist. 6 (Ruthsburg)
Dist. 7 (Crumpton)
Medicaid—Dorchester Co
County—Dorchester
Parts:
Medicaid Eligible
Medicaid—Kent Co
County—Kent
Parts:
Medicaid Eligible
Medicaid—Snow Hill/Pocomoke
County—Worcester
Parts:
Dist. 1 (Pocomoke)
Dist. 2 (Snow Hill)
Dist. 7 (Atkinsons)
Dist. 8 (Stockton)
Medicaid—Somerset Co
County—Somerset
Parts:
Medicaid Eligible
Medicaid—South Baltimore City
County—Baltimore City (Indep)
Parts:
C.T. 2101.01
C.T. 2102.01
C.T. 2301–2303
C.T. 2401
C.T. 2404
C.T. 2502.03–2502.05
C.T. 2502.07
C.T. 2503.01–2503.03
C.T. 2504.01–2504.02
C.T. 2505–2506
Medicaid—Wicomico Co
County—Wicomico
Parts:
Medicaid Eligible

PRIMARY MEDICAL CARE: Maryland
Facility Listing

Facility Name

Homeless—Baltimore City
County—Baltimore City (Indep)

PRIMARY MEDICAL CARE: Massachusetts
County Listing

County Name

Essex
Service Area: North Lawrence
Service Area: South Lynn
Population Group: Low Inc—Salem/East Peabody

PRIMARY MEDICAL CARE: Massachusetts
County Listing

County Name

*Franklin
Service Area: Athol-Orange
Service Area: Mohawk
Hampden
Service Area: Gateway Regional Dist
Population Group: Hispanic Pop—Holyoke
Population Group: Low Inc—Springfield
Hampshire
Service Area: Gateway Regional Dist
Service Area: Hampshire Regional Dist
Middlesex
Service Area: Community Health Network Area #16
Population Group: Low Inc—Somerville
Plymouth
Service Area: Hull
Suffolk
Service Area: Community Health Network Area #16
Service Area: N. Dorchester
Service Area: Roxbury
Service Area: S. Dorchester
Population Group: Low Inc—Brighton/Allston
Worcester
Service Area: Athol-Orange
Population Group: Low Inc—Worcester

PRIMARY MEDICAL CARE: Massachusetts
Service Area Listing

Service Area Name

Athol-Orange
County—Franklin
Parts:
Erving Town
New Salem Town
Orange Town
Warwick Town
Wendell Town
County—Worcester
Parts:
Athol Town
Petersham Town
Phillipston Town
Royalston Town
Community Health Network Area #16
County—Middlesex
Parts:
Everett City
Malden City
County—Suffolk
Parts:
Chelsea City
Revere City
Winthrop Town
Gateway Regional Dist
County—Hampden
Parts:
Blandford Town
Chester Town
Montgomery Town
Russell Town
County—Hampshire
Parts:
Huntington Town
Middlefield Town
Worthington Town
Hampshire Regional Dist
County—Hampshire
Parts:
Chesterfield Town

PRIMARY MEDICAL CARE: Massachusetts
Service Area Listing

Service Area Name

Cummington Town
Goshen Town
Plainfield Town
Westhampton Town
Williamsburg Town
Hull
County—Plymouth
Parts:
Hull Town
Mohawk
County—Franklin
Parts:
Ashfield Twn.
Buckland Twn.
Charlemont Twn.
Colrain Twn.
Conway Twn.
Hawley Twn
Heath Twn.
Rowe Twn.
Shelburne Twn.
N. Dorchester
County—Suffolk
Parts:
C.T. 901–924
North Lawrence
County—Essex
Parts:
C.T. 2501–2516
Roxbury
County—Suffolk
Parts:
C.T. 801–809
C.T. 811–821
S. Dorchester
County—Suffolk
Parts:
C.T. 1001–1005
C.T. 1006.01–1006.02
C.T. 1007–1009
C.T. 1010.01–1010.02
C.T. 1011.01–1011.02
South Lynn
County—Essex
Parts:
C.T. 2055–2072

PRIMARY MEDICAL CARE: Massachusetts
Population Group Listing

Population Group

Hispanic Pop—Holyoke
County—Hampden
Parts:
City of Holyoke
Low Inc—Brighton/Allston
County—Suffolk
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6.01–6.02
C.T. 7.01–7.02
C.T. 8.01–8.02
Low Inc—Salem/East Peabody
County—Essex
Parts:
C.T. 2041–2046
C.T. 2047.01–2047.02
C.T. 2104–2109

PRIMARY MEDICAL CARE: Massachusetts
Population Group Listing

Population Group

Low Inc—Somerville
County—Middlesex
Parts:
C.T. 3501–3515
Low Inc—Springfield
County—Hampden
Parts:
C.T. 8001
C.T. 8002.01–8002.02
C.T. 8003–8010
C.T. 8011.01–8011.02
C.T. 8012–8013
C.T. 8014.01–8014.02
C.T. 8015.01–8015.03
C.T. 8016.01–8016.05
C.T. 8017–8025
C.T. 8026.01–8026.02
Low Inc—Worcester
County—Worcester
Parts:
C.T. 7301–7303
C.T. 7304.01–7304.02
C.T. 7305–7307
C.T. 7308.01–7308.02
C.T. 7309.01–7309.02
C.T. 7310
C.T. 7311.01–7311.02
C.T. 7312.01–7312.02
C.T. 7313–7319
C.T. 7320.01–7320.02
C.T. 7321
C.T. 7322.01–7322.03
C.T. 7323–7328
C.T. 7329.01–7329.02
C.T. 7330
C.T. 7331.01–7331.02

PRIMARY MEDICAL CARE: Michigan
County Listing

County Name

*Alcona
Allegan
Service Area: Allegan
Service Area: South Haven/Bangor
*Antrim
Service Area: Mancelona
Population Group: Low Inc—East Jordan
Arenac
Service Area: Sterling/Standish
Bay
Service Area: Sterling/Standish
Berrien
Population Group: Low Inc—South Berrien Co
Population Group: Low Inc—North Berrien Co
*Branch
Population Group: Low Inc—Branch Co
Calhoun
Population Group: Medicaid—Calhoun Co
*Cass
Service Area: Dowagiac
Service Area: Three Rivers
*Charlevoix
Service Area: Beaver Island
Population Group: Low Inc—East Jordan
*Chippewa
Facility: Chippewa Cty Corr Inst
*Clare
Service Area: Harrison
Service Area: Marion

PRIMARY MEDICAL CARE: Michigan
County Listing

County Name

Crawford
Service Area: Grayling/Roscommon
*Delta
Service Area: Gwinn
*Dickinson
Population Group: Low Inc—Dickinson Co
Genesee
Service Area: Otter Lake
Population Group: Low Inc—Flint
*Gladwin
*Gogebic
Service Area: Ewen
Service Area: Ironwood/Hurley (MI/WI)
*Grand Traverse
Service Area: Buckley/Fife Lake
*Hillsdale
*Huron
Service Area: Pigeon
Service Area: Port Austin
Population Group: Low Inc—Harbor Beach/Bad Axe
*Ionia
Population Group: Low Inc/MFW—Ionia Co
*Iosco
Service Area: Hale/Whittemore/Prescott
Iron
Service Area: Iron River/Crystal Falls
*Isabella
Population Group: Medicaid—Isabella Co
Jackson
Population Group: Low Inc—Ne Jackson City
Facility: State Prs.—South Michigan
Kalamazoo
Population Group: Low Inc—N Kalamazoo City
*Kalkaska
Service Area: Grayling/Roscommon
Service Area: Mancelona
Kent
Service Area: Sparta/Kent City/Cedar Springs
Population Group: Low Inc—Grand Rapids
*Keweenaw
*Lake
Lapeer
Service Area: Brown City
Service Area: Marlette/Kingston
Service Area: Otter Lake
*Leelanau
Service Area: Northport/Suttons Bay
*Lenawee
Service Area: Morenci
*Luce
Population Group: Medicaid—Luce Co
*Marquette
Service Area: Gwinn
Service Area: Western Marquette
Facility: Marquette Branch Prs
*Mecosta
*Menominee
Service Area: E. Marinette/S. Menominee(MI/WI)
Service Area: Northern Menominee
*Missaukee
Service Area: Grayling/Roscommon
Service Area: Houghton Lake
Service Area: Marion
Monroe
Service Area: Carlton
Population Group: Medicaid Pop.—South Monroe

PRIMARY MEDICAL CARE: Michigan
County Listing

County Name

*Montcalm
Service Area: Northern Montcalm
Population Group: Low Inc—Southern Montcalm
*Montmorency
Muskegon
Service Area: Sparta/Kent City/Cedar Springs
Population Group: Low Inc—Muskegon City
Population Group: Low Inc—Northern Muskegon Co
*Newaygo
Population Group: Low Inc—Newaygo Co
Oakland
Population Group: Low Inc—Pontiac
*Oceana
*Ogemaw
Service Area: Hale/Whittemore/Prescott
Service Area: Rose City/Lupton
Service Area: West Branch
*Ontonagon
Service Area: Ewen
*Osceola
Service Area: Marion
*Oscoda
Ottawa
Service Area: Sparta/Kent City/Cedar Springs
*Presque Isle
*Roscommon
Service Area: Grayling/Roscommon
Service Area: Houghton Lake
Saginaw
Service Area: East Side Saginaw
*Sanilac
Service Area: Brown City
Service Area: Marlette/Kingston
Population Group: Low Inc—Deckerville/Sandusky
*St Joseph
Service Area: Three Rivers
*Tuscola
Service Area: Marlette/Kingston
Service Area: Otter Lake
Service Area: Pigeon
Van Buren
Service Area: Dowagiac
Service Area: South Haven/Bangor
Wayne
Service Area: Airport/Conner (N.E. Detroit)
Service Area: Chene (S. Central Detroit)
Service Area: Eastside Detroit
Service Area: Hamtramck
Service Area: Highland Park
Service Area: Mackenzie/Brooks
Service Area: Nolan/State Fair/Davison/Pershing
Service Area: Outer Drive/Van Dyke
Service Area: Southwest Detroit
Service Area: Tireman/Chadsey
Facility: Michigan Hospital & Medical Centers
*Wexford
Service Area: Buckley/Fife Lake

PRIMARY MEDICAL CARE: Michigan
Service Area Listing

Service Area Name

Airport/Conner (N.E. Detroit)
County—Wayne
Parts:
C.T. 5037
C.T. 5039–5048
C.T. 5052–5053
C.T. 5107–5109
Allegan
County—Allegan
Parts:
Allegan City
Allegan Twp.
Cheshire Twp.
Clyde Twp.
Dorr Twp.
Hopkins Twp.
Lee Twp.
Leighton Twp.
Martin Twp.
Monterey Twp.
Salem Twp.
Trowbridge Twp.
Valley Twp.
Watson Twp.
Wayland City
Wayland Twp.
Beaver Island
County—Charlevoix
Parts:
Peaine Twp.
St. James Twp.
Brown City
County—Lapeer
Parts:
Burnside Twp.
County—Sanilac
Parts:
Brown City
Elk Twp.
Flynn Twp.
Maple Valley Twp.
Speaker Twp.
Buckley/Fife Lake
County—Grand Traverse
Parts:
Fife Lake Twp
Grant Twp
Mayfield Twp
Paradise Twp
County—Wexford
Parts:
Greenwood Twp
Hanover Twp
Liberty Twp
Wexford Twp
Carlton
County—Monroe
Parts:
Ash Twp.
Exeter Twp.
London Twp.
Chene (S. Central Detroit)
County—Wayne
Parts:
C.T. 5111
C.T. 5161–5162
C.T. 5177–5179
C.T. 5183–5188
Dowagiac
County—Cass
Parts:
Dowagiac City
La Grange Twp
Marcellus Twp.
Penn Twp.
Pokagon Twp
Silver Creek Twp.
Volinia Twp.
Wayne Twp.
County—Van Buren
Parts:
Decatur Twp.
Hamilton Twp.
Keeler Twp.
Porter Twp.
E. Marinette/S. Menominee(MI/WI)
County—Menominee
Parts:
Ingallston Twp.
Mellen Twp.
Menominee City
Menominee Twp.
East Side Saginaw
County—Saginaw
Parts:
C.T. 1–11
C.T. 110
Eastside Detroit
County—Wayne
Parts:
C.T. 5121–5124
C.T. 5126
C.T. 5129
C.T. 5132–5136
C.T. 5139–5143
C.T. 5145–5157
Ewen
County—Gogebic
Parts:
Marenisco Twp
Watersmeet Twp
County—Ontonagon
Parts:
Bergland Twp
Haight Twp
Interior Twp
Matchwood Twp
McMillan Twp
Rockland Twp
Stannard Twp
Grayling/Roscommon
County—Kalkaska
Parts:
Bear Lake Twp.
Garfield Twp.
County—Missaukee
Parts:
Norwich Twp.
County—Roscommon
Parts:
Au Sable Twp
Gerrish Twp.
Higgins Twp.
Lyon Twp.
Gwinn
County—Delta
Parts:
Maple Ridge Twp
County—Marquette
Parts:
Ewing Twp
Forsyth Twp
Turin Twp
Wells Twp
Hale/Whittemore/Prescott
County—Iosco

PRIMARY MEDICAL CARE: Michigan
Service Area Listing

Service Area Name

Parts:
Burleigh Twp
Grant Twp
Plainfield Twp
Reno Twp
Sherman Twp
Whittemore City
County—Ogemaw
Parts:
Logan Twp
Richland Twp
Hamtramck
County—Wayne
Parts:
C.T. 5520–5526
Harrison
County—Clare
Parts:
Arthur Twp.
Franklin Twp.
Freeman Twp.
Frost Twp.
Greenwood Twp.
Hamilton Twp.
Harrison City
Hatton Twp.
Hayes Twp.
Lincoln Twp.
Summerfield Twp.
Highland Park
County—Wayne
Parts:
C.T. 5530–5537
Houghton Lake
County—Missaukee
Parts:
Butterfield Twp.
Enterprise Twp.
Holland Twp.
County—Roscommon
Parts:
Denton Twp.
Lake Twp.
Markey Twp.
Roscommon Twp.
Iron River/Crystal Falls
County—Iron
Ironwood/Hurley (MI/WI)
County—Gogebic
Parts:
Bessemer City
Bessemer Twp
Erwin Twp
Ironwood City
Ironwood Twp
Wakefield City
Wakefield Twp
Mackenzie/Brooks
County—Wayne
Parts:
C.T. 5341–5344
C.T. 5347
C.T. 5350–5355
C.T. 5363–5368
C.T. 5370–5373
C.T. 5378
C.T. 5451–5454
Mancelona
County—Antrim
Parts:
Chestonia Twp.
Custer Twp.
Helena Twp.
Kearney Twp.
Mancelona Twp.
Star Twp.
County—Kalkaska
Parts:
Blue Lake Twp.
Cold Springs Twp.
Rapid River Twp.
Marion
County—Clare
Parts:
Redding Twp.
Winterfield Twp.
County—Missaukee
Parts:
Clam Union Twp.
Riverside Twp.
County—Osceola
Parts:
Hartwick Twp.
Highland Twp.
Marion Twp.
Middle Branch Twp.
Marlette/Kingston
County—Lapeer
Parts:
Burlington Twp.
County—Sanilac
Parts:
La Motte Twp.
Marlette Twp.
County—Tuscola
Parts:
Dayton Twp.
Fremont Twp
Kingston Twp.
Koylton Twp.
Morenci
County—Lenawee
Parts:
Fairfield Twp
Medina Twp
Morenci City
Seneca Twp
Nolan/State Fair/Davison/Pershing
County—Wayne
Parts:
C.T. 5064–5080
C.T. 5102–5106
Northern Menominee
County—Menominee
Parts:
Cedarville Twp
Daggett Twp
Faithorn Twp
Gourley Twp
Harris Twp
Holmes Twp
Lake Twp
Meyer Twp
Nadeau Twp
Spalding Twp
Stephenson City
Stephenson Twp
Northern Montcalm
County—Montcalm
Parts:
Belvidere Twp
Cato Twp
Day Twp
Douglass Twp
Maple Valley Twp
Pierson Twp
Pine Twp
Reynolds Twp
Winfield Twp
Northport/Suttons Bay
County—Leelanau
Parts:
Centerville Twp.
Cleveland Twp.
Kasson Twp.
Leelanau Twp.
Leland Twp.
Solon Twp.
Suttons Bay Twp.
Otter Lake
County—Genesee
Parts:
Forest Twp
County—Lapeer
Parts:
Deerfield Twp
Marathon Twp
Rich Twp
County—Tuscola
Parts:
Arbela Twp
Millington Twp
Watertown Twp
Outer Drive/Van Dyke
County—Wayne
Parts:
C.T. 5035–5036
C.T. 5049–5051
C.T. 5061–5063
Pigeon
County—Huron
Parts:
Brookfield Twp.
Caseville Twp.
Fairhaven Twp.
McKinley Twp.
Sebewaing Twp.
Winsor Twp.
County—Tuscola
Parts:
Columbia Twp.
Port Austin
County—Huron
Parts:
Dwight Twp.
Gore Twp.
Hume Twp.
Huron Twp.
Lake Twp.
Pointe Aux Barques Twp.
Port Austin Twp.
Rose City/Lupton
County—Ogemaw
Parts:
Cumming Twp
Goodar Twp
Hill Twp
Rose City
Rose Twp
South Haven/Bangor
County—Allegan
Parts:
Casco Twp.
Ganges Twp.
County—Van Buren
Parts:

PRIMARY MEDICAL CARE: Michigan
Service Area Listing

Service Area Name

Arlington Twp.
Bangor City
Bangor Twp.
Columbia Twp.
Covert Twp.
Geneva Twp.
Lawrence Twp.
South Haven City
South Haven Twp.
Southwest Detroit
County—Wayne
Parts:
C.T. 5208–5209
C.T. 5211–5214
C.T. 5231–5238
C.T. 5240–5243
C.T. 5245
C.T. 5247–5248
Sparta/Kent City/Cedar Springs
County—Kent
Parts:
Cedar Springs City
Nelson Twp.
Solon Twp.
Sparta Twp.
Tyrone Twp.
County—Muskegon
Parts:
Casnovia Twp.
County—Ottawa
Parts:
Chester Twp.
Sterling/Standish
County—Bay
Parts:
Gibson Twp
Mount Forest Twp
Pinconning City
Pinconning Twp
Three Rivers
County—Cass
Parts:
Newberg Twp
Porter Twp
County—St Joseph
Parts:
Colon Twp
Constantine Twp
Fabius Twp
Florence Twp
Flowerfield Twp
Leonidas Twp
Lockport Twp
Mendon Twp
Nottawa Twp
Park Twp
Three Rivers City
Tireman/Chadsey
County—Wayne
Parts:
C.T. 5221–5222
C.T. 5251–5258
C.T. 5260–5265
C.T. 5335–5337
C.T. 5345–5346
West Branch
County—Ogemaw
Parts:
Churchill Twp
Edwards Twp
Foster Twp
Horton Twp

PRIMARY MEDICAL CARE: Michigan
Service Area Listing

Service Area Name

Klacking Twp
Mills Twp
Ogemaw Twp
West Branch City
West Branch Twp
Western Marquette
County—Marquette
Parts:
Champion Twp.
Humboldt Twp.
Michigamme Twp.
Republic Twp.

PRIMARY MEDICAL CARE: Michigan
Population Group Listing

Population Group

Low Inc—Branch Co
County—Branch
Parts:
Low Income
Low Inc—Deckerville/Sandusky
County—Sanilac
Parts:
Argyle Twp
Austin Twp
Bridgehampton Twp
Custer Twp
Delaware Twp
Elmer Twp
Evergreen Twp
Forester Twp
Greenleaf Twp
Marion Twp
Minden Twp
Moore Twp
Sandusky City
Sanilac Twp
Watertown Twp
Wheatland Twp
Low Inc—Dickinson Co
County—Dickinson
Parts:
Low Income
Low Inc—East Jordan
County—Antrim
Parts:
Banks Twp
Central Lake Twp
Echo Twp
Forest Home Twp
Jordan Twp
Torch Lake Twp
Warner Twp
County—Charlevoix
Parts:
Boyne City City
Boyne Valley Twp
Chandler Twp
East Jordan City
Evangeline Twp
Eveline Twp
Hudson Twp
Marion Twp
Melrose Twp
Norwood Twp
South Arm Twp
Wilson Twp
Low Inc—Flint
County—Genesee
Parts:
C.T. 1–11

PRIMARY MEDICAL CARE: Michigan
Population Group Listing

Population Group

C.T. 14–15
C.T. 17–29
C.T. 103.02
C.T. 103.04
C.T. 122.02
Low Inc—Grand Rapids
County—Kent
Parts:
C.T. 1–10
C.T. 11.01–11.02
C.T. 12–46
C.T. 116
C.T. 118.01–118.02
C.T. 126.01–126.02
Low Inc—Harbor Beach/Bad Axe
County—Huron
Parts:
Bad Axe City
Bingham Twp
Bloomfield Twp
Chandler Twp
Colfax Twp
Grant Twp
Harbor Beach City
Lincoln Twp
Meade Twp
Oliver Twp
Paris Twp
Rubicon Twp
Sand Beach Twp
Sheridan Twp
Sherman Twp
Sigel Twp
Verona Twp
Low Inc—Muskegon City
County—Muskegon
Parts:
C.T. 1–5
C.T. 6.01–6.02
C.T. 7–8
C.T. 11–13
C.T. 14.01–14.02
C.T. 19.02
C.T. 21
C.T. 26.01
Low Inc—N Kalamazoo City
County—Kalamazoo
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.02
C.T. 5–6
C.T. 8.01–8.02
C.T. 9–10
Low Inc—Ne Jackson City
County—Jackson
Parts:
C.T. 1–4
C.T. 6–7
C.T. 10–13
Low Inc—Newaygo Co
County—Newaygo
Parts:
Low Income
Low Inc—North Berrien Co
County—Berrien
Parts:
Bainbridge Twp
Benton Charter Twp
Benton Harbor City
Coloma City

PRIMARY MEDICAL CARE: Michigan
Population Group Listing

Population Group

Coloma Twp
Hagar Twp
Pipestone Twp
Sodus Twp
Watervliet Twp
Watervliet City
Low Inc—Northern Muskegon Co
County—Muskegon
Parts:
Blue Lake Twp
Cedar Creek Twp
Dalton Twp
Fruitland Twp
Holton Twp
Montague Twp
Montague City
White River Twp
White Hall City
Whitehall Twp
Low Inc—Pontiac
County—Oakland
Parts:
C.T. 1410
C.T. 1412–1418
C.T. 1420–1427
Low Inc—South Berrien Co
County—Berrien
Parts:
Baroda Twp
Berrien Twp
Bertrand Twp
Bridgman City
Buchanan City
Buchanan Twp
Chickaming Twp
Galien Twp
Lake Charter Twp
New Buffalo Twp
New Buffalo City
Niles City
Niles Twp
Oronoko Twp
Three Oaks Twp
Weesaw Twp
Low Inc—Southern Montcalm
County—Montcalm
Parts:
Bloomer Twp
Bushnell Twp
Carson City City
Crystal Twp
Eureka Twp
Evergreen Twp
Fairplain Twp
Ferris Twp
Greenville City
Home Twp
Montcalm Twp
Richland Twp
Sidney Twp
Stanton City
Low Inc/MFW—Ionia Co
County—Ionia
Parts:
Low Income
MFW
Medicaid—Calhoun Co
County—Calhoun
Parts:
Medicaid Eligible
Medicaid—Isabella Co
County—Isabella

PRIMARY MEDICAL CARE: Michigan
Population Group Listing

Population Group

Parts:
Medicaid Eligible
Medicaid—Luce Co
County—Luce
Parts:
Medicaid Eligible
Medicaid Pop.—South Monroe
County—Monroe
Parts:
Bedford Twp.
Erie Twp.
Ida Twp.
La Salle Twp.
Luna Pier City
Summerfield Twp.
Whiteford Twp.

PRIMARY MEDICAL CARE: Michigan
Facility Listing

Facility Name

Alger Max Fac
Chippewa Cty Corr Inst
County—Chippewa
Marquette Branch Prs
County—Marquette
Michigan Hospital & Medical Centers
County—Wayne
State Prs.—South Michigan
County—Jackson

PRIMARY MEDICAL CARE: Minnesota
County Listing

County Name

*Aitkin
Service Area: Floodwood
Service Area: Mille Lacs
*Beltrami
Service Area: Northome/Blackduck
*Big Stone
Service Area: Graceville
*Brown
Service Area: St. James/Butterfield
*Cass
Clay
Service Area: Barnesville
*Cook
Service Area: Silver Bay
*Crow Wing
Service Area: Mille Lacs
Hennepin
Service Area: Near North—Minneapolis
Population Group: Am In—Hennepin Co
Population Group: Low Inc—N Minneapolis
*Itasca
Service Area: Northome/Blackduck
*Kanabec
Service Area: Mille Lacs
*Kittson
Service Area: Hallock
Service Area: Karlstad
*Koochiching
Service Area: Northome/Blackduck
*Lac Qui Parle
Population Group: Low Inc—City of Wausau
*Lake
Service Area: Silver Bay
*Lincoln
Service Area: Tyler/Lake Benton
*Lyon

PRIMARY MEDICAL CARE: Minnesota
County Listing

County Name

Service Area: Tracy
Service Area: Tyler/Lake Benton
*Marshall
Service Area: Greenbush/Middle River
Service Area: Hallock
Service Area: Karlstad
*Martin
Service Area: St. James/Butterfield
*Mille Lacs
Service Area: Mille Lacs
*Morrison
Service Area: Albany
Service Area: Mille Lacs
*Murray
*Pipestone
Service Area: Pipestone
Service Area: Tyler/Lake Benton
Ramsey
Service Area: Summit-Dale
Population Group: Am In—St. Paul
Population Group: Span Sp—St. Paul City
*Redwood
Service Area: Tracy
*Rock
Service Area: Pipestone
*Roseau
Service Area: Greenbush/Middle River
St Louis
Service Area: Cook/Orr
Service Area: Floodwood
Population Group: Inmates—FPC Duluth
Stearns
Service Area: Albany
*Stevens
Service Area: Graceville
*Traverse
Service Area: Graceville
*Wabasha
Service Area: Plainview
*Watonwan
Service Area: St. James/Butterfield
*Wilkin
Service Area: Barnesville
*Winona
Service Area: Plainview

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

Albany
County—Morrison
Parts:
Elmdale City
Elmdale Twp
Upsala City
County—Stearns
Parts:
Albany City
Albany Twp
Avon City
Avon Twp
Holdingford City
Holding Twp
Krain Twp
St. Anthony City
Barnesville
County—Clay
Parts:
Alliance Twp
Barnesville City
Barnesville Twp

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

Comstock City
Elkton Twp
Holy Cross Twp
Humboldt Twp
Parke Twp
Skree Twp
Tansem Twp
County—Wilkin
Parts:
Atherton Twp
Deerhorn Twp
Manston Twp
Mitchell Twp
Prairie View Twp
Rothsay City
Tanberg Twp
Wolverton Twp
Cook/Orr
County—St Louis
Parts:
Alango Twp
Angora Twp
Beatty Twp
Cook City
Field Twp
Gheen Unorg.
Lake Vermillion Unorg.
Leiding Twp
Linden Grove Twp
Morcom Twp
Northeast St. Louis Unorg
Northwest St. Louis Unorg
Orr City
Owens Twp
Portage Twp
Sturgeon Twp
Willow Valley Twp
Floodwood
County—Aitkin
Parts:
Ball Bluff Twp
Balsam Twp
Cornish Twp
Northeast Aitkin Unorg
Turner Twp
County—St Louis
Parts:
Arrowhead Twp
Cedar Valley Twp
Cotton Twp
Elmer Twp
Fine Lakes Twp
Floodwood City
Floodwood Twp
Halden Twp
Kelsey Twp
Meadowlands Twp
Meadowlands City
Ness Twp
Northland Twp
Payne Twp
Potshot Lake Unorg
Prairie Lake Twp
Toivola Twp
Van Buren Twp
Graceville
County—Big Stone
Parts:
Almond Twp.
Barry City
Browns Valley Twp.
Clinton City

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

Graceville City
Graceville Twp.
Malta Twp.
Moonshine Twp.
Prior Twp.
Toqua Twp.
County—Stevens
Parts:
Baker Twp.
Chokio City
Everglade Twp.
Stevens Twp.
County—Traverse
Parts:
Arthur Twp.
Folsom Twp.
Leonardsville Twp.
Parnell Twp.
Tara Twp.
Greenbush/Middle River
County—Marshall
Parts:
Cedar Twp.
Como Twp.
East Park Twp.
Huntly Twp.
Linsell Twp.
Middle River City
Moose River Twp.
New Maine Twp.
Rollis Twp.
Spruce Valley Twp.
Thief Lake Twp.
Veldt Twp.
Whiteford Twp.
County—Roseau
Parts:
Barto Twp.
Deer Twp.
Dewey Twp.
Greenbush City
Hereim Twp.
Lind Twp.
Polonia Twp.
Strathcona City
Hallock
County—Kittson
Parts:
Cannon Twp.
Caribou Twp.
Clow Twp.
Davis Twp.
Donaldson City
East Kittson Unorg.
Granville Twp.
Hallock Twp.
Hallock City
Hampden Twp.
Hazelton Twp.
Hill Twp.
Humboldt City
Kennedy City
Lake Bronson City
Lancaster City
McKinley Twp.
North Red River Twp.
Percy Twp.
Poppleton Twp.
Richardville Twp.
Skane Twp.
South Red River Twp.
St. Joseph Twp.

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

St. Vincent Twp.
St. Vincent City
Svea Twp.
Tegner Twp.
Teien Twp.
Thompson Twp.
County—Marshall
Parts:
Donnelly Twp.
Eagle Point Twp.
Karlstad
County—Kittson
Parts:
Arveson Twp
Deerwood Twp
Halma City
Jupiter Twp
Karlstad City
Norway Twp
Pelan Twp
Spring Brook Twp
County—Marshall
Parts:
Augsberg Twp
Lincoln Twp
Nelson Park Twp
Strandquist City
West Valley Twp
Wright Twp
Mille Lacs
County—Aitkin
Parts:
Hazelton Twp.
Idun Twp.
Jewett Twp.
Lakeside Twp.
Malmo Twp.
McGrath City
Seavey Twp
Wealthwood Twp.
Williams Twp.
County—Crow Wing
Parts:
Garrison City
Garrison Twp.
Roosevelt Twp.
County—Kanabec
Parts:
Ford Twp.
Hay Brook Twp.
Hillman Twp.
County—Mille Lacs
Parts:
Bradbury Twp.
Dailey Twp
East Side Twp.
Isle City
Isle Harbor Twp.
Kathio Twp.
Lewis Twp.
Mudgett Twp.
Onamia City
Onamia Twp.
South Harbor Twp.
Wahkon City
County—Morrison
Parts:
Hillman City
Leigh Twp.
Mount Morris Twp.
Richardson Twp.
Near North—Minneapolis

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

County—Hennepin
Parts:
C.T. 20–23
C.T. 27–29
C.T. 32–35
C.T. 41–42
Northome/Blackduck
County—Beltrami
Parts:
Battle Twp.
Blackduck City
Cormant Twp.
Durand Twp.
Funkley City
Hagali Twp.
Hines Twp.
Hornet Twp.
Kelliher City
Kelliher Twp.
Langor Twp.
Nebish Twp.
O'Brian Twp.
Quiring Twp.
Shooks Twp.
Shotley Brook Unorg.
Shotley Twp.
Summit Twp.
Waskish Twp.
Woodrow Twp.
County—Itasca
Parts:
Alvwood Twp.
Ardenhurst Twp.
Moose Park Twp.
Nore Twp.
Third River Twp.
County—Koochiching
Parts:
Mizpah City
N.W. Koochiching Unorg.
Northome City
Northome Unorg.
Pipestone
County—Pipestone
Parts:
Burke Twp
Eden Twp
Edgerton City
Elmer Twp
Grange Twp
Gray Twp
Hatfield City
Holland City
Ihlen City
Jasper City
Osborne Twp
Pipestone City
Rock Twp
Sweet Twp
Trosky City
Troy Twp
Woodstock City
County—Rock
Parts:
Battle Plain Twp
Denver Twp
Hardwick City
Rose Dell Twp
Plainview
County—Wabasha
Parts:
Elgin City

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

Elgin Twp.
Highland Twp.
Millville City
Oakwood Twp.
Plainview City
Plainview Twp.
Watopa Twp.
County—Winona
Parts:
Whitewater Twp.
Silver Bay
County—Lake
Parts:
Beaver Bay City
Beaver Bay Twp.
Crystal Bay Twp.
Lake No. 1 Twp.
Silver Bay City
St. James/Butterfield
County—Brown
Parts:
Albin Twp.
Mulligan Twp.
County—Martin
Parts:
Cedar Twp.
Galena Twp.
Trimont City
Waverly Twp.
County—Watonwan
Parts:
Adrian Twp.
Butterfield City
Butterfield Twp.
Darfur City
La Salle City
Long Lake Twp.
Nelson Twp.
Odin City
Odin Twp.
Ormsby City
Riverdale Twp.
Rosendale Twp.
South Branch Twp.
St. James City
St. James Twp.
Summit-Dale
County—Ramsey
Parts:
C.T. 324–327
C.T. 335–340
C.T. 354–355
Tracy
County—Lyon
Parts:
Amiret Twp.
Balaton City
Custer Twp.
Garvin City
Monroe Twp.
Rock Lake Twp.
Sodus Twp.
Tracy City
County—Redwood
Parts:
Gales Twp.
Johnsonville Twp.
North Hero Twp.
Revere City
Springdale Twp.
Walnut Grove City
Tyler/Lake Benton

PRIMARY MEDICAL CARE: Minnesota
Service Area Listing

Service Area Name

County—Lincoln
Parts:
Arco City
Diamond Lake Twp.
Hope Twp.
Lake Benton City
Lake Benton Twp.
Lake Stay Twp.
Marshfield Twp.
Tyler City
County—Lyon
Parts:
Coon Creek Twp.
Florence City
Shelburne Twp.
County—Pipestone
Parts:
Aetna Twp.
Fountain Prairie Twp.
Ruthton City

PRIMARY MEDICAL CARE: Minnesota
Population Group Listing

Population Group

Am In—Hennepin Co
County—Hennepin
Parts:
American Indian
Am In—St. Paul
County—Ramsey
Parts:
American Indian—St. Paul
Inmates—FPC Duluth
County—St Louis
Parts:
FPC Duluth
Low Inc—City Of Wausau
County—Lac Qui Parle
Parts:
C.T. 1–2
C.T. 4–5
C.T. 6.01–6.02
C.T. 7
Low Inc—N Minneapolis
County—Hennepin
Parts:
C.T. 7–10
C.T. 13–16
Span Sp—St. Paul City
County—Ramsey
Parts:
Spanish Speaking—St. Paul

PRIMARY MEDICAL CARE: Mississippi
County Listing

County Name

*Adams
Service Area: North Natchez
Amite
Service Area: Centreville/Liberty
*Benton
*Bolivar
Population Group: Med Ind—Bolivar/Sunflower
*Calhoun
*Carroll
*Chickasaw
*Choctaw
*Claiborne
*Clarke

PRIMARY MEDICAL CARE: Mississippi
County Listing

County Name

*Clay
*Coahoma
  Population Group: Med Ind—Coahoma Co
*Copiah
*Covington
De Soto
  Service Area: Hernando
Forrest
  Service Area: East Leaf River
*Franklin
*George
*Greene
Hancock
Harrison
  Population Group: Med Ind—Harrison Co
Hinds
  Service Area: Jackson Inner-City
  Service Area: South West Rural Hinds
*Holmes
*Humphreys
Issaquena
  Service Area: Issaquena/Sharkey
*Itawamba
Jackson
  Population Group: Pov Pop—Jackson Co
*Jasper
*Jefferson
*Jefferson Davis
*Jones
*Kemper
Lamar
  Service Area: Lumberton/Purvis
*Lauderdale
  Population Group: Med Ind—Lauderdale Co
*Lawrence
*Leake
*Leflore
Madison
*Marion
*Marshall
*Monroe
*Montgomery
*Neshoba
*Newton
*Noxubee
*Panola
*Pearl River
*Prentiss
*Quitman
Rankin
  Service Area: Pelahatchie-Puckett
*Scott
Sharkey
  Service Area: Issaquena/Sharkey
*Smith
*Stone
*Sunflower
  Population Group: Med Ind—Bolivar/Sunflower
  Facility: Mississippi State Pen.
*Tallahatchie
*Tate
*Tippah
*Tishomingo
  Population Group: Pov Pop—Red Bay/Vina/Belmont (AL/MS)
*Tunica
*Walthall
*Warren
  Population Group: Low Inc—Warren Co
*Washington

PRIMARY MEDICAL CARE: Mississippi
County Listing

County Name

*Wayne
*Webster
Wilkinson
  Service Area: Centreville/Liberty
*Winston
*Yalobusha
*Yazoo

PRIMARY MEDICAL CARE: Mississippi
Service Area Listing

Service Area Name

Centreville/Liberty
  County—Wilkinson
East Leaf River
  County—Forrest
    Parts:
      C.T. 1
      C.T. 4–6
      C.T. 105
Hernando
  County—De Soto
    Parts:
      C.T. 709–712
Issaquena/Sharkey
  County—Issaquena
  County—Sharkey
Jackson Inner-City
  County—Hinds
    Parts:
      C.T. 5–12
      C.T. 17–29
      C.T. 31–32
      C.T. 102.01
      C.T. 102.03
      C.T. 103.01
      C.T. 108.01
      C.T. 109.02
Lumberton/Purvis
  County—Lamar
    Parts:
      C.T. 204–206
North Natchez
  County—Adams
    Parts:
      C.T. 2–4
Pelahatchie–Puckett
  County—Rankin
    Parts:
      C.T. 201
      C.T. 209
South West Rural Hinds
  County—Hinds
    Parts:
      C.T. 105–107
      C.T. 112–113

PRIMARY MEDICAL CARE: Mississippi
Population Group Listing

Population Group

Low Inc—Warren Co
  County—Warren
    Parts:
      Low Income
Med Ind—Bolivar/Sunflower
  County—Bolivar
    Parts:
      Medically Indigent
  County—Sunflower
    Parts:
      Med. Ind. Pop.

PRIMARY MEDICAL CARE: Mississippi
Population Group Listing

Population Group

Med Ind—Coahoma Co
  County—Coahoma
    Parts:
      Medically Indigent
Med Ind—Harrison Co
  County—Harrison
    Parts:
      Medically Indigent
Med Ind—Lauderdale Co
  County—Lauderdale
    Parts:
      Medically Indigent
Pov Pop—Jackson Co
  County—Jackson
    Parts:
      Pov Pop
Pov Pop—Red Bay/Vina/Belmont (AL/MS)
  County—Tishomingo
    Parts:
      Dist. 4
      Dist. 5

PRIMARY MEDICAL CARE: Mississippi
Facility Listing

Facility Name

Mississippi State Pen.
  County—Sunflower

PRIMARY MEDICAL CARE: Missouri
County Listing

County Name

Andrew
  Service Area: Savannah
*Atchison
*Barton
*Bates
  Service Area: Appleton
*Benton
*Bollinger
*Carroll
*Carter
Cass
*Cedar
*Chariton
*Clark
Clay
  Population Group: Medicaid—Clay Co
*Cooper
*Crawford
*Dade
*Dallas
*Daviess
*De Kalb
*Dent
*Douglas
*Gentry
Greene
  Service Area: Ash Grove
  Population Group: Pov Pop—North Springfield
*Grundy
*Harrison
*Henry
  Service Area: Appleton
*Hickory
*Holt
*Howard
Jackson
  Population Group: Low Inc—Eastern Jackson

PRIMARY MEDICAL CARE: Missouri
County Listing

County Name

Population Group: Pov Pop—North Kansas City
Jefferson
Service Area: Hillsboro/De Soto
*Johnson
*Knox
*Laclede
*Lewis
Lincoln
*Maries
*McDonald
*Mercer
*Mississippi
*Montgomery
*New Madrid
Population Group: Medicaid—New Madrid/Sikeston
*Oregon
*Osage
*Ozark
*Perry
*Pike
*Pulaski
Ray
*Reynolds
*Ripley
*Schuyler
*Scotland
*Scott
Population Group: Medicaid—New Madrid/Sikeston
*Shannon
*St Clair
Service Area: Appleton
St Louis
Population Group: Pov Pop—West St Louis
Population Group: Pov Pop—North St Louis
St Louis City (Indep)
Population Group: Pov Pop—West St Louis
Population Group: Pov Pop—Grace Hill/Cochran
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—Southeast St Louis
*Ste Genevieve
Service Area: Ste Genevieve
*Stoddard
*Stone
*Texas
*Washington
*Wayne
Webster

PRIMARY MEDICAL CARE: Missouri
Service Area Listing

Service Area Name

Appleton
County—Bates
Parts:
Hudson Twp
Rockville Twp
County—Henry
Parts:
Bear Creek Twp
Deepwater Twp
County—St Clair
Parts:

PRIMARY MEDICAL CARE: Missouri
Service Area Listing

Service Area Name

Appleton Twp
Monegaw Twp
Taber Twp
Ash Grove
County—Greene
Parts:
Boone No. 1 Twp
Boone No. 2 Twp
Cass Twp
Walnut Grove Twp
Hillsboro/De Soto
County—Jefferson
Parts:
Big River Twp
Central Twp
Plattin Twp
Valle Twp
Savannah
County—Andrew
Parts:
Benton Twp
Clay Twp
Empire Twp
Jackson Twp
Lincoln Twp
Nodaway Twp
Platte Twp
Rochester Twp
Ste Genevieve
County—Ste Genevieve
Parts:
Beauvais Twp
Jackson Twp
Ste Genevieve Twp

PRIMARY MEDICAL CARE: Missouri
Population Group Listing

Population Group

Low Inc—Eastern Jackson
County—Jackson
Parts:
C.T. 112–113
C.T. 114.01
C.T. 114.03–114.04
C.T. 115–116
C.T. 122–124
C.T. 134.04
C.T. 135–136
C.T. 137.01–137.04
C.T. 138–140
C.T. 141.01
C.T. 141.03–141.06
C.T. 142.01–142.02
C.T. 143
C.T. 145
C.T. 146.01–146.02
C.T. 147
C.T. 148.01–148.02
C.T. 149–151
Medicaid—Clay Co
County—Clay
Parts:
Medicaid Eligible
Medicaid—New Madrid/Sikeston
County—New Madrid
Parts:
Medicaid Eligible
County—Scott
Parts:
Medicaid Eligible
Pov Pop—Grace Hill/Cochran

PRIMARY MEDICAL CARE: Missouri
Population Group Listing

Population Group

County—St Louis City (Indep)
Parts:
C.T. 1085
C.T. 1096–1097
C.T. 1202–1203
C.T. 1213–1214
C.T. 1222
C.T. 1255–1257
C.T. 1266–1267
Pov Pop—North Kansas City
County—Jackson
Parts:
C.T. 2–4
C.T. 5.01
C.T. 6–27
C.T. 28.01–28.02
C.T. 29–34
C.T. 35.01–35.02
C.T. 36.01–36.02
C.T. 37–45
C.T. 59.01
Pov Pop—North Springfield
County—Greene
Parts:
C.T. 1–2
C.T. 5–9
C.T. 17
C.T. 18.01–18.02
C.T. 19–21
C.T. 31
C.T. 32.01–32.02
C.T. 33
Pov Pop—North St Louis
County—St Louis
Parts:
C.T. 2139–2140
County—St Louis City (Indep)
Parts:
C.T. 1061–1067
C.T. 1071–1075
Pov Pop—Southeast St Louis
County—St Louis City (Indep)
Parts:
C.T. 1018
C.T. 1156–1157
C.T. 1164–1165
C.T. 1172–1174
C.T. 1181
C.T. 1185
C.T. 1221
C.T. 1224
C.T. 1231–1234
C.T. 1241–1243
C.T. 1246
Pov Pop—West St Louis
County—St Louis
Parts:
C.T. 2159–2161
County—St Louis City (Indep)
Parts:
C.T. 1051.98
C.T. 1052–1055
C.T. 1121

PRIMARY MEDICAL CARE: Montana
County Listing

County Name

*Blaine
*Carter
*Chouteau
Service Area: Big Sandy

PRIMARY MEDICAL CARE: Montana
County Listing

County Name

Service Area: Fort Benton
*Custer
Service Area: Baker (MT/ND)
*Daniels
Fallon
Service Area: Baker (MT/ND)
*Gallatin
Service Area: Ennis/W. Yellowstone
*Garfield
*Glacier
*Hill
Service Area: Big Sandy
*Lewis And Clark
Service Area: Choteau
*Lincoln
Service Area: Eureka
Service Area: Troy
*Madison
Service Area: Ennis/W. Yellowstone
*McCone
*Musselshell
*Park
Service Area: Gardiner/Yellowstone (MT/WY)
*Phillips
*Pondera
*Powder River
*Powell
Facility: Montana State Prs
*Prairie
*Richland
Service Area: Culbertson
*Roosevelt
Service Area: Culbertson
Service Area: Poplar/Wolf Point
Rosebud
Service Area: Forsyth/Colstrip
*Sanders
*Sheridan
Service Area: Culbertson
*Silver Bow
Population Group: Med Ind—Silver Bow Co
*Sweet Grass
*Teton
Service Area: Choteau
Treasure
Service Area: Forsyth/Colstrip
*Valley
Population Group: Low Ind—Valley Co
*Wibaux
Service Area: Baker (MT/ND)
*Yellowstone Park
Service Area: Gardiner/Yellowstone (MT/WY)

PRIMARY MEDICAL CARE: Montana
Service Area Listing

Service Area Name

Baker (MT/ND)
County—Custer
Parts:
Shirley-Ismay CCD
County—Wibaux
Parts:
Pine Hills-St. Phil. CCD
Big Sandy
County—Chouteau
Parts:
Big Sandy CCD
County—Hill

PRIMARY MEDICAL CARE: Montana
Service Area Listing

Service Area Name

Parts:
Rocky Boy CCD
Choteau
County—Lewis And Clark
Parts:
Augusta CCD
County—Teton
Parts:
Choteau CCD
Fairfield CCD
Culbertson
County—Richland
Parts:
Fairview CCD (W.2/3)
County—Roosevelt
Parts:
East Roosevelt CCD
County—Sheridan
Parts:
Medicine Lake CCD
Ennis/W. Yellowstone
County—Gallatin
Parts:
West Yellowstone CCD
County—Madison
Parts:
Harrison CCD
Madison Valley CCD
Virginia City CCD
Eureka
County—Lincoln
Parts:
Eureka CCD
Forsyth/Colstrip
County—Treasure
Fort Benton
County—Chouteau
Parts:
Fort Benton CCD
Geraldine CCD
Gardiner/Yellowstone (MT/WY)
County—Park
Parts:
Gardiner-Cooke CCD
County—Yellowstone Park
Parts:
Yellowstone Nat'l Park CCD
Poplar/Wolf Point
County—Roosevelt
Parts:
Fort Peck Res. CCD
Troy
County—Lincoln
Parts:
Troy CCD

PRIMARY MEDICAL CARE: Montana
Population Group Listing

Population Group

Low Ind—Valley Co
County—Valley
Parts:
Low Income
Med Ind—Silver Bow Co
County—Silver Bow
Parts:
Medically Indigent

PRIMARY MEDICAL CARE: Montana
Facility Listing

Facility Name

Montana State Prs
County—Powell

PRIMARY MEDICAL CARE: Nebraska
County Listing

County Name

Antelope
Service Area: Antelope
Arthur
Service Area: Mullen
Boone
Service Area: Albion
Brown
Service Area: North Central
*Burt
Service Area: Onawa (IA/NE)
Cass
Cedar
Service Area: Cedar/Dixon
*Cherry
Service Area: Mullen
Service Area: Valentine
*Custer
Service Area: Arnold
Service Area: Burwell/Ord
*Dawes
Service Area: Crawford
Deuel
Service Area: Julesburg (CO/NB)
*Dixon
Service Area: Cedar/Dixon
Service Area: Wayne/Wakefield
Douglas
Population Group: Medicaid—NE/SE Omaha
*Dundy
*Franklin
Service Area: Franklin
Frontier
Service Area: McCook
Garfield
Service Area: Burwell/Ord
Grant
Service Area: Mullen
*Greeley
Service Area: Albion
Service Area: Howard/St Paul
*Harlan
Hayes
Service Area: Hayes/Hitchcock
Hitchcock
Service Area: Hayes/Hitchcock
Hooker
Service Area: Mullen
Howard
Service Area: Howard/St Paul
*Johnson
*Kearney
Keya Paha
Service Area: North Central
*Kimball
*Knox
Lancaster
Facility: Lancaster Dept Of Corr
*Lincoln
Service Area: Arnold
*Logan
Service Area: Arnold
Service Area: Mullen
Loup
Service Area: Burwell/Ord

PRIMARY MEDICAL CARE: Nebraska
County Listing

County Name

*Madison
Service Area: Albion
Service Area: Antelope
*Merrick
*Morrill
*Nance
*Platte
Service Area: Albion
Red Willow
Service Area: McCook
Rock
Service Area: North Central
*Saunders
Service Area: Wahoo
*Scotts Bluff
Population Group: Medicaid—Scotts Bluff
*Sheridan
*Sherman
Sioux
Service Area: Crawford
*Stanton
*Thayer
Thomas
Service Area: Mullen
*Thurston
Population Group: Winnebago Indian Res
Valley
Service Area: Burwell/Ord
Wayne
Service Area: Wayne/Wakefield
*Webster
Wheeler
Service Area: Burwell/Ord

PRIMARY MEDICAL CARE: Nebraska
Service Area Listing

Service Area Name

Albion
County—Greeley
Parts:
Spalding Prec
County—Madison
Parts:
Newman Grove City
Shell Creek Prec
County—Platte
Parts:
St Bernard Twp
Walker Twp
Antelope
County—Madison
Parts:
Jefferson Prec
Tilden City
Arnold
County—Custer
Parts:
Arnold Twp
Cliff Twp
Custer Twp
Delight Twp
Elim Twp
Grant Twp
Hayes Twp
Triumph Twp
Wayne Twp
Wood River Twp
County—Lincoln
Parts:
Antelope Prec
Garfield Prec

PRIMARY MEDICAL CARE: Nebraska
Service Area Listing

Service Area Name

County—Logan
Parts:
Gandy Prec
Logan Prec
Stapleton No. 2 Prec
Burwell/Ord
County—Custer
Parts:
Comstock Prec
Corner Prec
Douglas Grove Prec
Sargent Prec
Spring Creek Prec
West Union Prec
County—Wheeler
Cedar/Dixon
County—Dixon
Parts:
Clark Twp
Concord Twp
Daily Twp
Galena Twp
Hooker Twp
Newcastle Twp
Otter Creek Twp
Ponca City
Ponca Twp
Silver Creek Twp
Spring Bank Twp
Crawford
County—Dawes
Parts:
Leonard Prec (No. 7)
N Crawford Prec (No. 11)
S Crawford Prec (No. 10)
Whitney Prec (No. 9)
County—Sioux
Franklin
County—Franklin
Parts:
Antelope Twp
Bloomington Twp
Franklin City
Grant Twp
Macon Twp
Marion Twp
N Franklin Twp
Salem Twp
Washington Twp
Hayes/Hitchcock
County—Hitchcock
Howard/St Paul
County—Greeley
Parts:
Greeley Prec
Scotia Prec
Wolbach No. 2 Prec
Wolbach No. 1 Prec
County—Howard
Julesburg (CO/NB)
County—Deuel
McCook
County—Red Willow
Mullen
County—Cherry
Parts:
Calf Creek Prec
King Prec
Lackey Prec
Loup Prec
Mother Lake Prec
Wells Prec

PRIMARY MEDICAL CARE: Nebraska
Service Area Listing

Service Area Name

County—Logan
Parts:
Stapleton No. 1 Prec
County—Arthur
County—Grant
County—Hooker
County—Thomas
North Central
County—Rock
Onawa (IA/NE)
County—Burt
Parts:
Decatur Twp
Quinnebaugh Twp
Riverside Twp
Silver Creek Twp
Valentine
County—Cherry
Parts:
Barley Prec
Cleveland Prec
Cody Prec
Crookston Prec
Gillaspie Prec
Goose Creek Prec
Kennedy Prec
Kilgore Prec
Merriman Prec
Nenzel Prec
Russell Prec
Valentine City
Valentine Prec
Wood Lake Prec
Wahoo
County—Saunders
Parts:
Ashland Twp
Center Twp
Chapman Twp
Chester Twp
Clear Creek Twp
Douglas Twp
Elk Twp
Green Twp
Marble Twp
Marietta Twp
Mariposa Twp
Newman Twp
Oak Creek Twp
Richland Twp
Rock Creek Twp
South Cedar Twp
Stocking Twp
Union Twp
Wahoo City
Wahoo Twp
Wayne/Wakefield
County—Dixon
Parts:
Emerson Twp
Logan Twp
Wakefield Twp
County—Wayne

PRIMARY MEDICAL CARE: Nebraska
Population Group Listing

Population Group

Medicaid—NE/SE OMAha
County—Douglas
Parts:
C.T. 3

PRIMARY MEDICAL CARE: Nebraska
Population Group Listing

Population Group

C.T. 6–12
C.T. 13.01–13.02
C.T. 14–16
C.T. 18–19
C.T. 39–41
C.T. 51–54
C.T. 59.01–59.02
C.T. 60
C.T. 61.01–61.02
Medicaid—Scotts Bluff
County—Scotts Bluff
Parts:
Medicaid Eligible
Winnebago Indian Res
County—Thurston
Parts:
Omaha Indian Res
Winnebago Indian Res.

PRIMARY MEDICAL CARE: Nebraska
Facility Listing

Facility Name

Lancaster Dept Of Corr
County—Lancaster

PRIMARY MEDICAL CARE: Nevada
County Listing

County Name

Carson City (Indep)
Facility: Nv St Corr Fac (North)
Clark
Service Area: Central/N Central Las Vegas
Service Area: Moapa Valley
Service Area: Searchlight/Davis Dam
Service Area: Virgin Valley
Facility: Nv St Corr Fac (South)
*Douglas
Service Area: Topaz Lake
*Elko
*Esmerelda
Service Area: Coaldale/Silverpeak
Service Area: Tonopah/Esmeralda
*Eureka
*Humboldt
*Lander
*Lincoln
*Lyon
Service Area: Dayton/Fernley/Silver Springs
Service Area: Smith/Yerington
*Mineral
Nye
Service Area: Beatty
Service Area: Duckwater/Lund
Service Area: Gabbs
Service Area: Pahrump
Service Area: Round Mountain
Service Area: Tonopah/Esmeralda
*Pershing
*Storey
Washoe
Service Area: Gerlach
Service Area: Incline Village
Service Area: Wadsworth
Population Group: Med Ind—Reno/Sparks
*White Pine
Service Area: Baker
Service Area: Cherry Creek
Service Area: Duckwater/Lund
Facility: Nv St Corr Fac (East)

PRIMARY MEDICAL CARE: Nevada
Service Area Listing

Service Area Name

Baker
County—White Pine
Parts:
Baker CCD
Beatty
County—Nye
Parts:
Amargosa Valley CCD
Beatty CCD
Central/N Central Las Vegas
County—Clark
Parts:
C.T. 3.01–3.02
C.T. 4
C.T. 5.02–5.04
C.T. 6–9
C.T. 11
C.T. 35
C.T. 36.02
C.T. 37–38
C.T. 39.97–39.98
C.T. 40
C.T. 43–46
Cherry Creek
County—White Pine
Parts:
Cherry Creek CCD
Coaldale/Silverpeak
County—Esmerelda
Parts:
Silverpeak CCD
Dayton/Fernley/Silver Springs
County—Lyon
Parts:
Dayton CCD
Fernley CCD
Silver Springs CCD
Duckwater/Lund
County—Nye
Parts:
Duckwater CCD
County—White Pine
Parts:
Lund CCD
Gabbs
County—Nye
Parts:
Gabbs CCD
Gerlach
County—Washoe
Parts:
Gerlach CCD
Incline Village
County—Washoe
Parts:
Incline Village CCD
Indian Springs
Moapa Valley
County—Clark
Parts:
C.T. 59
Pahrump
County—Nye
Parts:
Crystal Twp
Pahrump CCD
Yucca Flat CCD
Round Mountain
County—Nye
Parts:
Round Mountain CCD
Searchlight/Davis Dam

PRIMARY MEDICAL CARE: Nevada
Service Area Listing

Service Area Name

County—Clark
Parts:
C.T. 57
Smith/Yerington
County—Lyon
Parts:
Smith CCD
Yerington Twp
Tonopah/Esmeralda
County—Esmerelda
Parts:
Goldfield CCD
County—Nye
Parts:
Ralston CCD
Tonopah CCD
Topaz Lake
County—Douglas
Parts:
Pine Nut CCD
Topaz Lake CCD
Virgin Valley
County—Clark
Parts:
C.T. 56.02–56.03
Wadsworth
County—Washoe
Parts:
Wadsworth Twp

PRIMARY MEDICAL CARE: Nevada
Population Group Listing

Population Group

Med Ind—Reno/Sparks
County—Washoe
Parts:
C.T. 1–4
C.T. 7
C.T. 9
C.T. 10.03–10.05
C.T. 11.01–11.03
C.T. 12–15
C.T. 17–19
C.T. 21.01–21.02
C.T. 22.03–22.05
C.T. 24.01–24.02
C.T. 25
C.T. 26.01
C.T. 26.03–26.04
C.T. 27.02
C.T. 28
C.T. 29.01–29.02
C.T. 30
C.T. 31.01
C.T. 31.03
C.T. 31.05–31.06
C.T. 33.01

PRIMARY MEDICAL CARE: Nevada
Facility Listing

Facility Name

Nv St Corr Fac (East)
County—White Pine
Nv St Corr Fac (North)
County—Carson City (Indep)
Nv St Corr Fac (South)
County—Clark

PRIMARY MEDICAL CARE: New Hampshire
County Listing

County Name

*Carroll
Service Area: Parsonfield (ME/NH)
*Coos
Service Area: Upper Connecticut Valley (NH/VT)
Population Group: Low Inc—Berlin
*Grafton
Service Area: Baker River Valley
Service Area: Haverhill/Wells River (NH/VT)
Hillsborough
Service Area: Central Manchester
Service Area: Hillsboro/Weare
Merrimack
Service Area: Hillsboro/Weare
Rockingham
Service Area: Raymond
Strafford
Population Group: Low Inc—Strafford Co
*Sullivan
Service Area: Hillsboro/Weare

PRIMARY MEDICAL CARE: New Hampshire
Service Area Listing

Service Area Name

Baker River Valley
County—Grafton
Parts:
Rumney Twn.
Warren Twn.
Wentworth Twn.
Central Manchester
County—Hillsborough
Parts:
C.T. 4–5
C.T. 13–16
C.T. 19–20
Haverhill/Wells River (NH/VT)
County—Grafton
Parts:
Bath Twn.
Benton Twn.
Haverhill Twn.
Landaff Twn.
Lisbon Twn.
Monroe Twn.
Piermont Twn.
Hillsboro/Weare
County—Hillsborough
Parts:
Antrim Twn.
Deering Twn.
Hillsborough Twn.
Weare Twn.
Windsor Twn.
County—Merrimack
Parts:
Henniker Twn.
County—Sullivan
Parts:
Washington Twn.
Parsonfield (ME/NH)
County—Carroll
Parts:
Effingham Town
Freedom Town
Raymond
County—Rockingham
Parts:
Deerfield Twn.
Epping Twn.

PRIMARY MEDICAL CARE: New Hampshire
Service Area Listing

Service Area Name

Fremont Twn.
Nottingham Twn.
Raymond Twn.
Upper Connecticut Valley (NH/VT)
County—Coos
Parts:
Clarksville Town
Colebrook Town
Columbia Town
Dixville Town
Errol Town
Millsfield Twp
Pittsburg Town
Stewartstown Town
Wentworth Location

PRIMARY MEDICAL CARE: New Hampshire
Population Group Listing

Population Group

Low Inc—Berlin
County—Coos
Parts:
Berlin City
Cambridge Twp
Dummer Town
Gorham Town
Jefferson Town
Kilkenny Twp
Milan Town
Randolph Town
Shelburne Town
Stark Town
Success Twp
Low Inc—Strafford Co
County—Strafford
Parts:
Low Income

PRIMARY MEDICAL CARE: New Jersey
County Listing

County Name

Atlantic
Service Area: Atlantic City—Northside/Inlet
Population Group: Low Inc—West Atlantic
Camden
Population Group: Med Ind—Camden
Cumberland
Population Group: Low Inc—Cumberland/Olivet
Facility: FCI Fairton
Essex
Service Area: Airport/Port Newark
Service Area: East Orange City
Service Area: Vailsburg
Population Group: Pov Pop—Irvington
Hudson
Service Area: Jersey City
Mercer
Population Group: Medicaid—Trenton City
Middlesex
Population Group: Low Inc—Perth Amboy
Population Group: Low Inc—New Brunswick
Monmouth
Service Area: City Of Asbury Park
Service Area: Western Red Bank
Population Group: Low Inc—Central Long Branch
Ocean
Population Group: Low Inc—Lakewood

PRIMARY MEDICAL CARE: New Jersey
County Listing

County Name

Passaic
Service Area: Downtown Paterson
Service Area: Northside Paterson
Salem
Population Group: Low Inc—Cumberland/Olivet
Population Group: Med Ind/MFW—West Salem Co
Sussex
Service Area: South Sussex
Union
Population Group: Low Inc—E Elizabeth
Warren
Population Group: Low Inc—S Warren Co

PRIMARY MEDICAL CARE: New Jersey
Service Area Listing

Service Area Name

Airport/Port Newark
County—Essex
Parts:
C.T. 74
C.T. 75.01–75.02
C.T. 98
Atlantic City—Northside/Inlet
County—Atlantic
Parts:
C.T. 11–19
C.T. 24–25
City Of Asbury Park
County—Monmouth
Parts:
C.T. 8070.02–8070.04
C.T. 8071
C.T. 8072.97–8072.98
C.T. 8073
Downtown Paterson
County—Passaic
Parts:
C.T. 1811–1815
C.T. 1816.01–1816.02
C.T. 1817.01–1817.02
C.T. 1818
C.T. 1820
C.T. 1822–1823
C.T. 1829
East Orange City
County—Essex
Parts:
East Orange City
Jersey City
County—Hudson
Parts:
C.T. 1–8
C.T. 9.01–9.02
C.T. 10–11
C.T. 12.01–12.02
C.T. 13–15
C.T. 16.01–16.02
C.T. 17–40
C.T. 41.01–41.02
C.T. 42–56
C.T. 58.01–58.02
C.T. 59–63
Northside Paterson
County—Passaic
Parts:
C.T. 1802–1809
South Sussex
County—Sussex
Parts:

PRIMARY MEDICAL CARE: New Jersey
Service Area Listing

Service Area Name

Andover Twp
Andover Boro
Branchville Boro
Byram Twp
Frankford Twp
Franklin Boro
Fredon Twp
Green Twp
Hamburg Boro
Hampton Twp
Hardyston Twp
Hopatcong Boro
Lafayette Twp
Newton Town
Ogdensburg Boro
Sparta Twp
Stanhope Boro
Stillwater Twp
Sussex Boro
Vernon Twp
Wantage Twp
Vailsburg
County—Essex
Parts:
C.T. 19–25
Western Red Bank
County—Monmouth
Parts:
C.T. 8034

PRIMARY MEDICAL CARE: New Jersey
Population Group Listing

Population Group

Low Inc—Central Long Branch
County—Monmouth
Parts:
C.T. 8055–8056
C.T. 8058.01–8058.02
Low Inc—Cumberland/Olivet
County—Cumberland
Parts:
Low Income
County—Salem
Parts:
Pittsgrove Twp
Low Inc—E Elizabeth
County—Union
Parts:
C.T. 302–307
C.T. 308.01–308.02
C.T. 309–314
Low Inc—Lakewood
County—Ocean
Parts:
Lakewood Twp
Low Inc—New Brunswick
County—Middlesex
Parts:
C.T. 52–59
Low Inc—Perth Amboy
County—Middlesex
Parts:
C.T. 40–50
Low Inc—S Warren Co
County—Warren
Parts:
Alpha Boro
Belvidere Town
Franklin Twp
Greenwich Twp
Harmony Twp

PRIMARY MEDICAL CARE: New Jersey
Population Group Listing

Population Group

Lopatcong Twp
Oxford Twp
Phillipsburg Town
Pohatcong Twp
Washington Boro
Washington Twp
White Twp
Low Inc—West Atlantic
County—Atlantic
Parts:
C.T. 104.01–104.03
C.T. 105.01
C.T. 105.03–105.04
C.T. 106–111
C.T. 112.01–112.02
C.T. 113
C.T. 114.01–114.02
C.T. 115–116
C.T. 117.01–117.02
C.T. 118.05
C.T. 119–122
Med Ind—Camden
County—Camden
Parts:
C.T. 6001–6020
Med Ind/MFW—West Salem Co
County—Salem
Parts:
Alloway Twp
Carneys Point Twp
Elmer Boro
Elsinboro Twp
Lower Alloways Creek Twp
Mannington Twp
Oldmans Twp
Penns Grove Boro
Pennsville Twp
Pilesgrove Twp
Quinton Twp
Salem City
Upper Pittsgrove Twp
Woodstown Boro
Medicaid—Trenton City
County—Mercer
Parts:
C.T. 1–17
C.T. 19–24
Pov Pop—Irvington
County—Essex
Parts:
C.T. 119
C.T. 121–126
C.T. 128–133

PRIMARY MEDICAL CARE: New Jersey
Facility Listing

Facility Name

FCI Fairton
County—Cumberland

PRIMARY MEDICAL CARE: New Mexico
County Listing

County Name

Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
Population Group: Low Inc/Hmlss—Albuquerque Central
*Catron
*Chaves

PRIMARY MEDICAL CARE: New Mexico
County Listing

County Name

Population Group: Med Ind—Chaves Co
*Cibola
*Curry
*De Baca
Dona Ana
Service Area: Hatch
Service Area: Southern Dona Ana
Facility: Southern N.M. Corr. Fac.
*Eddy
Population Group: Med Ind—Eddy Co
*Grant
Service Area: Cliff/Gila
*Guadalupe
*Harding
*Hidalgo
*Lea
Service Area: Jal/Eunice
Service Area: Northern Lea
*Lincoln
Service Area: Carrizozo
Service Area: Corona
*Luna
*McKinley
*Mora
*Otero
Service Area: Cloudcroft
*Rio Arriba
Service Area: Coyote
Service Area: Penasco/Truchas/Embudo
Service Area: Rio Chama
Service Area: Tierra Amarilla
Service Area: Western Rio Arriba
*Roosevelt
Population Group: Med Ind—Roosevelt Co
*San Juan
Population Group: Am In—San Juan Co
*San Miguel
Service Area: Pecos/Villanueva
Sandoval
Service Area: Cuba
Service Area: Southern Sandoval
Santa Fe
Service Area: Santa Fe/La Familia
Population Group: Low Inc—Cerrillos/Madrid
*Sierra
*Socorro
Service Area: Claunch
Service Area: Magdalena
*Taos
Service Area: Penasco/Truchas/Embudo
Service Area: Questo/Arroyo Hondo
Service Area: Tres Piedras
*Torrance
*Union

PRIMARY MEDICAL CARE: New Mexico
Service Area Listing

Service Area Name

Carrizozo
County—Lincoln
Parts:
Carrizozo CCD
Claunch
County—Socorro
Parts:
Claunch CCD
Cliff/Gila
County—Grant
Parts:
E.D. 801 (Pinos Altos CCD)

PRIMARY MEDICAL CARE: New Mexico
Service Area Listing

Service Area Name

E.D. 803 (Tyrone CCD)
E.D. 805–806 (Tyrone CCD)
Cloudcroft
County—Otero
Parts:
S.E. Otero CCD
Corona
County—Lincoln
Parts:
Corona CCD
Coyote
County—Rio Arriba
Parts:
Coyote CCD
Cuba
County—Sandoval
Parts:
Cuba CCD
Jemez CCD
Hatch
County—Dona Ana
Parts:
Hatch CCD
Jal/Eunice
County—Lea
Parts:
Eunice CCD
Jal CCD
Magdalena
County—Socorro
Parts:
Magdalena CCD
North Valley
County—Bernalillo
Parts:
C.T. 29
C.T. 30.01–30.02
C.T. 31
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36
Northern Lea
County—Lea
Parts:
Lovington CCD
Tatum CCD
Pecos/Villanueva
County—San Miguel
Parts:
Pecos CCD
Villanueva CCD
Penasco/Truchas/Embudo
County—Rio Arriba
Parts:
Chimayo CCD
Dixon CCD
County—Taos
Parts:
Penasco CCD
Picuris CCD
Questo/Arroyo Hondo
County—Taos
Parts:
Arroyo Hondo CCD
Questa CCD
Rio Chama
County—Rio Arriba
Parts:
Rio Chama CCD
Santa Fe/La Familia
County—Santa Fe
Parts:

PRIMARY MEDICAL CARE: New Mexico
Service Area Listing

Service Area Name

C.T. 3
C.T. 7–9
C.T. 10.02
C.T. 12
Southern Dona Ana
County—Dona Ana
Parts:
Anthony CCD
South Dona Ana CCD
Southern Sandoval
County—Sandoval
Parts:
C.T. 103–104
C.T. 105.01–105.02
Southwest Valley
County—Bernalillo
Parts:
C.T. 23
C.T. 24.01–24.02
C.T. 43
C.T. 44.01–44.02
C.T. 45.01–45.02
C.T. 46.02–46.04
Tierra Amarilla
County—Rio Arriba
Parts:
Tierra Amarilla CCD
Vallecitas CCD
Tres Piedras
County—Taos
Parts:
Tres Piedras CCD
Western Rio Arriba
County—Rio Arriba
Parts:
Jicarilla CCD
Western Rio Arriba CCD

PRIMARY MEDICAL CARE: New Mexico
Population Group Listing

Population Group

Am In—San Juan Co
County—San Juan
Parts:
American Indian
Low Inc—Cerrillos/Madrid
County—Santa Fe
Parts:
Blk Grp 8 Of Ct 103.03
Blk Grp 3 Of Ct 103.06
Low Inc/Hmlss—Albuquerque Central
County—Bernalillo
Parts:
C.T. 14–15
C.T. 20–22
C.T. 25–28
Med Ind—Chaves Co
County—Chaves
Parts:
Medically Indigent
Med Ind—Eddy Co
County—Eddy
Parts:
Medically Indigent
Med Ind—Roosevelt Co
County—Roosevelt
Parts:
Medically Indigent

PRIMARY MEDICAL CARE: New Mexico
Facility Listing

Facility Name

Southern N.M. Corr. Fac.
County—Dona Ana

PRIMARY MEDICAL CARE: New York
County Listing

County Name

Albany
Service Area: Northeast Albany
Service Area: Westerlo-Rensselaerville
*Allegany
Service Area: Arcade
Service Area: Letchworth
Service Area: Wellsville
Bronx
Service Area: High Bridge
Service Area: Hunts Point
Service Area: Morris Heights
Service Area: Morrisania
Service Area: Mott Haven/Point Morris
Service Area: Soundview
Service Area: Tremont/West Farms
Facility: Nyc Corr. Fac./Rikers Island
Broome
Service Area: Deposit
*Cattaraugus
Service Area: Arcade
Service Area: Randolph/Ellicottville
Service Area: Tri-County
Population Group: Seneca Nation—Cattaraugus Res
Cayuga
Service Area: Aurora
Service Area: Cato
Service Area: Groton/Moravia
Population Group: Pov Pop—Oswego City
Chautauqua
Service Area: Dunkirk-Fredonia
Service Area: Tri-County
Service Area: Union City (PA/NY)
Service Area: Westfield
Population Group: Seneca Nation—Cattaraugus Res
*Chenango
Service Area: Cincinnatus/De Ruyter
Service Area: Greene
Population Group: Low Inc—Hamilton/Sherburne
*Clinton
Service Area: Dannemora
Service Area: Ellenburg
*Columbia
Service Area: Southeast Columbia
*Cortland
Service Area: Cincinnatus/De Ruyter
Population Group: Low Inc—Cortland
*Delaware
Service Area: Deposit
Service Area: Hancock/Walton
Service Area: Hobart/Stamford
Service Area: Margaretville/Andes
Dutchess
Service Area: N. Harlem Valley—Dutchess
Population Group: Low Inc—Beacon
Erie
Service Area: Black Rock/Riverside
Service Area: Tri-County
Population Group: Medicaid—P.S. 84 Area
Population Group: Medicaid—Lower West Side
Population Group: Medicaid—Ellicott Neighborhood

PRIMARY MEDICAL CARE: New York
County Listing

County Name

Population Group: Seneca Nation—Cattaraugus Res
*Essex
Service Area: Central Adirondack
Service Area: East Central Essex
Service Area: Schroon-Ticonderoga
Service Area: Warrensburg
*Franklin
Service Area: Canton-Potsdam
Service Area: Tupper Lake
Genesee
Service Area: Genesee
Greene
*Hamilton
Service Area: Central Adirondack
Service Area: South Hamilton
Service Area: Webb
Herkimer
Service Area: Webb
Service Area: West Winfield
*Jefferson
Service Area: Alexandria Bay
Service Area: Gouverneur
Population Group: Pov Pop—Watertown
Kings
Service Area: Bedford-Stuyvesant
Service Area: Bushwick
Service Area: Coney Isl/Brighton Bch/W Brighton
Service Area: Crown Heights—Brooklyn
Service Area: East Ny-Brooklyn
Service Area: Williamsburg
Population Group: Inmates—MDC Brooklyn
*Lewis
Service Area: Camden
Livingston
Service Area: Letchworth
Service Area: N. Livingston
Madison
Service Area: Cincinnatus/De Ruyter
Population Group: Low Inc—Hamilton/Sherburne
Monroe
Service Area: Jordan
Service Area: Westside (Rochester)
Montgomery
Service Area: Western Montgomery
New York
Service Area: Alphabet City—Lower East Side
Service Area: East Harlem
Service Area: Upper West Side
Service Area: Washington Heights—Inwood
Service Area: West Central Harlem
Population Group: Inmates—MCC New York
Population Group: Pov/Homeless—Chelsea
Oneida
Service Area: Camden
Service Area: West Winfield
Population Group: Low Inc—Hamilton/Sherburne
Population Group: Medicaid—Utica
Onondaga
Population Group: Pov Pop—Syracuse
Orleans
Service Area: Oak Orchard
Oswego
Service Area: Central Square

PRIMARY MEDICAL CARE: New York
County Listing

County Name

Service Area: Pulaski
Population Group: Low Inc—Fulton
Population Group: Pov Pop—Oswego City
*Otsego
Service Area: Cherry Valley
Service Area: Southeast Otsego
Service Area: Southwest Otsego
Service Area: Western Otsego
Queens
Service Area: Long Island City
Service Area: South Jamaica
Population Group: Medicaid—Rockaway
Saratoga
Service Area: Corinth/Luzerne
Schenectady
Population Group: Pov Pop—Hamilton Hill/Mt. Pleasant
Schoharie
Service Area: Cherry Valley
Service Area: Hobart/Stamford
Service Area: Southern Schoharie
*Seneca
Service Area: South Seneca
*St Lawrence
Service Area: Alexandria Bay
Service Area: Canton-Potsdam
Service Area: Gouverneur
Service Area: Massena
Service Area: Ogdensburg
Service Area: Tupper Lake
*Steuben
Service Area: Elkland (NY/PA)
*Sullivan
Service Area: Cochecton
Population Group: Low Inc—Liberty
*Tompkins
Service Area: Groton/Moravia
Warren
Service Area: Corinth/Luzerne
Service Area: Schroon-Ticonderoga
Service Area: Warrensburg
Washington
Service Area: Schroon-Ticonderoga
Westchester
Population Group: Medicaid/Hispanic—Port Chester
Population Group: Pov/Latin Am Imm—N Tarrytown
*Wyoming
Service Area: Arcade
Service Area: Genesee
Service Area: Letchworth
*Yates

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Alexandria Bay
County—Jefferson
Parts:
Alexandria Twn.
Cape Vincent Twn.
Clayton Twn.
Lyme Twn.
Orleans Twn.
Philadelphia Twn.
Theresa Twn.
County—St Lawrence
Parts:
Hammond Twn.
Alphabet City—Lower East Side

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

County—New York
Parts:
C.T. 10.02
C.T. 20
C.T. 22.01–22.02
C.T. 24
C.T. 26.01–26.02
C.T. 28
Arcade
County—Allegany
Parts:
Centerville Town
Rushford Town
County—Cattaraugus
Parts:
Farmersville Town
Freedom Town
Machias Town
Yorkshire Town
County—Wyoming
Parts:
Arcade Town
Eagle Town
Java Town
Orangeville Town
Sheldon Town
Wethersfield Town
Aurora
County—Cayuga
Parts:
Genoa Town
Ledyard Town
Scipio Town
Springport Town
Venice Town
Bedford-Stuyvesant
County—Kings
Parts:
C.T. 11
C.T. 23
C.T. 25
C.T. 27
C.T. 29.01–29.02
C.T. 31
C.T. 33
C.T. 35
C.T. 179
C.T. 181
C.T. 183
C.T. 185.01–185.02
C.T. 187
C.T. 189
C.T. 191
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 203
C.T. 205
C.T. 207
C.T. 213
C.T. 215
C.T. 217
C.T. 219
C.T. 221
C.T. 223
C.T. 225
C.T. 227
C.T. 229
C.T. 231
C.T. 233

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

C.T. 235
C.T. 237
C.T. 239
C.T. 241
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
C.T. 259.01–259.02
C.T. 261
C.T. 263
C.T. 265
C.T. 267
C.T. 269
C.T. 271.01–271.02
C.T. 273
C.T. 275
C.T. 277
C.T. 279
C.T. 281
C.T. 283
C.T. 285.01–285.02
C.T. 287
C.T. 289
C.T. 291
C.T. 293
C.T. 295
C.T. 297
C.T. 299
C.T. 301
C.T. 303
C.T. 307
C.T. 309
C.T. 311
C.T. 313
C.T. 315
C.T. 317.01–317.02
C.T. 319
C.T. 321
C.T. 323
C.T. 325
C.T. 327
C.T. 329
C.T. 331
C.T. 333
C.T. 335
C.T. 337
C.T. 339
C.T. 341
C.T. 343
C.T. 345
C.T. 347
C.T. 349
C.T. 351
C.T. 353
C.T. 355
C.T. 357
C.T. 359
C.T. 361
C.T. 363
C.T. 365.01–365.02
C.T. 367
C.T. 369
C.T. 371
C.T. 373
C.T. 375
C.T. 377
C.T. 379

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

C.T. 381
C.T. 383
C.T. 385
C.T. 387
Black Rock/Riverside
County—Erie
Parts:
C.T. 55–59
Bushwick
County—Kings
Parts:
C.T. 389
C.T. 391
C.T. 393
C.T. 395
C.T. 397
C.T. 399
C.T. 401
C.T. 403
C.T. 405
C.T. 407
C.T. 409
C.T. 411
C.T. 413
C.T. 415
C.T. 417
C.T. 419
C.T. 421
C.T. 423
C.T. 425
C.T. 427
C.T. 429
C.T. 431
C.T. 433
C.T. 435
C.T. 437
C.T. 439
C.T. 441
C.T. 443
C.T. 445
C.T. 447
C.T. 453
C.T. 455.97–455.98
C.T. 465
C.T. 473
C.T. 477
C.T. 481
C.T. 483
C.T. 487
C.T. 489
C.T. 491
C.T. 493
C.T. 495
C.T. 497
C.T. 501
C.T. 503
C.T. 505
C.T. 511
C.T. 513
C.T. 527
C.T. 1142.01–1142.02
Camden
County—Lewis
Parts:
Osceola Twn.
County—Oneida
Parts:
Annsville Twn.
Camden Twn.
Florence Twn.
Vienna Twn.
Canton-Potsdam

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

County—Franklin
Parts:
Dickinson Twn.
Waverly Twn.
County—St Lawrence
Parts:
Canton Twn.
Colton Twn.
Hopkinton Twn.
Parishville Twn.
Pierrepont Twn.
Potsdam Twn.
Stockholm Twn.
Cato
County—Cayuga
Parts:
Cato Town
Conquest Town
Ira Town
Victory Town
Central Adirondack
County—Essex
Parts:
Newcomb Twn.
County—Hamilton
Parts:
Indian Lake Twn.
Long Lake Twn.
Central Square
County—Oswego
Parts:
C.T. 205–206 (Constantia Twn.)
C.T. 207.01–207.03 (Hastings Twn.)
C.T. 208 (Potermo Twn.)
C.T. 209.02 (Pt.)
Cherry Valley
County—Otsego
Parts:
Cherry Valley Town
Roseboom Town
Springfield Town
County—Schoharie
Parts:
Sharon Town
Cincinnatus/De Ruyter
County—Chenango
Parts:
Lincklaen Town
Pitcher Town
County—Cortland
Parts:
Cincinnatus Town
Cuyler Town
Freetown Town
Harford Town
Lapeer Town
Marathon Town
Taylor Town
Willet Town
County—Madison
Parts:
De Ruyter Town
Cochecton
County—Sullivan
Parts:
Cochecton Twn.
Delaware Twn.
Fremont Twn.
Highland Twn.
Tusten Twn.
Coney Isl/Brighton Bch/W Brighton
County—Kings

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Parts:
C.T. 326 (Potermo Twn.)
C.T. 328 (Potermo Twn.)
C.T. 330 (Potermo Twn.)
C.T. 340 (Potermo Twn.)
C.T. 342 (Potermo Twn.)
C.T. 348.01–348.02
C.T. 350
C.T. 352
C.T. 354
C.T. 356
C.T. 360.01–360.02
C.T. 362
C.T. 364
Corinth/Luzerne
County—Saratoga
Parts:
Corinth Twn.
Day Twn.
Edinburg Twn.
Hadley Twn.
County—Warren
Parts:
Lake Luzerne Twn.
Stony Creek Twn.
Crown Heights—Brooklyn
County—Kings
Parts:
C.T. 508
C.T. 794
C.T. 796
C.T. 798
C.T. 800
C.T. 802
C.T. 804
C.T. 806
C.T. 810
C.T. 812
C.T. 814
C.T. 816
C.T. 818
C.T. 820
C.T. 822
C.T. 824
C.T. 856
C.T. 864
C.T. 866
C.T. 868
C.T. 870
C.T. 872
C.T. 874.01–874.02
C.T. 876
C.T. 878
C.T. 880
C.T. 882
C.T. 884
C.T. 886
C.T. 888
C.T. 890
C.T. 892
C.T. 894
C.T. 896
C.T. 898
C.T. 900
C.T. 902
Dannemora
County—Clinton
Parts:
Dannemora Town
Saranac Town
Deposit
County—Broome

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Parts:
Colesville Twn.
Sanford Twn.
Windsor Twn.
County—Delaware
Parts:
Deposit Twn.
Tompkins Twn.
Dunkirk-Fredonia
County—Chautauqua
Parts:
Arkwright Twn.
Charlotte Twn.
Dunkirk Twn.
Dunkirk City
Pomfret Twn.
Portland Twn.
Sheridan Twn.
Stockton Twn.
East Central Essex
County—Essex
Parts:
Elizabethtown Town
Essex Town
Keene Town
Lewis Town
Moriah Town
North Hudson Town
Westport Town
Willsboro Town
East Harlem
County—New York
Parts:
C.T. 156.02
C.T. 158.02
C.T. 160.02
C.T. 162
C.T. 164
C.T. 166
C.T. 168
C.T. 170
C.T. 172.01–172.02
C.T. 174.01–174.02
C.T. 178
C.T. 180
C.T. 182
C.T. 184
C.T. 188
C.T. 192
C.T. 194
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 210
East Ny-Brooklyn
County—Kings
Parts:
C.T. 904
C.T. 906
C.T. 908
C.T. 910
C.T. 912
C.T. 914
C.T. 916
C.T. 918
C.T. 920
C.T. 922
C.T. 982
C.T. 1058
C.T. 1070

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

C.T. 1078
C.T. 1098
C.T. 1100
C.T. 1102
C.T. 1106
C.T. 1110
C.T. 1112
C.T. 1114
C.T. 1118
C.T. 1120
C.T. 1122
C.T. 1124
C.T. 1126
C.T. 1128
C.T. 1130
C.T. 1132
C.T. 1134
C.T. 1136
C.T. 1138
C.T. 1140
C.T. 1146
C.T. 1148
C.T. 1150
C.T. 1152
C.T. 1154
C.T. 1156
C.T. 1158
C.T. 1160
C.T. 1162
C.T. 1164
C.T. 1166
C.T. 1168
C.T. 1170
C.T. 1172.01–1172.02
C.T. 1174
C.T. 1176.01–1176.02
C.T. 1178
C.T. 1180
C.T. 1182.01–1182.02
C.T. 1184
C.T. 1186
C.T. 1188
C.T. 1190.97
C.T. 1192
C.T. 1194
C.T. 1196
C.T. 1200
C.T. 1202.97–1202.98
C.T. 1208
C.T. 1210
C.T. 1214
C.T. 1220
Elkland (NY/PA)
County—Steuben
Parts:
Tuscarora Town
Woodhull Town
Ellenburg
County—Clinton
Parts:
Clinton Town
Ellenburg Town
Genesee
County—Wyoming
Parts:
Attica Town
Bennington Town
Gouverneur
County—Jefferson
Parts:
Antwerp Twn.
County—St Lawrence

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Parts:
De Kalb Twn.
De Peyster Twn.
Edwards Twn.
Fowler Twn.
Gouverneur Twn.
Hermon Twn.
Macomb Twn.
Rossie Twn.
Greene
County—Chenango
Parts:
German Town
Greene Town
McDonough Town
Smithville Town
Groton/Moravia
County—Cayuga
Parts:
Locke Twn.
Moravia Twn.
Sempronius Twn.
Summerhill Twn.
County—Tompkins
Parts:
Groton Twn.
Hancock/Walton
County—Delaware
Parts:
Colchester Town
Hamden Town
Hancock Town
Walton Town
High Bridge
County—Bronx
Parts:
C.T. 53.01
C.T. 57
C.T. 59.01
C.T. 187
C.T. 189
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 211
C.T. 213.01–213.02
C.T. 217.02
C.T. 219
C.T. 221
C.T. 223
C.T. 227.02
Hobart/Stamford
County—Delaware
Parts:
Davenport Town
Harpersfield Town
Kortright Town
Stamford Town
County—Schoharie
Parts:
Jefferson Town
Hunts Point
County—Bronx
Parts:
C.T. 91
C.T. 97
C.T. 99
C.T. 105
C.T. 115.01–115.02
Jordan
County—Monroe
Parts:
C.T. 7
C.T. 13–15
C.T. 39
C.T. 43
C.T. 48–53
C.T. 55–56
C.T. 80
C.T. 91–92
C.T. 93.01
Letchworth
County—Allegany
Parts:
Allen Town
Caneadea Town
Granger Town
Hume Town
County—Livingston
Parts:
Portage Town
County—Wyoming
Parts:
Castile Town
Gainesville Town
Genesee Falls Town
Pike Town
Long Island City
County—Queens
Parts:
C.T. 1
C.T. 7
C.T. 19
C.T. 25
C.T. 27
C.T. 29
C.T. 31
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 45
C.T. 47
C.T. 49
C.T. 51
C.T. 53
C.T. 55
C.T. 57
C.T. 59
C.T. 171
Margaretville/Andes
County—Delaware
Parts:
Andes Town
Middletown Town
Roxbury Town
Massena
County—St Lawrence
Parts:
Brasher Twn.
Lawrence Twn.
Louisville Twn.
Madrid Twn. (E.1/2)
Massena Twn.
Norfolk Twn.
Waddington Twn. (E.1/2)
Morris Heights
County—Bronx
Parts:
C.T. 53.02
C.T. 205
C.T. 215.01–215.02
C.T. 217.01
C.T. 227.01
C.T. 233.01
C.T. 235.01
C.T. 237.01
C.T. 239
C.T. 241
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
Morrisania
County—Bronx
Parts:
C.T. 47
C.T. 49
C.T. 59.02
C.T. 61
C.T. 65
C.T. 67
C.T. 69
C.T. 121.01
C.T. 123
C.T. 125
C.T. 127.01
C.T. 129.01
C.T. 131
C.T. 133
C.T. 135
C.T. 137
C.T. 139
C.T. 141
C.T. 143
C.T. 145
C.T. 147
C.T. 149
C.T. 151
C.T. 153
C.T. 155
C.T. 157
C.T. 161
C.T. 163
C.T. 165
C.T. 167
C.T. 169
C.T. 171
C.T. 173
C.T. 175
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 225
C.T. 227.03
C.T. 229.02
C.T. 367
C.T. 369.02
Mott Haven/Point Morris
County—Bronx
Parts:
C.T. 11
C.T. 15
C.T. 17
C.T. 23
C.T. 25
C.T. 27.01–27.02
C.T. 31

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

C.T. 33
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 71
C.T. 73
C.T. 75
C.T. 77
C.T. 79
C.T. 81
C.T. 83
C.T. 85
C.T. 87
C.T. 89
C.T. 119
C.T. 121.02
C.T. 127.02
C.T. 129.02

N. Harlem Valley—Dutchess
County—Dutchess
Parts:
Amenia Twn.
Dover Twn.
North East Twn.
Pine Plains Twn.
Stanford Twn.
Washington Twn.

N. Livingston
County—Livingston
Parts:
Avon Twn.
Caledonia Twn.
Geneseo Twn.
Groveland Twn.
Leicester Twn.
Lima Twn.
Livonia Twn.
York Twn.

Northeast Albany
County—Albany
Parts:
C.T. 1–2
C.T. 7–8
C.T. 11

Oak Orchard
County—Orleans
Parts:
Albion Town
Barre Towwn
Carlton Town
Clarendon Town
Gaines Town
Kendall Town
Murray Town

Ogdensburg
County—St Lawrence
Parts:
De Peyster Town
Lisbon Twn.
Macomb Twn. (Pt.)
Madrid Twn. (Pt.)
Morristown Twn.
Ogdensburg City
Oswegatchie Twn.
Waddington Twn.(Pt.)

Pulaski
County—Oswego
Parts:
Albion Twn.
Boylston Twn.

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Mexico Twn.
Orwell Twn.
Redfield Twn.
Richland Twn.
Sandy Creek Twn.
Williamstown Twn.

Randolph/Ellicottville
County—Cattaraugus
Parts:
Carrollton Town
Cold Spring Town
Conewango Town
Ellicottville Town
Franklinville Town
Great Valley Town
Humphrey Town
Little Valley Town
Mansfield Town
Napoli Town
New Albion Town
Randolph Town
Red House Town
Salamanca Town
Salamanca City
South Valley Town

Schroon-Ticonderoga
County—Essex
Parts:
Crown Point Town
Schroon Town
Ticonderoga Town
County—Warren
Parts:
Hague Town
County—Washington
Parts:
Dresden Town
Putnam Town

Soundview
County—Bronx
Parts:
C.T. 2
C.T. 4
C.T. 16
C.T. 20
C.T. 24
C.T. 28
C.T. 36
C.T. 38
C.T. 40.01–40.02
C.T. 44
C.T. 46
C.T. 48
C.T. 50
C.T. 52
C.T. 54
C.T. 56
C.T. 58
C.T. 62
C.T. 64
C.T. 66
C.T. 68
C.T. 70
C.T. 72
C.T. 74
C.T. 78
C.T. 84
C.T. 86
C.T. 88
C.T. 98
C.T. 102
C.T. 214

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

South Hamilton
County—Hamilton
Parts:
Arietta Twn.
Benson Twn.
Hope Twn.
Lake Pleasant Twn.
Morehouse Twn.
Wells Twn.

South Jamaica
County—Queens
Parts:
C.T. 152
C.T. 154
C.T. 190
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 208
C.T. 212
C.T. 244
C.T. 246
C.T. 248
C.T. 250
C.T. 252
C.T. 258
C.T. 260
C.T. 262
C.T. 266
C.T. 270
C.T. 272
C.T. 274
C.T. 276
C.T. 278
C.T. 280
C.T. 284
C.T. 288
C.T. 410
C.T. 414
C.T. 440

South Seneca
County—Seneca
Parts:
Covert Twn.
Lodi Twn.
Ovid Twn.

Southeast Columbia
County—Columbia
Parts:
Ancram Twn.
Copake Twn.
Gallatin Twn.
Hillsdale Twn.
Taghkanic Twn.

Southeast Otsego
County—Otsego
Parts:
Decatur Town
Maryland Town
Westford Town
Worcester Town

Southern Schoharie
County—Schoharie
Parts:
Blenheim Twn.
Broome Twn.
Conesville Twn.
Fulton Twn.
Gilboa Twn.
Middleburgh Twn.

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Southwest Otsego
County—Otsego
Parts:
Butternuts Town
Morris Town
Tremont/West Farms
County—Bronx
Parts:
C.T. 60
C.T. 216.01
C.T. 218
C.T. 220
C.T. 229.01
C.T. 231
C.T. 233.02
C.T. 235.02
C.T. 236
C.T. 237.02
C.T. 240
C.T. 359
C.T. 361
C.T. 363
C.T. 365.01–365.02
C.T. 369.01
C.T. 371
C.T. 373
C.T. 375.01–375.03
C.T. 377
C.T. 379
C.T. 381
C.T. 383
C.T. 385
C.T. 387
C.T. 389
C.T. 391
C.T. 393
C.T. 399.02
Tri-County
County—Cattaraugus
Parts:
Dayton Town
Leon Town
Otto Town
Perrysburg Town
Persia Town
County—Chautauqua
Parts:
Cherry Creek Town
Hanover Town

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Villenova Town
County—Erie
Parts:
Brant Town
Collins Town
Eden Town
Evans Town
North Collins Town
Tupper Lake
County—Franklin
Parts:
Altamont Twn.
County—St Lawrence
Parts:
Piercefield Twn.
Union City (PA/NY)
County—Chautauqua
Parts:

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Clymer Twn.
French Creek Twn.
Upper West Side
County—New York
Parts:
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 185
C.T. 187
C.T. 189
C.T. 191
C.T. 193
C.T. 195
C.T. 197.01
C.T. 199
C.T. 201.01
C.T. 203
C.T. 205
C.T. 207.01
Warrensburg
County—Essex
Parts:
Minerva Town
County—Warren
Parts:
Chester Town
Horicon Town
Johnsburg Town
Thurman Town
Warrensburg Town
Washington Heights—Inwood
County—New York
Parts:
C.T. 243.01
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 261
C.T. 263
C.T. 265
C.T. 267
C.T. 269
C.T. 271
C.T. 273
C.T. 275
C.T. 277
C.T. 279
C.T. 281
C.T. 283
C.T. 285
C.T. 287
C.T. 289
C.T. 291
C.T. 293
C.T. 295
C.T. 297
C.T. 303
C.T. 307
C.T. 309
C.T. 311
Webb
County—Hamilton
Parts:
Inlet Twn.
County—Herkimer
Parts:
Webb Twn.

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Wellsville
County—Allegany
Parts:
Alfred Twn.
Alma Twn.
Almond Twn.
Amity Twn.
Andover Twn.
Angelica Twn.
Belfast Twn.
Birdsall Twn.
Bolivar Twn.
Burns Twn.
Clarksville Twn.
Cuba Twn.
Friendship Twn.
Genesee Twn.
Grove Twn.
Independence Twn.
New Hudson Twn.
Scio Twn.
Ward Twn.
Wellsville Twn.
West Almond Twn.
Willing Twn.
Wirt Twn.
West Central Harlem
County—New York
Parts:
C.T. 186
C.T. 190
C.T. 197.02
C.T. 200
C.T. 201.02
C.T. 207.02
C.T. 208
C.T. 209.01–209.02
C.T. 211–212
C.T. 213.01–213.02
C.T. 214
C.T. 216
C.T. 217.01–217.02
C.T. 218
C.T. 219.97
C.T. 220
C.T. 221.01–221.02
C.T. 222
C.T. 223.97–223.98
C.T. 224–226
C.T. 227.01–227.02
C.T. 228–230
C.T. 231.01–231.02
C.T. 232–234
C.T. 235.01–235.02
C.T. 236–237
C.T. 239
C.T. 241
C.T. 243.02
West Winfield
County—Herkimer
Parts:
Columbia Twn.
Litchfield Twn.
Warren Twn.
Winfield Twn.
County—Oneida
Parts:
Bridgewater Twn.
Westerlo-Rensselaerville
County—Albany
Parts:
Rensselaerville Town

PRIMARY MEDICAL CARE: New York
Service Area Listing

Service Area Name

Westerlo Town
Western Montgomery
County—Montgomery
Parts:
Canajoharie Twn.
Minden Twn.
Palatine Twn.
Root Twn.
St. Johnsville Twn.
Western Otsego
County—Otsego
Parts:
Burlington Town
Edmeston Town
New Lisbon Town
Pittsfield Town
Plainfield Town
Westfield
County—Chautauqua
Parts:
Chautauqua Town
Mina Town
Ripley Town
Sherman Town
Westfield Town
Westside (Rochester)
County—Monroe
Parts:
C.T. 2
C.T. 16–17
C.T. 23–24
C.T. 27
C.T. 32
C.T. 40–41
C.T. 62–71
C.T. 75
C.T. 87.01–87.02
C.T. 88–90
C.T. 93.02
C.T. 94.01–94.03
C.T. 95
C.T. 96.01–96.04
Williamsburg
County—Kings
Parts:
C.T. 507
C.T. 509
C.T. 515
C.T. 519
C.T. 523
C.T. 525
C.T. 529
C.T. 531
C.T. 533
C.T. 535
C.T. 537
C.T. 539
C.T. 545
C.T. 547
C.T. 549
C.T. 551
C.T. 553
C.T. 555

PRIMARY MEDICAL CARE: New York
Population Group Listing

Population Group

Inmates—MCC New York
County—New York
Parts:
MCC New York

PRIMARY MEDICAL CARE: New York
Population Group Listing

Population Group

Inmates—MDC Brooklyn
County—Kings
Parts:
MDC Brooklyn
Low Inc—Beacon
County—Dutchess
Parts:
C.T. 2101–2103
Low Inc—Cortland
County—Cortland
Parts:
Cortland City
Cortlandville Town
Homer Town
Preble Town
Scott Town
Solon Town
Truxton Town
Virgil Town
Low Inc—Fulton
County—Oswego
Parts:
Fulton City
Granby Town
Schroeppel Town
Volney Town
Low Inc—Hamilton/Sherburne
County—Chenango
Parts:
Columbus Town
Otselic Town
Sherburne Town
Smyrna Town
County—Madison
Parts:
Brookfield Town
Eaton Town
Georgetown Town
Hamilton Town
Lebanon Town
Madison Town
County—Oneida
Parts:
Sangerfield Town
Low Inc—Liberty
County—Sullivan
Parts:
Liberty Town
Neversink Town
Rockland Town
Medicaid—P.S. 84 Area
County—Erie
Parts:
C.T. 27.02
C.T. 29
C.T. 32.01–32.02
C.T. 33.01–33.02
C.T. 34–36
C.T. 39.01–39.02
C.T. 40.01–40.02
C.T. 41–42
C.T. 44.02
C.T. 52.02
C.T. 64
Medicaid—Ellicott Neighborhood
County—Erie
Parts:
C.T. 12
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 15–18
C.T. 25.01–25.02

PRIMARY MEDICAL CARE: New York
Population Group Listing

Population Group

C.T. 26
C.T. 27.01
C.T. 31
Medicaid—Lower West Side
County—Erie
Parts:
C.T. 68
C.T. 71.01–71.02
C.T. 72.01
Medicaid—Rockaway
County—Queens
Parts:
C.T. 916.01–916.02
C.T. 916.99
C.T. 918
C.T. 922
C.T. 928
C.T. 934
C.T. 938
C.T. 942.01–942.03
C.T. 952
C.T. 962
C.T. 964
C.T. 972
C.T. 992
C.T. 998
C.T. 1008
C.T. 1010
C.T. 1032
Medicaid—Utica
County—Oneida
Parts:
C.T. 201
C.T. 202.01–202.02
C.T. 203–206
C.T. 207.01–207.02
C.T. 208.01–208.03
C.T. 209–210
C.T. 211.01–211.03
C.T. 212.01–212.02
C.T. 213.01–213.03
C.T. 214.01–214.04
C.T. 215
C.T. 216.01–216.02
C.T. 217.01–217.02
Medicaid/Hispanic—Port Chester
County—Westchester
Parts:
C.T. 78–82
Pov Pop—Hamilton Hill/Mt. Pleasant
County—Schenectady
Parts:
C.T. 207–209
C.T. 210.01–210.02
C.T. 214–217
Pov Pop—Oswego City
County—Cayuga
Parts:
Sterling Twn.
County—Oswego
Parts:
Hannibal Twn.
Minetto Twn.
New Haven Twn.
Oswego Twn.
Oswego City
Scriba Twn.
Pov Pop—Syracuse
County—Onondaga
Parts:
City Of Syracuse
Pov Pop—Watertown

PRIMARY MEDICAL CARE: New York
Population Group Listing

Population Group

County—Jefferson
Parts:
Brownville Twn.
City Of Watertown
Hounsfield Twn.
Le Ray Twn.
Pamelia Twn.
Rutland Twn.
Watertown Twn.
Pov/Homeless—Chelsea
County—New York
Parts:
Homeless
C.T. 93
C.T. 95
C.T. 97
C.T. 99
C.T. 101
C.T. 103
C.T. 109
C.T. 111
C.T. 113
C.T. 115
C.T. 117
Pov/Latin Am Imm—N Tarrytown
County—Westchester
Parts:
C.T. 116
Seneca Nation—Cattaraugus Res
County—Cattaraugus
Parts:
Cattaraugus Res
County—Chautauqua
Parts:
Cattaraugus Res
County—Erie
Parts:
Cattaraugus Res

PRIMARY MEDICAL CARE: New York
Facility Listing

Facility Name

Nyc Corr. Fac./Rikers Island
County—Bronx

PRIMARY MEDICAL CARE: North Carolina
County Listing

County Name

Alamance
Population Group: Med Ind—Alamance Co
*Anson
*Beaufort
Service Area: Bayboro—Aurora
*Bertie
*Bladen
Brunswick
Caldwell
Service Area: Western Caldwell
*Carteret
Service Area: Eastern Carteret
*Caswell
Catawba
Population Group: Pov Pop—Catawba Co
Chatham
*Cherokee
Service Area: Hot House/Shoal Creek
*Cleveland
Population Group: Med Ind—Cleveland Co
*Columbus
*Dare

PRIMARY MEDICAL CARE: North Carolina
County Listing

County Name

Service Area: Hatteras
Durham
Population Group: Medicaid—Durham Co
Franklin
Gaston
Population Group: Medicaid—Gaston Co
*Gates
*Graham
*Granville
Facility: FCI Butner
*Greene
Guilford
Service Area: Inner City Greensboro
*Harnett
Service Area: Western Harnett
Population Group: Pov Pop—Angier/Buies Creek
*Henderson
Population Group: MFW—Henderson/Polk
*Hertford
Population Group: Med Ind—Hertford Co
*Hoke
*Hyde
Johnston
Population Group: MFW—Johnston/Sampson
*Jones
*Lenoir
Service Area: East Kinston
*Macon
Service Area: Franklin
Madison
*Martin
Mecklenburg
Service Area: Central Charlotte
*Montgomery
Nash
Population Group: MFW—Nash/Wilson
New Hanover
Service Area: Northern New Hanover
*Northampton
Onslow
Pamlico
Service Area: Bayboro—Aurora
*Pender
*Person
*Polk
Population Group: MFW—Henderson/Polk
Randolph
*Robeson
*Sampson
Population Group: MFW—Johnston/Sampson
*Scotland
Population Group: Med Ind—Scotland Co
*Stanly
Population Group: Pov Pop—Stanly Co
Stokes
Service Area: Danbury
*Surry
Population Group: Pov Pop—Surry Co
*Tyrrell
Union
*Washington
*Wilson
Population Group: MFW—Nash/Wilson
Population Group: Pov Pop—Wilson Co

PRIMARY MEDICAL CARE: North Carolina
Service Area Listing

Service Area Name

Bayboro—Aurora
County—Beaufort
Parts:
Richland Twp
County—Pamlico
Central Charlotte
County—Mecklenburg
Parts:
C.T. 1
C.T. 4–8
C.T. 36–37
C.T. 38.98
C.T. 39.01–39.02
C.T. 40–42
C.T. 43.02
C.T. 44–52
Danbury
County—Stokes
Parts:
C.T. 701–703
East Kinston
County—Lenoir
Parts:
C.T. 101–105
C.T. 107
Eastern Carteret
County—Carteret
Parts:
Atlantic Twp.
Cedar Island Twp.
Davis Twp.
Harkers Island Twp.
Marshallberg Twp.
Merrimon Town
Portsmouth Twp.
Sea Level Twp.
Smyrna Twp.
Stacy Twp.
Straits Twp
Franklin
County—Macon
Parts:
Burningtown Twp
Cartoogechaye Twp
Cowee Twp
Ellijay Twp
Flats Twp
Franklin Twp
Millshoal Twp
Nantahala Twp
Smiths Bridge Twp.
Hatteras
County—Dare
Parts:
Hatteras Twp
Kinnakeet Twp
Hot House/Shoal Creek
County—Cherokee
Parts:
Hot House Twp.
Shoal Creek Twp.
Inner City Greensboro
County—Guilford
Parts:
C.T. 101
C.T. 107.02
C.T. 108.01
C.T. 110
C.T. 111.01
C.T. 112–115
Northern New Hanover
County—New Hanover

PRIMARY MEDICAL CARE: North Carolina
Service Area Listing

Service Area Name

Parts:
C.T. 101–103
C.T. 110–115
Western Caldwell
County—Caldwell
Parts:
Globe Twp.
Johns River Twp.
Mulberry Twp.
Patterson Twp.
Wilson Creek Twp.
Western Harnett
County—Harnett
Parts:
Anderson Creek Twp.
Barbecue Twp.
Johnsonville Twp.
Lillington Twp.
Stewarts Creek Twp.
Upper Little River Twp.

PRIMARY MEDICAL CARE: North Carolina
Population Group Listing

Population Group

Med Ind—Alamance Co
County—Alamance
Parts:
Medically Indigent
Med Ind—Cleveland Co
County—Cleveland
Parts:
Medically Indigent
Med Ind—Hertford Co
County—Hertford
Parts:
Medically Indigent
Med Ind—Scotland Co
County—Scotland
Parts:
Medically Indigent
Medicaid—Durham Co
County—Durham
Parts:
Medicaid Eligible
Medicaid—Gaston Co
County—Gaston
Parts:
Medicaid Eligible
MFW—Henderson/Polk
County—Henderson
Parts:
MFW
County—Polk
Parts:
Mig. Pop.
MFW—Johnston/Sampson
County—Johnston
Parts:
MFW
County—Sampson
Parts:
Mig. Pop.
MFW—Nash/Wilson
County—Nash
Parts:
MFW
County—Wilson
Parts:
Mig Pop
Pov Pop—Angier/Buies Creek
County—Harnett

PRIMARY MEDICAL CARE: North Carolina
Population Group Listing

Population Group

Parts:
Black River Twp.
Neills Creek Twp.
Pov Pop—Catawba Co
County—Catawba
Parts:
Pov Pop
Pov Pop—Stanly Co
County—Stanly
Parts:
Pov Pop
Pov Pop—Surry Co
County—Surry
Parts:
Pov Pop
Pov Pop—Wilson Co
County—Wilson
Parts:
Pov Pop

PRIMARY MEDICAL CARE: North Carolina
Facility Listing

Facility Name

FCI Butner
County—Granville

PRIMARY MEDICAL CARE: North Dakota
County Listing

County Name

*Adams
Service Area: Lemmon (SD/ND)
*Barnes
Service Area: Wimbledon
*Benson
Billings
Service Area: Belfield/Medora
*Bottineau
Service Area: Mohall
*Bowman
Service Area: Baker (MT/ND)
Service Area: Bowman/Scranton/Rhame
*Burke
Service Area: Kenmare/Bowbells
Service Area: Powers Lake/Columbus
*Divide
*Dunn
*Eddy
*Emmons
*Golden Valley
Grand Forks
Service Area: Northwood
*Kidder
Service Area: Harvey
Service Area: Medina
*La Moure
Service Area: La Moure
*McHenry
*McKenzie
*McLean
Morton
Service Area: West Morton/East Stark
Mountrail
Service Area: Stanley/Tioga
*Nelson
Service Area: Northwood
*Oliver
*Pembina
Service Area: Cavalier
*Pierce
Service Area: Harvey

PRIMARY MEDICAL CARE: North Dakota
County Listing

County Name

*Ransom
*Renville
Service Area: Kenmare/Bowbells
Service Area: Mohall
*Richland
Service Area: Hankinson/Lidgerwood (ND/SD)
*Rolette
*Sheridan
Service Area: Harvey
*Sioux
*Slope
Service Area: Amidon
Service Area: Baker (MT/ND)
*Stark
Service Area: Belfield/Medora
Service Area: West Morton/East Stark
*Steele
Service Area: Mayville/Finley
Service Area: Northwood
*Stutsman
Service Area: Medina
Service Area: Wimbledon
*Towner
*Traill
Service Area: Mayville/Finley
*Ward
Service Area: Kenmare/Bowbells
*Wells
Service Area: Harvey
*Williams
Service Area: Stanley/Tioga

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Amidon
County—Slope
Parts:
Amidon City
Carroll Twp.
Cash Twp.
Cedar Creek Twp.
Chalky Butte Unorg.
Connor Twp.
Crawford Twp.
Deep Creek Unorg.
Dovre Twp.
E-Six Unorg.
Harper Twp.
Hume Twp.
Mineral Springs Twp.
Moord Twp.
Mound Twp.
Northwest Slope Unorg.
Peaceful Valley Twp.
Rainy Butte Twp.
Richland Center Twp.
Sand Creek Twp.
Sheets Twp.
Slope Center Twp.
Sunshine Twp.
White Lake Twp.
Woodberry Twp.
Baker (MT/ND)
County—Bowman
Parts:
Sunny Slope Twp.
W. Bowman Unorg.
County—Slope
Parts:

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Bucklin Twp.
Hughes Twp.
Marmarth City
W. Slope Unorg.
Belfield/Medora
County—Stark
Parts:
Belfield City
South Heart City
West Stark Unorg.
Bowman/Scranton/Rhame
County—Bowman
Parts:
Adelaide Twp.
Amor Twp.
Bowman City
Bowman Twp.
Boyesen Twp.
Buena Vista Twp.
Fischbein Twp.
Gascoyne City
Gascoyne Twp.
Gem Twp.
Goldfield Twp.
Grainbelt Twp.
Grand River Twp.
Haley Twp.
Hart Unorg.
Ladd Twp.
Langberg Twp.
Marion Twp.
Minnehaha Twp.
Nebo Twp.
Rhame City
Rhame Twp.
Scranton City
Scranton Twp.
Star Twp.
Stillwater Twp.
Talbot Twp.
Whiting Twp.
Cavalier
County—Pembina
Parts:
Advance Twp.
Akra Twp.
Bathgate City
Bathgate Twp.
Beaulieu Twp.
Canton City City
Carlisle Twp.
Cavalier City
Cavalier Twp.
Crystal City
Crystal Twp.
Drayton City
Drayton Twp.
Elora Twp.
Felson Twp.
Gardar Twp.
Hamilton City
Hamilton Twp.
Joliette Twp.
La Moure Twp.
Lincoln Twp.
Lodema Twp.
Midland Twp.
Mountain City
Neche City
Neche Twp.
Park Twp.
Pembina City

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Pembina Twp.
St. Joseph Twp.
St. Thomas City
St. Thomas Twp.
Thingvalla Twp.
Hankinson/Lidgerwood (ND/SD)
County—Richland
Parts:
Barney Twp.
Belford Twp.
Brandenburg Twp.
Brightwood Twp.
Danton Twp.
Devillo Twp.
Dexter Twp.
Duerr Twp.
Elma Twp.
Fairmount City
Fairmount Twp.
Grant Twp.
Great Bend City
Greendale Twp.
Hankinson City
La Mars Twp.
Liberty Grove Twp.
Lidgerwood City
Mantador City
Moran Twp.
Waldo Twp.
Wyndmere City
Wyndmere Twp.
Harvey
County—Kidder
Parts:
Atwood Twp
Clear Lake Twp
Kickapoo Twp
Merkel Twp
Northwest Twp
Robinson City
Robinson Twp
Stewart Twp
Tuttle City
Tuttle Twp
County—Pierce
Parts:
Alexander Twp
Antelope Lake Twp
Elling Twp
Hagel Twp
S Pierce Unorg
Truman Twp
White Twp
County—Wells
Parts:
Bremen Twp
Bull Moose Twp
Chaseley Twp
Crystal Lake Twp
Delger Twp
Fairville Twp
Fessenden City
Forward Twp
Fram Twp
Germantown Twp
Hamberg City
Hamberg Twp
Harvey City
Heimdal Twp
Hillsdale Twp
Lynn Twp
Manfred Twp

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Norway Lake Twp
Oshkosh Twp
Pony Gulch Twp
Rusland Twp
Silver Lake Twp
St Anna Twp
Valhalla Twp
Wells Twp
West Norway Twp
Western Twp
Kenmare/Bowbells
County—Burke
Parts:
Bowbells City
Bowbells Twp.
Carter Twp.
Dimond Twp.
Flaxton City
Kandiyohi Twp.
Lakeview Twp.
Minnesota Twp.
North Star Twp.
North Burke Unorg.
Richland Twp.
Roseland Twp.
Vanville Twp.
Ward Twp.
County—Renville
Parts:
Fairbanks Twp.
Grover Twp.
Ivanhoe Twp.
McKinney Twp.
Prosperity Twp.
Rockford Twp.
Roosevelt Twp.
Stafford Twp.
Tolley City
County—Ward
Parts:
Baden Twp.
Denmark Twp.
Elmdale Twp.
Greenbush Twp.
Kenmare City
Kenmare Twp.
Sauk Prairie Twp.
Spencer Twp.
La Moure
County—La Moure
Parts:
Adrian Twp.
Badger Twp.
Berlin City
Black Loam Twp.
Blue Bird Twp.
Dean Twp.
Dickey City
Gladstone Twp.
Glen Twp.
Glenmore Twp.
Grand Rapids Twp.
Grandview Twp.
Greenville Twp.
Henrietta Twp.
Jud City
Kennison Twp.
La Moure City
Litchville Twp.
Marion City
Mikkelson Twp.
Ovid Twp.

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Pearl Lake Twp.
Prairie Twp.
Raney Twp.
Roscoe Twp.
Russell Twp.
Ryan Twp.
Saratoga Twp.
Sheridan Twp.
Verona City
Lemmon (SD/ND)
County—Adams
Parts:
E Adams Unorg
Gilstrap Twp
North Lemmon Twp
Orange Twp
South Fork Twp
Mayville/Finley
County—Steele
Parts:
Broadlawn Twp
Carpenter Twp
Colgate Twp
Easton Twp
Edendale Twp
Enger Twp
Finley City
Finley Twp
Franklin Twp
Golden Lake Twp
Greenview Twp
Hope City
Hugo Twp
Luverne City
Melrose Twp
Primrose Twp
Riverside Twp
Sherbrooke Twp
Willow Lake Twp
County—Traill
Medina
County—Kidder
Parts:
Allen Twp.
Buckeye Twp.
Bunker Twp.
Crystal Spring Twp.
Dawson City
Graf Twp.
Haynes Twp.
Manning Twp.
Peace Twp.
Quinby Twp.
Sibley Twp.
South Kidder Unorg.
Steele City
Tanner Twp.
Tappen City
Tappen Twp.
Valley Twp.
Vernon Twp.
Weiser Twp.
Westford Twp.
Williams Twp.
Woodlawn Twp.
County—Stutsman
Parts:
Bloomenfield Twp.
Chase Lake Unorg.
Chicago Twp.
Cleveland City
Flint Twp.

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Germania Twp.
Griffin Twp.
Iosco Twp.
Medina City
Newbury Twp.
Peterson Twp.
Sinclair Twp.
St. Paul Twp.
Stirton Twp.
Streeter City
Streeter Twp.
Valley Spring Twp.
Weld Twp.
Mohall
County—Bottineau
Parts:
Antler City
Antler Twp.
Blaine Twp.
Cut Bank Twp.
Hoffman Twp.
Lansford City
Lansford Twp.
Renville Twp.
Sherman Twp.
Wheaton Twp.
County—Renville
Parts:
Brandon Twp.
Callahan Twp.
Clay Twp.
Colquhoun Twp.
Eden Valley Twp.
Grano City
Grassland Twp.
Hamerly Twp.
Hamlet Twp.
Hurley Twp.
Lockwood Twp.
Loraine City
Mohall City
Sherwood City
Northwood
County—Grand Forks
Parts:
Arvilla Twp
Avon Twp.
Elm Grove Twp.
Grace Twp.
Larimore City
Larimore Twp
Lind Twp.
Logan Center Twp.
Loretta Twp.
Moraine Twp.
Niagara City
Niagara Twp.
Northwood City
Northwood Twp.
Pleasant View Twp.
Washington Twp.
County—Nelson
Parts:
Aneta City
Ora Twp.
Rugh Twp.
County—Steele
Parts:
Beaver Creek Twp.
Newburgh Twp.
Sharon City
Sharon Twp.

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Westfield Twp.
Powers Lake/Columbus
County—Burke
Parts:
Battleview Twp.
Clayton Twp.
Cleary Twp.
Columbus City
Colville Twp.
Dale Twp.
Fay Twp.
Foothills Twp.
Forthun Twp.
Garness Twp.
Harmonious Twp.
Keller Twp.
Larson City
Leaf Mountain Twp.
Lignite City
Lucy Twp.
Portal Twp.
Portal City
Powers Lake City
Short Creek Twp.
Soo Twp.
Thorson Twp.
Vale Twp.
Stanley/Tioga
County—Williams
Parts:
Big Meadow Twp.
Champion Twp.
Dry Fork Twp.
Equality Twp.
Farmvale Twp.
Golden Valley Twp.
Hazel Twp.
Hofflund Twp.
Lindahl Twp.
Nesson Valley—Unorg.
New Home Twp.
Pleasant Valley Twp.
Ray City
S. E. Williams—Unorg.
Sauk Valley Twp.
South Meadow Twp.
Tioga City
Tioga Twp.
View Twp.
West Bank Twp.
Wildrose City
West Morton/East Stark
County—Morton
Parts:
Almont City
Engelter Twp
Glen Ullin City
Hebron City
New Salem City
West Morton Unorg
County—Stark
Parts:
East Stark Unorg
Richardton City
Taylor City
Wimbledon
County—Barnes
Parts:
Ashtabula Twp.
Baldwin Twp.
Dazey City
Dazey Twp.

PRIMARY MEDICAL CARE: North Dakota
Service Area Listing

Service Area Name

Edna Twp.
Ellsbury Twp.
Grand Prairie Twp.
Lake Town Twp.
Leal City
Minnie Lake Twp.
Pierce Twp.
Pillsbury City
Rogers City
Rogers Twp.
Sibley City
Sibley Trail Twp.
Uxbridge Twp.
Wimbledon City
County—Stutsman
Parts:
Ashland Twp.
Courtenay Twp.
Courtenay City
Durham Twp.
Gray Twp.
Spiritwood Lake City

PRIMARY MEDICAL CARE: Ohio
County Listing

County Name

*Ashtabula
Service Area: Orwell
*Athens
Population Group: Med Ind—Athens Co
*Brown
Butler
Service Area: Eastern Hamilton
Service Area: West Middletown
Clark
Service Area: Southwest Side (Springfield)
Clermont
Service Area: Eastern Clermont
Columbiana
Service Area: East Liverpool (OH/PA/WV)
*Coshocton
Population Group: Med Ind—Coshocton Co
Cuyahoga
Service Area: East Cleveland
Service Area: Hough/Norwood/Glenville
Service Area: Lee Miles (Cleveland)
Service Area: Western Collinwood
Population Group: Med Ind—Near West/Westside/Edgewater
Population Group: Medicaid—Clark-Fulton/Denison/Tremont
Population Group: Medicaid Pop—Central/Fairfax/Kinsman
*Fayette
Franklin
Service Area: Lower Linden (N.E. Columbus)
Service Area: Near North/University
Service Area: Near Southside (Columbus)
Population Group: Low Inc—Franklinton (Columbus)
*Guernsey
Service Area: Cambridge
Service Area: Freeport
Hamilton
Service Area: East & Lower Price Hill/S Fairmont
Service Area: East End (Cincinnati)
Service Area: West End (Cincinnati)
Service Area: Winton Hills (Cincinnati)

PRIMARY MEDICAL CARE: Ohio
County Listing

County Name

*Hardin
*Harrison
Service Area: Cadiz/Scio/Hopedale
Service Area: Freeport
*Henry
Population Group: Med Ind—Henry Co
*Highland
Population Group: Med Ind—Highland Co
*Hocking
Population Group: Med Ind—Hocking Co
*Holmes
*Jackson
Jefferson
Service Area: East Liverpool (OH/PA/WV)
Lawrence
Population Group: Pov Pop—Lawrence Co
Lucas
Service Area: Center City/Dorr (Toledo)
Service Area: East Toledo
Service Area: Near Southside Toledo
Mahoning
Service Area: Eastside Youngstown
*Meigs
*Monroe
Service Area: New Matamoras
Service Area: Woodsfield
Montgomery
Service Area: West Dayton
*Morgan
*Morrow
*Perry
Portage
Population Group: Med Ind—Portage Co
*Putnam
Population Group: Med Ind—Putnam Co
Richland
Population Group: Med Ind—Richland Co
*Ross
Facility: Ross Corr Ins
Facility: Ross Corr. I.
*Sandusky
Population Group: Low Inc/MFW—Sandusky Co
*Scioto
Population Group: Med Ind—Scioto Co
Facility: Southern Ohio Corr. I.
*Seneca
Population Group: Med Ind—Seneca Co
Summit
Service Area: Akron (Southeast Side)
Trumbull
Service Area: Orwell
Service Area: The Flats (Warren)
*Tuscarawas
Service Area: Freeport
*Vinton
Washington
Service Area: New Matamoras

PRIMARY MEDICAL CARE: Ohio
Service Area Listing

Service Area Name

Akron (Southeast Side)
County—Summit
Parts:
C.T. 5014
C.T. 5031–5035
C.T. 5038
Cadiz/Scio/Hopedale
County—Harrison
Parts:

PRIMARY MEDICAL CARE: Ohio
Service Area Listing

Service Area Name

Archer Twp.
Athens Twp.
Cadiz Twp.
Franklin Twp.
German Twp.
Green Twp.
Monroe Twp.
North Twp.
Rumley Twp.
Short Creek Twp.
Stock Twp.
Cambridge
County—Guernsey
Parts:
Adams Twp.
Cambridge Twp.
Center Twp.
Jackson Twp.
Jefferson Twp.
Knox Twp.
Liberty Twp.
Millwood Twp.
Monroe Twp.
Oxford Twp.
Richland Twp.
Spencer Twp.
Valley Twp.
Westland Twp.
Wheeling Twp.
Wills Twp.
Center City/Dorr (Toledo)
County—Lucas
Parts:
C.T. 27–28
C.T. 31–37
C.T. 39
East & Lower Price Hill/S Fairmont
County—Hamilton
Parts:
C.T. 87
C.T. 89
C.T. 91–96
C.T. 103
East Cleveland
County—Cuyahoga
Parts:
C.T. 1501
C.T. 1503–1504
C.T. 1511–1518
East End (Cincinnati)
County—Hamilton
Parts:
C.T. 43–44
C.T. 47.02
East Liverpool (OH/PA/WV)
County—Columbiana
Parts:
Center Twp
East Liverpool City
Elk Run Twp
Franklin Twp
Hanover Twp
Liverpool Twp
Madison Twp
Middleton Twp
St. Clair Twp
Unity Twp
Washington Twp
Wayne Twp
Wellsville City
Yellow Creek Twp
County—Jefferson

PRIMARY MEDICAL CARE: Ohio
Service Area Listing

Service Area Name

Parts:
Brush Creek Twp
Saline Twp
East Toledo
County—Lucas
Parts:
C.T. 46
C.T. 47.01–47.02
C.T. 48–53
Eastern Clermont
County—Clermont
Parts:
Batavia Twp.
Franklin Twp.
Goshen Twp.
Jackson Twp.
Monroe Twp.
Ohio Twp.
Pierce Twp.
Stonelick Twp.
Tate Twp.
Washington Twp.
Wayne Twp.
Williamsburg Twp.
Eastern Hamilton
County—Butler
Parts:
C.T. 3–4
C.T. 6
C.T. 7.01–7.02
Eastside Youngstown
County—Mahoning
Parts:
C.T. 8001–8007
C.T. 8040
Freeport
County—Guernsey
Parts:
Londonderry Twp
Madison Twp
Washington Twp
County—Harrison
Parts:
Freeport Twp
Moorefield Twp
Nottingham Twp
Washington Twp
County—Tuscarawas
Parts:
Perry Twp
Hough/Norwood/Glenville
County—Cuyahoga
Parts:
C.T. 1112–1113
C.T. 1114.01–1114.02
C.T. 1115–1118
C.T. 1119.01–1119.02
C.T. 1121–1128
C.T. 1161–1168
C.T. 1181–1185
C.T. 1186.01–1186.02
C.T. 1189
Lee Miles (Cleveland)
County—Cuyahoga
Parts:
C.T. 1217–1219
C.T. 1221–1223
Lower Linden (N.E. Columbus)
County—Franklin
Parts:
C.T. 7.10
C.T. 7.20

PRIMARY MEDICAL CARE: Ohio
Service Area Listing

Service Area Name

C.T. 7.30
C.T. 9.10
C.T. 9.20
C.T. 14–15
C.T. 75.11–75.12
C.T. 75.20
Near North/University
County—Franklin
Parts:
C.T. 10
C.T. 11.10
C.T. 12–13
C.T. 16–17
C.T. 18.10
C.T. 18.20
C.T. 20
C.T. 20–22
C.T. 32
Near Southside (Columbus)
County—Franklin
Parts:
C.T. 54.20
C.T. 55
C.T. 56.10
C.T. 56.20
C.T. 58.20
C.T. 59–61
C.T. 87.10
C.T. 87.20
C.T. 87.30
C.T. 87.40
Near Southside Toledo
County—Lucas
Parts:
C.T. 38
C.T. 40–42
C.T. 54
New Matamoras
County—Monroe
Parts:
Benton Twp
Jackson Twp
County—Washington
Parts:
Grandview Twp
Independence Twp
Liberty Twp
Ludlow Twp
Orwell
County—Ashtabula
Parts:
Colebrook Twp
Hartsgrove Twp
Morgan Twp
New Lyme Twp
Orwell Twp
Rome Twp
Trumbull Twp
Windsor Twp
County—Trumbull
Parts:
Bloomfield Twp
Greene Twp
Gustavus Twp
Kinsman Twp
Mesopotamia Twp
Southwest Side (Springfield)
County—Clark
Parts:
C.T. 1–3
C.T. 8
C.T. 9.01–9.02

PRIMARY MEDICAL CARE: Ohio
Service Area Listing

Service Area Name

C.T. 10
C.T. 11.01–11.02
C.T. 12
The Flats (Warren)
County—Trumbull
Parts:
C.T. 9205–9207
West Dayton
County—Montgomery
Parts:
C.T. 2–4
C.T. 6–7
C.T. 9–10
C.T. 13
C.T. 35–42
C.T. 44–45
C.T. 602–603
C.T. 702.01–702.02
C.T. 703
West End (Cincinnati)
County—Hamilton
Parts:
C.T. 2
C.T. 3.01–3.02
C.T. 4
C.T. 8
C.T. 14–15
West Middletown
County—Butler
Parts:
C.T. 128–132
C.T. 140
Western Collinwood
County—Cuyahoga
Parts:
C.T. 1169
C.T. 1171.01–1171.02
C.T. 1172.01–1172.02
C.T. 1173–1175
C.T. 1179
C.T. 1261
Winton Hills (Cincinnati)
County—Hamilton
Parts:
C.T. 80
Woodsfield
County—Monroe
Parts:
Adams Twp
Bethel Twp
Center Twp
Franklin Twp
Green Twp
Lee Twp
Malaga Twp
Ohio Twp
Perry Twp
Salem Twp
Seneca Twp
Summit Twp
Sunsbury Twp
Switzerland Twp
Washington Twp
Wayne Twp

PRIMARY MEDICAL CARE: Ohio
Population Group Listing

Population Group

Low Inc—Franklinton (Columbus)
County—Franklin
Parts:

PRIMARY MEDICAL CARE: Ohio
Population Group Listing

Population Group

C.T. 41–44
C.T. 50–51
Low Inc/MFW—Sandusky Co
County—Sandusky
Parts:
Low Income
MFW
Med Ind—Athens Co
County—Athens
Parts:
Medically Indigent
Med Ind—Coshocton Co
County—Coshocton
Parts:
Medically Indigent
Med Ind—Henry Co
County—Henry
Parts:
Medically Indigent
Med Ind—Highland Co
County—Highland
Parts:
Medically Indigent
Med Ind—Hocking Co
County—Hocking
Parts:
Medically Indigent
Med Ind—Near West/Westside/Edgewater
County—Cuyahoga
Parts:
C.T. 1011.01–1011.02
C.T. 1012–1019
C.T. 1021.01
C.T. 1022–1026
C.T. 1031–1039
Med Ind—Portage Co
County—Portage
Parts:
Medically Indigent
Med Ind—Putnam Co
County—Putnam
Parts:
Medically Indigent
Med Ind—Richland Co
County—Richland
Parts:
Medically Indigent
Med Ind—Scioto Co
County—Scioto
Parts:
Medically Indigent
Med Ind—Seneca Co
County—Seneca
Parts:
Medically Indigent
Medicaid—Clark-Fulton/Denison/Tremont
County—Cuyahoga
Parts:
C.T. 1027–1029
C.T. 1041–1042
C.T. 1042.99–1043.00
C.T. 1044–1049
C.T. 1051–1055
C.T. 1056.01–1056.02
Medicaid Pop—Central/Fairfax/Kinsman
County—Cuyahoga
Parts:
C.T. 1079
C.T. 1087–1089
C.T. 1091–1093
C.T. 1096–1099
C.T. 1101–1103

PRIMARY MEDICAL CARE: Ohio
Population Group Listing

Population Group

C.T. 1129
C.T. 1131–1139
C.T. 1141–1145
C.T. 1147–1148
Pov Pop—Lawrence Co
County—Lawrence
Parts:
Pov Pop

PRIMARY MEDICAL CARE: Ohio
Facility Listing

Facility Name

Ross Corr Ins
County—Ross
Ross Corr. I.
County—Ross
Southern Ohio Corr. I.
County—Scioto

PRIMARY MEDICAL CARE: Oklahoma
County Listing

County Name

*Adair
*Alfalfa
Population Group: Low Inc—Woods/Alfalfa
*Atoka (g)
Facility: Stringtown Corr. C.
*Beaver
*Blaine
Service Area: Watonga
*Bryan
*Caddo
Canadian
Facility: FCI El Reno
*Choctaw
Cleveland
Facility: Lexington Corr. C.
*Coal
Creek
Population Group: Low Inc—Mounds
*Dewey
Service Area: Vici/Dewey South
*Haskell
*Hughes
Service Area: Allen
*Jackson
*Johnston
*Latimer
*Le Flore
*Lincoln
Logan
*Marshall
*Mayes
McClain
*McCurtain
*McIntosh
*Nowata
Service Area: Chelsea/New Alluwe
Service Area: Nowata
*Okfuskee
Oklahoma
Service Area: Luther
Service Area: N.E. Oklahoma Co
*Okmulgee
Population Group: Low Inc—Mounds
*Pittsburg
Service Area: Quinton
*Pontotoc
Service Area: Allen
Pottawatomie

PRIMARY MEDICAL CARE: Oklahoma
County Listing

County Name

Service Area: Konawa
*Pushmataha
Service Area: Finley-Rattan/Antlers
*Roger Mills
Rogers
Service Area: Chelsea/New Alluwe
*Seminole
Service Area: Konawa
Sequoyah
*Texas
Service Area: Texoma
*Tillman
Tulsa
Service Area: North Tulsa
Population Group: Am In—Tulsa
*Washita
Service Area: Southwest Washita
*Woods
Population Group: Low Inc—Woods/Alfalfa

PRIMARY MEDICAL CARE: Oklahoma
Service Area Listing

Service Area Name

Allen
County—Hughes
Parts:
South Hughes CCD
County—Pontotoc
Parts:
Northeast Pontotoc CCD
Chelsea/New Alluwe
County—Nowata
Parts:
Alluwe CCD
County—Rogers
Parts:
Chelsea CCD
Finley-Rattan/Antlers
County—Pushmataha
Parts:
Antlers CCD
Finley-Rattan CCD
Konawa
County—Pottawatomie
Parts:
Maud CCD
Wanette-Asher CCD
County—Seminole
Parts:
Konawa CCD
Seminole South CCD
Luther
County—Oklahoma
Parts:
C.T. 1081.01
C.T. 1081.03
C.T. 1089–1090
N.E. Oklahoma Co
County—Oklahoma
Parts:
C.T. 1080.03
C.T. 1080.05
C.T. 1080.10–1080.11
C.T. 1088.01
C.T. 1088.03–1088.04
North Tulsa
County—Tulsa
Parts:
C.T. 2–10
C.T. 12–14
C.T. 57

PRIMARY MEDICAL CARE: Oklahoma
Service Area Listing

Service Area Name

C.T. 62
C.T. 79
C.T. 80.01–80.02
C.T. 91.01
Nowata
County—Nowata
Parts:
Lenapah-Delaware CCD
Nowata CCD
South Coffeyville-Wann CCD
Quinton
County—Pittsburg
Parts:
Quinton CCD
Southwest Washita
County—Washita
Parts:
Southwest Washita CCD
Texoma
County—Texas
Parts:
West Texas CCD
Vici/Dewey South
County—Dewey
Parts:
Dewey South CCD
Vici CCD
Watonga
County—Blaine
Parts:
Geary CCD
Watonga CCD

PRIMARY MEDICAL CARE: Oklahoma
Population Group Listing

Population Group

Am In—Tulsa
County—Tulsa
Parts:
American Indian
Low Inc—Mounds
County—Creek
Parts:
C.T. 215
County—Okmulgee
Parts:
Beggs Division
Low Inc—Woods/Alfalfa
County—Alfalfa
Parts:
Low Income
County—Woods
Parts:
Low Inc

PRIMARY MEDICAL CARE: Oklahoma
Facility Listing

Facility Name

FCI El Reno
County—Canadian
Lexington Corr. C.
County—Cleveland
Stringtown Corr. C.
County—Atoka

PRIMARY MEDICAL CARE: Oregon
County Listing

County Name

*Baker
Service Area: Halfway
*Benton
Service Area: Alsea
Service Area: Junction City/Harrisburg/Monroe
Clackamas
Service Area: Estacada
Service Area: Mt. Hood
Population Group: MSFW—Clackamas
*Columbia
Service Area: Clatskanie
Service Area: Vernonia
*Coos
Service Area: Powers
*Curry
Service Area: Port Orford
Population Group: Low Inc—Brookings
*Douglas
Service Area: Drain/Yoncalla
Population Group: Med Ind—Roseburg
*Gilliam
Service Area: Arlington
Service Area: Condon
*Grant
*Harney
*Hood River
Population Group: MSFW—Hood River (OR/WA)
Jackson
Service Area: Rogue River
Service Area: Shady Cove
Population Group: Med Ind—Medford
Population Group: MSFW—Jackson Co.
*Josephine
Service Area: Applegate-Williams
Service Area: Cave Junction
Population Group: Med Ind—Grants Pass
*Klamath
Service Area: Bly
Service Area: Chiloquin
Population Group: Med Ind/MFW—Klamath Falls
*Lake
Service Area: Silver Lake
Lane
Service Area: Junction City/Harrisburg/Monroe
Service Area: Lowell
Service Area: McKenzie
Service Area: Oakridge
Service Area: Triangle Lake/Swisshome
Service Area: Veneta
Population Group: Low Inc—Florence
*Lincoln
Population Group: Low Inc—De Lake
*Linn
Service Area: Junction City/Harrisburg/Monroe
Service Area: Mill City/Gates/Detroit
*Malheur
Service Area: Jordan Valley
Service Area: Nyssa (OR/ID)
Service Area: Vale
Population Group: MSFW—N. Treasure Valley (ID/OR)
Facility: Snake River Corr. I.
Marion
Service Area: Mill City/Gates/Detroit
Population Group: Low Inc/MFW—Marion/Polk
Facility: State Corr. I.
*Morrow
Service Area: Boardman
Multnomah
Population Group: Low Inc/Homeless—Burnside(Portland)
Polk
Service Area: Willamina/Grand Ronde
Population Group: Low Inc/MFW—Marion/Polk
*Sherman
Service Area: Moro/Grass Valley
Service Area: Wasco
*Tillamook
Service Area: Pacific City/Cloverdale
Population Group: Low Inc—Tillamook
*Umatilla
Population Group: MSFW—Umatilla
Facility: E Oregon Corr I
*Union
Service Area: Cove/Union
Service Area: Elgin
*Wasco
Service Area: Maupin/Dufur
Population Group: MSFW—Hood River (OR/WA)
Washington
Population Group: MSFW—Washington
*Wheeler
Service Area: Fossil
Service Area: Mitchell
Yamhill
Population Group: MSFW—Yamhill
Facility: FCI Sheridan

PRIMARY MEDICAL CARE: Oregon
Service Area Listing

Service Area Name

Alsea
County—Benton
Parts:
Southwest Benton CCD
Applegate-Williams
County—Josephine
Parts:
Williams CCD
Arlington
County—Gilliam
Parts:
Arlington Div.
Bly
County—Klamath
Parts:
Langell CCD
Boardman
County—Morrow
Parts:
Boardman CCD
Cave Junction
County—Josephine
Parts:
Cave Junction CCD
Wilderville CCD
Chiloquin
County—Klamath
Parts:
Chiloquin CCD
Cresent Lake CCD
Clatskanie
County—Columbia
Parts:
Clatskanie CCD
Marshland CCD

PRIMARY MEDICAL CARE: Oregon
Service Area Listing

Service Area Name

Condon
County—Gilliam
Parts:
Condon Div.
Cove/Union
County—Union
Parts:
Cove CCD
Union CCD
Drain/Yoncalla
County—Douglas
Parts:
Elkton-Drain CCD
Kellogg-Yoncalla CCD
Elgin
County—Union
Parts:
Elgin CCD
Estacada
County—Clackamas
Parts:
Estacada CCD
Fossil
County—Wheeler
Parts:
Fossil CCD
Halfway
County—Baker
Parts:
Eagle Valley CCD
Halfway CCD
Jordan Valley
County—Malheur
Parts:
Jordan CCD
Junction City/Harrisburg/Monroe
County—Benton
Parts:
Southeast Benton CCD (S. 1/2)
County—Lane
Parts:
Junction City CCD
County—Linn
Parts:
Harrisburg CCD (S. 1/2)
Lowell
County—Lane
Parts:
Lowell CCD
Maupin/Dufur
County—Wasco
Parts:
Dufur CCD
McKenzie
County—Lane
Parts:
McKenzie CCD
Mill City/Gates/Detroit
County—Linn
Parts:
Mill City CCD
County—Marion
Parts:
Mill City CCD
Mitchell
County—Wheeler
Parts:
Mitchell CCD
Moro/Grass Valley
County—Sherman
Parts:
Moro CCD

PRIMARY MEDICAL CARE: Oregon
Service Area Listing

Service Area Name

Mt. Hood
County—Clackamas
Parts:
Mt. Hood CCD
Nyssa (OR/ID)
County—Malheur
Parts:
Adrian CCD
Nyssa CCD
Owyhee CCD
Oakridge
County—Lane
Parts:
Oakridge CCD
Pacific City/Cloverdale
County—Tillamook
Parts:
Beaver CCD
Neskowin CCD
Port Orford
County—Curry
Parts:
Port Orford CCD
Powers
County—Coos
Parts:
Powers Div.
Rogue River
County—Jackson
Parts:
Northwest Jackson CCD
Sams Valley CCD
Shady Cove
County—Jackson
Parts:
Butte Falls-Prospect CCD
Shady Cove CCD
Silver Lake
County—Lake
Parts:
Silver Lake-Ft Rock CCD
Triangle Lake/Swisshome
County—Lane
Parts:
Mid. Siuslaw/Tri-Lake CCD
Vale
County—Malheur
Parts:
Brogan CCD
Juntura CCD
Vale CCD
West Vale CCD
Veneta
County—Lane
Parts:
Veneta City
C.T. 8.98
C.T. 9.02
Vernonia
County—Columbia
Parts:
Vernonia CCD
Wasco
County—Sherman
Parts:
Wasco CCD
Willamina/Grand Ronde
County—Polk
Parts:
Willamina CCD

PRIMARY MEDICAL CARE: Oregon
Population Group Listing

Population Group

Low Inc—Brookings
County—Curry
Parts:
Brookings CCD
Harbor CCD
Low Inc—De Lake
County—Lincoln
Parts:
De Lake CCD
Depoe CCD
Low Inc—Florence
County—Lane
Parts:
North Siuslaw CCD
South Siuslaw CCD
Low Inc—Tillamook
County—Tillamook
Parts:
Bay City CCD
Tillamook CCD
Low Inc/Homeless—Burnside(Portland)
County—Multnomah
Parts:
C.T. 21
C.T. 51
Low Inc/MFW—Marion/Polk
County—Marion
Parts:
Low Income/MFW
County—Polk
Parts:
Low Inc/MFW
Med Ind—Grants Pass
County—Josephine
Parts:
C.T. 3604–3608
C.T. 3610–3613
Med Ind—Medford
County—Jackson
Parts:
Medford Div
Med Ind—Roseburg
County—Douglas
Parts:
Calapooia CCD
Melrose CCD
Roseburg CCD
Tenmile CCD
Med Ind/MFW—Klamath Falls
County—Klamath
Parts:
Keno CCD
Klamath Falls CCD
Malin CCD
Merrill CCD
MSFW—Clackamas
County—Clackamas
Parts:
MSFW
MSFW—Hood River (OR/WA)
County—Hood River
Parts:
MSFW
County—Wasco
Parts:
MSFW
MSFW—Jackson Co.
County—Jackson
Parts:
MSFW
MSFW—N. Treasure Valley (ID/OR)
County—Malheur

PRIMARY MEDICAL CARE: Oregon
Population Group Listing

Population Group

Parts:
MSFW
MSFW—Umatilla
County—Umatilla
Parts:
MSFW
MSFW—Washington
County—Washington
Parts:
MSFW
MSFW—Yamhill
County—Yamhill
Parts:
MSFW

PRIMARY MEDICAL CARE: Oregon
Facility Listing

Facility Name

E Oregon Corr I
County—Umatilla
FCI Sheridan
County—Yamhill
Snake River Corr. I.
County—Malheur
State Corr. I.
County—Marion

PRIMARY MEDICAL CARE: Pennsylvania
County Listing

County Name

Adams
Population Group: MFW—Adams/Franklin
Allegheny
Service Area: Arlington Heights/St Clair
Service Area: Homewood-Brushton
Service Area: Manchester
Service Area: McKees Rocks-Stowe
Service Area: North Braddock
Service Area: South Braddock
Service Area: West End Pittsburgh
Population Group: Low Inc—Hill District
Population Group: Low Inc—Mckeesport
Population Group: Pov Pop—East Liberty
*Armstrong
Service Area: Armstrong-Clarion
Service Area: Dayton/Rural Valley
Service Area: Kiski Valley
Service Area: New Bethlehem/Hawthorn
Service Area: Northeast Butler
Beaver
Service Area: East Liverpool (OH/PA/WV)
*Bedford
Service Area: Broad Top/Cromwell
Service Area: Pleasantville
Berks
Population Group: Med Ind—Welsh Mountain
Blair
Service Area: Pleasantville
*Bradford
Service Area: La Porte
Butler
Service Area: Northeast Butler
Cambria
Service Area: Coalport
Service Area: Nanty-Glo
*Cameron
Centre
Service Area: Snow Shoe
Chester

PRIMARY MEDICAL CARE: Pennsylvania
County Listing

County Name

Population Group: Med Ind—Welsh Mountain
*Clarion
Service Area: Armstrong-Clarion
Service Area: New Bethlehem/Hawthorn
*Clearfield
Service Area: Coalport
Service Area: Mahaffey
Service Area: Snow Shoe
*Clinton
Service Area: Renovo
Service Area: Snow Shoe
*Crawford
Service Area: Conneautville
Service Area: Union City (PA/NY)
Population Group: Med Ind—Titusville
Dauphin
Service Area: Millersburg
Population Group: Med Ind—Harrisburg
Delaware
Population Group: Medicaid—City of Chester
*Elk
Service Area: Marienville
Erie
Service Area: Union City (PA/NY)
Population Group: Med Ind—Erie City
Fayette
Service Area: Greensboro
Service Area: Markleysburg
Service Area: Republic
*Forest
Service Area: Marienville
Service Area: Tionesta
*Franklin
Population Group: MFW—Adams/Franklin
*Fulton
Service Area: Broad Top/Cromwell
Service Area: Hancock (MD/PA/WV)
*Greene
Service Area: Clay/Battelle (WV/PA)
Service Area: Greensboro
Population Group: Pov Pop—Western Greene
*Huntingdon
Service Area: Big Valley
Service Area: Broad Top/Cromwell
Service Area: Mt. Union
*Indiana
Service Area: Dayton/Rural Valley
Service Area: Nanty-Glo
Service Area: North Indiana
Service Area: Punxsutawney
*Jefferson
Service Area: Punxsutawney
*Juniata
Service Area: Middleburg
Service Area: Millerstown
Lancaster
Population Group: Low Inc—Se Lancaster
Population Group: Med Ind—Welsh Mountain
*McKean
Service Area: Coudersport
Facility: FCI Mckean
Mercer
Service Area: Stoneboro
Population Group: Medicaid—Sharon/Farrell
*Mifflin
Service Area: Big Valley
Service Area: McClure

PRIMARY MEDICAL CARE: Pennsylvania
County Listing

County Name

Service Area: Mt. Union
Monroe
Service Area: Mount Pocono
Service Area: South Monroe
*Northumberland
Service Area: Herndon
Service Area: Millersburg
Service Area: Shamokin
Perry
Service Area: Millerstown
Philadelphia
Service Area: Pennsport
Service Area: South Philadelphia
Service Area: Upper N. Philadelphia
Service Area: Woodland
*Pike
Service Area: Tafton
*Potter
Service Area: Coudersport
Service Area: Westfield
*Schuylkill
Service Area: Shamokin
Facility: FCI Schuylkill
*Snyder
Service Area: McClure
Service Area: Middleburg
Somerset
Service Area: Confluence
Service Area: Indian Lake
*Sullivan
Service Area: La Porte
*Susquehanna
Service Area: Montrose
*Tioga
Service Area: Blossburg
Service Area: Coudersport
Service Area: Elkland (NY/PA)
Service Area: Mansfield
Service Area: Westfield
*Union
Population Group: Inmates—LSCI Allenwood
Population Group: Inmates—FPC Allenwood
Facility: MSCi Allenwood
Facility: USP Allenwood
Facility: USP Lewisburg
*Venango
Service Area: Tionesta
Population Group: Med Ind—Titusville
*Warren
Service Area: Union City (PA/NY)
Population Group: Med Ind—Titusville
*Wayne
Service Area: Northern Wayne
Westmoreland
Service Area: Kiski Valley
York
Service Area: York

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Arlington Heights/St Clair
County—Allegheny
Parts:
C.T. 1603–1604
C.T. 1606
Armstrong-Clarion
County—Armstrong
Parts:

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Brady's Bend Twp.
Madison Twp.
Perry Twp.
Sugarcreek Twp.
Washington Twp.
County—Clarion
Parts:
Brady Twp.
East Brady Boro.
Madison Twp.
Rimersburg Boro.
Big Valley
County—Huntingdon
Parts:
Barree Twp.
Jackson Twp.
Miller Twp.
County—Mifflin
Parts:
Armagh Twp.
Brown Twp.
Menno Twp.
Union Twp.
Blossburg
County—Tioga
Parts:
Bloss Twp.
Blossburg Boro.
Covington Twp.
Duncan Twp.
Hamilton Twp.
Liberty Boro.
Liberty Twp.
Putnam Twp.
Union Twp.
Ward Twp.
Broad Top/Cromwell
County—Bedford
Parts:
Broad Top Twp
Coaldale Boro
Hopewell Boro
Hopewell Twp
Liberty Twp
Saxton Boro
County—Fulton
Parts:
Dublin Twp
Taylor Twp
Wells Twp
County—Huntingdon
Parts:
Broad Top City Boro
Carbon Twp
Cass Twp
Cassville Boro
Clay Twp
Coalmont Boro
Cromwell Twp
Dublin Twp
Dudley Boro
Hopewell Twp
Lincoln Twp
Orbisonia Boro
Rockhill Furnace Boro
Saltillo Boro
Shade Gap Boro
Springfield Twp
Tell Twp
Three Springs Boro
Todd Twp
Wood Twp

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Clay/Battelle (WV/PA)
County—Greene
Parts:
Freeport Twp.
Gilmore Twp.
Springhill Twp.
Wayne Twp.
Coalport
County—Cambria
Parts:
Reade Twp.
White Twp.
County—Clearfield
Parts:
Beccaria Twp.
Bigler Twp.
Chest Twp.
Coalport Boro.
Glen Hope Boro.
Gulich Twp.
Irvona Boro.
Jordan Twp.
Ramey Boro.
Westover Boro.
Confluence
County—Somerset
Parts:
Addison Boro.
Addison Twp.
Casselman Boro.
Confluence Boro.
Lower Turkeyfoot Twp.
Upper Turkeyfoot Twp.
Ursina Boro.
Conneautville
County—Crawford
Parts:
Beaver Twp.
Conneaut Twp.
Conneautville Boro.
Spring Twp.
Springboro Boro.
Summerhill Twp.
Coudersport
County—McKean
Parts:
Annin Twp
Ceres Twp
Eldred Boro
Eldred Twp
Keating Twp
Liberty Twp
Norwich Twp
Otto Twp
Port Allegany Boro
Smethport Boro
County—Potter
Parts:
Abbott Twp
Allegany Twp
Austin Boro
Bingham Twp
Clara Twp
Coudersport Boro
East Fork Dist
Eulalia Twp
Galeton Boro
Genesee Twp
Hebron Twp
Homer Twp
Keating Twp
Oswayo Boro

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Oswayo Twp
Pike Twp
Pleasant Valley Twp
Portage Twp
Roulette Twp
Sharon Twp
Shinglehouse Boro
Stewardson Twp
Summit Twp
Sweden Twp
Sylvania Twp
Ulysses Boro
Ulysses Twp
West Branch Twp
Wharton Twp
County—Tioga
Parts:
Gaines Twp
Dayton/Rural Valley
County—Armstrong
Parts:
Atwood Boro
Cowanshannock Twp
Dayton Boro
Elderton Boro
Plumcreek Twp
Rural Valley Boro
Wayne Twp
County—Indiana
Parts:
Plumville Boro
South Mahoning Twp
Dry Run
East Liverpool (OH/PA/WV)
County—Beaver
Parts:
Georgetown Boro
Glasgow Boro
Greene Twp
Hookstown Boro
Ohioville Boro
Elkland (NY/PA)
County—Tioga
Parts:
Deerfield Twp.
Elkland Boro.
Elkland Twp.
Farmington Twp.
Knoxville Boro.
Nelson Twp.
Osceola Twp.
Greensboro
County—Fayette
Parts:
German Twp.
Masontown Boro.
Nicholson Twp.
Point Marion Boro.
Springhill Twp.
County—Greene
Parts:
Dunkard Twp.
Greene Twp.
Greensboro Boro.
Monongahela Twp.
Hancock (MD/PA/WV)
County—Fulton
Parts:
Bethel Twp.
Thompson Twp.
Union Twp.
Herndon

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

County—Northumberland
Parts:
Herndon Boro.
Jackson Twp.
Jordan Twp.
Washington Twp.
Homewood-Brushton
County—Allegheny
Parts:
C.T. 1207
C.T. 1301–1306
C.T. 5604
C.T. 5606
C.T. 5611–5612
Indian Lake
County—Somerset
Parts:
Central City Boro
Indian Lake Boro
Shade Twp
Shanksville Boro
Stonycreek Twp
Kiski Valley
County—Armstrong
Parts:
Apollo Boro
Bethel Twp
Burrell Twp
Gilpin Twp
Kiskiminetas Twp
Leechburg Boro
North Apollo Boro
Parks Twp
South Bend Twp
County—Westmoreland
Parts:
Allegheny Twp
Avonmore Boro
Bell Twp
East Vandergrift Boro
Hyde Park Boro
Oklahoma Boro
Vandergrift Boro
Washington Twp
West Leechburg Boro
La Porte
County—Bradford
Parts:
Albany Twp
New Albany Boro
Overton Twp
Wilmot Twp
County—Sullivan
Parts:
Cherry Twp
Colley Twp
Davidson Twp
Dushore Boro
Eagles Mere Boro
Elkland Twp
Forks Twp
Forksville Boro
Hillsgrove Twp
La Porte Boro
La Porte Twp
Shrewsbury Twp
Mahaffey
County—Clearfield
Parts:
Bell Twp.
Burnside Boro.
Burnside Twp.

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Ferguson Twp.
Greenwood Twp.
Mahaffey Boro.
New Washington Boro.
Newburg Boro.
Manchester
County—Allegheny
Parts:
C.T. 2107
C.T. 2503
C.T. 2507–2508
Mansfield
County—Tioga
Parts:
Jackson Twp
Lawrence Twp
Lawrenceville Boro
Mansfield Boro
Richmond Twp
Roseville Boro
Rutland Twp
Sullivan Twp
Tioga Boro
Tioga Twp
Marienville
County—Elk
Parts:
Millstone Twp.
County—Forest
Parts:
Barnett Twp.
Green Twp.
Howe Twp.
Jenks Twp.
Kingsley Twp.
Markleysburg
County—Fayette
Parts:
Henry Clay Twp.
Markleysburg Boro.
Ohiopyle Boro.
Stewart Twp.
Wharton Twp.
McClure
County—Mifflin
Parts:
Decatur Twp.
County—Snyder
Parts:
Adams Twp.
McClure Boro.
Spring Twp.
West Beaver Twp.
McKees Rocks-Stowe
County—Allegheny
Parts:
C.T. 4621
C.T. 4626
C.T. 4639
C.T. 4644
Middleburg
County—Juniata
Parts:
Monroe Twp.
Susquehanna Twp.
County—Snyder
Parts:
Beaver Twp.
Beavertown Boro.
Centre Twp.
Chapman Twp.
Franklin Twp.

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Freeburg Boro.
Middleburg Boro.
Perry Twp.
Union Twp.
Washington Twp.
West Perry Twp.
Millersburg
County—Dauphin
Parts:
Berrysburg Boro.
Elizabethville Boro.
Gratz Boro.
Halifax Boro.
Halifax Twp.
Jackson Twp.
Jefferson Twp.
Lykens Twp.
Lykens Boro.
Mifflin Twp.
Millersburg Boro.
Pillow Boro.
Reed Twp.
Rush Twp.
Upper Paxton Twp.
Washington Twp.
Wayne Twp.
Wiconisco Twp.
Williams Twp.
Williamstown Boro.
County—Northumberland
Parts:
Lower Mahanoy Twp.
Millerstown
County—Juniata
Parts:
Delaware Twp
Greenwood Twp
Thompsontown Boro
County—Perry
Parts:
Buffalo Twp
Greenwood Twp
Howe Twp
Liverpool Boro
Liverpool Twp
Millerstown Boro
Newport Boro
Oliver Twp
Tuscarora Twp
Montrose
County—Susquehanna
Parts:
Auburn Twp.
Bridgewater Twp.
Brooklyn Twp.
Dimock Twp.
Forest Lake Twp.
Franklin Twp.
Harford Twp.
Hop Bottom Boro.
Jessup Twp.
Lathrop Twp.
Lenox Twp.
Liberty Twp.
Montrose Boro.
Rush Twp.
Silver Lake Twp.
Springville Twp.
Mount Pocono
County—Monroe
Parts:
Barrett Twp

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Coolbaugh Twp
Mount Pocono Boro
Paradise Twp
Tobyhanna Twp
Tunkhannock Twp
Mt. Union
County—Huntingdon
Parts:
Mapleton Boro
Mill Creek Boro
Mount Union Boro
Shirley Twp
Shirleysburg Boro
Union Twp
County—Mifflin
Parts:
Bratton Twp
Kistler Boro
McVeytown Boro
Newton Hamilton Boro
Oliver Twp
Wayne Twp
Nanty–Glo
County—Cambria
Parts:
Barr Twp
Blacklick Twp
Jackson Twp (Vinco)
Nanty-Glo Boro
Vintondale Boro
County—Indiana
Parts:
Armagh Boro
Buffington Twp
East Wheatfield Twp
Pine Twp
West Wheatfield Twp
New Bethlehem/Hawthorn
County—Armstrong
Parts:
Mahoning Twp
Redbank Twp
South Bethlehem Boro
County—Clarion
Parts:
Hawthorn Boro
New Bethlehem Boro
Porter Twp
Redbank Twp
North Braddock
County—Allegheny
Parts:
C.T. 5041
C.T. 5100
C.T. 5120
C.T. 5128–5129
C.T. 5138
C.T. 5140
C.T. 5151
C.T. 5153
North Indiana
County—Indiana
Parts:
Cherry Tree Boro.
East Mahoning Twp.
Grant Twp.
Green Twp.
Marion Center Boro.
Montgomery Twp.
Rayne Twp.
Northeast Butler
County—Armstrong

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Parts:
Hovey Twp.
Parker City
County—Butler
Parts:
Allegheny Twp.
Bruin Boro.
Cherry Valley Boro.
Concord Twp.
Eau Claire Boro.
Fairview Boro.
Fairview Twp.
Karns City Boro.
Parker Twp.
Petrolia Boro.
Venango Twp.
Washington Twp.
Northern Wayne
County—Wayne
Parts:
Buckingham Twp.
Damascus Twp.
Lebanon Twp.
Manchester Twp.
Mt. Pleasant Twp.
Preston Twp.
Scott Twp.
Starrucca Boro.
Pennsport
County—Philadelphia
Parts:
C.T. 15
C.T. 18
C.T. 23–28
Pleasantville
County—Bedford
Parts:
East St. Clair Twp.
Kimmel Twp.
King Twp.
Lincoln Twp.
Pleasantville Boro.
Union Twp.
West St. Clair Twp.
County—Blair
Parts:
Greenfield Twp.
Punxsutawney
County—Indiana
Parts:
Banks Twp
Canoe Twp
Glen Campbell Boro
North Mahoning Twp
Smicksburg Boro
West Mahoning Twp
County—Jefferson
Parts:
Beaver Twp
Bell Twp
Big Run Boro
Gaskill Twp
Henderson Twp
McCalmont Twp
Oliver Twp
Perry Twp
Porter Twp
Punxsutawney Boro
Ringgold Twp
Timblin Boro
Worthville Boro
Young Twp

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Renovo
County—Clinton
Parts:
Chapman Twp
East Keating Twp
Grugan Twp
Leidy Twp
Noyes Twp
Renovo Boro
South Renovo Boro
Republic
County—Fayette
Parts:
Brownsville Twp
Brownsville Boro
Luzerne Twp
Redstone Twp
Shamokin
County—Northumberland
Parts:
Coal Twp
East Cameron Twp
Herndon Boro
Jackson Twp
Jordan Twp
Little Mahanoy Twp
Shamokin City
Shamokin Twp
Upper Mahanoy Twp
Washington Twp
West Cameron Twp
Zerbe Twp
County—Schuylkill
Parts:
Eldred Twp
Hubley Twp
Upper Mahantongo Twp
Snow Shoe
County—Centre
Parts:
Boggs Twp
Burnside Twp
Curtin Twp
Howard Boro
Howard Twp
Liberty Twp
Snow Shoe Boro
Snow Shoe Twp
Union Twp
Unionville Boro
County—Clearfield
Parts:
Cooper Twp
Covington Twp
Karthaus Twp
County—Clinton
Parts:
Beech Creek Boro
Beech Creek Twp
West Keating Twp
South Braddock
County—Allegheny
Parts:
C.T. 4824
C.T. 4838
C.T. 4843
C.T. 4850
C.T. 4867–4869
C.T. 4882
South Monroe
County—Monroe
Parts:

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Chestnuthill Twp
Eldred Twp
Polk Twp
Ross Twp
South Philadelphia
County—Philadelphia
Parts:
C.T. 13–14
C.T. 19–22
C.T. 30–34
C.T. 36
C.T. 46
Stoneboro
County—Mercer
Parts:
Coolspring Twp
Deer Creek Twp
Fairview Twp
Fredonia Boro
French Creek Twp
Jackson Twp
Jackson Center Boro
Lake Twp
Mill Creek Twp
New Lebanon Boro
New Vernon Twp
Perry Twp
Sandy Lake Boro
Sandy Lake Twp
Stoneboro Boro
Tafton
County—Pike
Parts:
Blooming Grove Twp.
Greene Twp.
Lackawaxen Twp.
Palmyra Twp.
Tionesta
County—Forest
Parts:
Harmony Twp
Hickory Twp
Tionesta Boro
Tionesta Twp
County—Venango
Parts:
President Twp
Union City (PA/NY)
County—Crawford
Parts:
Bloomfield Twp.
Rockdale Twp.
Sparta Twp.
Spartansburg Boro.
County—Erie
Parts:
C.T. 112.01
C.T. 118.01–118.02
C.T. 119
C.T. 120.01–120.02
C.T. 121
County—Warren
Parts:
Columbus Twp.
Spring Creek Twp.
Upper N. Philadelphia
County—Philadelphia
Parts:
C.T. 170–176
C.T. 195–205
West End Pittsburgh
County—Allegheny

PRIMARY MEDICAL CARE: Pennsylvania
Service Area Listing

Service Area Name

Parts:
C.T. 2004
C.T. 2017–2022
C.T. 2024
C.T. 2807–2808
C.T. 2814
C.T. 2816
Westfield
County—Potter
Parts:
Harrison Twp.
Hector Twp.
County—Tioga
Parts:
Brookfield Twp.
Chatham Twp.
Clymer Twp.
Westfield Boro.
Westfield Twp.
Fannet Twp
Parts:
Metal Twp
Woodland
County—Philadelphia
Parts:
C.T. 63
C.T. 65–67
C.T. 69–74
C.T. 76–78
York
County—York
Parts:
C.T. 1–3
C.T. 5
C.T. 7
C.T. 9–12
C.T. 15–16

PRIMARY MEDICAL CARE: Pennsylvania
Population Group Listing

Population Group

Inmates—FPC Allenwood
County—Union
Parts:
FPC Allenwood
Inmates—LSCI Allenwood
County—Union
Parts:
LSCI Allenwood
Low Inc—Hill District
County—Allegheny
Parts:
C.T. 305
C.T. 314
C.T. 501–502
C.T. 506
C.T. 508–511
Low Inc—Mckeesport
County—Allegheny
Parts:
C.T. 5010
C.T. 5509
C.T. 5512
C.T. 5519–5524
Low Inc—Se Lancaster
County—Lancaster
Parts:
C.T. 1
C.T. 7–9
C.T. 14–16
Med Ind—Erie City

PRIMARY MEDICAL CARE: Pennsylvania
Population Group Listing

Population Group

County—Erie
Parts:
C.T. 1–30
Med Ind—Harrisburg
County—Dauphin
Parts:
C.T. 201–217
Med Ind—Titusville
County—Crawford
Parts:
Athens Twp
Centerville Boro
Hydetown Boro
Oil Creek Twp
Rome Twp
Steuben Twp
Titusville City
Townville Boro
Troy Twp
County—Venango
Parts:
Allegheny Twp
Cherrytree Twp
Oilcreek Twp
Pleasantville Boro
Plum Twp
County—Warren
Parts:
Eldred Twp
Southwest Twp
Med Ind—Welsh Mountain
County—Berks
Parts:
Brecknock Twp
Caernarvon Twp
County—Chester
Parts:
Honey Brook Boro
Honey Brook Twp
County—Lancaster
Parts:
Adamstown Boro
Akron Boro
Brecknock Twp
Caernarvon Twp
Christiana Boro
Denver Boro
Earl Twp
East Cocalico Twp
East Earl Twp
Ephrata Boro
Ephrata Twp
Leacock Twp
New Holland Boro
Paradise Twp
Sadsbury Twp
Salisbury Twp
Terre Hill Boro
Upper Leacock Twp
West Earl Twp
Medicaid—City Of Chester
County—Delaware
Parts:
C.T. 4047–4048
C.T. 4049.01–4049.02
C.T. 4050–4057
C.T. 4058.01–4058.02
C.T. 4059–4060
C.T. 4064.02
Medicaid—Sharon/Farrell
County—Mercer
Parts:

PRIMARY MEDICAL CARE: Pennsylvania
Population Group Listing

Population Group

Farrell City
Sharon City
MFW—Adams/Franklin
County—Adams
Parts:
Migrant Farmworker
County—Franklin
Parts:
Migrant Farmworker
Pov Pop—East Liberty
County—Allegheny
Parts:
C.T. 818
C.T. 1016–1017
C.T. 1102
C.T. 1106
C.T. 1111
C.T. 1113–1115
C.T. 1201–1204
C.T. 1208
Pov Pop—Western Greene
County—Greene
Parts:
Aleppo Twp.
Center Twp.
Franklin Twp.
Gray Twp.
Jackson Twp.
Morris Twp.
Richhill Twp.
Washington Twp.
Waynesburg Boro.

PRIMARY MEDICAL CARE: Pennsylvania
Facility Listing

Facility Name

FCI Mckean
County—McKean
FCI Schuylkill
County—Schuylkill
MSCi Allenwood
County—Union
USP Allenwood
County—Union
USP Lewisburg
County—Union

PRIMARY MEDICAL CARE: Rhode Island
County Listing

County Name

Newport
Population Group: Low Inc—Newport Co
Providence
Service Area: C Falls/N Pawtucket
Service Area: Northwest Providence
Service Area: Northwest Woonsocket
Population Group: Low Inc—Providence City
Washington
Population Group: Low Inc—West Washington

PRIMARY MEDICAL CARE: Rhode Island
Service Area Listing

Service Area Name

C Falls/N Pawtucket
County—Providence
Parts:
C.T. 108–111
C.T. 149
C.T. 151–153
C.T. 161
Northwest Providence
County—Providence
Parts:
Burrillville Twn.
Foster Twn.
Glocester Twn.
Northwest Woonsocket
County—Providence
Parts:
C.T. 172
C.T. 174
C.T. 176
C.T. 178–183

PRIMARY MEDICAL CARE: Rhode Island
Population Group Listing

Population Group

Low Inc—Newport Co
County—Newport
Parts:
Low Income
Low Inc—Providence City
County—Providence
Parts:
C.T. 1–23
C.T. 25–33
C.T. 35–37
Low Inc—West Washington
County—Washington
Parts:
Charlestown Town
Exeter Town
Hopkinton Town
Richmond Town

PRIMARY MEDICAL CARE: South Carolina
County Listing

County Name

*Abbeville
Service Area: Abbeville/Calhoun Falls
Service Area: Ware Shoals/Hodges
*Allendale
Anderson
Population Group: Low Inc—Anderson Co
*Bamberg
*Barnwell
*Beaufort
Service Area: Sheldon
Service Area: St. Helena
Berkeley
*Calhoun
Charleston
Service Area: McClellanville/Sampit/Santee
Service Area: Sea Island
Population Group: Pov Pop—Peninsula Charleston
*Chester
*Chesterfield
Service Area: Sandhills
Service Area: Society Hill
*Clarendon
*Colleton
*Darlington
Service Area: Lamar
Service Area: Society Hill
*Dillon
Dorchester
Service Area: St George
Edgefield
*Fairfield
Florence
Service Area: Johnsonville/Brittons Neck
Service Area: Lake City
Service Area: Olanta
*Georgetown
Service Area: Andrews
Service Area: McClellanville/Sampit/Santee
Greenville
Service Area: Slater-Marietta
Population Group: Pov Pop—Inner City Greenville
*Greenwood
Service Area: Ware Shoals/Hodges
*Hampton (g)
Facility: FCI Estil
Horry
Service Area: Conway/Aynor
Service Area: Little River
*Jasper
*Kershaw
Service Area: Bethune-Mt. Pisgah
*Lancaster
*Laurens
Service Area: Ware Shoals/Hodges
*Lee
Lexington
Service Area: Batesburg/Leesville
Service Area: Pelion-Swansea
*Marion
Service Area: Johnsonville/Brittons Neck
*Marlboro
*McCormick
*Orangeburg
Service Area: Eastern Orangeburg
Service Area: North/Neeses/Norway
Population Group: Med Ind—Orangeburg
Richland
Service Area: Eastover
Service Area: Eau Claire/Greenview
Facility: Manning Corr. I.
*Saluda
Spartanburg
Service Area: Woodruff/Enoree
Sumter
Service Area: Olanta
Service Area: Sumter
*Union
*Williamsburg
York
Service Area: Western York
Population Group: Pov Pop—South Rock Hill

PRIMARY MEDICAL CARE: South Carolina
Service Area Listing

Service Area Name

Abbeville/Calhoun Falls
County—Abbeville
Parts:
Abbeville CCD
Antreville/Lowndesville CCD
Calhoun Falls CCD
Due West CCD
Andrews
County—Georgetown
Parts:
Andrews CCD
Batesburg/Leesville

PRIMARY MEDICAL CARE: South Carolina
Service Area Listing

Service Area Name

County—Lexington
Parts:
Batesburg/Leesville CCD
Gilbert CCD
Bethune-Mt. Pisgah
County—Kershaw
Parts:
Bethune CCD
Mt. Pisgah CCD
Conway/Aynor
County—Horry
Parts:
Aynor CCD
Conway CCD
Floyds CCD
Loris CCD
Eastern Orangeburg
County—Orangeburg
Parts:
Bowman CCD
Branchville CCD
Elloree CCD
Eutawville CCD
Holly Hill CCD
Vance CCD
Eastover
County—Richland
Parts:
Eastover CCD
Hopkins CCD
Horrell Hill CCD
Eau Claire/Greenview
County—Richland
Parts:
C.T. 1–4
C.T. 105.02
C.T. 106
C.T. 107.01–107.03
C.T. 109
Johnsonville/Brittons Neck
County—Florence
Parts:
Johnsonville CCD
County—Marion
Parts:
Brittons Neck CCD
Centenary CCD
Lake City
County—Florence
Parts:
C.T. 18
C.T. 20
C.T. 22.01–22.02
C.T. 23
Lamar
County—Darlington
Parts:
Lake Swamp CCD
Lamar CCD
Little River
County—Horry
Parts:
C.T. 301
C.T. 401–402
C.T. 603
McClellanville/Sampit/Santee
County—Charleston
Parts:
McClellanville CCD
County—Georgetown
Parts:
Sampit-Santee CCD

PRIMARY MEDICAL CARE: South Carolina
Service Area Listing

Service Area Name

North/Neeses/Norway
County—Orangeburg
Parts:
Neeses CCD
North CCD
Norway CCD
Olanta
County—Florence
Parts:
Olanta CCD
Sardis CCD
County—Sumter
Parts:
Shiloh CCD
Pelion-Swansea
County—Lexington
Parts:
Pelion CCD
Swansea CCD
Sandhills
County—Chesterfield
Parts:
Jefferson CCD
McBee CCD
Pageland CCD
Sea Island
County—Charleston
Parts:
Edisto Is. CCD
James Is. CCD
Johns Is. CCD
Wadmalaw Is. CCD
Sheldon
County—Beaufort
Parts:
Sheldon CCD
Slater-Marietta
County—Greenville
Parts:
C.T. 24.01–24.02
C.T. 40–41
Society Hill
County—Chesterfield
Parts:
B.N.A. 9506 (S. 1/2)
County—Darlington
Parts:
C.T. 101
St George
County—Dorchester
Parts:
Harleyville CCD
Reevesville CCD
Ridgeville CCD
St George CCD
St. Helena
County—Beaufort
Parts:
St. Helena CCD
Sumter
County—Sumter
Parts:
Privateer CCD
Rembert CCD
Shaw-Horatio CCD
Sumter CCD
Sumter North CCD
Sumter Northeast CCD
Sumter Southeast CCD
Sumter Southwest CCD
Ware Shoals/Hodges
County—Abbeville

PRIMARY MEDICAL CARE: South Carolina
Service Area Listing

Service Area Name

Parts:
Donalds CCD
County—Greenwood
Parts:
Ware Shoals/Hodges CCD
County—Laurens
Parts:
Princeton CCD
Western York
County—York
Parts:
Clover CCD
Hickory Grove CCD
McConnells CCD
York CCD
Woodruff/Enoree
County—Spartanburg
Parts:
C.T. 235–237

PRIMARY MEDICAL CARE: South Carolina
Population Group Listing

Population Group

Low Inc—Anderson Co 3
County—Anderson
Parts:
Low Income
Med Ind—Orangeburg
County—Orangeburg
Parts:
Cope CCD
Orangeburg CCD
Orangeburg West CCD
Pov Pop—Inner City Greenville
County—Greenville
Parts:
C.T. 1–10
C.T. 12.02
C.T. 13.01
C.T. 21.04–21.05
C.T. 21.08
C.T. 22.01–22.02
C.T. 23.03–23.04
Pov Pop—Peninsula Charleston
County—Charleston
Parts:
C.T. 1–18
C.T. 33–37
C.T. 41–45
Pov Pop—South Rock Hill
County—York
Parts:
C.T. 601.01–601.02
C.T. 602–603
C.T. 604.01–604.02
C.T. 605.01–605.02

PRIMARY MEDICAL CARE: South Carolina
Facility Listing

Facility Name

FCI Estil
County—Hampton
Manning Corr. I.
County—Richland

PRIMARY MEDICAL CARE: South Dakota
County Listing

County Name

*Aurora

PRIMARY MEDICAL CARE: South Dakota
County Listing

County Name

Service Area: Corsica/Armour
Service Area: Wessington Springs
*Bon Homme
*Brookings
Service Area: Flandreau/Elkton
*Buffalo
Service Area: Wessington Springs
*Butte
Service Area: Newell
*Clark
*Clay
Service Area: Beresford/Alcester
*Corson
Service Area: Isabel
Service Area: Lemmon (SD/ND)
Service Area: McLaughlin
*Custer
Service Area: Custer/Hill
*Davison
Service Area: Corsica/Armour
*Deuel
Service Area: Clear Lake
*Dewey
Service Area: Eagle Butte
Service Area: Isabel
Douglas
Service Area: Corsica/Armour
*Edmunds
Service Area: Hoven
Service Area: Ipswich/Leola
*Faulk
*Grant
Service Area: Milbank
*Gregory
Service Area: Fairfax
*Hamlin
*Hanson
Service Area: Salem
*Harding
*Hyde
Service Area: Gettysburg
Service Area: Highmore
*Jackson
Jerauld
Service Area: Wessington Springs
*Jones
Lincoln
Service Area: Beresford/Alcester
*Lyman
McCook
Service Area: Salem
*Meade
Service Area: Faith
*Mellette
*Miner
Moody
Service Area: Flandreau/Elkton
*MCPherson
Service Area: Ipswich/Leola
Pennington
Service Area: Custer/Hill
Service Area: N. Rapid City
*Perkins
Service Area: Faith
Service Area: Lemmon (SD/ND)
*Potter
Service Area: Gettysburg
Service Area: Hoven
*Roberts
Service Area: Hankinson/Lidgerwood (ND/SD)
Service Area: Milbank

PRIMARY MEDICAL CARE: South Dakota
County Listing

County Name

*Sanborn
Service Area: Wessington Springs
*Shannon
*Spink
*Sully
Service Area: Gettysburg
*Todd
*Turner
*Union
Service Area: Beresford/Alcester
Service Area: Elk Point
*Walworth
Service Area: Hoven
*Ziebach
Service Area: Eagle Butte
Service Area: Faith
Service Area: Isabel

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

Beresford/Alcester
County—Clay
Parts:
Glenwood Twp
County—Lincoln
Parts:
Beresford City
Brooklyn Twp
Pleasant Twp
County—Union
Parts:
Alcester City
Alcester Twp
Beresford City
Big Springs Twp
Emmet Twp
Prairie Twp
Virginia Twp
Clear Lake
County—Deuel
Parts:
Altamont Twn.
Altamont Twp.
Antelope Valley Twp.
Astoria Twn.
Blom Twp.
Brandt Twn.
Brandt Twp.
Clear Lake City
Clear Lake Twp.
Glenwood Twp.
Grange Twp.
Havana Twp.
Hidewood Twp.
Lowe Twp.
Norden Twp.
Portland Twp.
Scandinavia Twp.
Toronto Twn.
Corsica/Armour
County—Aurora
Parts:
Aurora Twp.
Center Twp.
Truro Twp.
Washington Twp.
County—Davison
Parts:
Baker Twp.
County—Douglas

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

Custer/Hill
County—Custer
Parts:
Custer City
Pringle Town
West Custer Urorg
County—Pennington
Parts:
Hill City
West Pennington Unorg
Eagle Butte
County—Dewey
Parts:
Eagle Butte City
S. Dewey Unorg.
County—Ziebach
Parts:
Eagle Butte City
S. Ziebach Unorg.
Elk Point
County—Union
Parts:
Brule Twp.
Elk Point City
Elk Point Twp.
Richland Unorg.
Fairfax
County—Gregory
Parts:
Bonesteel City
East Gregory Unorg
Fairfax Twp
Fairfax Town
Pleasant Valley Twp
Schriever Twp
Southeast Gregory Unorg
St Charles Twp
Star Valley Twp
Faith
County—Meade
Parts:
Eagle Twp.
Faith City
Howard Twp.
North Meade Unorg.
Union Twp.
Upper Red Owl Twp.
County—Perkins
Parts:
Ada Twp.
Antelope Twp.
Beck Twp.
Brushy Twp.
Chance Twp.
Chaudoin Twp.
Duell Twp.
Englewood Twp.
Foster Twp.
Hall Twp.
Highland Twp.
Lone Tree Twp.
Maltby Twp.
Martin Twp.
Moreau Twp.
S.W. Perkins Unorg.
South Perkins Unorg.
Vickers Twp.
Vrooman Twp.
Wells Twp.
West Central Perkins Unor
West Perkins Unorg.
Wyandotte Twp.

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

County—Ziebach
Parts:
Dupree Unorg.
Dupree City
Flandreau/Elkton
County—Brookings
Parts:
Elkton City
Elkton Twp.
County—Moody
Gettysburg
County—Hyde
Parts:
North Hyde Unorg.
County—Potter
Parts:
C. Potter Unorg. (S.1/2)
E. Potter Unorg. (S.1/2)
Gettysburg City
Lebanon Twn.
W. Potter Unorg. (S.1/2)
County—Sully
Parts:
Agar Twn.
E. Sully Unorg. (N.1/2)
Onida City
W. Sully Unorg. (N.1/2)
Hankinson/Lidgerwood (ND/SD)
County—Roberts
Parts:
Lien Twp.
New Effington Twn.
Rosholt Twn.
Victor Twp.
White Rock Twn.
White Rock Twp.
Highmore
County—Hyde
Parts:
Central Hyde Unorg
Crow Creek Unorg
Dewey Twp
Highmore City
Valley Twp
William Hamilton Twp
Hoven
County—Edmunds
Parts:
Hillside Twp.
Hudson Twp.
Madison Twp.
County—Potter
Parts:
C. Potter Unorg. (N.1/2)
E. Potter Unorg. (N.1/2)
Hoven Twn.
Tolstoy Twn.
W. Potter Unorg. (N.1/2)
County—Walworth
Parts:
Akaska Twn.
E. Walworth Unorg. (S.1/4)
Lowry City
W. Walworth Unorg. (S.1/4)
Ipswich/Leola
County—Edmunds
Parts:
Adrian Twp
Belle Twp
Bryant Twp
Cleveland Twp
Fountain Twp

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

Harmony Unorg
Huntley Twp
Ipswich City
Ipswich Twp
Kent Twp
Liberty Twp
Montpelier Twp
North Bryant Twp
Powell Twp
Rosette Twp
Union Twp
Vermont Twp
County—McPherson
Parts:
Carl Twp
Central McPherson Unorg
Hoffman Twp
Leola City
Long Lake Town
Wachter Twp
Wacker Twp
Weber Twp
Wetonka Town
Isabel
County—Corson
Parts:
Pleasant Ridge Twp.
County—Dewey
Parts:
Isabel City
N. Dewey Unorg.
Timber Lake City
County—Ziebach
Parts:
N. Ziebach Unorg.
Lemmon (SD/ND)
County—Corson
Parts:
Custer Twp
Delaney Twp
Grand Valley Twp
Lake Twp
Lemon No. 2 Unorg
McIntosh City
Morristown Town
Pioneer Twp
Prairie View Twp
Riverside Twp
Rolling Green Twp
Sherman Twp
Twin Butte Twp
Watauga Twp
West Corson Unorg
County—Perkins
Parts:
Anderson Twp
Barrett Twp
Bison Town
Bison Twp
Burdick Twp
Cash Twp
Castle Butte Twp
Clark Twp
De Witt Twp
Duck Creek Unorg
East Perkins Unorg
Flat Creek Twp
Fredlund Twp
Glendo Twp
Grand River Twp
Horse Creek Twp
Independence Unorg

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

Lemmon City
Liberty Twp
Lincoln Twp
Lodgepole Twp
Marshfield Twp
Meadow Twp
Plateau Twp
Pleasant Valley Twp
Rainbow Twp
Rockford Twp
Scotch Cap Twp
Sidney Twp
Strool Twp
Trail Twp
Vail Twp
Viking Twp
White Butte Twp
White Hill Twp
Wilson Twp
McLaughlin
County—Corson
Parts:
Cadillac Twp.
Central Corson Unorg.
Lincoln Twp.
Mahto Twp.
McLaughlin City
Mission Twp.
N.E. Corson Unorg.
Ridgeland Twp.
Wakpala Twp.
Walker Twp.
Milbank
County—Grant
Parts:
Adams Twp
Alban Twp
Albee Town
Blooming Valley Twp
Farmington Twp
Georgia Twp
Grant Center Twp
Kilborn Twp
La Bolt Town
Lura Twp
Madison Twp
Marvin Town
Mazeppa Twp
Melrose Twp
Milbank City
Osceola Twp
Revillo Town
Stockholm Town
Stockholm Twp
Strandburg Town
Troy Twp
Twin Brooks Town
Twin Brooks Twp
Vernon Twp
County—Roberts
Parts:
Garfield Twp
Geneseo Twp
N. Rapid City
County—Pennington
Parts:
C.T. 101–105
C.T. 114–115
Newell
County—Butte
Parts:
East Butte Unorg

PRIMARY MEDICAL CARE: South Dakota
Service Area Listing

Service Area Name

Newell City
Union Twp
Vale Twp
Salem
County—Hanson
Parts:
Edgerton Twp
Emery Town
Farmer Town
Spring Lake Twp
Taylor Twp
County—McCook
Wessington Springs
County—Aurora
Parts:
Belford Twp
Bristol Twp
Cooper Twp
Crystal Lake Twp
Eureka Twp
Firesteel Twp
Gales Twp
Hopper Twp
Lake Twp
Palatine Twp
Patten Twp
Plankinton City
Plankinton Twp
Pleasant Lake Twp
Pleasant Valley Twp
White Lake City
White Lake Twp
County—Buffalo
Parts:
Elvira Twp
Southeast Buffalo Unorg
County—Sanborn
Parts:
Floyd Twp
Jackson Twp
Logan Twp
Oneida Twp
Silver Creek Twp
Twin Lake Twp
Union Twp
Warren Twp
Woonsocket City
Woonsocket Twp

PRIMARY MEDICAL CARE: Tennessee
County Listing

County Name

Anderson
Service Area: Briceville-Lake City
*Benton
Bledsoe
Service Area: Dayton/Pikeville/Decatur
Blount
Service Area: Tallassee
*Campbell
Carter
Service Area: Roan Mountain
*Chester
*Claiborne
*Clay
*Crockett
*Cumberland
Davidson
Population Group: Low Inc—Waverly-Belmont
Population Group: Low Inc—N Nashville

PRIMARY MEDICAL CARE: Tennessee
County Listing

County Name

Population Group: Low Inc—E Nashville
Facility: Meharry Med. Coll./Hubbard Hosp.
Facility: Metro General Hosp
*Decatur
Dickson
Service Area: Vanleer/Slaydon
Fayette
*Fentress
Population Group: Low Inc—Fentress Co
*Giles
Grainger
*Greene
Service Area: Baileyton
*Grundy
Hamilton
Population Group: Med Ind—Chattanooga
*Hancock
*Hardeman
*Hardin
Hawkins
*Haywood
*Henderson
*Henry
Population Group: Low Inc—Henry Co
*Hickman
*Jackson
*Johnson
*Lake
*Lauderdale
*Lewis
*Lincoln
Service Area: Cash Point
*McNairy
Meigs
Service Area: Dayton/Pikeville/Decatur
*Monroe
Population Group: Low Inc—Monroe Co
Montgomery
Service Area: Vanleer/Slaydon
*Moore
*Morgan
*Obion
Service Area: Hornbeak/Samburg
*Overton
Population Group: Low Inc—Overton Co
*Pickett
*Polk
Rhea
Service Area: Dayton/Pikeville/Decatur
*Roane
Rutherford
Service Area: Eagleville
*Scott
Sevier
Shelby
Population Group: Low Inc—Central Memphis
Population Group: Low Inc—Sw Memphis
Population Group: Low Inc—Nw Memphis
Facility: FCI Memphis
*Stewart
*Trousdale
Union
*Van Buren
*Wayne
*Weakley
Service Area: Dresden

PRIMARY MEDICAL CARE: Tennessee
Service Area Listing

Service Area Name

Baileyton
County—Greene
Parts:
Baileyton CCD
Briceville-Lake City
County—Anderson
Parts:
Lake City West CCD
Lake City East CCD
New River CCD
Cash Point
County—Lincoln
Parts:
Cash Point/Blanche CCD
Dayton/Pikeville/Decatur
County—Rhea
Dresden
County—Weakley
Parts:
Chestnut Glade-Dukedom
Dresden CCD
Gleason CCD
Palmersville CCD
Eagleville
County—Rutherford
Parts:
Eagleville CCD
Hornbeak/Samburg
County—Obion
Parts:
Hornbeak/Samburg CCD
Roan Mountain
County—Carter
Parts:
Laurel Fork CCD
Roan Mountain CCD
Tiger Valley CCD
Tallassee
County—Blount
Parts:
Lanier CCD
Vanleer/Slaydon
County—Dickson
Parts:
Vanleer CCD
County—Montgomery
Parts:
Palmyra/Shiloh CCD

PRIMARY MEDICAL CARE: Tennessee
Population Group Listing

Population Group

Low Inc—Central Memphis
County—Shelby
Parts:
C.T. 13–15
C.T. 28
C.T. 30
Low Inc—E Nashville
County—Davidson
Parts:
C.T. 112–126
Low Inc—Fentress Co
County—Fentress
Parts:
Low Income
Low Inc—Henry Co
County—Henry
Parts:
Low Income
Low Inc—Monroe Co

PRIMARY MEDICAL CARE: Tennessee
Population Group Listing

Population Group

County—Monroe
Parts:
Low Income
Low Inc—N Nashville
County—Davidson
Parts:
C.T. 133
C.T. 135–144
Low Inc—Nw Memphis
County—Shelby
Parts:
C.T. 1–10
C.T. 18–24
C.T. 90
Low Inc—Overton Co
County—Overton
Parts:
Low Income
Low Inc—Sw Memphis
County—Shelby
Parts:
C.T. 40–69
C.T. 75
C.T. 78.10
C.T. 78.20
Low Inc—Waverly-Belmont
County—Davidson
Parts:
C.T. 161–163
C.T. 170–171
Med Ind—Chattanooga
County—Hamilton
Parts:
C.T. 1–16
C.T. 18–21
C.T. 23–27
C.T. 31
C.T. 115

PRIMARY MEDICAL CARE: Tennessee
Facility Listing

Facility Name

FCI Memphis
County—Shelby
Meharry Med. Coll./Hubbard Hosp.
County—Davidson
Metro General Hosp
County—Davidson

PRIMARY MEDICAL CARE: Texas
County Listing

County Name

*Anderson
Facility: Beto Prs
Facility: Coffield Prs
Facility: Michael Prs
*Andrews
Population Group: Med Ind—Andrews Co
*Aransas
Archer
*Armstrong
*Atascosa
*Bandera
Bastrop (g)
Facility: FCI Bastrop
*Baylor
*Bee
Bexar
Service Area: San Antonio (West Side)
Service Area: San Antonio (Southside)

PRIMARY MEDICAL CARE: Texas
County Listing

County Name

Service Area: San Antonio (Eastside)
*Borden
Bowie
Service Area: Dekalb
Brazoria
Facility: Clemens Prs
*Brewster
Service Area: South Brewster/Big Bend
*Briscoe
Service Area: Silverton/Turkey
*Brooks
*Burleson
Caldwell
Cameron
Population Group: Low Inc—Cameron Co
Facility: Corazones Unidos Clinic
*Carson
*Castro
*Chambers
*Cherokee
Population Group: Low Inc—Cherokee Co
*Cochran
*Coke
*Coleman
*Collingsworth
Comal
Population Group: Low Inc—New Braunfels
Coryell (g)
Facility: Hilltop Prs
Facility: Hughes Prs
*Crane
*Crosby
*Culberson
Dallas
Service Area: Lisbon
*Deaf Smith
*Delta
Denton
Population Group: Low Inc—N Denton
Dickens
Service Area: Dickens–King
Dimmit
Service Area: Dimmit–Zavala
*Donley
*Duval
El Paso
Service Area: Lower Valley–El Paso
Service Area: South El Paso
Service Area: Southeast El Paso
Facility: FCI La Tuna
Facility: Tx Tech Med. Ambulatory Cl
*Falls (g)
Facility: Hobby Prs
*Fisher
*Foard
*Gaines
*Glasscock
*Goliad
*Gonzales
Population Group: Low Inc—Gonzales Co
*Grimes
Population Group: Inmates—FPC Bryan
Facility: Pack II Prs
*Hale
Population Group: MFW—Hale Co
*Hall
Service Area: Silverton/Turkey
*Hansford
Hardin
Harris
Service Area: Acres Home

PRIMARY MEDICAL CARE: Texas
County Listing

County Name

Service Area: Casa De Amigos
Service Area: Ripley
Service Area: Settegast
*Hartley
*Henderson
Population Group: Low Inc—Henderson Co
Hidalgo
Population Group: Low Inc—Hildalgo Co
*Hockley
*Howard
Population Group: Inmates—FCI Big Spring
*Hudspeth
*Hunt
Population Group: Low Inc—Hunt Co
*Irion
*Jackson
Jefferson
Service Area: Beaumont Inner City
Service Area: Port Arthur Inner City
*Jim Wells
Johnson
*Jones
*Karnes
*Kendall
Population Group: Low Inc—Kendall Co
*Kenedy
*Kent
*Kerr
Population Group: Low Inc—Kerr Co
King
Service Area: Dickens-King
*Kinney
*Knox
*La Salle
*Lamb
*Lampasas
*Lee
Leon
Service Area: Leon/Madison
*Limestone
*Lipscomb
*Live Oak (g)
Facility: FCI Three Rivers
*Loving
Lubbock
Service Area: East Lubbock
Facility: Tx Tech Univ Pc Clinics
*Lynn
Madison
Service Area: Leon/Madison
Facility: Ferguson Prs
*Marion
*Mason
*Maverick
*McMullen
*Medina
*Menard
*Milam
*Mills
*Mitchell
*Moore
Population Group: Low Inc—Moore Co
*Morris
*Motley
*Nacogdoches
Population Group: Low Inc—Nacogdoches Co
*Newton
*Oldham
*Palo Pinto

PRIMARY MEDICAL CARE: Texas
County Listing

County Name

Population Group: Low Inc—Palo Pinto Co
*Panola
Parker
*Parmer
*Pecos
Population Group: Low Inc—Pecos Co
*Polk
*Rains
*Reagan
*Real
*Red River
*Reeves
*Refugio
*Roberts
*Robertson
*Sabine
*San Augustine
*San Jacinto
*San Saba
*Sherman
*Starr
*Stephens
*Sterling
*Sutton
*Swisher
Tarrant
Service Area: Diamond Hill
*Terrell
*Throckmorton
Travis
Service Area: Dove Springs
Service Area: East Austin
Service Area: South Austin
*Trinity
*Uvalde
Population Group: Low Inc—Uvalde Co
*Val Verde
*Van Zandt
*Walker
Facility: Ellis I Prs
Facility: Goree Prs
Facility: Wynne Prs
Waller
*Ward
Webb
*Wheeler
Population Group: Low Inc—Wheeler Co
*Willacy
Wilson
*Winkler
*Wise
*Yoakum
*Zapata
Zavala
Service Area: Dimmit–Zavala

PRIMARY MEDICAL CARE: Texas
Service Area Listing

Service Area Name

Acres Home
County—Harris
Parts:
C.T. 524
C.T. 525.02–525.04
C.T. 530.02
C.T. 531.01
C.T. 531.03
Beaumont Inner City
County—Jefferson
Parts:
C.T. 1.03

PRIMARY MEDICAL CARE: Texas
Service Area Listing

Service Area Name

C.T. 6–10
C.T. 15–19
Casa De Amigos
County—Harris
Parts:
C.T. 502
C.T. 503.01–503.02
C.T. 504
C.T. 505.01–505.02
C.T. 506.01–506.02
C.T. 507.01–507.02
C.T. 508
C.T. 509.02–509.03
C.T. 512
C.T. 514.01–514.02
C.T. 515.02
Dekalb
County—Bowie
Parts:
C.T. 116–117
Diamond Hill
County—Tarrant
Parts:
C.T. 1001.02
C.T. 1002.01–1002.02
C.T. 1003–1004
C.T. 1008–1011
C.T. 1050.01
C.T. 1050.06
Dickens-King
County—Dickens
County—King
Dimmit-Zavala
County—Dimmit
County—Zavala
Dove Springs
County—Travis
Parts:
C.T. 24.11-24.13
East Austin
County—Travis
Parts:
C.T. 4.02
C.T. 8.01–8.04
C.T. 9.01–9.02
C.T. 10
C.T. 18.11–18.12
C.T. 21.04–21.13
C.T. 22.01–22.02
C.T. 22.05
East Lubbock
County—Lubbock
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3.01–3.02
C.T. 6.03–6.06
C.T. 7–14
C.T. 23–25
Leon/Madison
County—Leon
County—Madison
Lisbon
County—Dallas
Parts:
C.T. 56–57
C.T. 59.01–59.02
C.T. 87.01
C.T. 87.03–87.05
C.T. 88.01–88.02
Lower Valley—El Paso
County—El Paso

PRIMARY MEDICAL CARE: Texas
Service Area Listing

Service Area Name

Parts:
C.T. 35
C.T. 37.01–37.02
C.T. 38.01–38.02
C.T. 41.03–41.07
C.T. 42.01–42.02
Port Arthur Inner City
County—Jefferson
Parts:
C.T. 51–54
C.T. 57–62
Ripley
County—Harris
Parts:
C.T. 300.22–300.23
C.T. 301.01–301.02
C.T. 302
C.T. 308.20
C.T. 309.01–309.03
C.T. 310–312
C.T. 313.01–313.02
C.T. 314.02
C.T. 319.01
C.T. 321.01–321.02
San Antonio (Eastside)
County—Bexar
Parts:
C.T. 1101–1104
C.T. 1109–1110
C.T. 1301–1306
C.T. 1307.85
C.T. 1308–1313
C.T. 1401
San Antonio (Southside)
County—Bexar
Parts:
C.T. 1402–1412
C.T. 1416–1418
C.T. 1501–1522
C.T. 1609
C.T. 1610.85
C.T. 1611–1612
C.T. 1619–1620
San Antonio (West Side)
County—Bexar
Parts:
C.T. 1105–1108
C.T. 1601–1606
C.T. 1607.85
C.T. 1616
C.T. 1701–1716
C.T. 1901–1902
Settegast
County—Harris
Parts:
C.T. 207.01–207.02
C.T. 208.01
C.T. 215.01–215.03
C.T. 216.01–216.02
C.T. 217.01–217.02
C.T. 218.03–218.04
C.T. 225.03–225.04
C.T. 227
Silverton/Turkey
County—Briscoe
County—Hall
Parts:
Turkey CCD
South Austin
County—Travis
Parts:
C.T. 23.04

PRIMARY MEDICAL CARE: Texas
Service Area Listing

Service Area Name

C.T. 23.10–23.12
C.T. 24.16
South Brewster/Big Bend
County—Brewster
Parts:
E.D. 337–347 (Alpine CCD)
South El Paso
County—El Paso
Parts:
C.T. 17–21
C.T. 28–29
Southeast El Paso
County—El Paso
Parts:
C.T. 39.01–39.03
C.T. 40.01–40.02
C.T. 103.10
C.T. 104.01–104.04
C.T. 105

PRIMARY MEDICAL CARE: Texas
Population Group Listing

Population Group

Inmates—FCI Big Spring
County—Howard
Parts:
FCI Big Spring
Inmates—FPC Bryan
County—Grimes
Parts:
FPC Bryan
Low Inc—Cameron Co
County—Cameron
Parts:
Low Income
Low Inc—Cherokee Co
County—Cherokee
Parts:
Low Income
Low Inc—Gonzales Co
County—Gonzales
Parts:
Low Income
Low Inc—Henderson Co
County—Henderson
Parts:
Low Income
Low Inc—Hildalgo Co
County—Hidalgo
Parts:
Low Income
Low Inc—Hunt Co
County—Hunt
Parts:
Low Income
Low Inc—Kendall Co
County—Kendall
Parts:
Low Income
Low Inc—Kerr Co
County—Kerr
Parts:
Low Income
Low Inc—Moore Co
County—Moore
Parts:
Low Income
Low Inc—N Denton
County—Denton
Parts:
Denton CCD

PRIMARY MEDICAL CARE: Texas
Population Group Listing

Population Group

Pilot Point—Aubrey CCD
Sanger CCD
Low Inc—Nacogdoches Co
County—Nacogdoches
Parts:
Low Income
Low Inc—New Braunfels
County—Comal
Parts:
C.T. 3101–3103
C.T. 3104.01–3104.02
C.T. 3105
C.T. 3106.02
C.T. 3108–3109
Low Inc—Palo Pinto Co
County—Palo Pinto
Parts:
Low Income
Low Inc—Pecos Co
County—Pecos
Parts:
Low Income
Low Inc—Uvalde Co
County—Uvalde
Parts:
Low Income
Low Inc—Wheeler Co
County—Wheeler
Parts:
Low Income
Med Ind—Andrews Co
County—Andrews
Parts:
Medically Indigent
MFW—Hale Co
County—Hale
Parts:
MFW

PRIMARY MEDICAL CARE: Texas
Facility Listing

Facility Name

Beto Prs
County—Anderson
Clemens Prs
County—Brazoria
Coffield Prs
County—Anderson
Corazones Unidos Clinic
County—Cameron
Ellis I Prs
County—Walker
Ferguson Prs
County—Madison
FCI Bastrop
County—Bastrop
FCI La Tuna
County—El Paso
FCI Three Rivers
County—Live Oak
Goree Prs
County—Walker
Hilltop Prs
County—Coryell
Hobby Prs
County—Falls
Hughes Prs
County—Coryell
Michael Prs
County—Anderson
Pack II Prs

PRIMARY MEDICAL CARE: Texas
Facility Listing

Facility Name

County—Grimes
Tx Tech Med. Ambulatory Cl
County—El Paso
Tx Tech Univ Pc Clinics
County—Lubbock
Wynne Prs
County—Walker

PRIMARY MEDICAL CARE: Utah
County Listing

County Name

*Beaver
*Box Elder
Service Area: West Box Elder
*Carbon
*Daggett
Duchesne
Service Area: Roosevelt
*Emery
Service Area: Castle Dale
Service Area: Green River
*Garfield
Service Area: Panguitch
*Grand
Service Area: Green River
Service Area: Moab
*Iron
Service Area: Enterprise
Service Area: Parowan
*Juab
*Kane
Service Area: Kanab/Fredonia (UT/AZ)
*Millard
*Piute
*Rich
Salt Lake
Population Group: Pov Pop—Kearns
Population Group: Pov Pop—Central City
Population Group: Pov/Homeless—Nw Salt Lake
Facility: Utah State Prison
*San Juan
Service Area: Blanding/Monticello
Service Area: Montezuma Creek
*Sanpete (g)
Facility: Central Utah Corr Fac
*Sevier
*Summit
Service Area: Coalville/Kamas
*Tooele
Service Area: Tooele
Service Area: Wendover
*Uintah
Service Area: Roosevelt
Service Area: Vernal
Utah
Population Group: Pov/Mig—Utah Co
*Wasatch
*Washington
Service Area: Enterprise
Service Area: Hurricane/Mohave North (UT/AZ)
*Wayne
Weber
Population Group: Pov Pop—Central & West Ogden

PRIMARY MEDICAL CARE: Utah
Service Area Listing

Service Area Name

Blanding/Monticello

PRIMARY MEDICAL CARE: Utah
Service Area Listing

Service Area Name

County—San Juan
Parts:
Blanding CCD
Monticello CCD
Castle Dale
County—Emery
Parts:
Castle Dale-Huntington Cc
Emery-Ferron CCD
Coalville/Kamas
County—Summit
Parts:
Coalville CCD
Kamas CCD
Enterprise
County—Iron
Parts:
Beryl-Newcastle CCD
County—Washington
Parts:
Enterprise CCD
Green River
County—Emery
Parts:
Green River CCD
County—Grand
Parts:
Thompson CCD
Hurricane/Mohave North (UT/AZ)
County—Washington
Parts:
Hurricane CCD
Kanab/Fredonia (UT/AZ)
County—Kane
Moab
County—Grand
Parts:
Moab CCD
Montezuma Creek
County—San Juan
Parts:
Oljato CCD
Red Mesa CCD
Panguitch
County—Garfield
Parts:
Escalante CCD
Panguitch CCD
Tropic CCD
Parowan
County—Iron
Parts:
Parowan CCD
Roosevelt
County—Uintah
Parts:
Uintah And Ouray CCD
Tooele
County—Tooele
Parts:
Onaqui CCD
Tooele-Grantsville CCD
Vernal
County—Uintah
Parts:
Vernal CCD
Wendover
County—Tooele
Parts:
Dugway-Wendover CCD
West Box Elder
County—Box Elder

PRIMARY MEDICAL CARE: Utah
Service Area Listing

Service Area Name

Parts:
West Box Elder CCD

PRIMARY MEDICAL CARE: Utah
Population Group Listing

Population Group

Pov Pop—Central & West Ogden
County—Weber
Parts:
C.T. 2002–2005
C.T. 2008–2009
C.T. 2011–2013
C.T. 2018–2019
Pov Pop—Central City
County—Salt Lake
Parts:
C.T. 1014–1021
C.T. 1023
Pov Pop—Kearns
County—Salt Lake
Parts:
C.T. 1135.05
C.T. 1135.17
C.T. 1136–1137
C.T. 1138.01–1138.03
Pov/Homeless—Nw Salt Lake
County—Salt Lake
Parts:
C.T. 1001
C.T. 1003.03–1003.04
C.T. 1004–1006
C.T. 1024–1027
Pov/Mig—Utah Co
County—Utah
Parts:
Migrants
Pov Pop

PRIMARY MEDICAL CARE: Utah
Facility Listing

Facility Name

Central Utah Corr Fac
County—Sanpete
Utah State Prison
County—Salt Lake

PRIMARY MEDICAL CARE: Vermont
County Listing

County Name

*Addison
Service Area: Route 100
*Bennington
Population Group: Med Ind—Bennington
*Caledonia
Service Area: Hardwick
Service Area: Haverhill/Wells River (NH/VT)
Service Area: Peacham-Barnet
*Essex
Service Area: Island Pond
Service Area: Upper Connecticut Valley (NH/VT)
Franklin
Service Area: Richford-Enosburg
*Lamoille
Service Area: Hardwick
*Orange
Service Area: Chelsea
Service Area: Haverhill/Wells River (NH/VT)

PRIMARY MEDICAL CARE: Vermont
County Listing

County Name

*Orleans
Service Area: Hardwick
Service Area: Island Pond
*Rutland
Service Area: Black River Valley
Service Area: Route 100
*Washington
Service Area: Hardwick
Service Area: Mad River Valley
*Windsor
Service Area: Black River Valley
Service Area: Route 100

PRIMARY MEDICAL CARE: Vermont
Service Area Listing

Service Area Name

Black River Valley
County—Rutland
Parts:
Mt Holly Town
County—Windsor
Parts:
Cavendish Town
Ludlow Town
Plymouth Town
Reading Town
Chelsea
County—Orange
Parts:
Chelsea Twn.
Corinth Twn.
Strafford Twn.
Tunbridge Twn.
Vershire Twn.
Washington Twn.
Hardwick
County—Caledonia
Parts:
Hardwick Twn.
Walden Twn.
County—Lamoille
Parts:
Wolcott Twn.
County—Orleans
Parts:
Craftsbury Twn.
Greensboro Twn.
County—Washington
Parts:
Woodbury Twn.
Haverhill/Wells River (NH/VT)
County—Caledonia
Parts:
Groton Twn.
Ryegate Twn.
County—Orange
Parts:
Newbury Twn.
Topsham Twn.
Island Pond
County—Essex
Parts:
Avery'S Gore
Brighton Town
Ferdinand Town
Lewis Town
Norton Town
Warner'S Grant
Warren'S Gore
County—Orleans
Parts:

PRIMARY MEDICAL CARE: Vermont
Service Area Listing

Service Area Name

Charleston Town
Morgan Town
Mad River Valley
County—Washington
Parts:
Fayston Town
Moretown Town
Waitsfield Town
Warren Town
Peacham-Barnet
County—Caledonia
Parts:
Barnet Town
Peacham Town
Richford-Enosburg
County—Franklin
Parts:
Bakersfield Town
Berkshire Town
Enosburg Town
Fairfield Town
Franklin Town
Montgomery Town
Richford Town
Sheldon Town
Route 100
County—Addison
Parts:
Granville Twn.
Hancock Twn.
County—Rutland
Parts:
Pittsfield Twn.
County—Windsor
Parts:
Rochester Twn.
Stockbridge Twn.
Upper Connecticut Valley (NH/VT)
County—Essex
Parts:
Averill Town
Bloomfield Town
Brunswick Town
Canaan Town
Lemington Town

PRIMARY MEDICAL CARE: Vermont
Population Group Listing

Population Group

Med Ind—Bennington
County—Bennington
Parts:
Med Ind Pop

PRIMARY MEDICAL CARE: Virginia
County Listing

County Name

*Accomack
Service Area: Accomack/Northampton
Albermarle/Charlottes.
Service Area: Southern Albemarle
*Alleghany
Service Area: Alleghany
*Amelia
*Appomattox
*Augusta/Staunton-Waynesb.
Service Area: Craigsville
Service Area: South River
Bedford
Service Area: Big Island

PRIMARY MEDICAL CARE: Virginia
County Listing

County Name

*Bland
Botetourt
Service Area: Northern Botetourt
*Brunswick
*Buchanan
Population Group: Med Ind Pop—Buchanan Co
Buckingham
Service Area: Tri-County (Buck/Fluv/Cumb)
Campbell/Lynchburg
Service Area: Altavista/Chatham
Population Group: Pov Pop—Lynchburg
*Caroline
*Carroll
Service Area: Laurel Fork
Charles City
Service Area: Harrison/Tyler
Chesapeake
Service Area: South Norfolk
Service Area: Southeast Chesapeake
Clifton Forge City (Indep)
Service Area: Alleghany
Covington City (Indep)
Service Area: Alleghany
*Craig
Cumberland
Service Area: Tri-County (Buck/Fluv/Cumb)
*Dickenson
Dinwiddie/Petersburg
Service Area: McKenney
Facility: FCI Petersburg
*Floyd
Fluvanna
Service Area: Tri-County (Buck/Fluv/Cumb)
*Franklin
Goochland
Service Area: Goochland/Fife
*Grayson/Galax
Service Area: Fries
Service Area: Trout Dale/Independence
Halifax
Service Area: Halifax/South Boston
*Halifax/S. Boston
Service Area: Halifax/South Boston
Hanover
Service Area: Beaverdam
King George
*Lee
Service Area: Western Lee
Population Group: Med Ind—Eastern Lee
*Lunenburg
*Nelson
New Kent
*Northampton
Service Area: Accomack/Northampton
*Northumberland
*Page
Pittsylvania/Danville
Service Area: Altavista/Chatham
*Richmond
*Rockbridge/Buena Vista
Service Area: Big Island
Service Area: Craigsville
Service Area: South River
*Russell
Scott
Service Area: Dungannon
*Smyth
Service Area: Saltville
South Boston City (Indep)
Service Area: Halifax/South Boston
*Southampton/Franklin

PRIMARY MEDICAL CARE: Virginia
County Listing

County Name

Service Area: Berlin-Ivor
Spotsylvania/Fredericksbg
Service Area: Beaverdam
*Surry
*Sussex
Washington/Bristol
Service Area: Saltville
*Westmoreland

PRIMARY MEDICAL CARE: Virginia
Service Area Listing

Service Area Name

Accomack/Northampton
County—Northampton
Alleghany
County—Covington City (Indep)
Altavista/Chatham
County—Campbell/Lynchburg
Parts:
C.T. 204.98
C.T. 205–209
County—Pittsylvania/Danville
Parts:
C.T. 101–107
Beaverdam
County—Hanover
Parts:
C.T. 3201–3202
Parts:
C.T. 9501
C.T. 9505
County—Spotsylvania/Fredericksbg
Parts:
C.T. 204.01
Berlin–Ivor
County—Southampton/Franklin
Parts:
Berlin-Ivor Dist.
Big Island
County—Bedford
Parts:
Peaks Dist
County—Rockbridge/Buena Vista
Parts:
Natural Bridge Dist
Craigsville
County—Augusta/Staunton-Waynesb.
Parts:
Pastures Dist.
Riverhead Dist. (W. 1/2)
County—Rockbridge/Buena Vista
Parts:
Walkers Creek Dist. (W. 1/2)
Dungannon
County—Scott
Parts:
De Kalb Dist.
Floyd Dist.
Johnson Dist.
East End Richmond
Parts:
C.T. 201–212
Fries
County—Grayson/Galax
Parts:
Providence Dist.
Goochland/Fife
County—Goochland
Parts:
C.T. 4002–4005
Halifax/South Boston

PRIMARY MEDICAL CARE: Virginia
Service Area Listing

Service Area Name

County—South Boston City (Indep)
Harrison/Tyler
County—Charles City
Parts:
Harrison Dist.
Tyler Dist.
Laurel Fork
County—Carroll
Parts:
Laurel Fork Dist
McKenney
County—Dinwiddie/Petersburg
Parts:
Sapony Dist.
Northern Botetourt
County—Botetourt
Parts:
C.T. 401–402
Old South Richmond
Parts:
C.T. 601–605
C.T. 607.98
C.T. 608.98
Portsmouth
Parts:
C.T. 2107
C.T. 2110–2111
C.T. 2113–2114
C.T. 2117–2121
Saltville
County—Smyth
Parts:
North Fork Dist
Saltville Dist
County—Washington/Bristol
Parts:
Jefferson Dist
South Norfolk
County—Chesapeake
Parts:
C.T. 201–204
C.T. 205.01–205.02
C.T. 206–207
South River
County—Augusta/Staunton-Waynesb.
Parts:
Riverhead Dist. (E. 1/2)
County—Rockbridge/Buena Vista
Parts:
South River Dist.
Walkers Creek Dist. (E. 1/2)
Southeast Chesapeake
County—Chesapeake
Parts:
C.T. 211.02
C.T. 212
Southern Albemarle
County—Albermarle/Charlottes.
Parts:
Scottsville Dist.
Tri-County(Buck/Fluv/Cumb)
County—Fluvanna
Trout Dale/Independence
County—Grayson/Galax
Parts:
Elk Creek Dist.
Wilson Creek Dist.
Western Lee
County—Lee
Parts:
Rose Hill Dist
White Shoals Dist

PRIMARY MEDICAL CARE: Virginia
Population Group Listing

Population Group

Med Ind—Eastern Lee
County—Lee
Parts:
Jonesville Dist
Rocky Station Dist
Yokum Station Dist
Med Ind Pop—Buchanan Co
County—Buchanan
Parts:
Medically Indigent
Pov Pop—Lynchburg
County—Campbell/Lynchburg
Parts:
Lynchburg City

PRIMARY MEDICAL CARE: Virginia
Facility Listing

Facility Name

FCI Petersburg
County—Dinwiddie/Petersburg

PRIMARY MEDICAL CARE: Washington
County Listing

County Name

*Adams
Population Group: MSFW—Othello/Royal City
Benton
Population Group: MSFW—Benton/Franklin
*Chelan
Population Group: MFW—Chelan/Douglas
*Clallam
Service Area: Clallam Bay-Neah Bay
Population Group: Lower Elwha Indian Tribe
Clark
Population Group: Pov/Homeless/MFW—Vancouver
*Columbia
Population Group: MSFW—Walla Walla/Columbia
*Cowlitz
Population Group: Medicaid—Longview/Cathlamet
*Douglas
Service Area: Grand Coulee
Population Group: MFW—Chelan/Douglas
*Ferry
Service Area: Republic
Population Group: Am In—Colville Res
Franklin
Population Group: MSFW—Benton/Franklin
Facility: Coyote Ridge Corr Inst
*Garfield
*Grant
Service Area: Grand Coulee
Population Group: Low Inc/MFW—Central Grant Co
Population Group: MSFW—Othello/Royal City
Facility: Quincy Valley Hosp.—C.H. Clinic
*Grays Harbor
Service Area: Copalis Beach
Service Area: Neilton
Service Area: Westport
Population Group: Medicaid—Aberdeen/Hoquiam
*Island

PRIMARY MEDICAL CARE: Washington
County Listing

County Name

Population Group: Low Inc—Island Co
*Jefferson
Service Area: Quilcene Bay
King
Population Group: Pov/Homeless—S King Co
Kitsap
Population Group: Low Inc—Bremerton
*Klickitat
Population Group: MSFW—Hood River (OR/WA)
*Lewis
Service Area: Morton
*Lincoln
Service Area: Grand Coulee
Service Area: Odessa
*Mason (g)
Facility: Wa Corr/Reception Ctr
*Okanogan
Service Area: Twisp/Winthrop
Population Group: Am In—Colville Res
Population Group: MSFW—Okanogan Co.
*Pacific
Service Area: Long Beach
Service Area: Naselle/Grays River
*Pend Oreille
Service Area: Ione/Metaline Falls
Service Area: Newport/Cusick
Pierce
Service Area: Longbranch
Facility: McNeil Island Corr. C.
*Skagit
Service Area: Concrete
Population Group: MSFW—Skagit Co
*Skamania
Snohomish
Service Area: Darrington
Population Group: Low Inc/MFW—W Snohomish Co
Population Group: MSFW—Snohomish
Population Group: Stillaguamish Ind. Tribe
Facility: Twin Rivers Corr C
Spokane
Service Area: Deer Park
Service Area: Rockford
Population Group: Am In—Spokane
*Stevens
Service Area: Chewelah
Service Area: Deer Park
Service Area: Northport
*Wahkiakum
Service Area: Naselle/Grays River
Population Group: Medicaid—Longview/Cathlamet
*Walla Walla
Population Group: MSFW—Walla Walla/Columbia
Facility: Wa State Pen
Whatcom
Population Group: MSFW—Whatcom Co
*Whitman
Service Area: Northeast Whitman
Service Area: Rock Lake/La Crosse
Yakima

PRIMARY MEDICAL CARE: Washington
Service Area Listing

Service Area Name

Chewelah
County—Stevens
Parts:

PRIMARY MEDICAL CARE: Washington
Service Area Listing

Service Area Name

Chewelah CCD
Columbia CCD
Springdale CCD
Clallam Bay-Neah Bay
County—Clallam
Parts:
Clallam Bay-Neah Bay CCD
Concrete
County—Skagit
Parts:
Upper Skagit CCD
Copalis Beach
County—Grays Harbor
Parts:
North Beach CCD
Darrington
County—Snohomish
Parts:
Cascade CCD
Deer Park
County—Spokane
Parts:
Deer Park CCD
County—Stevens
Parts:
Loon Lake CCD
Grand Coulee
County—Douglas
Parts:
Bridgeport CCD
County—Grant
Parts:
Coulee City CCD
Grand Coulee CCD
County—Lincoln
Parts:
Wilbur CCD
Ione/Metaline Falls
County—Pend Oreille
Parts:
Ione/Metaline Falls CCD
Long Beach
County—Pacific
Parts:
Peninsula CCD
Longbranch
County—Pierce
Parts:
Lower Peninsula CCD (C.T.)
Morton
County—Lewis
Parts:
Big Bottom CCD
Mineral CCD
Morton CCD
Mossyrock CCD
Naselle/Grays River
County—Pacific
Parts:
Naselle CCD
County—Wahkiakum
Parts:
Grays River CCD
Neilton
County—Grays Harbor
Parts:
Humptulips CCD
Lake Quinalt CCD
Newport/Cusick
County—Pend Oreille
Parts:
Newport CCD

PRIMARY MEDICAL CARE: Washington
Service Area Listing

Service Area Name

Northeast Whitman
County—Whitman
Parts:
Rosalia CCD
Steptoe CCD
Tekoa CCD
Northport
County—Stevens
Parts:
Kettle Falls CCD
Odessa
County—Lincoln
Parts:
Odessa CCD
Quilcene Bay
County—Jefferson
Parts:
Quilcene Bay CCD
Republic
County—Ferry
Parts:
Curlew CCD
Orient Sherman CCD
Republic CCD
Rock Lake/La Crosse
County—Whitman
Parts:
La Crosse CCD
Rock Lake CCD
Rockford
County—Spokane
Parts:
Rockford CCD
Twisp/Winthrop
County—Okanogan
Parts:
Early Winters CCD
Methow Valley CCD
Westport
County—Grays Harbor
Parts:
South Shore Div.

PRIMARY MEDICAL CARE: Washington
Population Group Listing

Population Group

Am In—Colville Res
County—Ferry
Parts:
Colville Res CCD
County—Okanogan
Parts:
Colville Res CCD
Am In—Spokane
County—Spokane
Parts:
American Indian
Low Inc—Bremerton
County—Kitsap
Parts:
C.T. 805–806
C.T. 810–813
Low Inc—Island Co
County—Island
Parts:
Low Income
Low Inc/MFW—Central Grant Co
County—Grant
Parts:
Ephrata—Soap Lake CCD
George CCD

PRIMARY MEDICAL CARE: Washington
Population Group Listing

Population Group

Gloyd CCD
Moses Lake CCD
Quincy CCD
Warden CCD
Wilson Creek CCD
Low Inc/MFW—W Snohomish Co
County—Snohomish
Parts:
Arlington CCD
Edmunds CCD
Everett CCD
Granite Falls CCD
Lake Stevens CCD
Maltby CCD
Marysville CCD
Monroe CCD
MFW
Skykomish CCD
Snohomish CCD
Stanwood CCD
Tulalip CCD
Lower Elwha Indian Tribe
County—Clallam
Parts:
Agnew-Carlsborg CCD
Crescent CCD
Forks CCD
Port Angeles CCD
Sequim CCD
Medicaid—Aberdeen/Hoquiam
County—Grays Harbor
Parts:
Aberdeen-Hoquiam CCD
Elma CCD
Wyhoochee CCD
Medicaid—Longview/Cathlamet
County—Cowlitz
Parts:
Castle Rock CCD
Cowlitz East CCD
Kalama CCD
Longview-Kelso CCD
Rose Valley CCD
Woodland CCD
County—Wahkiakum
Parts:
Cathlamet-Elochoman CCD
Puget Island CCD
Skamokawa CCD
MFW—Chelan/Douglas
County—Chelan
Parts:
MFW
County—Douglas
Parts:
MFW
MSFW—Benton/Franklin
County—Benton
Parts:
MSFW
County—Franklin
Parts:
MSFW
MSFW—Hood River (OR/WA)
County—Klickitat
Parts:
Wahkiakus CCD (MSFW)
White Salmon CCD (MSFW)
MSFW—Okanogan Co.
County—Okanogan
Parts:
MSFW

PRIMARY MEDICAL CARE: Washington
Population Group Listing

Population Group

MSFW—Othello/Royal City
County—Adams
Parts:
MSFW
County—Grant
Parts:
Southern Slopes CCD
MSFW—Skagit Co
County—Skagit
Parts:
MSFW
MSFW—Snohomish
County—Snohomish
Parts:
Arlington CCD
Granite Falls CCD
Lake Stevens CCD
Maltby CCD
Marysville CCD
Monroe CCD
Skykomish CCD
Snohomish CCD
Stanwood CCD
MSFW—Walla Walla/Columbia
County—Columbia
Parts:
MSFW
County—Walla Walla
Parts:
MSFW
MSFW—Whatcom Co
County—Whatcom
Parts:
MSFW
Pov/Homeless—S King Co
County—King
Parts:
C.T. 252–254
C.T. 259
C.T. 291
C.T. 292.01–292.02
C.T. 295.01–295.02
C.T. 296–297
C.T. 298.01
C.T. 305.01–305.02
C.T. 306–308
Pov/Homeless/MFW—Vancouver
County—Clark
Parts:
Battle Ground CCD
Camas CCD
La Center CCD
Orchards CCD
Ridgefield CCD
Vancouver CCD
Stillaguamish Ind. Tribe
County—Snohomish
Parts:
C.T. 531–532
C.T. 534

PRIMARY MEDICAL CARE: Washington
Facility Listing

Facility Name

Coyote Ridge Corr Inst
County—Franklin
McNeil Island Corr. C.
County—Pierce
Quincy Valley Hosp.—C.H. Clinic
County—Grant
Twin Rivers Corr C
County—Snohomish
Wa Corr/Reception Ctr
County—Mason
Wa State Pen
County—Walla Walla

PRIMARY MEDICAL CARE: West Virginia
County Listing

County Name

*Barbour
Berkeley
Population Group: Pov/MSFW—Shenandoah
*Boone
*Braxton
Cabell
Service Area: Guyandotte
*Calhoun
*Clay
Doddridge
Service Area: Doddridge/Salem
*Fayette
Service Area: New Haven
Service Area: Oak Hill
*Gilmer
*Grant
Service Area: Mt Storm
*Greenbrier
Service Area: Greenbrier
Service Area: Rainelle
*Hampshire
Hancock
Service Area: East Liverpool (OH/PA/WV)
*Hardy
Service Area: Baker
*Harrison
Service Area: Doddridge/Salem
*Jackson
Jefferson
Population Group: Pov/MSFW—Shenandoah
Kanawha
Service Area: Cabin Creek
Service Area: Clendenin
Service Area: Pocatalico
*Lewis
*Lincoln
Marshall
Service Area: Cameron
Facility: West Virginia Pen.
*McDowell
Mineral
*Mingo
Service Area: Gilbert
Service Area: Matewan
*Monongalia
Service Area: Clay/Battelle (WV/PA)
Facility: FCI—Morgantown
*Morgan
Service Area: Hancock (MD/PA/WV)
*Nicholas
Service Area: Rainelle
Service Area: Richwood
*Pendleton
*Pocahontas
Service Area: Marlington
*Preston
Service Area: Bruceton Mills
Service Area: Rowlesburg/Eglon
*Raleigh
Service Area: Northwest Raleigh

PRIMARY MEDICAL CARE: West Virginia
County Listing

County Name

*Randolph
Facility: Huttonsville Corr Ctr
*Ritchie
*Taylor
*Tucker
*Upshur
Service Area: Rock Cave
Wayne
Service Area: Wayne/Fort Gay
*Webster
*Wetzel
Service Area: Clay/Battelle (WV/PA)
*Wirt
*Wyoming

PRIMARY MEDICAL CARE: West Virginia
Service Area Listing

Service Area Name

Baker
County—Hardy
Parts:
Capon Dist.
Lost River Dist.
Bruceton Mills
County—Preston
Parts:
Grant Dist.
Cabin Creek
County—Kanawha
Parts:
C.T. 121–122
Cameron
County—Marshall
Parts:
C.T. 208
Clay/Battelle (WV/PA)
County—Monongalia
Parts:
C.T. 114
County—Wetzel
Parts:
C.T. 304
Clendenin
County—Kanawha
Parts:
C.T. 112
Doddridge/Salem
County—Harrison
Parts:
C.T. 316
East Liverpool (OH/PA/WV)
County—Hancock
Parts:
Grant Dist
Gilbert
County—Mingo
Parts:
Stafford Dist.
Greenbrier
County—Greenbrier
Parts:
Anthony Creek Dist
Falling Spring Dist
Frankford Dist
Williamsburg Dist
Guyandotte
County—Cabell
Parts:
C.T. 2
Hancock (MD/PA/WV)
County—Morgan

PRIMARY MEDICAL CARE: West Virginia
Service Area Listing

Service Area Name

Parts:
B.N.A. 9707
B.N.A. 9708
Marlington
County—Pocahontas
Parts:
Edray Dist.
Huntersville Dist.
Marlington Twn.
Matewan
County—Mingo
Parts:
Magnolia Dist.
Mt Storm
County—Grant
Parts:
Union Dist.
New Haven
County—Fayette
Parts:
C.T. 210–211
Northwest Raleigh
County—Raleigh
Parts:
C.T. 111–112
Oak Hill
County—Fayette
Parts:
C.T. 201–206
Pocatalico
County—Kanawha
Parts:
C.T. 108.01–108.02
Rainelle
County—Greenbrier
Parts:
Meadow Bluff Dist.
County—Nicholas
Richwood
County—Nicholas
Parts:
Beaver Dist.
Kentucky Dist.
Wilderness Dist.
Rock Cave
County—Upshur
Parts:
Banks Dist.
Meade Dist.
Rowlesburg/Eglon
County—Preston
Parts:
Reno Dist.
Union Dist.
Wayne/Fort Gay
County—Wayne
Parts:
Butler Dist.
Stonewall Dist.
Union Dist.

PRIMARY MEDICAL CARE: West Virginia
Population Group Listing

Population Group

Inmates—FPC Alderson
Parts:
FPC Alderson
Pov/MSFW—Shenandoah
County—Berkeley
Parts:
MSFW

PRIMARY MEDICAL CARE: West Virginia
Population Group Listing

Population Group

Pov. Pop.
County—Jefferson
Parts:
Pov Pop

PRIMARY MEDICAL CARE: West Virginia
Facility Listing

Facility Name

FCI—Morgantown
County—Monongalia
Huttonsville Corr Ctr
County—Randolph
West Virginia Pen.
County—Marshall

PRIMARY MEDICAL CARE: Wisconsin
County Listing

County Name

*Ashland
Service Area: Park Falls/Phillips
*Barron
Service Area: Chetek/Colfax
*Bayfield
Service Area: Hayward/Radisson
Service Area: Washburn/Bayfield
Brown
Service Area: Pulaski
*Buffalo
Service Area: Arcadia
Service Area: Durand
Service Area: Mondovi
*Burnett
Calumet
*Clark
*Columbia
*Crawford
Service Area: Boscobel
Douglas
Service Area: Minong/Solon Springs
*Dunn
Service Area: Chetek/Colfax
Service Area: Durand
Eau Claire
Service Area: Osseo
*Florence
*Forest
*Grant
Service Area: Boscobel
Service Area: Lancaster/Fennimore
Service Area: Platteville/Cuba City
*Green Lake
Service Area: Markesan/Kingston
*Iowa
Service Area: Dodgeville/Mineral Point
Service Area: Platteville/Cuba City
*Iron
Service Area: Ironwood/Hurley (MI/WI)
Service Area: Park Falls/Phillips
*Jackson
Service Area: Osseo
*Juneau
Service Area: Hillsboro
Kenosha
Service Area: Kenosha
*Kewaunee
Service Area: Kewaunee City/Algoma
La Crosse
Service Area: Coon Valley/Chaseburg
*Lafayette
Service Area: Darlington/Shullsburg

PRIMARY MEDICAL CARE: Wisconsin
County Listing

County Name

Service Area: Platteville/Cuba City
*Langlade
Service Area: Elcho
Service Area: Mountain/White Lake
*Lincoln
Service Area: Tomahawk
Marathon
Service Area: Athens/Edgar
*Marinette
Service Area: E. Marinette/S. Menominee (MI/WI)
Service Area: W. Marinette
*Marquette
Service Area: Montello
*Menominee
Milwaukee
Service Area: Capitol Drive (Milwaukee)
Service Area: Inner City West
Service Area: Inner City South
Service Area: Inner City North (Milwaukee)
Service Area: Juneautown
*Monroe
Service Area: Hillsboro
Service Area: Sparta
*Oconto
Service Area: Mountain/White Lake
Service Area: Oconto/Oconto Falls
Service Area: Pulaski
*Oneida
Service Area: Elcho
Service Area: Tomahawk
Outagamie
Service Area: Clintonville/Marion
*Pepin
Service Area: Durand
Service Area: Mondovi
Pierce
Service Area: Durand
*Polk
Service Area: Frederic/Luck
*Price
Service Area: Park Falls/Phillips
Service Area: Tomahawk
*Richland
Service Area: Hillsboro
Service Area: Spring Green/Plain
Rock
Service Area: Central Beloit
*Sauk
Service Area: Hillsboro
Service Area: Spring Green/Plain
*Sawyer
Service Area: Hayward/Radisson
Service Area: Park Falls/Phillips
*Shawano
Service Area: Clintonville/Marion
Service Area: Oconto/Oconto Falls
Service Area: Pulaski
St Croix
Service Area: Baldwin
*Taylor
*Trempealeau
Service Area: Arcadia
Service Area: Galesville/Trempealeau
Service Area: Osseo
*Vernon
Service Area: Coon Valley/Chaseburg
Service Area: Genoa
Service Area: Hillsboro
*Washburn
Service Area: Hayward/Radisson
Service Area: Minong/Solon Springs

PRIMARY MEDICAL CARE: Wisconsin
County Listing

County Name

Service Area: Spooner/Shell Lake
*Waupaca
Service Area: Clintonville/Marion
*Waushara
Service Area: Wautoma/Plainfield/Wild Rose

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Arcadia
County—Buffalo
Parts:
Buffalo Twn.
Cross Twn.
Fountain City
Glencoe Twn.
Milton Twn.
Montana Twn.
Waumandee Twn.
County—Trempealeau
Parts:
Arcadia City
Arcadia Twn.
Dodge Twn.
Athens/Edgar
County—Marathon
Parts:
Athens Vil.
Bern Twn.
Edgar Vil.
Fenwood Vil.
Frankfort Twn.
Halsey Twn.
Johnson Twn.
Rietbrock Town
Wien Town
Baldwin
County—St Croix
Parts:
Baldwin Twn.
Baldwin Vil.
Cady Twn.
Eau Galle Twn.
Emerald Twn.
Glenwood City
Glenwood Twn.
Hammond Twn.
Hammond Vil.
Pleasant Valley Twn.
Rush River Twn.
Springfield Twn.
Wilson Vil.
Woodville Vil.
Boscobel
County—Crawford
Parts:
Haney Twn.
Marietta Twn.
Scott Twn.
Steuben Vil.
Wauzeka Twn.
Wauzeka Vil.
County—Grant
Parts:
Bagley Vil.
Blue River Vil.
Boscobel City
Boscobel Twn.
Castle Rock Twn.
Hickory Grove Twn.

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Marion Twn.
Millville Twn.
Mount Hope Twn.
Mount Ida Twn.
Muscoda Twn.
Muscoda Vil.
Patch Grove Twn.
Patch Grove Vil.
Watterstown Twn.
Woodman Twn.
Woodman Vil.
Wyalusing Twn.
Capitol Drive (Milwaukee)
County—Milwaukee
Parts:
C.T. 23–28
C.T. 36
C.T. 38–49
C.T. 60–61
C.T. 63–65
Central Beloit
County—Rock
Parts:
C.T. 15–19
Chetek/Colfax
County—Barron
Parts:
Arland Town
Chetek Town
Chetek City
Dallas Town
Dallas Vil
Dovre Town
Maple Grove Town
Prairie Farm Town
Prairie Lake Town
Prairie Farm Vil
Sioux Creek Town
Sumner Town
Turtle Lake Town
Turtle Lake Vil
Vance Creek Town
County—Dunn
Parts:
Boyceville Vil
Colfax Town
Colfax Vil
Downing Vil
Grant Town
Hay River Town
Knapp Vil
New Haven Town
Otter Creek Town
Ridgeland Vil
Sand Creek Town
Sheridan Town
Sherman Town
Stanton Town
Tainter Town
Tiffany Town
Wheeler Vil
Wilson Town
Clintonville/Marion
County—Outagamie
Parts:
Bear Creek Vil.
Deer Creek Twn.
Maine Twn.
County—Shawano
Parts:
Grant Twn. (E 1/2)
Pella Twn.

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

County—Waupaca
Parts:
Bear Creek Twn.
Clintonville City
Dupont Twn.
Embarrass Vil.
Larrabee Twn.
Marion City
Matteson Twn.
Union Twn.
Coon Valley/Chaseburg
County—La Crosse
Parts:
Washington Town
County—Vernon
Parts:
Chaseburg Vil
Coon Town
Coon Valley Vil
Hamburg Town
Darlington/Shullsburg
County—Lafayette
Parts:
Argyle Town
Argyle Vil
Blanchard Town
Blanchardville Vil
Darlington City
Darlington Town
Fayette Town
Gratiot Town
Gratiot Vil
Kendall Town
Lamont Town
Monticello Town
Seymour Town
Shullsburg City
Shullsburg Town
South Wayne Vil
Wayne Town
White Oak Springs Town
Willow Springs Town
Wiota Town
Dodgeville/Mineral Point
County—Iowa
Parts:
Arena Twn.
Arena Vil.
Avoca Vil.
Barneveld Vil.
Blanchardville Vil.
Brigham Twn.
Clyde Twn.
Cobb Vil.
Dodgeville Twn.
Dodgeville City
Eden Twn.
Highland Twn.
Highland Vil.
Hollandale Vil.
Linden Twn.
Linden Vil.
Livingston Vil.
Mineral Point Twn.
Mineral Point City
Montfort Vil.
Moscow Twn.
Muscoda Vil.
Pulaski Twn.
Ridgeway Twn.
Ridgeway Vil.
Waldwick Twn.

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Wyoming Twn.
Durand
County—Buffalo
Parts:
Maxville Town
Nelson Town
County—Dunn
Parts:
Dunn Town
Eau Galle Town
Peru Town
Rock Creek Town
Spring Brook Town
Weston Town
County—Pepin
Parts:
Durand Town
Durand City
Frankfort Town
Lima Town
Pepin Town
Pepin Vil
Stockholm Town
Stockholm Vil
Waterville Town
Waubeck Town
County—Pierce
Parts:
El Paso Town
Elmwood Vil
Gilman Town
Maiden Rock Town
Maiden Rock Vil
Plum City Vil
Prescott City
Rock Elm Town
Salem Town
Spring Valley Vil
Spring Lake Town
Union Town
E. Marinette/S. Menominee (MI/WI)
County—Marinette
Parts:
Grover Twn.
Marinette City
Peshtigo Twn.
Peshtigo City
Porterfield Twn.
Wagner Twn.
Elcho
County—Langlade
Parts:
Ainsworth Twn.
Elcho Twn.
Parrish Twn.
Summit Twn.
Upham Twn.
County—Oneida
Parts:
Enterprise Twn.
Schoepke Twn.
Frederic/Luck
County—Polk
Parts:
Bone Lake Town
Clam Falls Town
Frederic Vil
Georgetown Town
Laketown Town
Lorain Town
Luck Town
Luck Vil

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

McKinley Town
West Sweden Town
Galesville/Trempealeau
County—Trempealeau
Parts:
Caledonia Town
Ettrick Vil
Ettrick Town
Gale Town
Galesville City
Trempealeau Town
Trempealeau Vil
Genoa
County—Vernon
Parts:
Bergen Twn.
De Soto Vil.
Genoa Twn.
Genoa Vil.
Harmony Twn.
Sterling Twn.
Wheatland Twn.
Hayward/Radisson
County—Bayfield
Parts:
Barnes Town
Cable Town
Drummond Town
Grand View Town
Namakagon Town
County—Sawyer
Parts:
Bass Lake Town
Couderay Town
Couderay Vil
Edgewater Town
Exeland Vil
Hayward City
Hayward Town
Hunter Town
Lenroot Town
Meadowbrook Town
Meteor Town
Ojibwa Town
Radisson Town
Radisson Vil
Round Lake Town
Sand Lake Town
Spider Lake Town
Weirgor Town
Winter Town
Winter Vil
County—Washburn
Parts:
Bass Lake Town
Stinnett Town
Stone Lake Town
Hillsboro
County—Juneau
Parts:
Union Center Vil.
Wonewoc Twn.
Wonewoc Vil.
County—Monroe
Parts:
Glendale Twn.
Kendall Vil.
Sheldon Twn.
Wellington Twn.
County—Richland
Parts:
Bloom Twn.

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Cazenovia Vil.
Henrietta Twn.
Westford Twn.
Yuba Vil.
County—Sauk
Parts:
Woodland Twn.
County—Vernon
Parts:
Forest Twn.
Greenwood Twn.
Hillsboro City
Hillsboro Twn.
Ontario Vil.
Union Twn.
Whitestown Twn.
Inner City North (Milwaukee)
County—Milwaukee
Parts:
C.T. 44
C.T. 66–72
C.T. 79–86
C.T. 101–107
C.T. 114–118
C.T. 139–142
C.T. 145–147
C.T. 151
Inner City South
County—Milwaukee
Parts:
C.T. 155–159
C.T. 162–169
C.T. 174–177
C.T. 178.98
C.T. 179
C.T. 180.97–180.98
Inner City West
County—Milwaukee
Parts:
C.T. 62
C.T. 87–90
C.T. 96–100
C.T. 119–123
C.T. 133–138
C.T. 148–149
Ironwood/Hurley (MI/WI)
County—Iron
Parts:
Anderson Town
Carey Town
Gurney Town
Hurley City
Kimball Town
Knight Town
Mercer Town
Montreal City
Oma Town
Pence Town
Saxon Town
Juneautown
County—Milwaukee
Parts:
C.T. 108
C.T. 110–113
Kenosha
County—Kenosha
Parts:
C.T. 7–12
C.T. 16
Kewaunee City/Algoma
County—Kewaunee
Parts:

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Ahnapee Twn.
Algoma City
Carlton Twn.
Casco Twn.
Casco Vil.
Kewaunee City City
Lincoln Twn.
Pierce Twn.
W. Kewaunee Twn.
Lancaster/Fennimore
County—Grant
Parts:
Beetown Twn.
Bloomington Twn.
Bloomington Vil.
Cassville Twn.
Cassville Vil.
Fennimore City
Fennimore Twn.
Glen Haven Twn.
Lancaster City
Liberty Twn.
Little Grant Twn.
Montfort Vil
North Lancaster Twn.
Potosi Twn.
Potosi Vil.
South Lancaster Twn.
Waterloo Twn.
Wingville Twn.
Markesan/Kingston
County—Green Lake
Parts:
Kingston Vil
Kingston Town
Mackford Town
Manchester Town
Markesan City
Marquette City
Marquette Town
Minong/Solon Springs
County—Douglas
Parts:
Bennett Twn.
Dairyland Twn.
Gordon Twn.
Highland Twn.
Oakland Twn.
Solon Springs Twn.
Solon Springs Vil.
Wascott Twn.
County—Washburn
Parts:
Brooklyn Twn.
Chicog Twn.
Frog Creek Twn.
Gull Lake Twn.
Minong Twn.
Minong Vil.
Mondovi
County—Buffalo
Parts:
Alma City
Alma Town
Belvidere Town
Buffalo City
Canton Town
Cochrane Vil
Dover Town
Gilmanton Town
Lincoln Town
Modena Town

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Mondovi City
Mondovi Town
Naples Town
County—Pepin
Parts:
Albany Town
Montello
County—Marquette
Parts:
Crystal Lake Town
Harris Town
Mecan Town
Montello City
Montello Town
Neshkoro Town
Neshkoro Vil
Newton Town
Oxford Town
Oxford Vil
Packwaukee Town
Shields Town
Springfield Town
Westfield Town
Westfield Vil
Mountain/White Lake
County—Langlade
Parts:
Evergreen Town
Langlade Town
White Lake Vil
Wolf River Town
County—Oconto
Parts:
Armstrong Town
Bagley Town
Brazeau Town
Breed Town
Doty Town
Lakewood Town
Riverview Town
Townsend Town
Oconto/Oconto Falls
County—Oconto
Parts:
Abrams Twn.
Gillett City
Gillett Twn.
How Twn.
Lena Twn.
Lena Vil.
Little River Twn.
Maple Valley Twn.
Morgan Twn.
Oconto Falls Twn.
Oconto Falls City
Oconto Twn.
Oconto City
Pensaukee Twn.
Spruce Twn.
Stiles Twn.
Suring Vil.
Underhill Twn.
County—Shawano
Parts:
Green Valley Twn.
Osseo
County—Eau Claire
Parts:
Augusta City
Bridge Creek Twn.
Clear Creek Twn.
Fairchild Twn.

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Fairchild Vil.
Otter Creek Twn.
County—Jackson
Parts:
Cleveland Twn.
Garfield Twn.
Northfield Twn.
County—Trempealeau
Parts:
Hale Twn.
Osseo City
Strum Vil.
Sumner Twn.
Unity Twn.
Park Falls/Phillips
County—Ashland
Parts:
Agenda Twn.
Butternut Vil.
Chippewa Twn.
Gordon Twn.
Jacobs Twn.
Peeksville Twn.
Shanagolden Twn.
County—Iron
Parts:
Sherman Twn.
County—Price
Parts:
Catawba Twn.
Catawba Vil.
Eisenstein Twn.
Elk Twn.
Emery Twn.
Fifield Twn.
Flambeau Twn.
Georgetown Twn.
Hackett Twn.
Harmony Twn.
Kennan Twn.
Kennan Vil.
Lake Twn.
Ogema Twn.
Park Falls City
Phillips City
Prentice Twn. (W.1/2)
Prentice Vil.
Worcester Town
County—Sawyer
Parts:
Draper Twn.
Platteville/Cuba City
County—Grant
Parts:
Clifton Town
Cuba City City
Dickeyville Vil
Ellenboro Town
Harrison Town
Hazel Green Town
Hazel Green Vil
Lima Town
Livingston Vil
Paris Town
Platteville City
Platteville Town
Smelser Town
County—Iowa
Parts:
Mifflin Town
Rewey Vil
County—Lafayette

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Parts:
Belmont Town
Belmont Vil
Benton Town
Benton Vil
Elk Grove Town
New Diggings Town
Pulaski
County—Brown
Parts:
Pittsfield Town
Pulaski Vil
County—Oconto
Parts:
Chase Town
County—Shawano
Parts:
Angelica Town
Maple Grove Town
Sparta
County—Monroe
Parts:
Angelo Town
Cashton Vil
Jefferson Town
Lafayette Town
Leon Town
Little Falls Town
Melvina Vil
New Lyme Town
Norwalk Vil
Portland Town
Ridgeville Town
Sparta City
Sparta Town
Wells Town
Spooner/Shell Lake
County—Washburn
Parts:
Barronett Twn.
Bashaw Twn.
Beaver Brook Twn.
Birchwood Twn.
Birchwood Vil.
Casey Twn.
Crystal Twn.
Evergreen Twn.
Long Lake Twn.
Madge Twn.
Sarona Twn.
Shell Lake City
Spooner Twn.
Spooner City
Springbrook Twn.
Trego Twn.
Spring Green/Plain
County—Richland
Parts:
Buena Vista Twn.
Lone Rock Vil.
County—Sauk
Parts:
Bear Creek Twn.
Franklin Twn.
Honey Creek Twn.
Plain Vil.
Spring Green Vil.
Spring Green Twn.
Troy Twn.
Tomahawk
County—Lincoln
Parts:

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Bradley Twn.
Harrison Twn.
King Twn.
Skanawan Twn.
Somo Twn.
Tomahawk City
Tomahawk Twn.
Wilson Twn.
County—Oneida
Parts:
Little Rice Twn.
Lynne Twn.
Nokomis Twn.
County—Price
Parts:
Hill Twn.
Knox Twn.
Prentice Twn.
Spirit Twn.
W. Marinette
County—Marinette
Parts:
Amberg Town
Athelstane Town
Beaver Town
Coleman Vil
Crivitz Vil
Dunbar Town
Goodman Town
Lake Town
Middle Inlet Town
Pound Town
Pound Vil
Silver Cliff Town
Stephenson Town
Wausaukee Town
Wausaukee Vil
Washburn/Bayfield
County—Bayfield
Parts:
Barksdale Town
Bayfield Town
Bayfield City
Bayview Town
Bell Town
Clover Town
Delta Town
Eileen Town
Hughes Town
Iron River Town
Kelly Town
Keystone Town
Lincoln Town
Mason Town
Mason Vil
Orienta Town
Oulu Town
Pilsen Town
Port Wing Town
Russell Town
Tripp Town
Washburn City
Washburn Town
Wautoma/Plainfield/Wild Rose
County—Waushara
Parts:
Coloma Town
Coloma Vil
Dakota Town
Deerfield Town
Hancock Town
Hancock Vil

PRIMARY MEDICAL CARE: Wisconsin
Service Area Listing

Service Area Name

Marion Town
Mount Morris Town
Oasis Town
Plainfield Town
Plainfield Vil
Richford Town
Rose Town
Springwater Town
Wautoma City
Wautoma Town
Wild Rose Vil

PRIMARY MEDICAL CARE: Wisconsin
Facility Listing

Facility Name

FCI Oxford

PRIMARY MEDICAL CARE: Wyoming
County Listing

County Name

*Big Horn
Service Area: Greybull/Basin
Service Area: Lovell
*Carbon
*Crook
*Johnson
Service Area: Kaycee
Laramie
Service Area: Pine Bluffs
*Lincoln
Service Area: Kemmerer/Cokeville
Natrona
Service Area: Midwest/Edgerton
*Park
Service Area: Gardiner/Yellowstone (MT/WY)
Service Area: Meeteetse
*Sublette
*Sweetwater
*Uinta
Service Area: Lyman
*Washakie

PRIMARY MEDICAL CARE: Wyoming
Service Area Listing

Service Area Name

Gardiner/Yellowstone (MT/WY)
County—Park
Parts:
Yellowstone Nat'L Park Cc
Greybull/Basin
County—Big Horn
Parts:
Big Horn Central CCD
Big Horn South CCD
Kaycee
County—Johnson
Parts:
Kaycee CCD
Kemmerer/Cokeville
County—Lincoln
Parts:
Kemmerer East CCD
Kemmerer West CCD
Lovell
County—Big Horn
Parts:
Big Horn North CCD
Lyman

PRIMARY MEDICAL CARE: Wyoming
Service Area Listing

Service Area Name

County—Uinta
Parts:
Bridger Valley CCD
Meeteetse
County—Park
Parts:
Meeteetse CCD
Midwest/Edgerton
County—Natrona
Parts:
Casper North CCD
Pine Bluffs
County—Laramie
Parts:
Pine Bluffs CCD

PRIMARY MEDICAL CARE: American Samoa
County Listing

County Name

Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

PRIMARY MEDICAL CARE: American Samoa
Service Area Listing

Service Area Name

Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Swains Island
County—Western District

PRIMARY MEDICAL CARE: Fed Ste Micronesia
County Listing

County Name

*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

PRIMARY MEDICAL CARE: Guam
County Listing

County Name

*Guam

PRIMARY MEDICAL CARE: Marshall Islands
County Listing

County Name

*Republic Of Marshall Is

PRIMARY MEDICAL CARE: N. Mariana Islands
County Listing

County Name

*Comnwlth Of N. Mariana Is

PRIMARY MEDICAL CARE: Republic of Palau
County Listing

County Name

*Republic Of Palau

PRIMARY MEDICAL CARE: Puerto Rico
County Listing

County Name

*Adjuntas
Population Group: Pov Pop—Adjuntas
Aguada
Population Group: Pov Pop—Subregion 4A
Aguadilla
Population Group: Pov Pop—Subregion 4A
*Aguas Buenas
Population Group: Pov Pop—Subregion 6B
*Aibonito
Population Group: Pov Pop—Subregion 6B
Anasco
Population Group: Pov Pop—Subregion 4B
*Arroyo
Population Group: Pov Pop—Subregion 5C
*Barranquitas
Population Group: Pov Pop—Barranquitas
*Cabo Rojo
Population Group: Pov Pop—Subregion 4C
*Caguas
Population Group: Pov Pop—Caguas
*Canovanas
Population Group: Pov Pop—Subregion 1B
*Carolina
Population Group: Pov Pop—Subregion 1B
*Catano
Population Group: Pov Pop—Subregion 2A
*Cayey
Population Group: Pov Pop—Subregion 6B
*Ceiba
Population Group: Pov Pop—Subregion 1A
*Cidra
Population Group: Pov Pop—Subregion 6B
*Coamo
Population Group: Pov Pop—Subregion 5B
*Dorado
Population Group: Pov Pop—Subregion 2A
*Fajardo
Population Group: Pov Pop—Subregion 1A
*Guanica
Population Group: Pov Pop—Subregion 5A
*Guayama
Population Group: Pov Pop—Subregion 5C
Guayanilla
Population Group: Pov Pop—Subregion 5A
*Guaynabo
Population Group: Inmates—MDC Guaynabo
Population Group: Pov. Pop.—Guaynabo
*Gurabo
Population Group: Pov. Pop.—Subregion 6C
Hormigueros
Population Group: Pov Pop—Subregion 4C
*Humacao
Population Group: Pov. Pop.—Subregion 6A
*Isabela
Population Group: Pov Pop—Subregion 4A
Juana Diaz
Population Group: Pov Pop—Subregion 5B
*Juncos
Population Group: Pov. Pop.—Subregion 6C
*Lajas
Population Group: Pov Pop—Subregion 4C
*Lares
Population Group: Pov. Pop.—Subregion 3A
*Las Marias
Population Group: Pov. Pop.—Las Marias
*Las Peidras
Population Group: Pov. Pop.—Subregion 6A
*Loiza
Population Group: Pov Pop—Subregion 1B
*Luquillo
Population Group: Pov Pop—Subregion 1A
*Maunabo
Population Group: Pov. Pop.—Subregion 6A
Mayaguez
Population Group: Pov. Pop.—Mayaguez
Moca
Population Group: Pov Pop—Subregion 4A
*Naguabo
Population Group: Pov. Pop.—Subregion 6A
*Patillas
Population Group: Pov Pop—Subregion 5C
Penuelas
Population Group: Pov Pop—Subregion 5A
*Rincon
Population Group: Pov Pop—Subregion 4B
*Rio Grande
Population Group: Pov Pop—Subregion 1A
Sabana Grande
Population Group: Pov Pop—Subregion 4C
*Salinas
Population Group: Pov Pop—Subregion 5C
San German
Population Group: Pov Pop—Subregion 4C
*San Juan
Population Group: Pov Pop—San Juan
*San Lorenzo
Population Group: Pov. Pop.—Subregion 6C
*San Sebastian
Population Group: Pov Pop—Subregion 4A
*Santa Isabel
Population Group: Pov Pop—Subregion 5B
*Toa Alta
Population Group: Pov Pop—Subregion 2A
*Toa Baja
Population Group: Pov Pop—Subregion 2A
*Trujillo Alto
Population Group: Pov Pop—Subregion 1B
*Utuado
Population Group: Pov. Pop.—Subregion 3A
*Vega Alta
Population Group: Pov Pop—Subregion 2A
*Vega Baja
Population Group: Pov Pop—Vega Baja
Villalba
Population Group: Pov Pop—Subregion 5B
*Yabucoa
Population Group: Pov. Pop.—Subregion 6A

PRIMARY MEDICAL CARE: Puerto Rico
County Listing

County Name

Yauco
Population Group: Pov Pop—Subregion 5A

PRIMARY MEDICAL CARE: Puerto Rico
Population Group Listing

Population Group

Inmates—MDC Guaynabo
County—Guaynabo
Parts:
MDC Guaynabo
Pov Pop—Adjuntas
County—Adjuntas
Parts:
Pov. Pop.
Pov Pop—Barranquitas
County—Barranquitas
Parts:
Pov. Pop.—Barranquitas
Pov Pop—Caguas
County—Caguas
Parts:
Pov. Pop.
Pov Pop—San Juan
County—San Juan
Parts:
Pov. Pop.
Pov Pop—Subregion 1A
County—Ceiba
Parts:
Pov. Pop.
County—Fajardo
Parts:
Pov. Pop.
County—Luquillo
Parts:
Pov. Pop.
County—Rio Grande
Parts:
Pov. Pop.
Pov Pop—Subregion 1B
County—Canovanas
Parts:
Pov. Pop.
County—Carolina
Parts:
Pov. Pop.
County—Loiza
Parts:
Pov. Pop.
County—Trujillo Alto
Parts:
Pov. Pop.
Pov Pop—Subregion 2A
County—Catano
Parts:
Pov. Pop.
County—Dorado
Parts:
Pov. Pop.
County—Toa Alta
Parts:
Pov. Pop.
County—Toa Baja
Parts:
Pov. Pop.
County—Vega Alta
Parts:
Pov. Pop.
Pov Pop—Subregion 4B
County—Anasco
Parts:

PRIMARY MEDICAL CARE: Puerto Rico
Population Group Listing

Population Group

Pov. Pop.
County—Rincon
Parts:
Pov. Pop.
Pov Pop—Subregion 4C
County—Cabo Rojo
Parts:
Pov. Pop.
County—Hormigueros
Parts:
Pov. Pop.
County—Lajas
Parts:
Pov. Pop.
County—Sabana Grande
Parts:
Pov. Pop.
County—San German
Parts:
Pov. Pop.
Pov Pop—Subregion 4A
County—Aguada
Parts:
Pov. Pop.
County—Aguadilla
Parts:
Pov. Pop.
County—Isabela
Parts:
Pov. Pop.
County—Moca
Parts:
Pov. Pop.
County—San Sebastian
Parts:
Pov. Pop.
Pov Pop—Subregion 5C
County—Arroyo
Parts:
Pov. Pop.
County—Guayama
Parts:
Pov. Pop.
County—Patillas
Parts:
Pov. Pop.
County—Salinas
Parts:
Pov. Pop.
Pov Pop—Subregion 5B
County—Coamo
Parts:
Pov. Pop.
County—Juana Diaz
Parts:
Pov. Pop.
County—Santa Isabel
Parts:
Pov. Pop.
County—Villalba
Parts:
Pov. Pop.
Pov Pop—Subregion 5A
County—Guanica
Parts:
Pov. Pop.
County—Guayanilla
Parts:
Pov. Pop.
County—Penuelas
Parts:
Pov. Pop.

PRIMARY MEDICAL CARE: Puerto Rico
Population Group Listing

Population Group

County—Yauco
Parts:
Pov. Pop.
Pov Pop—Subregion 6B
County—Aguas Buenas
Parts:
Pov. Pop.
County—Aibonito
Parts:
Pov. Pop.
County—Cayey
Parts:
Pov. Pop.
County—Cidra
Parts:
Pov. Pop.
Pov Pop—Vega Baja
County—Vega Baja
Parts:
Pov. Pop.—Vega Baja
Pov. Pop.—Guaynabo
County—Guaynabo
Parts:
Pov. Pop.
Pov. Pop.—Las Marias
County—Las Marias
Parts:
Pov. Pop.
Pov. Pop.—Mayaguez
County—Mayaguez
Pov. Pop.—Subregion 6C
County—Gurabo
Parts:
Pov. Pop.
County—Juncos
Parts:
Pov. Pop.
County—San Lorenzo
Parts:
Pov. Pop.
Pov. Pop.—Subregion 3A
County—Lares
Parts:
Pov. Pop.
County—Utuado
Parts:
Pov. Pop.
Pov. Pop.—Subregion 6A
County—Humacao
Parts:
Pov. Pop.
County—Las Peidras
Parts:
Pov. Pop.
County—Maunabo
Parts:
Pov. Pop.
County—Naguabo
Parts:
Pov. Pop.
County—Yabucoa
Parts:
Pov. Pop.

PRIMARY MEDICAL CARE: Virgin Islands
County Listing

County Name

*St. Thomas
Service Area: East End St. Thomas

PRIMARY MEDICAL CARE: Virgin Islands
Service Area Listing

Service Area Name
East End St. Thomas
County—St. Thomas
Parts:
East End
Southside
Tutu

DENTAL: Alabama
County Listing

County Name
*Bibb
Blount
*Bullock
*Butler
*Cherokee
*Clay
*Conecuh
*Coosa
*Crenshaw
*De Kalb
Service Area: Crossville
Etowah
Population Group: Pov Pop—East Gasden
*Fayette
*Geneva
*Greene
*Hale
*Lamar
*Lowndes
*Macon
*Marengo
Mobile
Service Area: Bayou La Batre/Grand Bay
Service Area: East Mobile/Prichard
Service Area: North Mobile
*Perry
*Pickens
*Pike
Russell
Service Area: Hurtsboro
*Sumter
*Talladega (g)
Facility: FCI—Talladega
Tuscaloosa
Population Group: Pov Pop—Tuscaloosa Co
*Washington
*Wilcox
*Winston

DENTAL: Alabama
Service Area Listing

Service Area Name
Bayou La Batre/Grand Bay
County—Mobile
Parts:
C.T. 66–67
C.T. 72.02
C.T. 73
Crossville
County—De Kalb
Parts:
Collinsville CCD
Crossville CCD
East Mobile/Prichard
County—Mobile
Parts:
C.T. 1–3
C.T. 4.01–4.02
C.T. 5–6

DENTAL: Alabama
Service Area Listing

Service Area Name
C.T. 7.01–7.02
C.T. 8
C.T. 10.01–10.02
C.T. 11
C.T. 12.01
C.T. 13.01–13.02
C.T. 14
C.T. 15.01–15.02
C.T. 16
C.T. 23.01–23.02
C.T. 24
C.T. 26
C.T. 38.01
C.T. 39.01–39.02
C.T. 40–50
Hurtsboro
County—Russell
Parts:
Hurtsboro CCD (C.T. 311)
North Mobile
County—Mobile
Parts:
C.T. 58–60

DENTAL: Alabama
Population Group Listing

Population Group
Pov Pop—East Gasden 3
County—Etowah
Parts:
C.T. 13–17
C.T. 105.01–105.02
C.T. 106
Pov Pop—Tuscaloosa Co
County—Tuscaloosa
Parts:
Pov Pop

DENTAL: Alabama
Facility Listing

Facility Name
FCI—Talladega
County—Talladega

DENTAL: Arizona
County Listing

County Name
*Apache
Service Area: Fort Defiance
Service Area: Sweetwater
*Cochise
Service Area: Elfrida
*Coconino
Service Area: Tuba City
Service Area: Williams
*Greenlee
*La Paz
Maricopa
Population Group: Low Inc—Guadalupe
Population Group: Low Inc—S Phoenix
Population Group: Low Inc—El Mirage
*Navajo
Service Area: Apache
Pima
Service Area: Arivaca
Population Group: Low Inc—Marana
Pinal
Service Area: Florence
Service Area: San Manuel

DENTAL: Arizona
County Listing

County Name
Population Group: Low Inc-Coolidge/Eloy/Casa Grande
*Santa Cruz
Yuma
Service Area: Wellton
Population Group: Low Inc—Somerton

DENTAL: Arizona
Service Area Listing

Service Area Name
Apache
County—Navajo
Parts:
Apache CCD
Arivaca
County—Pima
Parts:
Arivaca CCD
Elfrida
County—Cochise
Parts:
Elfrida CCD
Florence
County—Pinal
Parts:
Florence CCD
Fort Defiance
County—Apache
Parts:
Ft Defiance CCD
Miami-Tonto
Parts:
Miami CCD
Tonto CCD
San Manuel
County—Pinal
Parts:
San Manuel CCD
Sweetwater
County—Apache
Parts:
Sweetwater CCD
Tuba City
County—Coconino
Parts:
Tuba City CCD
Wellton
County—Yuma
Parts:
Wellton CCD
Williams
County—Coconino
Parts:
Williams CCD

DENTAL: Arizona
Population Group Listing

Population Group
Low Inc—El Mirage
County—Maricopa
Parts:
C.T. 405.02
C.T. 405.09
C.T. 608–609
Low Inc—Guadalupe
County—Maricopa
Parts:
C.T. 3200.02
Low Inc—Marana
County—Pima

DENTAL: Arizona
Population Group Listing

Population Group

Parts:
Marana CCD
Low Inc—S Phoenix
County—Maricopa
Parts:
C.T. 1152–1161
C.T. 1162.02–1162.04
C.T. 1163–1165
C.T. 1166.01–1166.02
Low Inc—Somerton
County—Yuma
Parts:
Somerton CCD
Low Inc-Coolidge/Eloy/Casa Grande
County—Pinal
Parts:
Casa Grande CCD
Coolidge CCD
Eloy CCD

DENTAL: Arkansas
County Listing

County Name

*Ashley
Service Area: Parkdale
*Calhoun
*Cleveland
Jefferson
Population Group: Pov Pop—Altheimer
*Lafayette
*Lee
*Lincoln
*Monroe
*Newton
*Perry
*Phillips
*Prairie
*Sharp
*Woodruff

DENTAL: Arkansas
Service Area Listing

Service Area Name

Parkdale
County—Ashley
Parts:
Beech Creek Twp
De Bastrop Twp
Portland Twp
Wilmot Twp

DENTAL: Arkansas
Population Group Listing

Population Group

Pov Pop—Altheimer
County—Jefferson
Parts:
C.T. 1.02
C.T. 1.85
C.T. 7

DENTAL: California
County Listing

County Name

Alameda
Service Area: East Oakland/Fruitvale
Population Group: Inmates—FCI Dublin
Butte
Population Group: Low Inc/MFW—Oroville/Palermo
*Colusa
Population Group: Low Inc/MFW—Colusa Co
*Del Norte
Population Group: Medicaid—Del Norte Co
Fresno
Service Area: San Joaquin/Tranquility
*Humboldt
Population Group: Low Inc—Garberville/Redway
Population Group: Low Inc—Trinity/Klamath
*Imperial
Service Area: Brawley-Calipatria
Service Area: Calexico
Service Area: East Imperial
Service Area: El Centro
Service Area: West Imperial
Population Group: Medicaid—Winterhaven-Bard
*Inyo
Service Area: Lone Pine
Kern
Service Area: S. Westside/Frazier Park
Service Area: Se Kern/Boron/California City
Population Group: Inmates—FPC Boron
Population Group: Medicaid—Arvin-Lamont
*Lassen
Service Area: Honey Lake
Los Angeles
Service Area: Avalon/Goodyear/Main
Service Area: Dominguez/W Compton/Willowbrook
Service Area: East Compton
Service Area: El Sereno/Highland Pk/Lincoln Hts/Mt Was
Service Area: Exposition Park/S Vermont
Service Area: Figueroa/Firestone/Green Meadows/Watts
Service Area: Lynwood/Paramount
*Mendocino
Service Area: Boonville/Navarro/Philo/Yorkville
Service Area: Laytonville/Leggett
Population Group: Low Inc—Hopland/Ukiah
Population Group: Low Inc—Willits
Monterey
Service Area: Coastal/Big Sur/Lucial
Service Area: E Salinas/N Central Salinas
Service Area: King City/Greenfield/Soledad
Service Area: Pajaro
Riverside
Service Area: Chuckwalla/Desert Center/Eagle Mt
Service Area: S Coachella Valley/Mecca
Population Group: Low Inc—Blythe
San Francisco
Population Group: Low Inc—South Of Market
San Mateo
Service Area: East Palo Alto
Santa Cruz
Service Area: Watsonville
*Siskiyou
Service Area: Butte Valley/Dorris
Sonoma
Population Group: Low Inc—Healdsburg/Geyserville
Sutter
Service Area: Meridian-Robbins
*Tehama
Population Group: Pov Pop—Tehama Co
*Trinity
Service Area: Lower Trinity/Helena/Salyer
Service Area: Mad River/Ruth/Zenia
Tulare
Service Area: Porterville
Service Area: Tipton/Earliment
Ventura
Population Group: Low Inc/MFW—Northern Ventura

DENTAL: California
Service Area Listing

Service Area Name

Avalon/Goodyear/Main
County—Los Angeles
Parts:
C.T. 2281–2289
C.T. 2291–2294
C.T. 2311
C.T. 2318–2319
C.T. 2328
C.T. 2392–2393
C.T. 2395–2396
C.T. 5328–5329
Boonville/Navarro/Philo/Yorkville
County—Mendocino
Parts:
C.T. 112
Brawley-Calipatria
County—Imperial
Parts:
C.T. 101–107
C.T. 123.02
Butte Valley/Dorris
County—Siskiyou
Parts:
C.T. 2
Calexico
County—Imperial
Parts:
C.T. 119–122
Chuckwalla/Desert Center/Eagle Mt
County—Riverside
Parts:
C.T. 458
Coastal/Big Sur/Lucial
County—Monterey
Parts:
C.T. 115
Dominguez/W Compton/Willowbrook
County—Los Angeles
Parts:
C.T. 5406–5408
C.T. 5409.01–5409.02
C.T. 5410.01–5410.02
C.T. 5411–5415
C.T. 5425–5432
C.T. 5433.01
C.T. 5433.03
C.T. 5433.21–5433.22
C.T. 5434
C.T. 5440
E Salinas/N Central Salinas
County—Monterey
Parts:
C.T. 5–9
C.T. 13

DENTAL: California
Service Area Listing

Service Area Name

C.T. 17–18
East Compton
County—Los Angeles
Parts:
C.T. 5416.01–5416.02
C.T. 5420
C.T. 5421.01–5421.02
C.T. 5422
C.T. 5424.01–5424.02
C.T. 5704
East Imperial
County—Imperial
Parts:
C.T. 124
East Oakland/Fruitvale
County—Alameda
Parts:
C.T. 4052–4066
C.T. 4070–4078
C.T. 4082–4098
C.T. 4101–4104
East Palo Alto
County—San Mateo
Parts:
C.T. 6117–6120
C.T. 6121.98
El Centro
County—Imperial
Parts:
C.T. 108–111
C.T. 112.01–112.02
C.T. 113–117
C.T. 118.01–118.03
El Sereno/Highland Pk/Lincoln Hts/Mt Was
County—Los Angeles
Parts:
C.T. 1831.01–1831.02
C.T. 1832–1833
C.T. 1835–1838
C.T. 1851
C.T. 1852.01–1852.02
C.T. 1853
C.T. 1990–1991
C.T. 1992.01–1992.02
C.T. 1993–1994
C.T. 1997–1999
C.T. 2011–2012
C.T. 2013.01–2013.02
C.T. 2014.01–2014.02
C.T. 2015.01–2015.02
C.T. 2016–2017
C.T. 5307
Exposition Park/S Vermont
County—Los Angeles
Parts:
C.T. 2312–2317
C.T. 2321–2327
C.T. 2371–2379
C.T. 2381–2383
Figueroa/Firestone/Green Meadows/Watts
County—Los Angeles
Parts:
C.T. 2397–2398
C.T. 2400
C.T. 2402–2414
C.T. 2420–2423
C.T. 2426–2427
C.T. 2430–2431
C.T. 5349–5350
C.T. 5351.01–5351.02
C.T. 5352–5354
C.T. 5404

DENTAL: California
Service Area Listing

Service Area Name

Honey Lake
County—Lassen
Parts:
C.T. 406
King City/Greenfield/Soledad
County—Monterey
Parts:
C.T. 111–113 (King City)
Laytonville/Leggett
County—Mendocino
Parts:
C.T. 102
Lone Pine
County—Inyo
Parts:
Lone Pine Div.
Lower Trinity/Helena/Salyer
County—Trinity
Parts:
C.T. 2
Lynwood/Paramount
County—Los Angeles
Parts:
C.T. 5362
C.T. 5400
C.T. 5401.01–5401.02
C.T. 5402–5403
C.T. 5405
C.T. 5417–5418
C.T. 5535–5539
Mad River/Ruth/Zenia
County—Trinity
Parts:
C.T. 4
Meridian–Robbins
County—Sutter
Parts:
C.T. 509
Pajaro
County—Monterey
Parts:
C.T. 101.98
C.T. 102.01–102.02
Porterville
County—Tulare
Parts:
C.T. 33–41
C.T. 45
S Coachella Valley/Mecca
County—Riverside
Parts:
C.T. 456.01–456.02
S. Westside/Frazier Park
County—Kern
Parts:
C.T. 33.02
San Joaquin/Tranquility
County—Fresno
Parts:
C.T. 82
Se Kern/Boron/California City
County—Kern
Parts:
C.T. 55.03–55.06
C.T. 56–59
Tipton/Earliment
County—Tulare
Parts:
C.T. 32 (Tipton)
C.T. 42–44 (Earliment)
Watsonville
County—Santa Cruz

DENTAL: California
Service Area Listing

Service Area Name

Parts:
C.T. 1101–1103
C.T. 1104.98
C.T. 1105–1107
C.T. 1223
C.T. 1224.97–1224.98
C.T. 1225.98
West Imperial
County—Imperial
Parts:
C.T. 123.01

DENTAL: California
Population Group Listing

Population Group

Inmates—FCI Dublin
County—Alameda
Parts:
FCI Dublin
Inmates—FPC Boron
County—Kern
Parts:
FPC Boron
Low Inc—Blythe
County—Riverside
Parts:
C.T. 459–462
Low Inc—Garberville/Redway
County—Humboldt
Parts:
C.T. 113
Low Inc—Healdsburg/Geyserville
County—Sonoma
Parts:
C.T. 1538–1540
Low Inc—Hopland/Ukiah
County—Mendocino
Parts:
C.T. 113–118
Low Inc—South Of Market
County—San Francisco
Parts:
C.T. 122–125
C.T. 176.02
C.T. 176.98
C.T. 177–178
C.T. 179.01–179.02
C.T. 179.99–180.00
C.T. 201.98
C.T. 226–229
C.T. 607
Low Inc—Trinity/Klamath
County—Humboldt
Parts:
C.T. 101
Low Inc—Willits
County—Mendocino
Parts:
C.T. 106–107
Low Inc/MFW—Colusa Co
County—Colusa
Parts:
Low Income
Migrant
Low Inc/MFW—Northern Ventura
County—Ventura
Parts:
Camarillo CCD
Fillmore-Piru CCD
Las Posas CCD
Los Padres CCD

DENTAL: California
Population Group Listing

Population Group

Meiners Oaks-Ojai CCD
Oxnard CCD
Santa Paula CCD
Ventura CCD
Low Inc/MFW—Oroville/Palermo
County—Butte
Parts:
C.T. 25–33
Medicaid—Arvin-Lamont
County—Kern
Parts:
C.T. 62–64
Medicaid—Del Norte Co
County—Del Norte
Parts:
Denti-Cal Eligible
Medicaid—Winterhaven-Bard
County—Imperial
Parts:
C.T. 125
Pov Pop—Tehama Co
County—Tehama
Parts:
Pov Pop

DENTAL: Colorado
County Listing

County Name

Adams
Service Area: Commerce City
*Costilla
Denver
Service Area: Eastside (Denver)
Service Area: Montbello
Service Area: Westside (Denver)
*Kiowa
Pueblo
Service Area: Avondale
*Saguache

DENTAL: Colorado
Service Area Listing

Service Area Name

Avondale
County—Pueblo
Parts:
C.T. 32–34
Commerce City
County—Adams
Parts:
C.T. 87.03
C.T. 87.05–87.06
C.T. 88.01–88.02
C.T. 89.01
C.T. 89.52
Eastside (Denver)
County—Denver
Parts:
C.T. 15–16
C.T. 23
C.T. 24.01–24.02
C.T. 25
C.T. 26.01–26.02
C.T. 27.01–27.03
C.T. 28.01–28.03
C.T. 35
C.T. 36.01–36.03
C.T. 41.01–41.02
C.T. 41.04
Montbello
County—Denver
Parts:
C.T. 83.04–83.06
C.T. 83.11–83.12
Westside (Denver)
County—Denver
Parts:
C.T. 2.01–2.02
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6
C.T. 7.01–7.02
C.T. 8
C.T. 9.01–9.03
C.T. 10
C.T. 11.01–11.02
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 18–19
C.T. 21
C.T. 45.01–45.02
C.T. 46.01–46.02
C.T. 54.02

DENTAL: Connecticut
County Listing

County Name

Fairfield
Service Area: Central/East Bridgeport
Service Area: Southwest Bridgeport
Population Group: Inmates—FCI Danbury
Hartford
Service Area: Charter Oak/Frog Hollow/Parkville
Middlesex
Population Group: Low Inc—Lower Shoreline
Population Group: Pov/Homeless—Cent Middletown
New London
Population Group: Low Inc—Lower Shoreline
Population Group: Low Inc—Norwich
Population Group: Low Inc—New London (Inner City)
Windham
Population Group: Low Inc—Town Of Windham

DENTAL: Connecticut
Service Area Listing

Service Area Name

Central/East Bridgeport
County—Fairfield
Parts:
C.T. 713–717
C.T. 735–736
C.T. 738–744
Charter Oak/Frog Hollow/Parkville
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049
Southwest Bridgeport
County—Fairfield
Parts:
C.T. 702–712

DENTAL: Connecticut
Population Group Listing

Population Group

Inmates—FCI Danbury
County—Fairfield
Parts:
FCI Danbury
Low Inc—Lower Shoreline
County—Middlesex
Parts:
Chester Town
Clinton Town
Deep River Town
Essex Town
Killingworth Town
Old Saybrook Town
Westbrook Town
County—New London
Parts:
Lyme Town
Old Lyme Town
Low Inc—New London (Inner City)
County—New London
Parts:
C.T. 6901
C.T. 6903–6906
C.T. 6906.99–6907.00
C.T. 6907.99
Low Inc—Norwich
County—New London
Parts:
Bozrah Town
Franklin Town
Griswold Town
Lisbon Town
Montville Town
Norwich Town
Preston Town
Sprague Town
Voluntown Town
Low Inc—Town Of Windham
County—Windham
Parts:
Windham Town
Pov/Homeless—Cent Middletown
County—Middlesex
Parts:
C.T. 5411
C.T. 5415–5418

DENTAL: Delaware
County Listing

County Name

*Sussex

DENTAL: District Of Columbia
County Listing

County Name

Dist Of Columbia
Population Group: Homeless—Downtown D.C.

DENTAL: District Of Columbia
Population Group Listing

Population Group

Homeless—Downtown D.C.

DENTAL: District Of Columbia
Population Group Listing

Population Group

County—Dist Of Columbia
Parts:
C.T. 40.01–40.02
C.T. 41
C.T. 42.02
C.T. 46
C.T. 48.01–48.02
C.T. 49.01–49.02
C.T. 50–51
C.T. 52.10
C.T. 52.20
C.T. 53.01–53.02
C.T. 54.01–54.02
C.T. 55.01–55.02
C.T. 56
C.T. 57.01–57.02
C.T. 58–59

DENTAL: Florida
County Listing

County Name

Collier
Service Area: Everglades
Service Area: Immokalee
Dade
Service Area: Model City
Population Group: Pov/MFW—Homestead
*De Soto
*Franklin
Gadsden
*Gilchrist
Glades
Service Area: Glades/Hendry
*Gulf
*Hamilton
Population Group: Pov Pop—Hamilton Co
*Hardee
Hendry
Service Area: Glades/Hendry
*Highlands
Hillsborough
Population Group: Pov/MFW—Hillsborough/Manatee
*Holmes
*Jackson
Facility: FCI—Marianna
*Jefferson
*Lafayette
Lake
Population Group: Pov/MFW—Lake Co
Lee
Population Group: Pov/MFW—Lee Co
Leon
Population Group: Low Inc—Bond Community
*Levy
*Madison
Manatee
Population Group: Pov/MFW—Hillsborough/Manatee
Martin
Service Area: Indiantown
Okaloosa
Population Group: Inmates—FPC Elgin
Population Group: Pov Pop—Okaloosa Co
*Okeechobee
Palm Beach
Service Area: Belle Glade/Pahokee
Service Area: West Palm Beach
Pasco
Pinellas

DENTAL: Florida
County Listing

County Name

Population Group: Low Inc—Inner St. Petersburg
Polk
Service Area: Frostproof
*Putnam
Seminole
Population Group: Medicaid—Seminole Co
St Lucie
Population Group: Pov/MFW—St Lucie Co
*Sumter
*Suwannee
*Taylor
*Union
*Walton
*Washington

DENTAL: Florida
Service Area Listing

Service Area Name

Belle Glade/Pahokee
County—Palm Beach
Parts:
C.T. 80.01–80.02
C.T. 81.01–81.02
C.T. 82.01–82.03
C.T. 83.01–83.02
Everglades
County—Collier
Parts:
C.T. 111.01–111.02
Frostproof
County—Polk
Parts:
C.T. 142–144
C.T. 154–158
C.T. 160
C.T. 161.98
Glades/Hendry
County—Hendry
Immokalee
County—Collier
Parts:
C.T. 112.01–112.03
C.T. 113–114
Indiantown
County—Martin
Parts:
C.T. 17–18
Model City
County—Dade
Parts:
C.T. 4.08
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 14.01
C.T. 15.01–15.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03
C.T. 20.01–20.02
C.T. 22.01–22.02
C.T. 23
West Palm Beach
County—Palm Beach
Parts:
C.T. 21–26

DENTAL: Florida
Population Group Listing

Population Group

Inmates—FPC Elgin
County—Okaloosa
Parts:
FPC Elgin
Low Inc—Bond Community
County—Leon
Parts:
C.T. 1
C.T. 4–6
C.T. 10.01
C.T. 11.01–11.02
C.T. 12–14
Low Inc—Inner St. Petersburg
County—Pinellas
Parts:
C.T. 201.01
C.T. 203.01
C.T. 204–208
C.T. 209.95
C.T. 210.95
C.T. 212–213
C.T. 213.99–214.00
C.T. 215
C.T. 216.95
C.T. 218.95
C.T. 219.95
C.T. 220
C.T. 234–235
Medicaid—Seminole Co
County—Seminole
Parts:
Medicaid Eligible
Pov Pop—Hamilton Co
County—Hamilton
Parts:
Pov Pop
Pov Pop—Okaloosa Co
County—Okaloosa
Parts:
Pov Pop
Pov/MFW—Hillsborough/Manatee
County—Hillsborough
Parts:
C.T. 121.03–121.06
C.T. 122.01
C.T. 122.03–122.04
C.T. 123.01–123.02
C.T. 124–131
C.T. 132.01–132.02
C.T. 133.01–133.02
C.T. 133.04–133.05
C.T. 134.01–134.03
C.T. 135.01–135.02
C.T. 136–138
C.T. 139.02–139.05
C.T. 140.01–140.03
C.T. 141.01
C.T. 141.03–141.04
County—Manatee
Parts:
C.T. 13
C.T. 14.01–14.02
C.T. 15.01–15.02
C.T. 16
C.T. 19.01
C.T. 19.03–19.04
C.T. 1901
Pov/MFW—Homestead
County—Dade
Parts:
C.T. 113–114
Pov/MFW—Lake Co

DENTAL: Florida
Population Group Listing

Population Group

County—Lake
Parts:
Pov Pop/MFW
Pov/MFW—Lee Co
County—Lee
Parts:
Pov Pop/MFW
Pov/MFW—St Lucie Co
County—St Lucie
Parts:
Pov Pop/MFW

DENTAL: Florida
Facility Listing

Facility Name

FCI—Marianna
County—Jackson

DENTAL: Georgia
County Listing

County Name

Bryan
*Burke
De Kalb
Service Area: East Atlanta
Fulton
Service Area: Atlanta Southside
Service Area: West Atlanta
Facility: Metro Corr Inst
Facility: USP Atlanta
*Liberty
*Long
*McIntosh
*Tattnall
*Wayne
Facility: FCI—Jesup

DENTAL: Georgia
Service Area Listing

Service Area Name

Atlanta Southside
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52–53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67
C.T. 68.01–68.02
C.T. 69–73
East Atlanta
County—De Kalb
Parts:
C.T. 205–209
C.T. 227
C.T. 231.01
C.T. 235.01–235.02
C.T. 236–237
West Atlanta
County—Fulton
Parts:
C.T. 8
C.T. 22–26
C.T. 36–41

DENTAL: Georgia
Service Area Listing

Service Area Name

C.T. 42.95
C.T. 43
C.T. 60–62
C.T. 66.02
C.T. 78.04
C.T. 80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02
C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
C.T. 88

DENTAL: Georgia
Population Group Listing

Population Group

Low Inc—Dawson Co
Parts:
Low Income

DENTAL: Georgia
Facility Listing

Facility Name

FCI—Jesup
County—Wayne
Metro Corr Inst
County—Fulton
USP Atlanta
County—Fulton

DENTAL: Hawaii
County Listing

County Name

Honolulu
Facility: Oahu Comm. Corr. C.
*Maui
Service Area: Hana/Haiku
Service Area: Lanai

DENTAL: Hawaii
Service Area Listing

Service Area Name

Hana/Haiku
County—Maui
Parts:
C.T. 301–302
Lanai
County—Maui
Parts:
Lanai CCD

DENTAL: Hawaii
Facility Listing

Facility Name

Oahu Comm. Corr. C.
County—Honolulu

DENTAL: Idaho
County Listing

County Name

Ada
Population Group: Pov Pop—Public Health Dist Iv
*Boise
Population Group: Pov Pop—Public Health Dist Iv

DENTAL: Idaho
County Listing

County Name

*Camas
Canyon
Population Group: Pov/MFW—S Treasure Valley
*Clark
*Elmore
Population Group: Pov Pop—Public Health Dist Iv
*Gem
Population Group: Low Inc/MFW—N Treasure Valley
*Idaho
*Jefferson
Service Area: Hamer
*Lincoln
*Owyhee
Population Group: Pov/MFW—S Treasure Valley
*Payette
Population Group: Low Inc/MFW—N Treasure Valley
*Twin Falls
Population Group: MSFW—Twin Falls Co
*Valley
Population Group: Pov Pop—Public Health Dist Iv
*Washington
Population Group: Low Inc/MFW—N Treasure Valley

DENTAL: Idaho
Service Area Listing

Service Area Name

Hamer
County—Jefferson
Parts:
Hamer CCD
Roberts CCD

DENTAL: Idaho
Population Group Listing

Population Group

Low Inc/MFW—N Treasure Valley
County—Gem
Parts:
Low Income/MFW
County—Payette
Parts:
Low Income/MFW
County—Washington
Parts:
Low Income/MFW
MSFW—Twin Falls Co
County—Twin Falls
Parts:
MSFW
Pov Pop—Public Health Dist Iv
County—Ada
Parts:
Pov Pop
County—Boise
Parts:
Pov Pop
County—Elmore
Parts:
Pov Pop
County—Valley
Parts:
Pov. Pop.
Pov/MFW—S Treasure Valley

DENTAL: Idaho
Population Group Listing

Population Group

County—Canyon
Parts:
Canyon
County—Owyhee
Parts:
Homedale CCD
Marsing CCD

DENTAL: Illinois
County Listing

County Name

Cook
Service Area: Riverdale (Chicago)
Population Group: Homeless—Chicago
Population Group: Inmates—MCC Chicago
Facility: Cook Co Dept Of Corr Comp

DENTAL: Illinois
Service Area Listing

Service Area Name

Riverdale (Chicago)
County—Cook
Parts:
C.T. 5401

DENTAL: Illinois
Population Group Listing

Population Group

Homeless—Chicago
County—Cook
Parts:
Comm. Area 3 (Uptown)
Comm. Area 4 (Lincoln S
Comm. Area 5 (North Cen
Comm. Area 6 (Lakeview)
Comm. Area 7 (Lincoln P
Comm. Area 8 (Near Nort
Comm. Area 22 (Logan Squ
Comm. Area 24 (West Town
Comm. Area 28 (Near West
Comm. Area 32 (Loop)
Inmates—MCC Chicago
County—Cook
Parts:
MCC Chicago

DENTAL: Illinois
Facility Listing

Facility Name

Cook Co Dept Of Corr Comp
County—Cook

DENTAL: Indiana
County Listing

County Name

*Jennings
Marion
Service Area: Highland-Brookside (Indianapolis)
Service Area: Near North Side (Indianapolis)
Service Area: South Central Indianapolis

DENTAL: Indiana
Service Area Listing

Service Area Name

Highland-Brookside (Indianapolis)
County—Marion
Parts:
C.T. 3526–3527
C.T. 3544–3545
C.T. 3547–3551
Near North Side (Indianapolis)
County—Marion
Parts:
C.T. 3517
C.T. 3519
C.T. 3521
C.T. 3528
C.T. 3531–3532
South Central Indianapolis
County—Marion
Parts:
C.T. 3556–3557
C.T. 3559
C.T. 3562
C.T. 3569–3572
C.T. 3578–3580

DENTAL: Iowa
County Listing

County Name

*Guthrie
Service Area: Guthrie Center
Polk
Population Group: Pov Pop—Polk Co

DENTAL: Iowa
Service Area Listing

Service Area Name

Guthrie Center
County—Guthrie
Parts:
Baker Twp.
Bear Grove Twp.
Beaver Twp.
Cass Twp.
Dodge Twp.
Grant Twp.
Highland Twp.
Jackson Twp.
Orange Twp.
Richland Twp.
Seely Twp.
Thompson Twp.
Union Twp.
Valley Twp.
Victory Twp.

DENTAL: Iowa
Population Group Listing

Population Group

Pov Pop—Polk Co
County—Polk
Parts:
Pov Pop

DENTAL: Kansas
County Listing

County Name

*Republic
*Wabaunsee
*Wallace

DENTAL: Kentucky
County Listing

County Name

*Ballard
Boyd
Facility: FCI Ashland
*Edmonson
*Estill
*Floyd
Service Area: Mud Creek
*Grant
*Harlan
*Hart
*Jackson
Jefferson
Service Area: West End—Louisville
*Knott
*Larue
*Laurel
Lee
Service Area: Lee/Owsley
*Leslie
*McCreary
*Meade
*Menifee
Owsley
Service Area: Lee/Owsley
*Perry
Service Area: Blackey/Cornettsville
*Rockcastle
*Todd
*Wolfe

DENTAL: Kentucky
Service Area Listing

Service Area Name

Blackey/Cornettsville
Parts:
Blackey CCD
County—Perry
Parts:
Daisy CCD
Lee/Owsley
County—Lee
County—Owsley
Mud Creek
County—Floyd
Parts:
McDowell CCD
Mud Creek CCD
Wheelwright-Weeksbury
West End—Louisville
County—Jefferson
Parts:
C.T. 1–18
C.T. 20–24
C.T. 27–28
C.T. 30
C.T. 34–35

DENTAL: Kentucky
Facility Listing

Facility Name

FCI Ashland 1
County—Boyd

DENTAL: Louisiana
Parish Listing

Parish Name

*Assumption
*Bienville
Caddo
Service Area: Martin Luther King Drive

DENTAL: Louisiana
Parish Listing

Parish Name

Service Area: Vivian/Gilliam
Calcasieu
Service Area: North Lake Charles
*Caldwell
*De Soto
East Baton Rouge
Service Area: Eden Park/South Baton Rouge
*East Carroll
*Franklin
*Iberville
Service Area: Carville
*Jackson
*Madison
*Morehouse
*Natchitoches
Orleans
Service Area: Desire/Florida
Service Area: Lower 9Th Ward
Population Group: Low Inc—Central City
*Red River
*St Mary
*Tensas
*Union
*Vernon
West Baton Rouge
*West Carroll
*Winn

DENTAL: Louisiana
Service Area Listing

Service Area Name

Carville
Parish—Iberville
Parts:
District 4
Desire/Florida
Parish—Orleans
Parts:
C.T. 11
C.T. 11.99–12.00
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 15–16
C.T. 17.03
C.T. 17.98
Eden Park/South Baton Rouge
Parish—East Baton Rouge
Parts:
C.T. 8–10
C.T. 12–16
C.T. 21–22
C.T. 24–25
Lower 9Th Ward
Parish—Orleans
Parts:
C.T. 7.01–7.02
C.T. 8
C.T. 9.01–9.04
Martin Luther King Drive
Parish—Caddo
Parts:
C.T. 246
North Lake Charles
Parish—Calcasieu
Parts:
C.T. 2–4
C.T. 14–15
Vivian/Gilliam
Parish—Caddo
Parts:

DENTAL: Louisiana
Service Area Listing

Service Area Name

C.T. 248–250
C.T. 251.98

DENTAL: Louisiana
Population Group Listing

Population Group

Low Inc—Central City
Parish—Orleans
Parts:
C.T. 67–68
C.T. 79–80
C.T. 84–86
C.T. 91–92
C.T. 93.01–93.02
C.T. 94

DENTAL: Maine
County Listing

County Name

Androscoggin
Service Area: Jay-Livermore
*Aroostook
Service Area: Allagash
Service Area: Danforth
Service Area: Fort Kent
Service Area: Island Falls/Patten
Service Area: Presque Isle
*Franklin
Service Area: Jay-Livermore
Service Area: Rangeley/Kingsfield
*Hancock
Service Area: Gouldsboro
*Kennebec
Service Area: Jay-Livermore
*Knox
Service Area: Penobscot Bay
*Oxford
Service Area: Jay-Livermore
Service Area: Rangeley/Kingsfield
Penobscot
Service Area: Danforth
Service Area: Island Falls/Patten
Waldo
Service Area: Belfast
*Washington
Service Area: Danforth
Service Area: Eastport/Lubec
Service Area: Gouldsboro

DENTAL: Maine
Service Area Listing

Service Area Name

Allagash
County—Aroostook
Parts:
Allagash Town
Northwest Aroostook Unorg
St. Francis Town
St. John Town
Belfast
County—Waldo
Parts:
Belfast Twn.
Belmont Twn.
Brooks Twn.
Jackson Twn.
Knox Twn.
Liberty Twn.
Lincolnville Twn.

DENTAL: Maine
Service Area Listing

Service Area Name

Monroe Twn.
Montville Twn.
Morrill Twn.
Northport Twn.
Searsmont Twn.
Searsport Twn.
Stockton Springs Twn.
Swanville Twn.
Waldo Twn.
Danforth
County—Aroostook
Parts:
Bancroft Town
Orient Town
Weston Town
County—Penobscot
Parts:
Drew Plt.
Kingman Twp.
Prentiss Plt.
County—Washington
Parts:
Codyville Town
Danforth Town
Grand Lake Stream Plt.
Indian Twp.
N. Washington Unorg.
Talmage Town
Topsfield Town
Vanceboro Town
Waite Town
Eastport/Lubec
County—Washington
Parts:
Dennysville Twn
Eastport City
Lubec Twn
Pembroke Twn
Perry Twn
Plantation ι14
Whiting Twn
Fort Kent
County—Aroostook
Parts:
Eagle Lake Town
Fort Kent Town
Frenchville Town
Grand Isle Town
Hamlin Town
Madawaska Town
New Canada Town
St Agatha Town
Van Buren Town
Wallagrass Plt
Winterville Plt
Gouldsboro
County—Hancock
Parts:
East Hancock Unorg.
Gouldsboro Town
Sorrento Town
Sullivan Town
Winter Harbor Town
County—Washington
Parts:
Beddington Town
Cherryfield Town
Columbia Town
Deblois Town
Harrington Town
Milbridge Town
Steuben Town

DENTAL: Maine
Service Area Listing

Service Area Name

Island Falls/Patten
County—Aroostook
Parts:
Benedicta Twn
Crystal Twn
Dyer Brook Twn
Hersey Twn
Island Falls Twn
Moro Plantation
Sherman Twn
County—Penobscot
Parts:
Mt. Chase Twn
Patten Twn
Staceyville Twn
Jay-Livermore
County—Androscoggin
Parts:
Livermore Town
Livermore Falls Town
County—Franklin
Parts:
Jay Town
County—Kennebec
Parts:
Fayette Town
County—Oxford
Parts:
Canton Town
Hartford Town
Sumner Town
Penobscot Bay
County—Knox
Parts:
Matinicus Isle Platation
North Haven
Vinalhaven
Presque Isle
County—Aroostook
Parts:
Ashland Town
Blaine Town
Bridgewater Town
Caribou City
Castle Hill Town
Caswell Town
Central Aroostook Unorg
Chapman Town
Connor Unorg
Cyr Plt
E Plt
Easton Town
Fort Fairfield Town
Garfield Plt
Limestone Town
Mapleton Town
Mars Hill Town
Masardis Town
Nashville Plt
New Sweden Town
Oxbow Plt
Perham Town
Portage Lake Town
Presque Isle City
Stockholm Town
Wade Town
Washburn Town
Westfield Town
Westmanland Town
Woodland Town
Rangeley/Kingsfield
County—Franklin

DENTAL: Maine
Service Area Listing

Service Area Name

Parts:
Carrabasset Valley Twn
Coplin Plantation
Dallas Plantation
Eustis Twn
Kingsfield Twn
Madrid Twn
Phillips Twn
Rangeley Plantation
Rangeley Twn
Sandy River Plantation
Unorg. Terr.—E.C.Franklin
County—Oxford
Parts:
Lincoln Plantation
Magalloway Plantation
Unorg. Terr.—N.Oxford

DENTAL: Maryland
County Listing

County Name

Baltimore City
Population Group: Homeless—Baltimore City

DENTAL: Maryland
Population Group Listing

Population Group

Homeless—Baltimore City
County—Baltimore City
Parts:
C.T. 302
C.T. 401–402
C.T. 501
C.T. 908–909
C.T. 1001–1002
C.T. 1004
C.T. 1204–1205
C.T. 1701–1702
C.T. 2201.01

DENTAL: Massachusetts
County Listing

County Name

Suffolk
Service Area: North Dorchester
Service Area: Roxbury
Service Area: South End
Population Group: Low Inc—Allston-Brighton
Worcester
Population Group: Low Inc—Worcester

DENTAL: Massachusetts
Service Area Listing

Service Area Name

North Dorchester
County—Suffolk
Parts:
C.T. 901–924
Roxbury
County—Suffolk
Parts:
C.T. 801–821
South End
County—Suffolk
Parts:
C.T. 704–712

DENTAL: Massachusetts
Population Group Listing

Population Group

Low Inc—Allston-Brighton
County—Suffolk
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6.01–6.02
C.T. 7.01–7.02
C.T. 8.01–8.02
Low Inc—Worcester
County—Worcester
Parts:
C.T. 7301–7303
C.T. 7304.01–7304.02
C.T. 7305–7307
C.T. 7308.01–7308.02
C.T. 7309.01–7309.02
C.T. 7310
C.T. 7311.01–7311.02
C.T. 7312.01–7312.02
C.T. 7313–7319
C.T. 7320.01–7320.02
C.T. 7321
C.T. 7322.01–7322.03
C.T. 7323–7328
C.T. 7329.01–7329.02
C.T. 7330
C.T. 7331.01–7331.02

DENTAL: Michigan
County Listing

County Name

*Alcona
*Alger
Population Group: Low Inc—Alger Co
Allegan
Population Group: Low Inc/MFW—Allegan Co
*Antrim
Population Group: Pov Pop—Antrim/Charlevoix
*Arenac
Population Group: Pov Pop—Arenac Co
*Baraga
Population Group: Low Inc—Baraga Co
*Barry
Population Group: Low Inc/MFW—Barry Co
*Charlevoix
Population Group: Pov Pop—Antrim/Charlevoix
*Chippewa
Population Group: Low Inc—Chippewa Co
*Clare
Service Area: Harrison
*Delta
Population Group: Low Inc—Delta Co
*Dickinson
Population Group: Low Inc—Dickenson Co
Genesee
Service Area: North Flint/Beecher
*Gogebic
Population Group: Low Inc—Gogebic Co
*Houghton
Population Group: Low Inc—Houghton Co
*Iosco
Population Group: Pov Pop—Iosco Co
*Iron
Population Group: Low Inc—Iron Co

DENTAL: Michigan
County Listing

County Name

Jackson
  Population Group: Low Inc—Ne Jackson City
  Facility: Jackson Reg. Clin. Complex
Kalamazoo
  Population Group: Low Inc—Northern Kalamazoo City
Kent
  Population Group: Low Inc/MFW—Kent Co
*Keweenaw
  Population Group: Low Inc—Keweenaw Co
Lake
  Population Group: Low Inc—Lake Co
*Luce
  Population Group: Low Inc—Luce Co
*Mackinac
  Population Group: Low Inc—Mackinac Co
*Marquette
  Population Group: Low Inc—Marquette Co
*Mason
  Population Group: Low Inc/MFW—Mason Co
*Mecosta
  Population Group: Low Inc/MFW—Mecosta Co
*Menominee
  Population Group: Low Inc—Menominee Co
*Montcalm
  Population Group: Low Inc/MFW—Montcalm Co
Muskegon
  Population Group: Low Inc/MFW—Muskegon Co
*Newaygo
  Population Group: Low Inc/MFW—Newaygo Co
*Oceana
  Population Group: Low Inc/MFW—Oceana Co
*Ogemaw
  Population Group: Pov Pop—Ogemaw Co
*Ontonagon
  Population Group: Low Inc—Ontonagon Co
*Osceola
  Population Group: Low Inc—Osceola Co
Ottawa
  Population Group: Low Inc/MFW—Ottawa Co
Saginaw
  Service Area: Saginaw East Side
*Schoolcraft
  Population Group: Low Inc—Schoolcraft Co
Wayne
  Service Area: Southwest Detroit
  Population Group: Low Inc—Central Detroit
  Population Group: Medicaid—W Wayne
  Population Group: Pov Pop—Highland Park

DENTAL: Michigan
Service Area Listing

Service Area Name

Harrison
  County—Clare
    Parts:
      Arthur Twp.
      Franklin Twp.
      Freeman Twp.
      Frost Twp.
      Greenwood Twp.
      Hamilton Twp.
      Harrison City
      Hatton Twp.
      Hayes Twp.
      Lincoln Twp.
      Redding Twp.
      Summerfield Twp.
      Winterfield Twp.
North Flint/Beecher
  County—Genesee
    Parts:
      C.T. 1–7
      C.T. 19–26
      C.T. 103.02–103.04
      C.T. 122.02
Saginaw East Side
  County—Saginaw
    Parts:
      C.T. 1–11
      C.T. 110
Southwest Detroit
  County—Wayne
    Parts:
      C.T. 5208–5209
      C.T. 5211–5214
      C.T. 5231–5238
      C.T. 5240–5243
      C.T. 5245
      C.T. 5247–5248

DENTAL: Michigan
Population Group Listing

Population Group

Low Inc—Alger Co
  County—Alger
    Parts:
      Low Income
Low Inc—Baraga Co
  County—Baraga
    Parts:
      Low Income
Low Inc—Central Detroit
  County—Wayne
    Parts:
      C.T. 5172–5176
      C.T. 5180–5181
      C.T. 5201–5207
      C.T. 5218
Low Inc—Chippewa Co
  County—Chippewa
    Parts:
      Low Income
Low Inc—Delta Co
  County—Delta
    Parts:
      Low Income
Low Inc—Dickenson Co
  County—Dickinson
    Parts:
      Low Income
Low Inc—Gogebic Co
  County—Gogebic
    Parts:
      Low Income
Low Inc—Houghton Co
  County—Houghton
    Parts:
      Low Income
Low Inc—Iron Co
  County—Iron
    Parts:
      Low Income
Low Inc—Keweenaw Co
  County—Keweenaw
    Parts:
      Low Income
Low Inc—Lake Co
  County—Lake
    Parts:
      Low Income
Low Inc—Luce Co
  County—Luce
    Parts:
      Low Income
Low Inc—Mackinac Co
  County—Mackinac
    Parts:
      Low Income
Low Inc—Marquette Co
  County—Marquette
    Parts:
      Low Income
Low Inc—Menominee Co
  County—Menominee
    Parts:
      Low Income
Low Inc—Ne Jackson City
  County—Jackson
    Parts:
      C.T. 1–4
      C.T. 6–7
      C.T. 10–13
Low Inc—Northern Kalamazoo City
  County—Kalamazoo
    Parts:
      C.T. 1
      C.T. 2.01–2.02
      C.T. 3
      C.T. 4.02
      C.T. 5–6
      C.T. 8.01–8.02
      C.T. 9–10
Low Inc—Ontonagon Co
  County—Ontonagon
    Parts:
      Low Income
Low Inc—Osceola Co
  County—Osceola
    Parts:
      Low Income
Low Inc—Schoolcraft Co
  County—Schoolcraft
    Parts:
      Low Income
Low Inc/MFW—Allegan Co
  County—Allegan
    Parts:
      Low Income
      MFW
Low Inc/MFW—Barry Co
  County—Barry
    Parts:
      Low Income
      MFW
Low Inc/MFW—Kent Co
  County—Kent
    Parts:
      Low Income
      MFW

DENTAL: Michigan
Population Group Listing

Population Group

Low Inc/MFW—Mason Co
County—Mason
Parts:
Low Income
MFW
Low Inc/MFW—Mecosta Co
County—Mecosta
Parts:
Low Income
MFW
Low Inc/MFW—Montcalm Co
County—Montcalm
Parts:
Low Income
MFW
Low Inc/MFW—Muskegon Co
County—Muskegon
Parts:
Low Income
MFW
Low Inc/MFW—Newaygo Co
County—Newaygo
Parts:
Low Income
MFW
Low Inc/MFW—Oceana Co
County—Oceana
Parts:
Low Income
MFW
Low Inc/MFW—Ottawa Co
County—Ottawa
Parts:
Low Income
MFW
Medicaid—W Wayne
County—Wayne
Parts:
Allen Park City
Belleville City
Brownstown Twp.
Canton Twp.
Dearborn Hgts. City
Ecorse City
Flat Rock City
Garden City
Gibralter City
Grosse Ile Twp.
Harper Woods City
Huron Twp.
Inkster City
Lincoln Park City
Livonia City
Melvindale City
Northville City
Northville Twp.
Plymouth City
Plymouth Twp.
Redford Twp.
River Rouge City
Riverview City
Rockwood City
Romulus City
Southgate City
Sumpter City
Taylor City
Trenton City
Van Buren Twp.
Wayne City
Westland City
Woodhaven City
Wyandotte City

DENTAL: Michigan
Population Group Listing

Population Group

Pov Pop—Antrim/Charlevoix
County—Charlevoix
Pov Pop—Arenac Co
County—Arenac
Parts:
Pov Pop
Pov Pop—Highland Park
County—Wayne
Parts:
C.T. 5530–5537
Pov Pop—Iosco Co
County—Iosco
Parts:
Pov. Pop.
Pov Pop—Ogemaw Co
County—Ogemaw
Parts:
Pov. Pop.

DENTAL: Michigan
Facility Listing

Facility Name

Jackson Reg. Clin. Complex
County—Jackson

DENTAL: Minnesota
County Listing

County Name

*Koochiching
Population Group: Low Inc—Koochiching Co
Ramsey
Service Area: Summit-Dale
Population Group: Am In—St. Paul
St Louis
Population Group: Inmates—FPC Duluth

DENTAL: Minnesota
Service Area Listing

Service Area Name

Summit-Dale
County—Ramsey
Parts:
C.T. 326–327
C.T. 336–337
C.T. 339–340
C.T. 354–355

DENTAL: Minnesota
Population Group Listing

Population Group

Am In—St. Paul
County—Ramsey
Parts:
C.T. 301–305
C.T. 306.01–306.02
C.T. 307.02–307.04
C.T. 308–317
C.T. 318.01–318.02
C.T. 319–340
C.T. 342
C.T. 344–345
C.T. 346.01–346.02
C.T. 347.01–347.02
C.T. 348–372
C.T. 374.02
C.T. 375
C.T. 376.01–376.02

DENTAL: Minnesota
Population Group Listing

Population Group

Inmates—FPC Duluth
County—St Louis
Parts:
FPC Duluth
Low Inc—Koochiching Co
County—Koochiching
Parts:
Low Income

DENTAL: Mississippi
County Listing

County Name

*Amite
*Benton
*Carroll
*Chickasaw
*Choctaw
*Claiborne
*Clarke
*Copiah
*Franklin
*Greene
Hancock
Harrison
Population Group: Pov Pop—Harrison Co
Hinds
Service Area: Jackson Inner City
Service Area: Western Hinds
*Holmes
*Humphreys
Issaquena
Service Area: Issaquena-Sharkey
*Jasper
*Jefferson
*Kemper
*Lawrence
*Leake
*Marion
*Marshall
*Montgomery
*Neshoba
*Noxubee
*Panola
*Pearl River
*Perry
*Quitman
*Scott
Population Group: Pov Pop—Scott Co
Sharkey
Service Area: Issaquena-Sharkey
*Smith
*Stone
*Sunflower (g)
Facility: Mississippi State Pen.
*Tallahatchie
*Tate
*Tunica
*Union
*Walthall
*Wayne
*Webster
*Yalobusha

DENTAL: Mississippi
Service Area Listing

Service Area Name

Issaquena-Sharkey
County—Issaquena
County—Sharkey
Jackson Inner City

DENTAL: Mississippi
Service Area Listing

Service Area Name

County—Hinds
Parts:
C.T. 5–12
C.T. 16–27
C.T. 30–32
C.T. 39
C.T. 102.01–102.03
C.T. 103.01
C.T. 108.01
C.T. 109.02
Western Hinds
County—Hinds
Parts:
C.T. 105–107
C.T. 112–113

DENTAL: Mississippi
Population Group Listing

Population Group

Pov Pop—Harrison Co
County—Harrison
Parts:
Pov Pop
Pov Pop—Monroe Co
Parts:
Poverty Pop
Pov Pop—Scott Co
County—Scott
Parts:
Pov Pop

DENTAL: Mississippi
Facility Listing

Facility Name

Mississippi State Pen.
County—Sunflower

DENTAL: Missouri
County Listing

County Name

*Adair
Population Group: Medicaid—Adair Co
Jackson
Population Group: Medicaid—Central Kansas City
Population Group: Medicaid—North Kansas City
*Macon
*McDonald
*New Madrid
*Pemiscot
*Randolph
Population Group: Medicaid—Randolph Co
*St Francois
Facility: Farmington Corr. C.
St Louis
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—West St. Louis
St Louis City
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—West St. Louis
Population Group: Pov Pop—Southeast St. Louis
Population Group: Pov Pop—Grace Hill/Cochran

DENTAL: Missouri
County Listing

County Name

*Wayne
*Worth

DENTAL: Missouri
Population Group Listing

Population Group

Medicaid—Adair Co
County—Adair
Parts:
Medicaid Eligible
Medicaid—Central Kansas City
County—Jackson
Parts:
C.T. 46–55
C.T. 56.01–56.02
C.T. 57
C.T. 58.01–58.02
C.T. 60–67
C.T. 75–77
C.T. 78.01–78.02
C.T. 79–80
C.T. 87–89
C.T. 96
Medicaid—North Kansas City
County—Jackson
Parts:
C.T. 2–4
C.T. 5.01
C.T. 6–27
C.T. 28.01–28.02
C.T. 29–34
C.T. 35.01–35.02
C.T. 36.01–36.02
C.T. 37–45
C.T. 59.01
Medicaid—Randolph Co
County—Randolph
Parts:
Medicaid Eligible
Pov Pop—Grace Hill/Cochran
County—St Louis City
Parts:
C.T. 1085
C.T. 1096–1097
C.T. 1201–1203
C.T. 1211–1214
C.T. 1222
C.T. 1255–1257
C.T. 1266–1267
Pov Pop—North St Louis
County—St Louis
Parts:
C.T. 2139–2140
County—St Louis City
Parts:
C.T. 1061–1067
C.T. 1071–1075
Pov Pop—Southeast St. Louis
County—St Louis City
Parts:
C.T. 1018
C.T. 1156–1157
C.T. 1164–1165
C.T. 1172–1174
C.T. 1181
C.T. 1185
C.T. 1221
C.T. 1224
C.T. 1231–1234
C.T. 1241–1243
C.T. 1246

DENTAL: Missouri
Population Group Listing

Population Group

Pov Pop—West St. Louis
County—St Louis
Parts:
C.T. 2159–2161
County—St Louis City
Parts:
C.T. 1051.98
C.T. 1052–1055
C.T. 1121

DENTAL: Missouri
Facility Listing

Facility Name

Farmington Corr. C.
County—St Francois

DENTAL: Montana
County Listing

County Name

*Roosevelt
Service Area: Poplar/Wolf Point

DENTAL: Montana
Service Area Listing

Service Area Name

Poplar/Wolf Point
County—Roosevelt
Parts:
Fort Peck Res. CCD

DENTAL: Nebraska
County Listing

County Name

Arthur
Service Area: Arthur/Grant
*Blaine
Douglas
Population Group: Medicaid—Eastern Omaha City
*Frontier
*Furnas
Grant
Service Area: Arthur/Grant
Greeley
Service Area: Greeley/Wheeler
*Hayes
Service Area: Hayes/Hitchcock
Hitchcock
Service Area: Hayes/Hitchcock
Hooker
Service Area: Mullen
Logan
Service Area: Logan/MCPherson
*Morrill
MCPherson
Service Area: Logan/MCPherson
*Scotts Bluff
Population Group: Medicaid—Scotts Bluff Co
Thomas
Service Area: Mullen
Wheeler
Service Area: Greeley/Wheeler

DENTAL: Nebraska
Service Area Listing

Service Area Name

Arthur/Grant

DENTAL: Nebraska
Service Area Listing

Service Area Name

County—Arthur
County—Grant
Greeley/Wheeler
County—Greeley
County—Wheeler
Hayes/Hitchcock
County—Hayes
County—Hitchcock
Logan/MCPherson
County—Logan
County—MCPherson
Mullen
County—Hooker
County—Thomas

DENTAL: Nebraska
Population Group Listing

Population Group

Medicaid—Eastern Omaha City
County—Douglas
Parts:
C.T. 3
C.T. 6–12
C.T. 16
C.T. 18–19
C.T. 39–43
C.T. 50–54
C.T. 59.01–59.02
C.T. 60
C.T. 61.01–61.02
Medicaid—Scotts Bluff Co
County—Scotts Bluff
Parts:
Medicaid Eligible

DENTAL: Nevada
County Listing

County Name

*Churchill
Service Area: Dixie Valley
Clark
Service Area: Northeast Clark
*Elko
Service Area: Jackpot
Service Area: Montello/West Wendover
Service Area: Mountain City/Jarbidge
Service Area: Wells
*Esmeralda
Service Area: Coaldale/Silverpeak
Service Area: Tonopah/Esmeralda
*Eureka
Service Area: Beowave
Service Area: Eureka
*Humboldt
Service Area: McDermitt
Service Area: Summit Lake
*Lander
Service Area: Austin
Service Area: Battle Mountain
*Lincoln
Service Area: Alamo
*Lyon
*Mineral
Nye
Service Area: Beatty
Service Area: Duckwater/Lund
Service Area: Gabbs
Service Area: Pahrump
Service Area: Round Mountain
Service Area: Tonopah/Esmeralda

DENTAL: Nevada
County Listing

County Name

*Pershing
*White Pine
Service Area: Baker
Service Area: Cherry Creek
Service Area: Duckwater/Lund

DENTAL: Nevada
Service Area Listing

Service Area Name

Alamo
County—Lincoln
Parts:
Alamo CCD
Austin
County—Lander
Parts:
Austin CCD
Baker
County—White Pine
Parts:
Baker CCD
Battle Mountain
County—Lander
Parts:
Battle Mountain CCD
Beatty
County—Nye
Parts:
Amargosa CCD
Beatty CCD
Beowave
County—Eureka
Parts:
Beowave CCD
Cherry Creek
County—White Pine
Parts:
Cherry Creek CCD
Coaldale/Silverpeak
County—Esmeralda
Parts:
Silverpeak CCD
Dixie Valley
County—Churchill
Parts:
Dixie Valley CCD
Duckwater/Lund
County—Nye
Parts:
Duckwater CCD
County—White Pine
Parts:
Lund CCD
Eureka
County—Eureka
Parts:
Eureka CCD
Gabbs
County—Nye
Parts:
Gabbs CCD
Jackpot
County—Elko
Parts:
Jackpot CCD
McDermitt
County—Humboldt
Parts:
McDermitt CCD
Montello/West Wendover
County—Elko

DENTAL: Nevada
Service Area Listing

Service Area Name

Parts:
Montello CCD
West Wendover CCD
Mountain City/Jarbidge
County—Elko
Parts:
Jarbidge CCD
Mountain City CCD
Northeast Clark
County—Clark
Parts:
C.T. 56.02–56.03
C.T. 59
Pahrump
County—Nye
Parts:
Chrystal CCD
Pahrump CCD
Yucca Flat CCD
Round Mountain
County—Nye
Parts:
Round Mountain CCD
Summit Lake
County—Humboldt
Parts:
Summit Lake CCD
Tonopah/Esmeralda
County—Esmeralda
Parts:
Goldfield CCD
County—Nye
Parts:
Ralston CCD
Tonopah CCD
Wells
County—Elko
Parts:
Wells CCD

DENTAL: New Jersey
County Listing

County Name

Atlantic
Service Area: Atlantic City
Camden
Service Area: Camden City
Mercer
Population Group: Medicaid—Trenton
Ocean
Population Group: Medicaid—Lakewood
Salem
Population Group: Medicaid—Salem Co
Union
Service Area: North Central Plainfield
Warren
Population Group: Medicaid—Warren Co

DENTAL: New Jersey
Service Area Listing

Service Area Name

Atlantic City
County—Atlantic
Parts:
C.T. 1–5
C.T. 8
C.T. 11–19
C.T. 23–25
Camden City
County—Camden

DENTAL: New Jersey
Service Area Listing

Service Area Name

Parts:
C.T. 6001–6020
North Central Plainfield
County—Union
Parts:
C.T. 388–390
C.T. 393–395

DENTAL: New Jersey
Population Group Listing

Population Group

Medicaid—Lakewood
County—Ocean
Parts:
Lakewood Twp
Medicaid—Salem Co
County—Salem
Parts:
Medicaid Eligible
Medicaid—Trenton
County—Mercer
Parts:
C.T. 1–24
Medicaid—Warren Co
County—Warren
Parts:
Medicaid Eligible

DENTAL: New Mexico
County Listing

County Name

Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
*Catron
*Cibola
Dona Ana
Service Area: Hatch
Service Area: Southern Dona Ana
Population Group: Dent Ind—Las Cruces
*Eddy
Population Group: Pov Pop—Eddy Co
*Guadalupe
*Harding
*Hidalgo
*Luna
*McKinley
*Mora
*Otero
*Rio Arriba
Service Area: North/Western Rio Arriba
Service Area: Penasco/Truchas/Embudo
*Roosevelt
Population Group: Dent Ind—Roosevelt Co
Sandoval
Service Area: Cuba (N. Sandoval)
Santa Fe
Population Group: Dent Ind—Santa Fe Co
*Sierra
*Socorro
*Taos
Service Area: North/Western Rio Arriba
Service Area: Penasco/Truchas/Embudo
Service Area: Questa
*Torrance
*Union

DENTAL: New Mexico
Service Area Listing

Service Area Name

Cuba (N. Sandoval)
County—Sandoval
Parts:
Cuba CCD
Jemez CCD
Santo Domingo CCD
Hatch
County—Dona Ana
Parts:
Hatch CCD
North Valley
County—Bernalillo
Parts:
C.T. 29
C.T. 30.01–30.02
C.T. 31
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36
North/Western Rio Arriba
County—Rio Arriba
Parts:
Coyote CCD
Jicarilla CCD
Rio Chama CCD
Tierra Amarilla CCD
Vallecitos CCD

W. Rio Arriba CCD
County—Taos
Parts:
Tres Piedras CCD
Penasco/Truchas/Embudo
County—Rio Arriba
Parts:
Chimayo CCD
Dixon CCD
County—Taos
Parts:
Penasco CCD
Picuris CCD
Questa
County—Taos
Parts:
Arroyo Hondo CCD
Questa CCD
Southern Dona Ana
County—Dona Ana
Parts:
Anthony CCD
S. Dona Ana CCD
Southwest Valley
County—Bernalillo
Parts:
C.T. 23
C.T. 24.01–24.02
C.T. 43
C.T. 44.01–44.02
C.T. 45.01–45.02
C.T. 46.02–46.04

DENTAL: New Mexico
Population Group Listing

Population Group

Dent Ind—Las Cruces 1
County—Dona Ana
Parts:
C.T. 1–9
Dent Ind—Roosevelt Co
County—Roosevelt
Parts:

DENTAL: New Mexico
Population Group Listing

Population Group

Dentally Indigent
Dent Ind—Santa Fe Co
County—Santa Fe
Parts:
Dentally Indigent
Pov Pop—Eddy Co
County—Eddy
Parts:
Pov Pop

DENTAL: New York
County Listing

County Name

Bronx
Service Area: Morris Heights
Service Area: Mott Haven/Point Norris
Cayuga
Service Area: Groton—Moravia
*Chenango
Service Area: Cincinnatus/Deruyter
*Clinton
Service Area: Dannemora
*Cortland
Service Area: Cincinnatus/Deruyter
Dutchess
Population Group: Low Inc—Beacon City
*Jefferson
Service Area: Pulaski Pcsa
Kings
Service Area: Bedford-Stuyvesant
Service Area: Coney Island
Service Area: Crown Heights
Service Area: Sunset Park
Population Group: Inmates—MDC Brooklyn

Madison
Service Area: Cincinnatus/Deruyter
New York
Service Area: East Harlem
Service Area: Lower Eastside
Onondaga
Population Group: Medicaid—Syracuse
Orange
Population Group: Medicaid—City & Town Of Newburgh
Oswego
Service Area: Pulaski Pcsa
*St Lawrence
Population Group: Medicaid—Ogdensburg
*Tompkins
Service Area: Groton—Moravia
Westchester
Population Group: Low Inc—Mt Vernon

DENTAL: New York
Service Area Listing

Service Area Name

Bedford-Stuyvesant
County—Kings
Parts:
C.T. 11
C.T. 23
C.T. 25
C.T. 27
C.T. 29.01–29.02
C.T. 31
C.T. 33
C.T. 35
C.T. 179

DENTAL: New York
Service Area Listing

Service Area Name

C.T. 181
C.T. 183
C.T. 185.01–185.02
C.T. 187
C.T. 189
C.T. 191
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 203
C.T. 205
C.T. 207
C.T. 213
C.T. 215
C.T. 217
C.T. 219
C.T. 221
C.T. 223
C.T. 225
C.T. 227
C.T. 229
C.T. 231
C.T. 233
C.T. 235
C.T. 237
C.T. 239
C.T. 241
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
C.T. 259.01–259.02
C.T. 261
C.T. 263
C.T. 265
C.T. 267
C.T. 269
C.T. 271.01–271.02
C.T. 273
C.T. 275
C.T. 277
C.T. 279
C.T. 281
C.T. 283
C.T. 285.01–285.02
C.T. 287
C.T. 289
C.T. 291
C.T. 293
C.T. 295
C.T. 297
C.T. 299
C.T. 301
C.T. 303
C.T. 307
C.T. 309
C.T. 311
C.T. 313
C.T. 315
C.T. 317.01–317.02
C.T. 319
C.T. 321
C.T. 323
C.T. 325

DENTAL: New York
Service Area Listing

Service Area Name

C.T. 327
C.T. 329
C.T. 331
C.T. 333
C.T. 335
C.T. 337
C.T. 339
C.T. 341
C.T. 343
C.T. 345
C.T. 347
C.T. 349
C.T. 351
C.T. 353
C.T. 355
C.T. 357
C.T. 359
C.T. 361
C.T. 363
C.T. 365.01–365.02
C.T. 367
C.T. 369
C.T. 371
C.T. 373
C.T. 375
C.T. 377
C.T. 379
C.T. 381
C.T. 383
C.T. 385
C.T. 387

Cincinnatus/Deruyter
County—Chenango
Parts:
Lincklaen Town
Pitcher Town
County—Cortland
Parts:
Cincinnatus Town
Cuyler Town
Freetown Town
Taylor Town
Willet Town
County—Madison
Parts:
Deruyter Town

Coney Island
County—Kings
Parts:
C.T. 326
C.T. 328
C.T. 330
C.T. 340
C.T. 342
C.T. 348.01–348.02
C.T. 352

Crown Heights
County—Kings
Parts:
C.T. 213
C.T. 215
C.T. 217
C.T. 219
C.T. 317.02
C.T. 319
C.T. 321
C.T. 323
C.T. 325
C.T. 327
C.T. 329
C.T. 331
C.T. 333

DENTAL: New York
Service Area Listing

Service Area Name

C.T. 335
C.T. 337
C.T. 339
C.T. 349
C.T. 351
C.T. 353
C.T. 355
C.T. 357

Dannemora
County—Clinton
Parts:
Dannemora Town
Saranac Town

East Harlem
County—New York
Parts:
C.T. 156.02
C.T. 158.02
C.T. 160.02
C.T. 162
C.T. 164
C.T. 166
C.T. 168
C.T. 170
C.T. 172.01–172.02
C.T. 174.01–174.02
C.T. 178
C.T. 180
C.T. 182
C.T. 184
C.T. 188
C.T. 192
C.T. 194
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 210

Groton—Moravia
County—Cayuga
Parts:
Locke Town
Moravia Town
Sempronius Town
Summerhill Town
County—Tompkins
Parts:
Groton Town

Lower Eastside
County—New York
Parts:
C.T. 10.02
C.T. 20
C.T. 22.01–22.02
C.T. 24
C.T. 26.01–26.02

Morris Heights
County—Bronx
Parts:
C.T. 205
C.T. 213.01–213.02
C.T. 215.01–215.02
C.T. 217.01
C.T. 239
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253

DENTAL: New York
Service Area Listing

Service Area Name

C.T. 255
C.T. 257
Mott Haven/Point Norris
County—Bronx
Parts:
C.T. 11
C.T. 15
C.T. 17
C.T. 23
C.T. 25
C.T. 27.01–27.02
C.T. 31
C.T. 33
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 47
C.T. 49
C.T. 65
C.T. 71
C.T. 73
C.T. 75
C.T. 77
C.T. 79
C.T. 81
C.T. 83
C.T. 85
C.T. 87
C.T. 89
C.T. 119
C.T. 121.02
C.T. 127.02
C.T. 129.02
Pulaski Pcsa
County—Jefferson
Parts:
Ellisburg Town
County—Oswego
Parts:
Albion Town
Boylston Town
Mexico Town
Orwell Town
Redfield Town
Richland Town
Sandy Creek Town
Williamstown Town
Sunset Park
County—Kings
Parts:
C.T. 2
C.T. 18
C.T. 20
C.T. 22
C.T. 72
C.T. 74
C.T. 76
C.T. 78
C.T. 80
C.T. 82
C.T. 84
C.T. 86
C.T. 88
C.T. 90
C.T. 92
C.T. 94
C.T. 96
C.T. 98
C.T. 100–102
C.T. 104

DENTAL: New York
Service Area Listing

Service Area Name

C.T. 106
C.T. 108
C.T. 118
C.T. 122
C.T. 143
C.T. 145
C.T. 147

DENTAL: New York
Population Group Listing

Population Group

Inmates—MDC Brooklyn
County—Kings
Parts:
MDC Brooklyn
Low Inc—Beacon City
County—Dutchess
Parts:
Beacon City
Low Inc—Mt Vernon
County—Westchester
Parts:
C.T. 25–45
Medicaid—City & Town Of Newburgh
County—Orange
Parts:
Newburgh City
Newburgh Town
Medicaid—Ogdensburg
County—St Lawrence
Parts:
De Peyster Town
Lisbon Town
Morristown Town
Ogdensburg Town
Oswegatchie Town
Waddington Town
Medicaid—Syracuse
County—Onondaga
Parts:
C.T. 1–10
C.T. 13–16
C.T. 17.01–17.02
C.T. 18–24
C.T. 27–35
C.T. 36.01–36.02
C.T. 37–46
C.T. 48–60
C.T. 61.01–61.03

DENTAL: North Carolina
County Listing

County Name

*Anson 3
*Beaufort
Service Area: Richland
*Bertie
*Bladen
*Clay
Cumberland
Service Area: Eastern Cumberland
*Duplin
Franklin
Gaston
Population Group: Medicaid—Gatson Co
*Gates
*Graham
*Granville
Facility: FCI Butner
*Henderson

DENTAL: North Carolina
County Listing

County Name

Population Group: Dent Ind/MFW—Henderson Co
*Hyde
Johnston
Population Group: MSFW—Johnston/Sampson
*Jones
Madison
Service Area: Hot Springs
*Martin
*Northampton
*Pender
*Robeson
Population Group: Pov Pop—Pembroke
*Sampson
Population Group: MSFW—Johnston/Sampson
*Tyrrell
*Washington

DENTAL: North Carolina
Service Area Listing

Service Area Name

Eastern Cumberland
County—Cumberland
Parts:
C.T. 14
C.T. 26–29
Hot Springs
County—Madison
Parts:
Hot Springs Twp
Laurel Twp
Revere Rice Cove Twp
Spring Creek Twp
Walnut Twp
Richland
County—Beaufort
Parts:
Richland Twp

DENTAL: North Carolina
Population Group Listing

Population Group

Dent Ind/MFW—Henderson Co
County—Henderson
Parts:
Dentally Indigent/MFW
Medicaid—Gatson Co
County—Gaston
Parts:
Medicaid Eligible
MSFW—Johnston/Sampson
County—Johnston
Parts:
Banner (E.D. 5)
Bentonsville (E.D. 10)
Elevation (E.D. 35)
Ingrams (E.D. 40)
Meadow (E.D. 45)
County—Sampson
Parts:
Migrant & Seasonal Farm
Pov Pop—Pembroke
County—Robeson
Parts:
Burnt Swamp Twp
Pembroke Twp
Philadelphus Twp
Smiths Twp

DENTAL: North Carolina
Facility Listing

Facility Name

FCI Butner
County—Granville

DENTAL: North Dakota
County Listing

County Name

*Benson
*Billings
*Burke
*Dunn
*Foster
*Golden Valley
*Kidder
*McKenzie
*Sioux
*Slope

DENTAL: Ohio
County Listing

County Name

*Adams
Population Group: Low Inc—Adams Co
Cuyahoga
Service Area: Glenville (Area I—Cleveland)
Hamilton
Service Area: Avondale
Service Area: East/Lower Price Hill/S Fairmont
Service Area: Millvale

DENTAL: Ohio
Service Area Listing

Service Area Name

Avondale
County—Hamilton
Parts:
C.T. 32
C.T. 34
C.T. 66–69
East/Lower Price Hill/S Fairmont
County—Hamilton
Parts:
C.T. 87
C.T. 89
C.T. 91–96
C.T. 103
Glenville (Area I—Cleveland)
County—Cuyahoga
Parts:
C.T. 1114
C.T. 1161–1168
C.T. 1181–1185
Millvale
County—Hamilton
Parts:
C.T. 28
C.T. 77
C.T. 85.02
C.T. 86.01

DENTAL: Ohio
Population Group Listing

Population Group

Low Inc—Adams Co
County—Adams
Parts:
Low Income

DENTAL: Oklahoma
County Listing

County Name

*Adair
*Beaver
*Caddo
*Choctaw
*Coal
Creek
*Dewey
*Haskell
*Le Flore
Service Area: Talihina
*Lincoln
*McCurtain
*Murray
*Okfuskee
Pottawatomie
Service Area: Konawa
*Pushmataha
Service Area: Talihina
*Seminole
Service Area: Konawa
*Tillman
Tulsa
Population Group: Am In—Tulsa

DENTAL: Oklahoma
Service Area Listing

Service Area Name

Konawa
County—Pottawatomie
Parts:
C.T. 5012.01
C.T. 5013.98
County—Seminole
Parts:
Konawa CCD
Seminole South CCD
Talihina
County—Le Flore
Parts:
S. Le Flore CCD
Talihina CCD
County—Pushmataha
Parts:
N. Pushmataha CCD

DENTAL: Oklahoma
Population Group Listing

Population Group

Am In—Tulsa
County—Tulsa
Parts:
American Indian

DENTAL: Oregon
County Listing

County Name

Clackamas
*Curry
Service Area: Port Orford
*Gilliam
*Harney
Population Group: Dent Ind—Harney Co
*Hood River
Population Group: Dent Ind—Hood River (OR/WA)
Jackson
Population Group: Dent Ind—Jackson Co
Lane
Population Group: Low Inc—Lowell
*Malheur

DENTAL: Oregon
County Listing

County Name

Population Group: Low Inc/MFW—Malheur Co
Marion
Population Group: Low Inc/MSFW—Marion/Polk/Yamhill
*Morrow
Multnomah
Population Group: Dent Ind—Multnomah Co
Polk
Population Group: Low Inc/MSFW—Marion/Polk/Yamhill
*Sherman
*Tillamook
Population Group: Low Inc—Tillamook Co
*Umatilla
Population Group: Dent Ind—Umatilla Co
*Wasco
Population Group: Dent Ind—Hood River (OR/WA)
Washington
Population Group: Low Inc/MFW—Washington Co
*Wheeler
Yamhill
Population Group: Low Inc/MSFW—Marion/Polk/Yamhill

DENTAL: Oregon
Service Area Listing

Service Area Name

Port Orford
County—Curry
Parts:
Port Orford CCD

DENTAL: Oregon
Population Group Listing

Population Group

Dent Ind—Harney Co
County—Harney
Parts:
Dentally Indigent
Dent Ind—Hood River (OR/WA)
County—Hood River
Parts:
Dentally Indigent
County—Wasco
Parts:
Dentally Indigent
Dent Ind—Jackson Co
County—Jackson
Parts:
Dentally Indigent
Dent Ind—Multnomah Co
County—Multnomah
Parts:
Dentally Indigent
Dent Ind—Umatilla Co
County—Umatilla
Parts:
Dentally Indigent
Low Inc—Lowell
County—Lane
Parts:
Lowell CCD
Low Inc—Tillamook Co
County—Tillamook
Parts:
Low Income

DENTAL: Oregon
Population Group Listing

Population Group

Low Inc/MFW—Malheur Co
County—Malheur
Parts:
Low Income/MFW
Low Inc/MFW—Washington Co
County—Washington
Parts:
Low Income/MFW
Low Inc/MSFW—Marion/Polk/Yamhill
County—Marion
Parts:
Low Income/MFW
County—Polk
Parts:
Low Inc/MFW
County—Yamhill
Parts:
Low Income/MFW

DENTAL: Pennsylvania
County Listing

County Name

Adams
Population Group: MFW—Adams/Franklin
Berks
Population Group: Low Inc—Welsh Mountain
Chester
Population Group: Low Inc—Welsh Mountain
Dauphin
Population Group: Dent Ind—Harrisburg
Fayette
Service Area: Greensboro
*Franklin
Population Group: MFW—Adams/Franklin
*Greene
Service Area: Greensboro
*Huntingdon
Service Area: Cromwell
Lancaster
Population Group: Low Inc—Welsh Mountain
Population Group: Low Inc—Se Lancaster City
Mercer
Population Group: Medicaid—Sharon/Farrell
*Schuylkill
Facility: FCI—Schuylkill
Facility: State Corr. I.—Frackville
*Union
Population Group: Inmates—FPC Allenwood
Population Group: Inmates—LSCI Allenwood
Facility: FCI Allenwood
Facility: USP—Lewisburg
Facility: USP Allenwood
York
Service Area: York City

DENTAL: Pennsylvania
Service Area Listing

Service Area Name

Cromwell
County—Huntingdon
Parts:
Clay Twp
Cromwell Twp
Dublin Twp
Orbisonia Boro
Rockhill Furnace Boro
Saltillo Boro
Shade Gap Boro
Springfield Twp
Tell Twp
Three Springs Boro
Greensboro
County—Fayette
Parts:
German Township
Masontown Borough
Nicholson Township
Point Marion Borough
Springhill Township
County—Greene
Parts:
Dunkard Township
Greene Township
Greensboro Borough
Monongahela Township
York City
County—York
Parts:
C.T. 1–3
C.T. 5
C.T. 7
C.T. 9–12
C.T. 15–16

DENTAL: Pennsylvania
Population Group Listing

Population Group

Dent Ind—Harrisburg
County—Dauphin
Parts:
C.T. 201–217
Inmates—FPC Allenwood
County—Union
Parts:
FPC Allenwood
Inmates—LSCI Allenwood
County—Union
Parts:
LSCI Allenwood
Low Inc—Se Lancaster City
County—Lancaster
Parts:
C.T. 1
C.T. 7–9
C.T. 14–16
Low Inc—Welsh Mountain
County—Berks
Parts:
Brecknock Twp
Caernarvon Twp
County—Chester
Parts:
Honey Brook Twp
Honey Brook Boro
County—Lancaster
Parts:
Adamstown Boro
Akron Boro
Brecknock Twp
Caernarvon Twp
Christiana Boro
Denver Boro
Earl Twp
East Cocalico Twp
East Earl Twp
Ephrata Boro
Ephrata Twp
Leacock Twp
New Holland Boro
Paradise Twp
Sadsbury Twp
Salisbury Twp
Terre Hill Boro
Upper Leacock Twp
West Earl Twp
Medicaid—Sharon/Farrell
County—Mercer
Parts:
Farrell City
Sharon City
MFW—Adams/Franklin
County—Adams
Parts:
MFW
County—Franklin
Parts:
MFW

DENTAL: Pennsylvania
Facility Listing

Facility Name

FCI—Schuylkill
County—Schuylkill
FCI Allenwood
County—Union
State Corr. I.—Frackville
County—Schuylkill
USP—Lewisburg
County—Union
USP Allenwood
County—Union

DENTAL: Rhode Island
County Listing

County Name

Newport
Population Group: Low Inc—Newport Co
Providence
Population Group: Low Inc—Nw Woonsocket
Population Group: Low Inc—Providence City
Population Group: Low Inc—C Falls/N Pawtucket
Facility: Allen Berry Hlth Ctr
Facility: Central Hlth Ctr Providence
Washington
Population Group: Low Inc—Wakefield/Kingstown/Narraga

DENTAL: Rhode Island
Population Group Listing

Population Group

Low Inc—C Falls/N Pawtucket
County—Providence
Parts:
C.T. 108–111
C.T. 149
C.T. 151–153
C.T. 161
Low Inc—Newport Co
County—Newport
Parts:

DENTAL: Rhode Island
Population Group Listing

Population Group

Low Income
Low Inc—Nw Woonsocket
County—Providence
Parts:
C.T. 172
C.T. 174
C.T. 176
C.T. 178–183
Low Inc—Providence City
County—Providence
Parts:
C.T. 1–23
C.T. 25–33
C.T. 35–37
Low Inc—Wakefield/Kingstown/Narraga
County—Washington
Parts:
Narragansett Town
S. Kingstown Town

DENTAL: Rhode Island
Facility Listing

Facility Name

Allen Berry Hlth Ctr
County—Providence
Central Hlth Ctr Providence
County—Providence

DENTAL: South Carolina
County Listing

County Name

*Abbeville
Aiken
Service Area: Springfield
*Bamberg
*Beaufort
Service Area: Sheldon
Charleston
Service Area: McClellanville/Sampit-Santee
Service Area: Sea Islands
Cherokee
*Chesterfield
Service Area: Sandhills
*Clarendon
*Colleton
Service Area: Smoaks/Lodge
*Dillon
Dorchester
Service Area: St George
Florence
Service Area: Olanta
*Georgetown
Service Area: McClellanville/Sampit-Santee
Horry
Service Area: Little River
Service Area: Loris-Aynor
*Jasper
*Kershaw
Service Area: Bethune/Mt. Pisgah
*Lee
*Marion
*Marlboro
*McCormick
*Orangeburg
Service Area: Eastern Orangeburg
Service Area: Springfield
Richland
Service Area: Eastover
*Saluda
Sumter

DENTAL: South Carolina
County Listing

County Name

*Williamsburg
York
Service Area: Western York

DENTAL: South Carolina
Service Area Listing

Service Area Name

Bethune/Mt. Pisgah
County—Kershaw
Parts:
Bethune CCD
Mt. Pisgah CCD
Eastern Orangeburg
County—Orangeburg
Parts:
Bowman CCD
Branchville CCD
Elloree CCD
Eutawville CCD
Holly Hill CCD
Vance CCD
Eastover
County—Richland
Parts:
Eastover CCD
Hopkins CCD
Horrell Hill CCD
Little River
County—Horry
Parts:
C.T. 301
C.T. 401–402
C.T. 603
Loris-Aynor
County—Horry
Parts:
Aynor CCD
Loris CCD
McClellanville/Sampit-Santee
County—Charleston
Parts:
McClellanville CCD
County—Georgetown
Parts:
Sampit-Santee CCD
Olanta
County—Florence
Parts:
Olanta CCD
Sardis CCD
Sandhills
County—Chesterfield
Parts:
Jefferson CCD
McBee CCD
Pageland CCD
Sea Islands
County—Charleston
Parts:
Edisto Is CCD
James Is CCD
Johns Is CCD
Wadmalaw Is CCD
Sheldon
County—Beaufort
Parts:
Sheldon CCD
Smoaks/Lodge
County—Colleton
Parts:
Lodge CCD

DENTAL: South Carolina
Service Area Listing

Service Area Name

Smoaks CCD
Springfield
County—Aiken
Parts:
Salley CCD
Wagener CCD
County—Orangeburg
Parts:
Springfield CCD
St George
County—Dorchester
Parts:
Harleyville CCD
Reevesville CCD
Ridgeville CCD
St George CCD
Western York
County—York
Parts:
Clover CCD
Hickory Grove CCD
McConnells CCD
York CCD

DENTAL: South Dakota
County Listing

County Name

*Buffalo
*Campbell
*Corson
*Dewey
*Gregory
*Harding
*Jackson
*Lyman
*Meade
Service Area: Faith
*Mellette
*Perkins
*Roberts
*Sanborn
*Shannon
*Todd
Ziebach
Service Area: Faith

DENTAL: South Dakota
Service Area Listing

Service Area Name

Faith
County—Meade
Parts:
Eagle Twp.
Faith City
Howard Twp.
N. Meade Unorg.
Union Twp.
Upper Red Owl Twp.
County—Ziebach

DENTAL: Tennessee
County Listing

County Name

*Bledsoe
*Claiborne
*Cocke
*Cumberland
Davidson
Population Group: Pov/Homeless—Nashville

DENTAL: Tennessee
County Listing

County Name

*Decatur
Fayette
Grainger
*Grundy
*Hancock
*Haywood
*Hickman
*Jackson
*Johnson
*Lake
*Macon
*Morgan
*Perry
*Pickett
*Scott
Sequatchie
Shelby
Service Area: Free The Children Target Area
*Stewart
Union
*Wayne (g)
Facility: South Central Corr Ctr .

DENTAL: Tennessee
Service Area Listing

Service Area Name

Free The Children Target Area
County—Shelby
Parts:
C.T. 5
C.T. 18–20

DENTAL: Tennessee
Population Group Listing

Population Group

Pov/Homeless—Nashville
County—Davidson
Parts:
C.T. 113–114
C.T. 117–129
C.T. 133–148
C.T. 160–166
C.T. 168–172

DENTAL: Tennessee
Facility Listing

Facility Name

South Central Corr Ctr
County—Wayne

DENTAL: Texas
County Listing

County Name

*Aransas
Archer
*Armstrong
*Atascosa
Bastrop (g)
Facility: FCI Bastrop
*Bee (g)
Facility: Garza West & East Units
Bexar
Service Area: East Side (San Antonio)
Service Area: South Side (San Antonio)
Service Area: West Side (San Antonio)
Facility: Bexar Co State Jail
*Borden

DENTAL: Texas
County Listing

County Name

*Briscoe
*Brooks
*Burleson
Cameron
*Carson
*Castro
*Cochran
*Coke
Coryell
*Crosby
*Culberson
Dallas
Service Area: Lisbon
Service Area: Simpson-Stuart
Service Area: South Dallas
Service Area: Trinity
Service Area: West Dallas
*Dawson
*De Witt
*Dickens
Dimmit
Service Area: Dimmit/Zavala
*Donley
*Duval
*Edwards
El Paso
Service Area: Southeast El Paso
*Floyd
*Foard
*Frio
*Gaines
*Garza
*Glasscock
*Goliad
*Gonzales
*Grimes
Population Group: Inmates—FPC Bryan
*Hall
*Hansford
*Hartley
Hidalgo
*Houston
*Howard
Population Group: Inmates—FCI Big Spring
*Hudspeth
*Irion
*Jim Hogg
*Jim Wells
*Kent
*King
*Kinney
*Knox
*La Salle
Liberty
*Loving
*Madison
*Maverick
*Medina
*Mitchell
*Morris
*Motley
*Nacogdoches
Population Group: Low Inc—Nacogdoches Co
*Oldham
*Pecos
*Presidio
*Reeves
*Roberts
*Robertson
*San Augustine

DENTAL: Texas
County Listing

County Name

*San Jacinto
*Schleicher
*Shackelford
*Sherman
*Somervell
*Starr
*Sterling
*Stonewall
*Terrell
*Terry
*Throckmorton
Travis
Service Area: Dove Springs
Service Area: East Austin
Service Area: South Austin
*Trinity
Upshur
*Uvalde
*Val Verde
*Ward
Webb
*Wharton
Population Group: Low Inc—Wharton Co
*Willacy
*Wise
*Yoakum
*Zapata
Zavala
Service Area: Dimmit/Zavala

DENTAL: Texas
Service Area Listing

Service Area Name

Dimmit/Zavala
County—Dimmit
County—Zavala
Dove Springs
County—Travis
Parts:
C.T. 24.11–24.13
East Austin
County—Travis
Parts:
C.T. 4.02
C.T. 8.01–8.04
C.T. 9.01–9.02
C.T. 10
C.T. 18.11–18.12
C.T. 21.04–21.13
C.T. 22.01–22.02
C.T. 22.05
East Side (San Antonio)
County—Bexar
Parts:
C.T. 1101–1104
C.T. 1109–1110
C.T. 1301–1306
C.T. 1307.85
C.T. 1308–1313
C.T. 1401
Lisbon
County—Dallas
Parts:
C.T. 56–57
C.T. 59.01–59.02
C.T. 87.01
C.T. 87.03–87.05
C.T. 88.01–88.02
Simpson-Stuart
County—Dallas
Parts:

DENTAL: Texas
Service Area Listing

Service Area Name

C.T. 112–113
C.T. 114.01–114.02
C.T. 167.01
C.T. 169.01
South Austin
County—Travis
Parts:
C.T. 23.04
C.T. 23.10–23.12
C.T. 24.16
South Dallas
County—Dallas
Parts:
C.T. 29–30
C.T. 32.02
C.T. 33–38
C.T. 39.01–39.02
C.T. 40
C.T. 115
South Side (San Antonio)
County—Bexar
Parts:
C.T. 1402–1412
C.T. 1416–1418
C.T. 1501–1522
C.T. 1609
C.T. 1610.85
C.T. 1611–1612
C.T. 1619–1620
Southeast El Paso
County—El Paso
Parts:
C.T. 17–21
C.T. 28–32
C.T. 35–36
C.T. 37.01–37.02
C.T. 38.01–38.02
C.T. 39.01–39.03
C.T. 40.01–40.02
C.T. 41.03–41.07
C.T. 42.01–42.02
C.T. 103.10
C.T. 104.01–104.04
C.T. 105
Trinity
County—Dallas
Parts:
C.T. 41
C.T. 49
C.T. 54–55
C.T. 86.01–86.02
C.T. 89
West Dallas
County—Dallas
Parts:
C.T. 43
C.T. 101–106
West Side (San Antonio)
County—Bexar
Parts:
C.T. 1105–1108
C.T. 1601–1606
C.T. 1607.85
C.T. 1616
C.T. 1701–1716
C.T. 1901–1902

DENTAL: Texas
Population Group Listing

Population Group

Inmates—FCI Big Spring
County—Howard
Parts:
FCI Big Spring
Inmates—FPC Bryan
County—Grimes
Parts:
FPC Bryan
Low Inc—Nacogdoches Co
County—Nacogdoches
Parts:
Low Income
Low Inc—Wharton Co
County—Wharton
Parts:
Low Income

DENTAL: Texas
Facility Listing

Facility Name

Bexar Co State Jail
County—Bexar
FCI Bastrop
County—Bastrop
Garza West & East Units
County—Bee

DENTAL: Utah
County Listing

County Name

*Daggett
*Duchesne
Population Group: Pov Pop—Duchesne Co
*Emery
Service Area: Castle Dale
*Piute
*Rich
Salt Lake
Population Group: Pov/Homeless—Nw Salt Lake
Facility: Utah St. Prison (Draper)
*San Juan
Service Area: Montezuma Creek
Utah
Population Group: Pov/MFW—Utah Co
*Washington
Service Area: Hildale
*Wayne

DENTAL: Utah
Service Area Listing

Service Area Name

Castle Dale
County—Emery
Parts:
Castle Dale-Huntington Cc
Emery Ferron CCD
Hildale
County—Washington
Parts:
Hildale Town
Montezuma Creek
County—San Juan
Parts:
Oljato CCD
Red Mesa CCD

DENTAL: Utah
Population Group Listing

Population Group

Pov Pop—Duchesne Co
County—Duchesne
Parts:
Pov Pop
Pov/Homeless—Nw Salt Lake
County—Salt Lake
Parts:
C.T. 1001
C.T. 1003.03–1003.04
C.T. 1004–1006
C.T. 1024–1027
Pov/MFW—Utah Co
County—Utah
Parts:
Migrant
Pov Pop

DENTAL: Utah
Facility Listing

Facility Name

Utah St. Prison (Draper)
County—Salt Lake

DENTAL: Vermont
County Listing

County Name

*Essex
Grand Isle

DENTAL: Virginia
County Listing

County Name

Accomack
*Accomack
Service Area: Accomack/Northampton
Service Area: Accomack/Northampton
*Buchanan
*Dickenson
*Lee
*Nelson
Service Area: Lovingston
Newport News
Service Area: Newport News
Northampton
*Northampton
Service Area: Accomack/Northampton
Service Area: Accomack/Northampton
*Russell

DENTAL: Virginia
Service Area Listing

Service Area Name

Accomack/Northampton
County—Accomack
County—Northampton
County—Northampton
Lovingston
County—Nelson
Parts:
Lovingston Dist
Massies Mill Dist
Schuyler Dist
Newport News
County—Newport News
Parts:
C.T. 302
C.T. 302.99
C.T. 303.98
C.T. 304–306

DENTAL: Virginia
Service Area Listing

Service Area Name

C.T. 308–309
C.T. 313

DENTAL: Virginia
Facility Listing

Facility Name

FCI—Petersburg

DENTAL: Washington
County Listing

County Name

*Adams
Population Group: MSFW—Othello/Royal City
Benton
Population Group: MSFW-Benton & Franklin
*Chelan
Population Group: MFW—Chelan/Douglas
*Columbia
Population Group: MSFW-Columbia & Walla Walla
*Douglas
Population Group: MFW—Chelan/Douglas
*Ferry
Franklin
Population Group: MSFW-Benton & Franklin
Facility: Coyote Ridge Corr Inst
*Grant
Population Group: Low Inc/MFW—Central Grant Co
Population Group: MSFW—Othello/Royal City
*Lewis
Service Area: Morton
*Mason
Facility: Wa Corr/Reception Ctr
*Okanogan
Population Group: MSFW—Okanogan Co
*Pacific
Service Area: Naselle
Pierce
Population Group: Medicaid—Pierce Co
Facility: Wa Corr Ctr For Women
*Skagit
Population Group: MSFW-Skagit/Whatcom
Snohomish
Population Group: Low Inc—Snohomish Co
Spokane
Population Group: Pov Pop—Spokane
*Wahkiakum
*Walla Walla
Population Group: MSFW-Columbia & Walla Walla
Facility: Wa State Pen
Whatcom
Population Group: MSFW-Skagit/Whatcom
Yakima
Population Group: MSFW—Toppenish/Grandview

DENTAL: Washington
Service Area Listing

Service Area Name

Morton
County—Lewis
Parts:
Big Bottom CCD
Mineral CCD
Morton CCD
Mossyrock CCD
Naselle
County—Pacific
Parts:
Naselle CCD

DENTAL: Washington
Population Group Listing

Population Group

Low Inc—Snohomish Co
County—Snohomish
Parts:
Low Income
Low Inc/MFW—Central Grant Co
County—Grant
Parts:
Ephrata-Soap Lake CCD
George CCD
Gloyd CCD
Moses Lake CCD
Quincy CCD
Warden CCD
Wilson Creek CCD
Medicaid—Pierce Co
County—Pierce
Parts:
Medicaid Eligible
MFW—Chelan/Douglas
County—Chelan
Parts:
MFW
County—Douglas
Parts:
MFW
MSFW—Okanogan Co
County—Okanogan
Parts:
MSFW
MSFW—Othello/Royal City
County—Adams
Parts:
MSFW
County—Grant
Parts:
Southern Slopes CCD
MSFW—Toppenish/Grandview
County—Yakima
Parts:
Mabton CCD
S Yakima CCD
Sunnyside CCD
Toppenish/Wapato CCD
MSFW-Benton & Franklin
County—Benton
Parts:
MSFW
County—Franklin
Parts:
MSFW
MSFW-Columbia & Walla Walla
County—Columbia
Parts:
MSFW
County—Walla Walla
Parts:
MSFW
MSFW-Skagit/Whatcom
County—Skagit
Parts:
MSFW Skagit
County—Whatcom
Parts:
MSFW Whatcom
Pov Pop—Spokane
County—Spokane
Parts:
Spokane CCD

DENTAL: Washington
Facility Listing

Facility Name

Coyote Ridge Corr Inst
County—Franklin
Wa Corr Ctr For Women
County—Pierce
Wa Corr/Reception Ctr
County—Mason
Wa State Pen
County—Walla Walla

DENTAL: West Virginia
County Listing

County Name

*Calhoun
*Hampshire
Service Area: Baker
*Hardy
Service Area: Baker
Kanawha
Service Area: Cedar Grove
*Lincoln
*McDowell
*Monongalia
Service Area: Clay/Battelle (WV/PA)
Population Group: Inmates—FCI Morgantown
*Monroe
Population Group: Inmates—FPC Alderson
*Wetzel
Service Area: Clay/Battelle (WV/PA)

DENTAL: West Virginia
Service Area Listing

Service Area Name

Baker
County—Hampshire
Parts:
Capon Dist
County—Hardy
Parts:
Capon Dist
Lost River Dist
Cedar Grove
County—Kanawha
Parts:
C.T. 118
Clay/Battelle (WV/PA)
County—Monongalia
Parts:
C.T. 114
County—Wetzel
Parts:
C.T. 304
Wayne/Fort Gay
Parts:
Butler Dist.
Stonewall Dist.
Union Dist.

DENTAL: West Virginia
Population Group Listing

Population Group
Inmates—FCI Morgantown
County—Monongalia
Parts:
FCI Morgantown
Inmates—FPC Alderson
County—Monroe
Parts:
FPC Alderson

DENTAL: Wisconsin
County Listing

County Name
*Forest
Service Area: Mountain
*Langlade
Service Area: Mountain
Milwaukee
Service Area: Inner City West
Service Area: Inner City North (Milwaukee)
Population Group: Low Inc—Inner City South
*Oconto
Service Area: Mountain

DENTAL: Wisconsin
Service Area Listing

Service Area Name
Inner City North (Milwaukee)
County—Milwaukee
Parts:
C.T. 66–72
C.T. 79–86
C.T. 101–107
C.T. 114–118
C.T. 139–142
C.T. 145–147
C.T. 151
Inner City West
County—Milwaukee
Parts:
C.T. 62
C.T. 87–90
C.T. 96–100
C.T. 119–123
C.T. 133–138
C.T. 148–149
Mountain
County—Forest
Parts:
Blackwell Twn.
Freedom Twn.
Wabeno Twn.
County—Langlade
Parts:
Evergreen Twn.
Langlade Twn.
White Lake Vil.
Wolf River Twn.
County—Oconto
Parts:
Armstrong Twn.
Bagley Twn.
Brazeau Twn.
Breed Twn.
Doty Twn.
Lakewood Twn.
Riverview Twn.
Townsend Twn.

DENTAL: Wisconsin
Population Group Listing

Population Group
Low Inc—Inner City South
County—Milwaukee
Parts:
C.T. 155–159
C.T. 162–169
C.T. 174–177
C.T. 178.98
C.T. 179
C.T. 180.97–180.98

DENTAL: American Samoa
County Listing

County Name
Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

DENTAL: American Samoa
Service Area Listing

Service Area Name
Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Swains Island
County—Western District

DENTAL: Fed Ste Micronesia
County Listing

County Name
*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

DENTAL: Guam
County Listing

County Name
*Guam

DENTAL: Marshall Islands
County Listing

County Name
*Republic Of Marshall Is

DENTAL: N. Mariana Islands
County Listing

County Name
*Mariana Island District

DENTAL: Republic of Palau
County Listing

County Name
*Republic Of Palau

DENTAL: Puerto Rico
County Listing

County Name
*Adjuntas
Aguada
Aguadilla
*Aguas Buenas
*Aibonito
Anasco
*Arecibo
*Arroyo
*Barceloneta
*Barranquitas
*Bayamon
Population Group: Low Inc—Bayamon
Cabo Rojo
*Caguas
Population Group: Low Inc—Caguas
*Camuy
*Canovanas
*Carolina
*Catano
*Cayey
*Ceiba
*Ciales
*Cidra
*Coamo
*Comerio
*Corozal
*Culebra
*Dorado
*Fajardo
Population Group: Low Inc—Fajardo
*Florida
*Guanica
*Guayama
Guayanilla
*Guaynabo
Population Group: Low Inc—Guaynabo
*Gurabo
*Hatillo
Hormigueros
*Humacao
Population Group: Low Inc—Humacao
*Isabela
*Jayuya
Juana Diaz
*Juncos
Population Group: Low Inc—Juncos
*Lajas
*Lares
*Las Marias
*Las Peidras
*Loiza
*Luquillo
*Manati
Population Group: Low Inc—Manati
*Maricao
*Maunabo
Mayaguez
Population Group: Low Inc—Mayaguez
Moca
*Morovis
*Naguabo
*Naranjito
*Orocovis
Population Group: Low Inc—Orocovis
*Patillas
Penuelas
Ponce
Population Group: Low Inc—Ponce
*Quebradillas
*Rincon
*Rio Grande
Sabana Grande

DENTAL: Puerto Rico
County Listing

County Name

*Salinas
San German
*San Juan
Population Group: Low Inc—San Juan
*San Lorenzo
*San Sebastian
*Santa Isabel
*Toa Alta
*Toa Baja
*Trujillo Alto
*Utuado
*Vega Alta
*Vega Baja
*Vieques
Villalba
*Yabucoa
Yauco

DENTAL: Puerto Rico
Population Group Listing

Population Group

Low Inc—Bayamon
County—Bayamon
Parts:
Low Income
Low Inc—Caguas
County—Caguas
Parts:
Low Income
Low Inc—Fajardo
County—Fajardo
Parts:
Low Income
Low Inc—Guaynabo
County—Guaynabo
Parts:
Low Income
Low Inc—Humacao
County—Humacao
Parts:
Low Income
Low Inc—Juncos
County—Juncos
Parts:
Low Income
Low Inc—Manati
County—Manati
Parts:
Low Income
Low Inc—Mayaguez
County—Mayaguez
Parts:
Low Income
Low Inc—Orocovis
County—Orocovis
Parts:
Low Income
Low Inc—Ponce
County—Ponce
Parts:
Low Income
Low Inc—San Juan
County—San Juan
Parts:
Low Income

DENTAL: Virgin Islands
County Listing

County Name

*St. Croix
Service Area: Fredericksted

DENTAL: Virgin Islands
Service Area Listing

Service Area Name

Fredericksted
County—St. Croix
Parts:
Fredericksted
Northwest
Southwest

MENTAL HEALTH: Alabama
County Listing

County Name

Autauga
Service Area: Catchment Area M–14
Baldwin
Service Area: Catchment Area M–21
Barbour
Service Area: Catchment Area M–19
Bibb
Service Area: Catchment Area M–8
Bullock
Service Area: Catchment Area M–15
Butler
Service Area: Catchment Area M–18
Calhoun
Service Area: Catchment Area M–7
Chambers
Service Area: Catchment Area M–12
Cherokee
Service Area: Catchment Area M–6
Chilton
Service Area: Catchment Area M–11
Choctaw
Service Area: Catchment Area M–10
Clarke
Service Area: Catchment Area M–17
Clay
Service Area: Catchment Area M–9
Cleburne
Service Area: Catchment Area M–7
Coffee
Service Area: Catchment Area M–18
Colbert
Service Area: Catchment Area M–1
Conecuh
Service Area: Catchment Area M–17
Coosa
Service Area: Catchment Area M-9
Covington
Service Area: Catchment Area M–18
Crenshaw
Service Area: Catchment Area M–18
Cullman
Service Area: Catchment Area M–22
Dale
Service Area: Catchment Area M–19
Dallas
Service Area: Catchment Area M–13
De Kalb
Service Area: Catchment Area M–6
Elmore
Service Area: Catchment Area M–14
Escambia
Service Area: Catchment Area M–17
Etowah
Service Area: Catchment Area M–6
Fayette
Service Area: Catchment Area M–4
Franklin
Service Area: Catchment Area M–1
*Geneva
Service Area: Catchment Area M–19
Greene
Service Area: Catchment Area M–10
Hale
Service Area: Catchment Area M–10
*Henry
Service Area: Catchment Area M–19
Houston
Service Area: Catchment Area M–19
Jackson
Service Area: Catchment Area M–20
Lamar
Service Area: Catchment Area M–4
Lauderdale
Service Area: Catchment Area M–1
Lawrence
Service Area: Catchment Area M–2
Lee
Service Area: Catchment Area M–12
Limestone
Service Area: Catchment Area M–2
Lowndes
Service Area: Catchment Area M–14
Macon
Service Area: Catchment Area M–15
Madison
Service Area: Catchment Area M–3
Marengo
Service Area: Catchment Area M–10
Marion
Service Area: Catchment Area M–4
Marshall
Service Area: Catchment Area M–20
Mobile
Service Area: Catchment Area M–16
Monroe
Service Area: Catchment Area M–17
Montgomery
Service Area: Catchment Area M–14
Morgan
Service Area: Catchment Area M–2
Perry
Service Area: Catchment Area M–13
Pickens
Service Area: Catchment Area M–8
Pike
Service Area: Catchment Area M–15
Randolph
Service Area: Catchment Area M–9
Russell
Service Area: Catchment Area M–12
Shelby
Service Area: Catchment Area M–11
Sumter
Service Area: Catchment Area M–10
Talladega
Service Area: Catchment Area M–9
Tallapoosa
Service Area: Catchment Area M–12
Tuscaloosa
Service Area: Catchment Area M–8
Walker
Service Area: Catchment Area M–4
Washington
Service Area: Catchment Area M–16
Wilcox
Service Area: Catchment Area M–13
Winston
Service Area: Catchment Area M–4

MENTAL HEALTH: Alabama
Service Area Listing

Service Area Name

Catchment Area M–1

MENTAL HEALTH: Alabama
Service Area Listing

Service Area Name

County—Colbert
County—Franklin
County—Lauderdale
Catchment Area M–10
County—Choctaw
County—Greene
County—Hale
County—Marengo
County—Sumter
Catchment Area M–11
County—Chilton
County—Shelby
Catchment Area M–12
County—Chambers
County—Lee
County—Russell
County—Tallapoosa
Catchment Area M–13
County—Dallas
County—Perry
County—Wilcox
Catchment Area M–14
County—Autauga
County—Elmore
County—Lowndes
County—Montgomery
Catchment Area M–15
County—Bullock
County—Macon
County—Pike
Catchment Area M–16
County—Mobile
County—Washington
Catchment Area M–17
County—Clarke
County—Conecuh
County—Escambia
County—Monroe
Catchment Area M–18
County—Butler
County—Coffee
County—Covington
County—Crenshaw
Catchment Area M–19
County—Barbour
County—Dale
County—Geneva
County—Henry
County—Houston
Catchment Area M–2
County—Lawrence
County—Limestone
County—Morgan
Catchment Area M–20
County—Jackson
County—Marshall
Catchment Area M–21
County—Baldwin
Catchment Area M–22
County—Cullman
Catchment Area M–3
County—Madison
Catchment Area M–4
County—Fayette
County—Lamar
County—Marion
County—Walker
County—Winston
Catchment Area M–6
County—Cherokee
County—De Kalb
County—Etowah

MENTAL HEALTH: Alabama
Service Area Listing

Service Area Name

Catchment Area M–7
County—Calhoun
County—Cleburne
Catchment Area M–8
County—Bibb
County—Pickens
County—Tuscaloosa
Catchment Area M–9
County—Clay
County—Coosa
County—Randolph
County—Talladega

MENTAL HEALTH: Alaska
Census Area Listing

Census Area Name

*Anchorage Borough
Facility: Alaska Psychiatric I.
*Bethel Area
Service Area: Aniak (Ca #10)
Service Area: Bethel (Ca #9)
*Bettles
Service Area: Tanana/Galena (Ca's 3 & 6)
*Bristol Bay Borough
Service Area: Dillingham (Ca #14)
*Dillingham Area
Service Area: Dillingham (Ca #14)
*Ft. Yukon
Service Area: Tanana/Galena (Ca's 3 & 6)
*Galena
Service Area: Tanana/Galena (Ca's 3 & 6)
*Haines Borough
Service Area: Haines (Ca #20)
*Kenai Peninsula Borough
Service Area: Kenai/Homer (Ca's 17 & 24)
Service Area: Seward (Ca #18)
*Kobuk Area
Service Area: Kotzebue (Ca #2)
*Kodiak Island Borough
Service Area: Kodiak Island (Ca #15)
*Matanuska-Susitna Borough
Service Area: Wasilla (Ca #12)
*McGrath
Service Area: Tanana/Galena (Ca's 3 & 6)
*Nome Area
Service Area: Nome
*North Slope Area
Service Area: Barrow (Ca #1)
*Prince Of Wales-Outer Ket
Service Area: Prince Of Wales (Ca #25)
*Sitka Borough
Service Area: Sitka
*Skagway-Yakutat-Angoon
Service Area: Haines (Ca #20)
*Southeast-Fairbanks Area
Service Area: Tok (Ca #8)
*Tok
Service Area: Tanana/Galena (Ca's 3 & 6)
*Valdez-Cordova Area
Service Area: Copper Center (Ca #13)
Service Area: Cordova (Ca #23)
Service Area: Valdez (Ca #19)
*Wade-Hampton Area
Service Area: Bethel (Ca #9)
*Yukon-Koyukuk Area
Service Area: Fort Yukon (Ca #4)
Service Area: Mc Grath (Ca #11)
Service Area: Tanana/Galena (Ca's 3 & 6)

MENTAL HEALTH: Alaska
Service Area Listing

Service Area Name

Aniak (Ca #10)
Census Area—Bethel Area
Parts:
*Aniak Subarea
Barrow (Ca #1)
Census Area—North Slope Area
Bethel (Ca #9)
Census Area—Bethel Area
Parts:
*Lower Kuskokwim Subarea
Census Area—Wade-Hampton Area
Copper Center (Ca #13)
Census Area—Valdez-Cordova Area
Parts:
*Copper River Subarea
Cordova (Ca #23)
Census Area—Valdez-Cordova Area
Parts:
*Cordova Subarea
Dillingham (Ca #14)
Census Area—Dillingham Area
Fort Yukon (Ca #4)
Census Area—Yukon-Koyukuk Area
Parts:
*Yukon Flats Subarea
Haines (Ca #20)
Census Area—Skagway-Yakutat-Angoon
Kenai/Homer (Ca's 17 & 24)
Census Area—Kenai Peninsula Borough
Parts:
*Kenai-Cook Inlet Subarea
Kodiak Island (Ca #15)
Census Area—Kodiak Island Borough
Kotzebue (Ca #2)
Census Area—Kobuk Area
Mc Grath (Ca #11)
Census Area—Yukon-Koyukuk Area
Parts:
*Mc Grath-Holycross Subarea
Nome
Census Area—Nome Area
Prince Of Wales (Ca #25)
Census Area—Prince Of Wales-Outer Ket
Parts:
*Prince Of Wales Subarea
Seward (Ca #18)
Census Area—Kenai Peninsula Borough
Parts:
*Seward Subarea
Sitka
Census Area—Sitka Borough
Tanana/Galena (Ca's 3 & 6)
Census Area—Bettles
Census Area—Ft. Yukon
Census Area—Galena
Census Area—McGrath
Census Area—Tok
Census Area—Yukon-Koyukuk Area
Parts:
*Koyukuk-Middle Yukon Subarea
Tok (Ca #8)
Census Area—Southeast-Fairbanks Area
Unalaska (Ca #16)
Valdez (Ca #19)
Census Area—Valdez-Cordova Area
Parts:
*Prince William Sound Subarea
Wasilla (Ca #12)
Census Area—Matanuska-Susitna Borough

MENTAL HEALTH: Alaska
Facility Listing

Facility Name
Alaska Psychiatric I.
Census Area—Anchorage Borough

MENTAL HEALTH: Arizona
County Listing

County Name
Apache
Service Area: N. Arizona Mental Hlth Catch Area
Cochise
Service Area: Southeastern Arizona
Coconino
Service Area: N. Arizona Mental Hlth Catch Area
*Gila
Graham
Service Area: Southeastern Arizona
Greenlee
Service Area: Southeastern Arizona
*La Paz
Mohave
Service Area: N. Arizona Mental Hlth Catch Area
Navajo
Service Area: N. Arizona Mental Hlth Catch Area
Pinal
Santa Cruz
Service Area: Southeastern Arizona
Yavapai
Service Area: N. Arizona Mental Hlth Catch Area
Yuma

MENTAL HEALTH: Arizona
Service Area Listing

Service Area Name
N. Arizona Mental Hlth Catch Area
County—Apache
County—Coconino
County—Mohave
County—Navajo
County—Yavapai
Southeastern Arizona
County—Cochise
County—Graham
County—Greenlee
County—Santa Cruz

MENTAL HEALTH: Arkansas
County Listing

County Name
Arkansas
Service Area: Pine Bluff C.A.
Ashley
Service Area: Monticello C.A.
Baxter
Service Area: Mountain Home C.A.
Benton
Facility: Benton Detox/Mh Ctr
Boone
Service Area: Mountain Home C.A.
Bradley
Service Area: Monticello C.A.
Calhoun
Service Area: El Dorado
Chicot
Service Area: Monticello C.A.
Clay
Service Area: Jonesboro

MENTAL HEALTH: Arkansas
County Listing

County Name
Cleburne
Service Area: Batesville
Cleveland
Service Area: Pine Bluff C.A.
Columbia
Service Area: El Dorado
Conway
Service Area: Russellville C.A.
Craighead
Service Area: Jonesboro
Crittenden
Service Area: Helena
Cross
Service Area: Helena
Dallas
Service Area: El Dorado
Desha
Service Area: Monticello C.A.
Drew
Service Area: Monticello C.A.
Faulkner
Service Area: Russellville C.A.
Fulton
Service Area: Batesville
Grant
Service Area: Pine Bluff C.A.
Greene
Service Area: Jonesboro
Hempstead
Service Area: Texarkana C.A.
Howard
Service Area: Texarkana C.A.
Independence
Service Area: Batesville
Izard
Service Area: Batesville
Jackson
Service Area: Batesville
Jefferson
Service Area: Pine Bluff C.A.
Johnson
Service Area: Russellville C.A.
Lafayette
Service Area: Texarkana C.A.
Lawrence
Service Area: Jonesboro
Lee
Service Area: Helena
Lincoln
Service Area: Pine Bluff C.A.
Little River
Service Area: Texarkana C.A.
Marion
Service Area: Mountain Home C.A.
Miller
Service Area: Texarkana C.A.
Mississippi
Service Area: Jonesboro
Monroe
Service Area: Helena
Nevada
Service Area: El Dorado
Newton
Service Area: Mountain Home C.A.
Ouachita
Service Area: El Dorado
Perry
Service Area: Russellville C.A.
Phillips
Service Area: Helena
Poinsett
Service Area: Jonesboro

MENTAL HEALTH: Arkansas
County Listing

County Name
Pope
Service Area: Russellville C.A.
*Prairie
Randolph
Service Area: Jonesboro
Searcy
Service Area: Mountain Home C.A.
Sevier
Service Area: Texarkana C.A.
Sharp
Service Area: Batesville
St. Francis
Service Area: Helena
Stone
Service Area: Batesville
Union
Service Area: El Dorado
Van Buren
Service Area: Batesville
White
Service Area: Batesville
Woodruff
Service Area: Batesville
Yell
Service Area: Russellville C.A.

MENTAL HEALTH: Arkansas
Service Area Listing

Service Area Name
Batesville
County—Cleburne
County—Fulton
County—Independence
County—Izard
County—Jackson
County—Sharp
County—Stone
County—Van Buren
County—White
County—Woodruff
El Dorado
County—Calhoun
County—Columbia
County—Dallas
County—Nevada
County—Ouachita
County—Union
Helena
County—Crittenden
County—Cross
County—Lee
County—Monroe
County—Phillips
County—St. Francis
Jonesboro
County—Clay
County—Craighead
County—Greene
County—Lawrence
County—Mississippi
County—Poinsett
County—Randolph
Monticello C.A.
County—Ashley
County—Bradley
County—Chicot
County—Desha
County—Drew
Mountain Home C.A.
County—Baxter
County—Boone

MENTAL HEALTH: Arkansas
Service Area Listing

Service Area Name

County—Marion
County—Newton
County—Searcy
Pine Bluff C.A.
County—Arkansas
County—Cleveland
County—Grant
County—Jefferson
County—Lincoln
Russellville C.A.
County—Conway
County—Faulkner
County—Johnson
County—Perry
County—Pope
County—Yell
Texarkana C.A.
County—Hempstead
County—Howard
County—Lafayette
County—Little River
County—Miller
County—Sevier

MENTAL HEALTH: Arkansas
Facility Listing

Facility Name

Benton Detox/Mh Ctr
County—Benton

MENTAL HEALTH: California
County Listing

County Name

*Del Norte
Fresno
Service Area: West Side Fresno
*Imperial
Kern
Population Group: Low Inc—Arvin/Lamont
*Kings
San Mateo
Service Area: East Palo Alto
*Tehama

MENTAL HEALTH: California
Service Area Listing

Service Area Name

East Palo Alto
County—San Mateo
Parts:
C.T. 6117–6120
West Side Fresno
County—Fresno
Parts:
C.T. 78
C.T. 79.98
C.T. 80–83
C.T. 84.01–84.02

MENTAL HEALTH: California
Population Group Listing

Population Group

Low Inc—Arvin/Lamont
County—Kern
Parts:
C.T. 62–64

MENTAL HEALTH: Colorado
County Listing

County Name

*Alamosa
Service Area: San Luis Valley
*Archuleta
Service Area: Southwest Colorado
Baca
Service Area: Southeast Mh Reg
*Bent
Service Area: Southeast Mh Reg
Chaffee
Service Area: West Central Mh Reg
Cheyenne
Service Area: Northeast/East Central Mh Reg
*Conejos
Service Area: San Luis Valley
*Costilla
Service Area: San Luis Valley
Crowley
Service Area: Southeast Mh Reg
*Custer
Service Area: West Central Mh Reg
Delta
Service Area: Midwestern Mh Reg
*Dolores
Service Area: Southwest Colorado
Elbert
Service Area: Northeast/East Central Mh Reg
Fremont
Service Area: West Central Mh Reg
Gunnison
Service Area: Midwestern Mh Reg
Hinsdale
Service Area: Midwestern Mh Reg
Huerfano
Service Area: Mh Reg 7
Kiowa
Service Area: Southeast Mh Reg
Kit Carson
Service Area: Northeast/East Central Mh Reg
*La Plata
Service Area: Southwest Colorado
Lake
Service Area: West Central Mh Reg
Las Animas
Service Area: Mh Reg 7
Lincoln
Service Area: Northeast/East Central Mh Reg
Logan
Service Area: Northeast/East Central Mh Reg
*Mineral
Service Area: San Luis Valley
*Montezuma
Service Area: Southwest Colorado
Montrose
Service Area: Midwestern Mh Reg
Morgan
Service Area: Northeast/East Central Mh Reg
Otero
Service Area: Southeast Mh Reg
Ouray
Service Area: Midwestern Mh Reg
Phillips
Service Area: Northeast/East Central Mh Reg
Prowers
Service Area: Southeast Mh Reg
Pueblo

MENTAL HEALTH: Colorado
County Listing

County Name

Service Area: Mh Reg 7
*Rio Grande
Service Area: San Luis Valley
*Saguache
Service Area: San Luis Valley
*San Juan
Service Area: Southwest Colorado
San Miguel
Service Area: Midwestern Mh Reg
*Sedgwick
Service Area: Northeast/East Central Mh Reg
Washington
Service Area: Northeast/East Central Mh Reg
Yuma
Service Area: Northeast/East Central Mh Reg

MENTAL HEALTH: Colorado
Service Area Listing

Service Area Name

Mh Reg 7
County—Huerfano
County—Las Animas
County—Pueblo
Midwestern Mh Reg
County—Delta
County—Gunnison
County—Hinsdale
County—Montrose
County—Ouray
County—San Miguel
Northeast/East Central Mh Reg
County—Cheyenne
County—Elbert
County—Kit Carson
County—Lincoln
County—Logan
County—Morgan
County—Phillips
County—Sedgwick
County—Washington
County—Yuma
San Luis Valley
County—Alamosa
County—Conejos
County—Costilla
County—Mineral
County—Rio Grande
County—Saguache
Southeast Mh Reg
County—Baca
County—Bent
County—Crowley
County—Kiowa
County—Otero
County—Prowers
Southwest Colorado
County—Archuleta
County—Dolores
County—La Plata
County—Montezuma
County—San Juan
West Central Mh Reg
County—Chaffee
County—Custer
County—Fremont
County—Lake

MENTAL HEALTH: Connecticut
County Listing

County Name
Hartford
Service Area: Charter Oak Terrace/ Rice Heights

MENTAL HEALTH: Connecticut
Service Area Listing

Service Area Name
Charter Oak Terrace/ Rice Heights
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049

MENTAL HEALTH: DELAWARE
County Listing

County Name
Kent
*Sussex

MENTAL HEALTH: Florida
County Listing

County Name
Alachua
Facility: N. Fl. Evaluation & Treat. C.
Broward
Facility: Broward Corr Inst
Dade
Service Area: Model Cities
Manatee
Population Group: Low Inc—Manatee Cty
Palm Beach
Service Area: Belle Glade/Pahokee
*Putnam
Volusia
Facility: Tomoka Corr Inst

MENTAL HEALTH: Florida
Service Area Listing

Service Area Name
Belle Glade/Pahokee
County—Palm Beach
Parts:
Belle Glade/Pahokee CCD
Model Cities
County—Dade
Parts:
C.T. 4.08
C.T. 8.01–8.02
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 15.01–15.02
C.T. 16.01–16.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03–19.04
C.T. 23

MENTAL HEALTH: Florida
Population Group Listing

Population Group
Low Inc—Manatee Cty
County—Manatee

MENTAL HEALTH: Florida
Population Group Listing

Population Group
Parts:
Low Inc Pop

MENTAL HEALTH: Florida
Facility Listing

Facility Name
Apalachee Corr Inst
Broward Corr Inst
County—Broward
Florida State Prs
N. Fl. Evaluation & Treat. C.
County—Alachua
Tomoka Corr Inst
County—Volusia

MENTAL HEALTH: Georgia
County Listing

County Name
Banks
Service Area: Georgia Mountains
Bartow
Service Area: Coosa Valley
*Ben Hill
Service Area: Valdosta-Lowndes
*Berrien
Service Area: Valdosta-Lowndes
*Brooks
Service Area: Valdosta-Lowndes
Butts
Service Area: McIntosh Trail Catchment Area
Carroll
Service Area: Chattahoochee-Flint
Catoosa
Service Area: Mhca 1
*Chatooga
Service Area: Mhca 1
Cherokee
Service Area: Georgia Highlands
Colquitt
Service Area: Thomas Trail
*Cook
Service Area: Valdosta-Lowndes
Coweta
Service Area: Chattahoochee-Flint
Dade
Service Area: Mhca 1
Dawson
Service Area: Georgia Mountains
De Kalb
Facility: Georgia Regional Hosp
Decatur
Service Area: Thomas Trail
*Echols
Service Area: Valdosta-Lowndes
Fannin
Service Area: Georgia Highlands
Fayette
Service Area: McIntosh Trail Catchment Area
Floyd
Service Area: Coosa Valley
Forsyth
Service Area: Georgia Mountains
Franklin
Service Area: Georgia Mountains
Fulton
Service Area: South Central Fulton
Service Area: West Fulton Trail
Gilmer

MENTAL HEALTH: Georgia
County Listing

County Name
Service Area: Georgia Highlands
Glynn
Service Area: Gateway Catchment Area
Gordon
Service Area: Coosa Valley
Grady
Service Area: Thomas Trail
Habersham
Service Area: Georgia Mountains
Hall
Service Area: Georgia Mountains
Haralson
Service Area: Coosa Valley
Hart
Service Area: Georgia Mountains
Heard
Service Area: Chattahoochee-Flint
Henry
Service Area: McIntosh Trail Catchment Area
*Irwin
Service Area: Valdosta-Lowndes
Lamar
Service Area: McIntosh Trail Catchment Area
Lanier
Service Area: Valdosta-Lowndes
*Lowndes
Service Area: Valdosta-Lowndes
Lumpkin
Service Area: Georgia Mountains
Meriwether
Service Area: Chattahoochee-Flint
Mitchell
Service Area: Thomas Trail
Murray
Service Area: Georgia Highlands
Paulding
Service Area: Coosa Valley
Pickens
Service Area: Georgia Highlands
Pike
Service Area: McIntosh Trail Catchment Area
Polk
Service Area: Coosa Valley
Rabun
Service Area: Georgia Mountains
Seminole
Service Area: Thomas Trail
Spalding
Service Area: McIntosh Trail Catchment Area
Stephens
Service Area: Georgia Mountains
Thomas
Service Area: Thomas Trail
*Tift
Service Area: Valdosta-Lowndes
Towns
Service Area: Georgia Mountains
Troup
Service Area: Chattahoochee-Flint
*Turner
Service Area: Valdosta-Lowndes
Union
Service Area: Georgia Mountains
Upson
Service Area: McIntosh Trail Catchment Area
Walker
Service Area: Mhca 1

MENTAL HEALTH: Georgia
County Listing

County Name

White
Service Area: Georgia Mountains
Whitfield
Service Area: Georgia Highlands

MENTAL HEALTH: Georgia
Service Area Listing

Service Area Name

Chattahoochee-Flint
County—Carroll
County—Coweta
County—Heard
County—Meriwether
County—Troup
Coosa Valley
County—Bartow
County—Floyd
County—Gordon
County—Haralson
County—Paulding
County—Polk
Gateway Catchment Area
County—Glynn
Georgia Highlands
County—Cherokee
County—Fannin
County—Gilmer
County—Murray
County—Pickens
County—Whitfield
Georgia Mountains
County—Banks
County—Dawson
County—Forsyth
County—Franklin
County—Habersham
County—Hall
County—Hart
County—Lumpkin
County—Rabun
County—Stephens
County—Towns
County—Union
County—White
McIntosh Trail Catchment Area
County—Butts
County—Fayette
County—Henry
County—Lamar
County—Pike
County—Spalding
County—Upson
Mhca 1
County—Catoosa
County—Chatooga
County—Dade
County—Walker
Pineland
South Central Fulton
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52-53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67

MENTAL HEALTH: Georgia
Service Area Listing

Service Area Name

C.T. 68.01–68.02
C.T. 69–73
Thomas Trail
County—Colquitt
County—Decatur
County—Grady
County—Mitchell
County—Seminole
County—Thomas
Valdosta-Lowndes
County—Ben Hill
County—Berrien
County—Brooks
County—Cook
County—Echols
County—Irwin
County—Lanier
County—Lowndes
County—Tift
County—Turner
West Fulton Trail
County—Fulton
Parts:
C.T. 60–62
C.T. 77.01–77.02
C.T. 78.02–78.04
C.T. 79–80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02
C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
C.T. 88
C.T. 103.01–103.02

MENTAL HEALTH: Georgia
Facility Listing

Facility Name

Georgia Regional Hosp 3
County—De Kalb

MENTAL HEALTH: Hawaii
County Listing

County Name

Honolulu
Facility: Hawaii State Hosp.

MENTAL HEALTH: Hawaii
Facility Listing

Facility Name

Hawaii State Hosp.
County—Honolulu

MENTAL HEALTH: Idaho
County Listing

County Name

Adams
Service Area: Mental Hlth Region III
*Blaine
Service Area: Mental Hlth Region V
Bonneville
Service Area: Mh Region Vii
Butte
Service Area: Mh Region Vii
*Camas
Service Area: Mental Hlth Region V
Canyon

MENTAL HEALTH: Idaho
County Listing

County Name

Service Area: Mental Hlth Region III
*Cassia
Service Area: Mental Hlth Region V
Clark
Service Area: Mh Region Vii
Custer
Service Area: Mh Region Vii
Fremont
Service Area: Mh Region Vii
Gem
Service Area: Mental Hlth Region III
*Gooding
Service Area: Mental Hlth Region V
Jefferson
Service Area: Mh Region Vii
*Jerome
Service Area: Mental Hlth Region V
Lemhi
Service Area: Mh Region Vii
*Lincoln
Service Area: Mental Hlth Region V
Madison
Service Area: Mh Region Vii
*Minidoka
Service Area: Mental Hlth Region V
Owyhee
Service Area: Mental Hlth Region III
Payette
Service Area: Mental Hlth Region III
Teton
Service Area: Mh Region Vii
*Twin Falls
Service Area: Mental Hlth Region V
Washington
Service Area: Mental Hlth Region III

MENTAL HEALTH: Idaho
Service Area Listing

Service Area Name

Mental Hlth Region III
County—Adams
County—Canyon
County—Gem
County—Owyhee
County—Payette
County—Washington
Mental Hlth Region V
County—Blaine
County—Camas
County—Cassia
County—Gooding
County—Jerome
County—Lincoln
County—Minidoka
County—Twin Falls
Mh Region Vii
County—Bonneville
County—Butte
County—Clark
County—Custer
County—Fremont
County—Jefferson
County—Lemhi
County—Madison
County—Teton

MENTAL HEALTH: Illinois
County Listing

County Name

Cook

MENTAL HEALTH: Illinois
County Listing

County Name

Service Area: Ashbum/Beverly/Mount Greenwood/Morgan Pa
Service Area: Auburn Gresham/Washington Heights
Service Area: Roseland/Pullman/Riverdale
Service Area: South Chicago
Service Area: South Shore/Chatham/Avalon Park/Burnside
Facility: Cook Co. Dept. Of Corr.

MENTAL HEALTH: Illinois
Service Area Listing

Service Area Name

Ashbum/Beverly/Mount Greenwood/Morgan Pa
County—Cook
Parts:
C.T. 7001–7005
C.T. 7201–7207
C.T. 7401–7404
C.T. 7501–7506
Auburn Gresham/Washington Heights
County—Cook
Parts:
C.T. 7101–7115
C.T. 7301–7307
Roseland/Pullman/Riverdale
County—Cook
Parts:
C.T. 4901–4914
C.T. 5001–5003
C.T. 5301–5306
C.T. 5401
South Chicago
County—Cook
Parts:
C.T. 4601–4610
C.T. 4801–4805
C.T. 5101–5105
C.T. 5201–5206
C.T. 5501–5502
South Shore/Chatham/Avalon Park/Burnside
County—Cook
Parts:
C.T. 4301–4314
C.T. 4401–4409
C.T. 4501–4503
C.T. 4701
C.T. 6901–6915

MENTAL HEALTH: Illinois
Facility Listing

Facility Name

Cook Co. Dept. Of Corr.
County—Cook

MENTAL HEALTH: Indiana
County Listing

County Name

Huntington
Service Area: Warsaw
Kosciusko
Service Area: Warsaw
Lake
Service Area: Gary
Marshall
Service Area: Warsaw
Wabash
Service Area: Warsaw

MENTAL HEALTH: Indiana
County Listing

County Name

Whitley
Service Area: Warsaw

MENTAL HEALTH: Indiana
Service Area Listing

Service Area Name

Gary
County—Lake
Parts:
C.T. 101
C.T. 102.98–103.00
C.T. 104–134
C.T. 411–412
C.T. 413.01
Warsaw
County—Huntington
County—Kosciusko
County—Marshall
County—Wabash
County—Whitley

MENTAL HEALTH: Iowa
County Listing

County Name

Adair
Service Area: Catchment Area 13
Allamakee
Service Area: Catchment Area 3
Audubon
Service Area: Catchment Area 13
Bremer
Service Area: Catchment Area 3
Buchanan
Service Area: Catchment Area 3
Buena Vista
Service Area: Spencer/Northwest
Butler
Service Area: Catchment Area 3
*Calhoun
Service Area: Catchment Area 5
Cass
Service Area: Catchment Area 13
Chickasaw
Service Area: Catchment Area 3
Clay
Service Area: Spencer/Northwest
Clayton
Service Area: Catchment Area 3
Clinton
Service Area: Clinton/Jackson
*Dallas
Service Area: Catchment Area 13
Dickinson
Service Area: Spencer/Northwest
Emmet
Service Area: Spencer/Northwest
Fayette
Service Area: Catchment Area 3
Guthrie
Service Area: Catchment Area 13
*Hamilton
Service Area: Catchment Area 5
Howard
Service Area: Catchment Area 3
*Humboldt
Service Area: Catchment Area 5
Jackson
Service Area: Clinton/Jackson
Lyon
Service Area: Spencer/Northwest

MENTAL HEALTH: Iowa
County Listing

County Name

Madison
Service Area: Catchment Area 13
O'Brien
Service Area: Spencer/Northwest
Osceola
Service Area: Spencer/Northwest
Palo Alto
Service Area: Spencer/Northwest
Pocahontas
Service Area: Spencer/Northwest
Shelby
Service Area: Catchment Area 13
*Webster
Service Area: Catchment Area 5
Winneshiek
Service Area: Catchment Area 3

MENTAL HEALTH: Iowa
Service Area Listing

Service Area Name

Catchment Area 13
County—Dallas
Parts:
Dallas Twp.
Lincoln Twp.
Linn Twp.
Spring Valley Twp.
Union Twp.
Washington Twp.
County—Adair
County—Audubon
County—Cass
County—Guthrie
County—Madison
County—Montgomery
County—Page
County—Shelby
Catchment Area 3
County—Winneshiek
Catchment Area 5
County—Webster
Clinton/Jackson
County—Jackson
Spencer/Northwest
County—Pocahontas

MENTAL HEALTH: Kentucky
County Listing

County Name

Adair
Service Area: Lake Cumberland Catchment Area
Allen
Service Area: Barren River Catchment Area
*Anderson
Barren
Service Area: Barren River Catchment Area
Bath
Service Area: Gateway
Bell
Service Area: Cumberland River B
Boyd
Service Area: Fivco Catchment Area
Boyle
Service Area: Danville
Bracken
Service Area: Buffalo Trace
Breathitt

MENTAL HEALTH: Kentucky
County Listing

County Name

Service Area: Upper Kentucky River
Breckinridge
Service Area: North Central
Butler
Service Area: Barren River Catchment Area
Caldwell
Service Area: Pennroyal
Carroll
Service Area: Northern Kentucky
Carter
Service Area: Fivco Catchment Area
Casey
Service Area: Lake Cumberland Catchment Area
Christian
Service Area: Pennroyal
Clay
Service Area: Cumberland River A
Clinton
Service Area: Lake Cumberland Catchment Area
Crittenden
Service Area: Pennroyal
Cumberland
Service Area: Lake Cumberland Catchment Area
Daviess
Service Area: Green River
Edmonson
Service Area: Barren River Catchment Area
Elliott
Service Area: Fivco Catchment Area
*Estill
Fleming
Service Area: Buffalo Trace
Floyd
Service Area: Mountain
*Franklin
Gallatin
Service Area: Northern Kentucky
Garrard
Service Area: Danville
Grant
Service Area: Northern Kentucky
Grayson
Service Area: North Central
Green
Service Area: Lake Cumberland Catchment Area
Greenup
Service Area: Fivco Catchment Area
Hancock
Service Area: Green River
Hardin
Service Area: North Central
Harlan
Service Area: Cumberland River B
*Harrison
Hart
Service Area: Barren River Catchment Area
Henderson
Service Area: Green River
*Henry
Hopkins
Service Area: Pennroyal
Jackson
Service Area: Cumberland River A
Johnson
Service Area: Mountain

MENTAL HEALTH: Kentucky
County Listing

County Name

Knott
Service Area: Upper Kentucky River
Knox
Service Area: Cumberland River B
Larue
Service Area: North Central
Laurel
Service Area: Cumberland River A
Lawrence
Service Area: Fivco Catchment Area
Lee
Service Area: Upper Kentucky River
Leslie
Service Area: Upper Kentucky River
Letcher
Service Area: Upper Kentucky River
Lewis
Service Area: Buffalo Trace
Lincoln
Service Area: Danville
Livingston
Service Area: Pennroyal
Logan
Service Area: Barren River Catchment Area
Lyon
Service Area: Pennroyal
Madison
Magoffin
Service Area: Mountain
Marion
Service Area: North Central
Martin
Service Area: Mountain
Mason
Service Area: Buffalo Trace
McCreary
Service Area: Lake Cumberland Catchment Area
McLean
Service Area: Green River
Meade
Service Area: North Central
Menifee
Service Area: Gateway
Mercer
Service Area: Danville
Metcalfe
Service Area: Barren River Catchment Area
Monroe
Service Area: Barren River Catchment Area
Montgomery
Service Area: Gateway
Morgan
Service Area: Gateway
Muhlenberg
Service Area: Pennroyal
Nelson
Service Area: North Central
*Nicholas
Ohio
Service Area: Green River
Owen
Service Area: Northern Kentucky
Owsley
Service Area: Upper Kentucky River
Perry
Service Area: Upper Kentucky River
Pike
Service Area: Mountain

MENTAL HEALTH: Kentucky
County Listing

County Name

*Powell
Pulaski
Service Area: Lake Cumberland Catchment Area
Robertson
Service Area: Buffalo Trace
Rockcastle
Service Area: Cumberland River A
Rowan
Service Area: Gateway
Russell
Service Area: Lake Cumberland Catchment Area
Simpson
Service Area: Barren River Catchment Area
*Spencer
Taylor
Service Area: Lake Cumberland Catchment Area
Todd
Service Area: Pennroyal
Trigg
Service Area: Pennroyal
*Trimble
Union
Service Area: Green River
Warren
Service Area: Barren River Catchment Area
Washington
Service Area: North Central
Wayne
Service Area: Lake Cumberland Catchment Area
Webster
Service Area: Green River
Whitley
Service Area: Cumberland River A
Wolfe
Service Area: Upper Kentucky River

MENTAL HEALTH: Kentucky
Service Area Listing

Service Area Name

Barren River Catchment Area
County—Allen
County—Barren
County—Butler
County—Edmonson
County—Hart
County—Logan
County—Metcalfe
County—Monroe
County—Simpson
County—Warren
Buffalo Trace
County—Bracken
County—Fleming
County—Lewis
County—Mason
County—Robertson
Cumberland River A
County—Clay
County—Jackson
County—Laurel
County—Rockcastle
County—Whitley
Cumberland River B
County—Bell
County—Harlan

MENTAL HEALTH: Kentucky
Service Area Listing

Service Area Name

County—Knox
Danville
County—Boyle
County—Garrard
County—Lincoln
County—Mercer
Fivco Catchment Area
County—Boyd
County—Carter
County—Elliott
County—Greenup
County—Lawrence
Gateway
County—Bath
County—Menifee
County—Montgomery
County—Morgan
County—Rowan
Green River
County—Daviess
County—Hancock
County—Henderson
County—McLean
County—Ohio
County—Union
County—Webster
Lake Cumberland Catchment Area
County—Adair
County—Casey
County—Clinton
County—Cumberland
County—Green
County—McCreary
County—Pulaski
County—Russell
County—Taylor
County—Wayne
Mountain
County—Floyd
County—Johnson
County—Magoffin
County—Martin
County—Pike
North Central
County—Breckinridge
County—Grayson
County—Hardin
County—Larue
County—Marion
County—Meade
County—Nelson
County—Washington
Northern Kentucky
County—Carroll
County—Gallatin
County—Grant
County—Owen
Pennroyal
County—Caldwell
County—Christian
County—Crittenden
County—Hopkins
County—Livingston
County—Lyon
County—Muhlenberg
County—Todd
County—Trigg
Upper Kentucky River
County—Breathitt
County—Knott
County—Lee
County—Leslie

MENTAL HEALTH: Kentucky
Service Area Listing

Service Area Name

County—Letcher
County—Owsley
County—Perry
County—Wolfe

MENTAL HEALTH: Louisiana
Parish Listing

Parish Name

Acadia
*Allen
*Beauregard
*Caldwell
*Cameron
*De Soto
*East Carroll
*East Feliciana
Facility: East Louisiana State Hospital
Facility: Feliciana Forensic Facility
*Evangeline
*Franklin
*Jackson
*Jefferson Davis
Lafourche
*Lincoln
*Madison
*Morehouse
*Natchitoches
Orleans
Service Area: Desire Florida/Lower 9th Ward
Ouachita
*Red River
*Richland
*Sabine
*St. Mary
*Tensas
*Union
*Vermilion
*West Carroll

MENTAL HEALTH: Louisiana
Service Area Listing

Service Area Name

Desire Florida/Lower 9th Ward
Parish—Orleans
Parts:
C.T. 7.01
C.T. 9.01–9.04
C.T. 11 (N. Of Derbigny)
C.T. 14.01–14.02
C.T. 15–16
C.T. 17.03
C.T. 17.14

MENTAL HEALTH: Louisiana
Facility Listing

Facility Name

East Louisiana State Hospital
Parish—East Feliciana
Feliciana Forensic Facility
Parish—East Feliciana

MENTAL HEALTH: Maine
County Listing

County Name

Aroostook
Service Area: Mental Health Catchment Area #1

MENTAL HEALTH: Maine
County Listing

County Name

*Franklin
Service Area: Farmington/Rumford
*Oxford
Service Area: Farmington/Rumford
Penobscot
Service Area: Mental Health Catchment Area #1
Service Area: Piscataquis/N. Penobscot
Piscataquis
Service Area: Piscataquis/N. Penobscot
*Somerset
*Washington
Service Area: Greater Washington
Service Area: Mental Health Catchment Area #1

MENTAL HEALTH: Maine
Service Area Listing

Service Area Name

Farmington/Rumford
County—Oxford
Parts:
Andover Town
Bethel Town
Buckfield Town
Byron Town
Canton Town
Dixfield Town
Gilead Town
Greenwood Town
Hanover Town
Hartford Town
Hebron Town
Lincoln Plt
Magalloway Plt
Mexico Town
Milton Unorg
N Oxford Unorg
Newry Town
Norway Town
Otisfield Town
Oxford Town
Paris Town
Peru Town
Roxbury Town
Rumford Town
S Oxford Unorg
Sumner Town
Upton Town
W Paris Twn
Waterford Town
Woodstock Town
Greater Washington
County—Washington
Parts:
Addison Twn.
Alexander Twn.
Baileyville Twn.
Baring Plt.
Beals Twn.
Beddington Twn.
Calais City
Centerville Twn.
Charlotte Twn.
Cherryfield Twn.
Codyville Plt.
Columbia Falls Twn.
Columbia Twn.
Cooper Twn.
Crawford Twn.
Cutler Twn.

MENTAL HEALTH: Maine
Service Area Listing

Service Area Name

Deblois Twn.
Dennysville Twn.
E. Central Washington (Un
East Machias Twn.
Eastport City
Grand Lake Stream Plt.
Harrington Twn.
Jonesboro Twn.
Jonesport Twn.
Lubec Twn.
Machias Twn.
Machiasport Twn.
Marshfield Twn.
Meddybemps Twn.
Milbridge Twn.
North Washington (Unorg.)
Northfield Twn.
Passamaquoddy Indian Twp.
Passamaquoddy Pleasant Po
Pembroke Twn.
Perry Twn.
Plantation No. 14
Plantation No. 21
Princeton Twn.
Robbinston Twn.
Roque Bluffs Twn.
Steuben Twn.
Talmadge Twn.
Topsfield Twn.
Vanceboro Twn.
Waite Twn.
Wesley Twn.
Whiting Twn.
Whitneyville Twn.
Mental Health Catchment Area #1
County—Penobscot
Parts:
Mt. Chase Twn
Patten Twn
Stacyville Twn
County—Washington
Parts:
Danforth
Piscataquis/N. Penobscot
County—Penobscot
Parts:
Carroll Plt.
Chester Twn.
Drew Plt.
E. Millinocket Twn.
Kingman—Unorg.
Lakeville Plt.
Lee Twn.
Lincoln Twn.
Mattawamkeag Twn.
Medway Twn.
Millinocket Twn.
Prentiss Plt.
Springfield Twn.
Webster Plt.
Winn Twn.
Woodville Twn.
County—Piscataquis

MENTAL HEALTH: Maryland
County Listing

County Name

Caroline
Service Area: Eastern Shore
Cecil
Charles

MENTAL HEALTH: Maryland
County Listing

County Name

*Dorchester
Service Area: Eastern Shore
*Garrett
Service Area: Oakland
Kent
Service Area: Northeastern Shore
Queen Anne's
Service Area: Northeastern Shore
*Somerset
Service Area: Southeastern Shore
Talbot
Service Area: Eastern Shore
*Worcester
Service Area: Southeastern Shore

MENTAL HEALTH: Maryland
Service Area Listing

Service Area Name

Eastern Shore
County—Caroline
County—Dorchester
County—Talbot
Northeastern Shore
County—Kent
County—Queen Anne's
Oakland
County—Garrett
Parts:
Dist. 1 (Swanton)
Dist. 2 (Friendsville)
Dist. 4 (Bloomington)
Dist. 5 (Accident)
Dist. 6 (Sang Run)
Dist. 7 (East Oakland)
Dist. 8 (Red House)
Dist. 10 (Deer Park)
Dist. 11 (The Elbow)
Dist. 13 (Kitzmiller)
Dist. 14 (West Oakland)
Dist. 16 (Mt. Lake Park)
Southeastern Shore
County—Somerset
County—Worcester

MENTAL HEALTH: Massachusetts
County Listing

County Name

Bristol
Service Area: New Bedford
Plymouth
Service Area: New Bedford
Suffolk
Service Area: E Boston—Homeless
Worcester
Population Group: Low Inc—Worcester

MENTAL HEALTH: Massachusetts
Service Area Listing

Service Area Name

E Boston—Homeless
County—Suffolk
Parts:
C.T. 501–512
C.T. 1801–1805
New Bedford
County—Bristol
Parts:
Acushnet Twn
Dartmount Twn

MENTAL HEALTH: Massachusetts
Service Area Listing

Service Area Name

Fairhaven Twn
New Bedford City
County—Plymouth
Parts:
Marion Twn
Mattapoisett Twn
Rochester Twn
Wareham Twn

MENTAL HEALTH: Massachusetts
Population Group Listing

Population Group

Low Inc—Worcester
County—Worcester
Parts:
Worcester City

MENTAL HEALTH: Michigan
County Listing

County Name

Antrim
Service Area: Mancelona/Kalkaska
*Arenac
Service Area: Bay/Arenac
Baraga
Service Area: Copper Country
Bay
Service Area: Bay/Arenac
Benzie
Service Area: Manistee
*Branch
*Cass
*Charlevoix
*Cheboygan
Chippewa
Service Area: Eastern/Upper Peninsula
Clare
Service Area: Mt. Pleasant
Crawford
Service Area: North Central
*Delta
Dickinson
Service Area: Iron Mountain
Gladwin
Service Area: Midland/Gladwin
Gogebic
Service Area: Gogebic
*Gratiot
Houghton
Service Area: Copper Country
*Huron
Iosco
Service Area: Au Sable Valley
Iron
Service Area: Iron Mountain
Isabella
Service Area: Mt. Pleasant
Kalkaska
Service Area: Mancelona/Kalkaska
Keweenaw
Service Area: Copper Country
*Lake
Service Area: Lake/Mason/Oceana
*Leelanau
*Lenawee
Mackinac
Service Area: Eastern/Upper Peninsula
Manistee
Service Area: Manistee
*Mason

MENTAL HEALTH: Michigan
County Listing

County Name

Service Area: Lake/Mason/Oceana
Mecosta
Service Area: Mt. Pleasant
*Menominee
Midland
Service Area: Midland/Gladwin
Missaukee
Service Area: North Central
*Montcalm
*Newaygo
*Oceana
Service Area: Lake/Mason/Oceana
Ogemaw
Service Area: Au Sable Valley
Ontonagon
Service Area: Copper Country
Osceola
Service Area: Mt. Pleasant
Oscoda
Service Area: Au Sable Valley
*Otsego
Ottawa
Roscommon
Service Area: North Central
*Sanilac
*Schoolcraft
*St. Joseph
Wayne
Service Area: East Detroit
Service Area: Northwest Detroit
Service Area: Southwest Detroit
Facility: Aurora Hosp. Osteo.
Facility: Michigan Osteo. Med. Ctr.
Wexford
Service Area: North Central

MENTAL HEALTH: Michigan
Service Area Listing

Service Area Name

Au Sable Valley
County—Iosco
County—Ogemaw
County—Oscoda
Bay/Arenac
County—Arenac
County—Bay
Copper Country
County—Baraga
County—Houghton
County—Keweenaw
County—Ontonagon
East Detroit
County—Wayne
Parts:
C.T. 5004–5005
C.T. 5013
C.T. 5020
C.T. 5039–5045
C.T. 5121–5157
C.T. 5161–5164
Eastern/Upper Peninsula
County—Chippewa
County—Mackinac
Gogebic
County—Gogebic
Iron Mountain
County—Dickinson
County—Iron
Lake/Mason/Oceana
County—Lake
County—Mason

MENTAL HEALTH: Michigan
Service Area Listing

Service Area Name

County—Oceana
Mancelona/Kalkaska
County—Antrim
County—Kalkaska
Manistee
County—Benzie
County—Manistee
Midland/Gladwin
County—Gladwin
County—Midland
Mt. Pleasant
County—Clare
County—Isabella
County—Mecosta
County—Osceola
North Central
County—Crawford
County—Missaukee
County—Roscommon
County—Wexford
Northwest Detroit
County—Wayne
Parts:
C.T. 5341–5355
C.T. 5366–5367
C.T. 5371–5374
C.T. 5423–5426
C.T. 5451–5454
Southwest Detroit
County—Wayne
Parts:
C.T. 5209-5216
C.T. 5220–5222
C.T. 5231–5244
C.T. 5251–5266

MENTAL HEALTH: Michigan
Facility Listing

Facility Name

Aurora Hosp. Osteo.
County—Wayne
Michigan Osteo. Med. Ctr.
County—Wayne

MENTAL HEALTH: Minnesota
County Listing

County Name

*Becker
Service Area: Fergus Falls
Clay
Service Area: Fergus Falls
*Crow Wing
Facility: Brainerd Reg Human Serv Ctr
*Douglas
Service Area: Fergus Falls
*Grant
Service Area: Fergus Falls
*Itasca
Service Area: Itasca/Koochiching
*Koochiching
Service Area: Itasca/Koochiching
*Otter Tail
Service Area: Fergus Falls
Facility: Fergus Falls Reg Treat Ctr
*Pope
Service Area: Fergus Falls
*Stevens
Service Area: Fergus Falls
*Traverse
Service Area: Fergus Falls

MENTAL HEALTH: Minnesota
County Listing

County Name

*Wilkin
Service Area: Fergus Falls

MENTAL HEALTH: Minnesota
Service Area Listing

Service Area Name

Fergus Falls
County—Becker
County—Clay
County—Douglas
County—Grant
County—Otter Tail
County—Pope
County—Stevens
County—Traverse
County—Wilkin
Itasca/Koochiching
County—Itasca
County—Koochiching

MENTAL HEALTH: Minnesota
Facility Listing

Facility Name

Brainerd Reg Human Serv Ctr
County—Crow Wing
Fergus Falls Reg Treat Ctr
County—Otter Tail

MENTAL HEALTH: Mississippi
County Listing

County Name

Adams
Service Area: Catchment Area #11
Alcorn
Service Area: Catchment Area #4
Amite
Service Area: Catchment Area #11
Attala
Service Area: Catchment Area #6
Benton
Service Area: Catchment Area #3
Bolivar
Service Area: Catchment Area #5
Calhoun
Service Area: Catchment Area #2
Carroll
Service Area: Catchment Area #6
Chickasaw
Service Area: Catchment Area #3
Choctaw
Service Area: Catchment Area #7
Claiborne
Service Area: Catchment Area #11
Clarke
Service Area: Catchment Area #10
Clay
Service Area: Catchment Area #7
Coahoma
Service Area: Catchment Area #1
*Copiah
Covington
Service Area: Catchment Area #12
De Soto
Service Area: Catchment Area #2
Forrest
Service Area: Catchment Area #12
Franklin
Service Area: Catchment Area #11
George

MENTAL HEALTH: Mississippi
County Listing

County Name

Service Area: Catchment Area #14
Greene
Service Area: Catchment Area #12
Grenada
Service Area: Catchment Area #6
Holmes
Service Area: Catchment Area #6
Humphreys
Service Area: Catchment Area #6
Issaquena
Service Area: Catchment Area #5
Itawamba
Service Area: Catchment Area #3
Jackson
Service Area: Catchment Area #14
Jasper
Service Area: Catchment Area #10
Jefferson
Jefferson Davis
Service Area: Catchment Area #11
Service Area: Catchment Area #12
Jones
Service Area: Catchment Area #12
Kemper
Service Area: Catchment Area #10
Lafayette
Service Area: Catchment Area #2
Lamar
Service Area: Catchment Area #12
Lauderdale
Service Area: Catchment Area #10
Lawrence
Service Area: Catchment Area #11
Leake
Service Area: Catchment Area #10
Lee
Service Area: Catchment Area #3
Leflore
Service Area: Catchment Area #6
Lincoln
Service Area: Catchment Area #11
Lowndes
Service Area: Catchment Area #7
Madison
Marion
Service Area: Catchment Area #12
Marshall
Service Area: Catchment Area #2
Monroe
Service Area: Catchment Area #3
Montgomery
Service Area: Catchment Area #6
Neshoba
Service Area: Catchment Area #10
Newton
Service Area: Catchment Area #10
Noxubee
Service Area: Catchment Area #7
Oktibbeha
Service Area: Catchment Area #7
Panola
Service Area: Catchment Area #2
Perry
Service Area: Catchment Area #12
Pike
Service Area: Catchment Area #11
Pontotoc
Service Area: Catchment Area #3
Prentiss
Service Area: Catchment Area #4
Quitman
Service Area: Catchment Area #1

MENTAL HEALTH: Mississippi
County Listing

County Name

Scott
Service Area: Catchment Area #10
Sharkey
Service Area: Catchment Area #5
*Simpson
Smith
Service Area: Catchment Area #10
Sunflower
Service Area: Catchment Area #6
Facility: Mississippi State Pen.
Tallahatchie
Service Area: Catchment Area #1
Tate
Service Area: Catchment Area #2
Tippah
Service Area: Catchment Area #4
Tishomingo
Service Area: Catchment Area #4
Tunica
Service Area: Catchment Area #1
Union
Service Area: Catchment Area #3
Walthall
Service Area: Catchment Area #11
Warren
Service Area: Catchment Area #15
Washington
Service Area: Catchment Area #5
Wayne
Service Area: Catchment Area #12
Webster
Service Area: Catchment Area #7
Wilkinson
Service Area: Catchment Area #11
Winston
Service Area: Catchment Area #7
Yalobusha
Service Area: Catchment Area #2
Yazoo
Service Area: Catchment Area #15

MENTAL HEALTH: Mississippi
Service Area Listing

Service Area Name

Catchment Area #1
County—Coahoma
County—Quitman
County—Tallahatchie
County—Tunica
Catchment Area #10
County—Clarke
County—Jasper
County—Kemper
County—Lauderdale
County—Leake
County—Neshoba
County—Newton
County—Scott
County—Smith
Catchment Area #11
County—Adams
County—Amite
County—Claiborne
County—Franklin
County—Jefferson
County—Lawrence
County—Lincoln
County—Pike
County—Walthall
County—Wilkinson
Catchment Area #12

MENTAL HEALTH: Mississippi
Service Area Listing

Service Area Name

County—Covington
County—Forrest
County—Greene
County—Jefferson Davis
County—Jones
County—Lamar
County—Marion
County—Perry
County—Wayne
Catchment Area #14
County—George
County—Jackson
Catchment Area #15
County—Warren
County—Yazoo
Catchment Area #2
County—Calhoun
County—De Soto
County—Lafayette
County—Marshall
County—Panola
County—Tate
County—Yalobusha
Catchment Area #3
County—Benton
County—Chickasaw
County—Itawamba
County—Lee
County—Monroe
County—Pontotoc
County—Union
Catchment Area #4
County—Alcorn
County—Prentiss
County—Tippah
County—Tishomingo
Catchment Area #5
County—Bolivar
County—Issaquena
County—Sharkey
County—Washington
Catchment Area #6
County—Attala
County—Carroll
County—Grenada
County—Holmes
County—Humphreys
County—Leflore
County—Montgomery
County—Sunflower
Catchment Area #7
County—Choctaw
County—Clay
County—Lowndes
County—Noxubee
County—Oktibbeha
County—Webster
County—Winston

MENTAL HEALTH: Mississippi
Facility Listing

Facility Name

Mississippi State Pen.
County—Sunflower

MENTAL HEALTH: Missouri
County Listing

County Name

Andrew
Service Area: St Joseph

MENTAL HEALTH: Missouri
County Listing

County Name

Atchison
  Service Area: St Joseph
Audrain
  Service Area: Mexico
Buchanan
  Service Area: St Joseph
Butler
  Service Area: Poplar Bluff
Callaway
  Service Area: Mexico
Carter
  Service Area: Poplar Bluff
Clinton
  Service Area: St Joseph
De Kalb
  Service Area: St Joseph
Douglas
  Service Area: West Plains
Dunklin
  Service Area: Poplar Bluff
Gentry
  Service Area: St Joseph
Holt
  Service Area: St Joseph
Howell
  Service Area: West Plains
Mississippi
  Service Area: Sikeston
Monroe
  Service Area: Mexico
Montgomery
  Service Area: Mexico
New Madrid
  Service Area: Sikeston
Nodaway
  Service Area: St Joseph
Oregon
  Service Area: West Plains
Ozark
  Service Area: West Plains
Pemiscot
  Service Area: Poplar Bluff
Pike
  Service Area: Mexico
Ralls
  Service Area: Mexico
Reynolds
  Service Area: Poplar Bluff
Ripley
  Service Area: Poplar Bluff
Scott
  Service Area: Sikeston
Shannon
  Service Area: West Plains
St Louis
  Facility: Malcolm Bliss/St Louis State Hosp
Stoddard
  Service Area: Sikeston
Texas
  Service Area: West Plains
Wayne
  Service Area: Poplar Bluff
Worth
  Service Area: St Joseph
Wright
  Service Area: West Plains

MENTAL HEALTH: Missouri
Service Area Listing

Service Area Name

Mexico
  County—Audrain
  County—Callaway
  County—Monroe
  County—Montgomery
  County—Pike
  County—Ralls
Poplar Bluff
  County—Butler
  County—Carter
  County—Dunklin
  County—Pemiscot
  County—Reynolds
  County—Ripley
  County—Wayne
Sikeston
  County—Mississippi
  County—New Madrid
  County—Scott
  County—Stoddard
St Joseph
  County—Andrew
  County—Atchison
  County—Buchanan
  County—Clinton
  County—De Kalb
  County—Gentry
  County—Holt
  County—Nodaway
  County—Worth
West Plains
  County—Douglas
  County—Howell
  County—Oregon
  County—Ozark
  County—Shannon
  County—Texas
  County—Wright

MENTAL HEALTH: Missouri
Facility Listing

Facility Name

Malcolm Bliss/St Louis State Hosp
  County—St Louis

MENTAL HEALTH: Montana
County Listing

County Name

*Beaverhead
*Big Horn
*Blaine
  Service Area: North-Central Montana
*Carbon
Carter
  Service Area: Eastern Montana
*Chouteau
  Service Area: North-Central Montana
Custer
  Service Area: Eastern Montana
Daniels
  Service Area: Eastern Montana
Dawson
  Service Area: Eastern Montana
*Deer Lodge
Fallon
  Service Area: Eastern Montana
Garfield
  Service Area: Eastern Montana
*Glacier
  Service Area: North-Central Montana
*Golden Valley
*Granite
*Hill
  Service Area: North-Central Montana
*Lake
*Liberty
  Service Area: North-Central Montana
*Lincoln
*Madison
McCone
  Service Area: Eastern Montana
*Meagher
*Mineral
*Musselshell
Phillips
  Service Area: Eastern Montana
*Pondera
  Service Area: North-Central Montana
Powder River
  Service Area: Eastern Montana
*Powell
Prairie
  Service Area: Eastern Montana
*Ravalli
Richland
  Service Area: Eastern Montana
Roosevelt
  Service Area: Eastern Montana
Rosebud
  Service Area: Eastern Montana
*Sanders
Sheridan
  Service Area: Eastern Montana
*Silver Bow
*Stillwater
*Sweet Grass
*Teton
  Service Area: North-Central Montana
*Toole
  Service Area: North-Central Montana
Treasure
  Service Area: Eastern Montana
Valley
  Service Area: Eastern Montana
Wibaux
  Service Area: Eastern Montana

MENTAL HEALTH: Montana
Service Area Listing

Service Area Name

Eastern Montana
  County—Carter
  County—Custer
  County—Daniels
  County—Dawson
  County—Fallon
  County—Garfield
  County—McCone
  County—Phillips
  County—Powder River
  County—Prairie
  County—Richland
  County—Roosevelt
  County—Rosebud
  County—Sheridan
  County—Treasure
  County—Valley
  County—Wibaux
North-Central Montana
  County—Blaine
  County—Chouteau
  County—Glacier

MENTAL HEALTH: Montana
Service Area Listing

Service Area Name

County—Hill
County—Liberty
County—Pondera
County—Teton
County—Toole

MENTAL HEALTH: Nebraska
County Listing

County Name

*Antelope
Service Area: Catchment Area 4
*Arthur
Service Area: Catchment Area 2
*Banner
Service Area: Catchment Area 1
*Boone
Service Area: Catchment Area 4
*Box Butte
Service Area: Catchment Area 1
*Boyd
Service Area: Catchment Area 4
*Brown
Service Area: Catchment Area 4
*Burt
Service Area: Catchment Area 4
*Butler
Service Area: Catchment Area 5
*Cedar
Service Area: Catchment Area 4
*Chase
Service Area: Catchment Area 2
Cherry
Service Area: Catchment Area 4
*Cheyenne
Service Area: Catchment Area 1
*Colfax
Service Area: Catchment Area 4
*Cuming
Service Area: Catchment Area 4
Dakota
Service Area: Catchment Area 4
*Dawes
Service Area: Catchment Area 1
*Dawson
Service Area: Catchment Area 2
*Deuel
Service Area: Catchment Area 1
*Dixon
Service Area: Catchment Area 4
Douglas
Population Group: Medicaid—Eastern Omaha City
Facility: Douglas County Hosp (Mhc)
*Dundy
Service Area: Catchment Area 2
*Fillmore
Service Area: Catchment Area 5
*Frontier
Service Area: Catchment Area 2
*Gage
Service Area: Catchment Area 5
*Garden
Service Area: Catchment Area 1
*Gosper
Service Area: Catchment Area 2
*Grant
Service Area: Catchment Area 2
*Hayes
Service Area: Catchment Area 2
*Hitchcock
Service Area: Catchment Area 2

MENTAL HEALTH: Nebraska
County Listing

County Name

*Holt
Service Area: Catchment Area 4
*Hooker
Service Area: Catchment Area 2
*Jefferson
Service Area: Catchment Area 5
*Johnson
Service Area: Catchment Area 5
*Keith
Service Area: Catchment Area 2
*Keya Paha
Service Area: Catchment Area 4
*Kimball
Service Area: Catchment Area 1
*Knox
Service Area: Catchment Area 4
Lancaster
Service Area: Catchment Area 5
*Lincoln
Service Area: Catchment Area 2
*Logan
Service Area: Catchment Area 2
Madison
Service Area: Catchment Area 4
Facility: Norfolk Regional Center
*Mc Pherson
Service Area: Catchment Area 2
*Morrill
Service Area: Catchment Area 1
*Nance
Service Area: Catchment Area 4
*Nemaha
Service Area: Catchment Area 5
*Otoe
Service Area: Catchment Area 5
*Pawnee
Service Area: Catchment Area 5
*Perkins
Service Area: Catchment Area 2
*Pierce
Service Area: Catchment Area 4
*Platte
Service Area: Catchment Area 4
*Polk
Service Area: Catchment Area 5
*Red Willow
Service Area: Catchment Area 2
*Richardson
Service Area: Catchment Area 5
*Rock
Service Area: Catchment Area 4
*Saline
Service Area: Catchment Area 5
*Saunders
Service Area: Catchment Area 5
*Scotts Bluff
Service Area: Catchment Area 1
*Seward
Service Area: Catchment Area 5
Sheridan
Service Area: Catchment Area 1
*Sioux
Service Area: Catchment Area 1
*Stanton
Service Area: Catchment Area 4
*Thayer
Service Area: Catchment Area 5
*Thomas
Service Area: Catchment Area 2
*Thurston
Service Area: Catchment Area 4
*Wayne

MENTAL HEALTH: Nebraska
County Listing

County Name

Service Area: Catchment Area 4
*York
Service Area: Catchment Area 5

MENTAL HEALTH: Nebraska
Service Area Listing

Service Area Name

Catchment Area 1
County—Banner
County—Box Butte
County—Cheyenne
County—Dawes
County—Deuel
County—Garden
County—Kimball
County—Morrill
County—Scotts Bluff
County—Sheridan
County—Sioux
Catchment Area 2
County—Arthur
County—Chase
County—Dawson
County—Dundy
County—Frontier
County—Gosper
County—Grant
County—Hayes
County—Hitchcock
County—Hooker
County—Keith
County—Lincoln
County—Logan
County—McPherson
County—Perkins
County—Red Willow
County—Thomas
Catchment Area 4
County—Antelope
County—Boone
County—Boyd
County—Brown
County—Burt
County—Cedar
County—Cherry
County—Colfax
County—Cuming
County—Dakota
County—Dixon
County—Holt
County—Keya Paha
County—Knox
County—Madison
County—Nance
County—Pierce
County—Platte
County—Rock
County—Stanton
County—Thurston
County—Wayne
Catchment Area 5
County—Butler
County—Fillmore
County—Gage
County—Jefferson
County—Johnson
County—Lancaster
County—Nemaha
County—Otoe
County—Pawnee
County—Polk

MENTAL HEALTH: Nebraska
Service Area Listing

Service Area Name

County—Richardson
County—Saline
County—Saunders
County—Seward
County—Thayer
County—York

MENTAL HEALTH: Nebraska
Population Group Listing

Population Group

Medicaid—Eastern Omaha City
County—Douglas
Parts:
C.T. 3
C.T. 6–12
C.T. 16
C.T. 18–19
C.T. 39–41
C.T. 51–54
C.T. 59.01–59.02
C.T. 60
C.T. 61.01–61.02

MENTAL HEALTH: Nebraska
Facility Listing

Facility Name

Douglas County Hosp (Mhc)
County—Douglas
Norfolk Regional Center
County—Madison

MENTAL HEALTH: Nevada
County Listing

County Name

*Elko

MENTAL HEALTH: Nevada
Facility Listing

Facility Name

Nv State Prsn—Carson City

MENTAL HEALTH: New Hampshire
County Listing

County Name

Carroll
Service Area: Mental Hlth Region I
Coos
Service Area: Mental Hlth Region I
*Grafton
Service Area: Mental Hlth Region I
Population Group: Low Inc—E Grafton

MENTAL HEALTH: New Hampshire
Service Area Listing

Service Area Name

Mental Hlth Region I
County—Carroll
County—Coos
County—Grafton
Parts:
Bath Town
Benton Town
Bethlehem Town
Easton Town
Franconia Town
Haverhill Town
Landaff Town

MENTAL HEALTH: New Hampshire
Service Area Listing

Service Area Name

Lincoln Town
Lisbon Town
Littleton Town
Lyman Town
Monroe Town
Piermont Town
Sugar Hill Town
Warren Town
Waterville Valley Town
Woodstock Town

MENTAL HEALTH: New Hampshire
Population Group Listing

Population Group

Low Inc—E Grafton
County—Grafton
Parts:
Alexandria Town
Ashland Town
Bridgewater Town
Bristol Town
Campton Town
Ellsworth Town
Groton Town
Hebron Town
Holderness Town
Plymouth Town
Rumney Town
Thornton Town
Wentworth Town

MENTAL HEALTH: New Jersey
County Listing

County Name

Atlantic
Service Area: Catchment Area 15
Cape May
Cumberland
Essex
Service Area: East Orange City
Salem

MENTAL HEALTH: New Jersey
Service Area Listing

Service Area Name

Catchment Area 15
County—Atlantic
East Orange City
County—Essex
Parts:
C.T. 99–118

MENTAL HEALTH: New Mexico
County Listing

County Name

Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
Catron
Service Area: Hlth Planning District 5
Chaves
Service Area: Catchment Area #6
Cibola
Service Area: Catchment Area #3
Colfax
Service Area: Catchment Area #2
Curry
Service Area: Catchment Area #4

MENTAL HEALTH: New Mexico
County Listing

County Name

De Baca
Service Area: Catchment Area #4
Dona Ana
Facility: S. New Mexico Corr. Fac.
Eddy
Service Area: Catchment Area #6
Grant
Service Area: Hlth Planning District 5
Guadalupe
Service Area: Catchment Area #4
Harding
Service Area: Catchment Area #4
Hidalgo
Service Area: Hlth Planning District 5
Lea
Service Area: Catchment Area #6
Lincoln
Service Area: Catchment Area #6
Luna
Service Area: Hlth Planning District 5
McKinley
Service Area: Catchment Area #1
Mora
Service Area: Catchment Area #2
Otero
Service Area: Catchment Area #6
Quay
Service Area: Catchment Area #4
Rio Arriba
Service Area: Catchment Area #2
Roosevelt
Service Area: Catchment Area #4
*San Juan
Service Area: Catchment Area #1
Sandoval
Service Area: Northern Sandoval
Sierra
Service Area: Catchment Area #7
Socorro
Service Area: Catchment Area #7
Torrence
Service Area: Catchment Area #3
Union
Service Area: Catchment Area #4
Valencia (g)
Facility: C. New Mexico Corr. Fac.

MENTAL HEALTH: New Mexico
Service Area Listing

Service Area Name

Catchment Area #1
County—McKinley
County—San Juan
Catchment Area #2
County—Colfax
County—Mora
County—Rio Arriba
Catchment Area 3
County—Cibola
County—Torrence
Catchment Area #4
County—Curry
County—De Baca
County—Guadalupe
County—Harding
County—Quay
County—Roosevelt
County—Union
Catchment Area #6
County—Chaves
County—Eddy

MENTAL HEALTH: New Mexico
Service Area Listing

Service Area Name

County—Lea
County—Lincoln
County—Otero
Catchment Area #7
County—Sierra
County—Socorro
Hlth Planning District 5
County—Catron
County—Grant
County—Hidalgo
County—Luna
North Valley
County—Bernalillo
Parts:
C.T. 29
C.T. 30.01–30.02
C.T. 31
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36
Northern Sandoval
County—Sandoval
Parts:
Cuba CCD
Jemez CCD
Santo Domingo CCD
Southwest Valley
County—Bernalillo
Parts:
C.T. 23
C.T. 24.01–24.02
C.T. 43
C.T. 44.01–44.02
C.T. 45.01–45.02
C.T. 46.02–46.04

MENTAL HEALTH: New Mexico
Facility Listing

Facility Name

C. New Mexico Corr. Fac. 3
County—Valencia
Las Vegas Medical Center
S. New Mexico Corr. Fac.
County—Dona Ana

MENTAL HEALTH: New York
County Listing

County Name

Bronx
Facility: NYC Corr. Fac./Riker Island
Cayuga
*Chenango
*Essex
*Franklin
*Jefferson
*Lewis
Livingston
Monroe
Service Area: Brockport
Service Area: Jordan (Rochester)
New York
Service Area: Chinatown/Lower Manhattan
Service Area: Northern Manhattan (Ryan)
*Schuyler
*Seneca
*St. Lawrence
*Yates

MENTAL HEALTH: New York
Service Area Listing

Service Area Name

Brockport
County—Monroe
Parts:
C.T. 151–152
C.T. 153.01–153.02
C.T. 154
Chinatown/Lower Manhattan
County—New York
Parts:
C.T. 2.01–2.02
C.T. 6
C.T. 8
C.T. 10.01
C.T. 12
C.T. 14.01–14.02
C.T. 15.01
C.T. 16
C.T. 18
C.T. 25
C.T. 27
C.T. 29
C.T. 30.01–30.02
C.T. 31–32
C.T. 34
C.T. 36.01–36.02
C.T. 38
C.T. 41
C.T. 43
C.T. 45
C.T. 55.02
Jordan (Rochester)
County—Monroe
Parts:
C.T. 7
C.T. 13–15
C.T. 39
C.T. 43
C.T. 48–53
C.T. 55–56
C.T. 80
C.T. 90–92
C.T. 93.01
C.T. 94.02–94.04
Northern Manhattan (Ryan)
County—New York
Parts:
C.T. 173
C.T. 175
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 185–187
C.T. 189–191
C.T. 193
C.T. 195
C.T. 197.01–197.02
C.T. 199–200
C.T. 201.01–201.02
C.T. 203
C.T. 205
C.T. 207.01–207.02
C.T. 208
C.T. 209.01–209.02
C.T. 211
C.T. 213.01–213.02
C.T. 216
C.T. 217.01–217.02
C.T. 218
C.T. 219.97
C.T. 220
C.T. 221.01–221.02

MENTAL HEALTH: New York
Service Area Listing

Service Area Name

C.T. 222
C.T. 223.97–223.98
C.T. 224–226
C.T. 227.01–227.02
C.T. 229
C.T. 233
C.T. 237
C.T. 241
C.T. 245
C.T. 247

MENTAL HEALTH: New York
Facility Listing

Facility Name

NYC Corr. Fac./Riker Island
County—Bronx

MENTAL HEALTH: North Carolina
County Listing

County Name

Bertie
Service Area: Roanoke-Chowan
Bladen
Service Area: Southeast Regional
Camden
Service Area: Albemarle
Cherokee
Service Area: Smokey Mountain
Chowan
Service Area: Albemarle
Clay
Service Area: Smokey Mountain
Columbus
Service Area: Southeast Regional
Currituck
Service Area: Albemarle
Dare
Service Area: Albemarle
Duplin
Service Area: Duplin-Sampson
Gates
Service Area: Roanoke-Chowan
Graham
Service Area: Smokey Mountain
Halifax
Service Area: Halifax Mhca
Hertford
Service Area: Roanoke-Chowan
Hyde
Service Area: Tideland
Jackson
Service Area: Smokey Mountain
Macon
Service Area: Smokey Mountain
Martin
Service Area: Tideland
Northampton
Service Area: Roanoke-Chowan
Pasquotank
Service Area: Albemarle
Perquimans
Service Area: Albemarle
*Person
Robeson
Service Area: Southeast Regional
Sampson
Service Area: Duplin-Sampson
Scotland
Service Area: Southeast Regional
*Stanly

MENTAL HEALTH: North Carolina
County Listing

County Name

Surry
  Service Area: Surry-Yadkin
Swain
  Service Area: Smokey Mountain
Tyrrell
  Service Area: Tideland
Washington
  Service Area: Tideland
Yadkin
  Service Area: Surry-Yadkin

MENTAL HEALTH: North Carolina
Service Area Listing

Service Area Name

Albemarle
  County—Camden
  County—Chowan
  County—Currituck
  County—Dare
  County—Pasquotank
  County—Perquimans
Duplin-Sampson
  County—Duplin
  County—Sampson
Halifax Mhca
  County—Halifax
Roanoke-Chowan
  County—Bertie
  County—Gates
  County—Hertford
  County—Northampton
Smokey Mountain
  County—Cherokee
  County—Clay
  County—Graham
  County—Haywood
  County—Jackson
  County—Macon
  County—Swain
Southeast Regional
  County—Bladen
  County—Columbus
  County—Robeson
  County—Scotland
Surry-Yadkin
  County—Surry
  County—Yadkin
Tideland
  County—Beaufort
  County—Hyde
  County—Martin
  County—Tyrrell
  County—Washington

MENTAL HEALTH: North Dakota
County Listing

County Name

Benson
  Service Area: Devils Lake Catchment Area
Cavalier
  Service Area: Devils Lake Catchment Area
*Divide
  Service Area: Northwest
Eddy
  Service Area: Devils Lake Catchment Area
Grand Forks
  Service Area: Grand Forks Catchment Area
*McKenzie
  Service Area: Northwest

MENTAL HEALTH: North Dakota
County Listing

County Name

*Nelson
  Service Area: Grand Forks Catchment Area
*Pembina
  Service Area: Grand Forks Catchment Area
Ramsey
  Service Area: Devils Lake Catchment Area
Rolette
  Service Area: Devils Lake Catchment Area
Towner
  Service Area: Devils Lake Catchment Area
*Walsh
  Service Area: Grand Forks Catchment Area
*Williams
  Service Area: Northwest

MENTAL HEALTH: North Dakota
Service Area Listing

Service Area Name

Devils Lake Catchment Area
  County—Benson
  County—Cavalier
  County—Eddy
  County—Ramsey
  County—Rolette
  County—Towner
Grand Forks Catchment Area
  County—Grand Forks
  County—Nelson
  County—Pembina
  County—Walsh
Northwest
  County—Divide
  County—McKenzie
  County—Williams

MENTAL HEALTH: Ohio
County Listing

County Name

Belmont
  Service Area: Catchment Area #8
Clermont
  Service Area: Eastern Clermont
*Fayette
  Service Area: Chillicothe
Harrison
  Service Area: Catchment Area #8
*Highland
  Service Area: Chillicothe
*Knox
  Service Area: Knox/Licking
Licking
  Service Area: Knox/Licking
Monroe
  Service Area: Catchment Area #8
*Pike
  Service Area: Chillicothe
Richland
  Facility: Mansfield Corr Inst
*Ross
  Service Area: Chillicothe
*Sandusky
  Service Area: Tiffin/Freemont
*Seneca
  Service Area: Tiffin/Freemont
Stark
  Facility: Massillon State Hosp
*Wyandot
  Service Area: Tiffin/Freemont

MENTAL HEALTH: Ohio
Service Area Listing

Service Area Name

Catchment Area #8
  County—Belmont
  County—Harrison
  County—Monroe
Chillicothe
  County—Fayette
  County—Highland
  County—Pike
  County—Ross
Eastern Clermont
  County—Clermont
    Parts:
      Batavia Twp
      Franklin Twp
      Jackson Twp
      Monroe Twp
      Stonelick Twp
      Tate Twp
      Washington Twp
      Wayne Twp
      Williamsburg Twp
Knox/Licking
  County—Knox
  County—Licking
Tiffin/Freemont
  County—Sandusky
  County—Seneca
  County—Wyandot

MENTAL HEALTH: Ohio
Facility Listing

Facility Name

Athens Mh Ctr
Cambridge Mh Ctr
Mansfield Corr Inst
  County—Richland
Massillon State Hosp
  County—Stark

MENTAL HEALTH: Oklahoma
County Listing

County Name

*Washington

MENTAL HEALTH: Oregon
County Listing

County Name

Baker
  Service Area: Northeastern Oregon
*Clatsop
*Columbia
Coos
  Service Area: Catchment Area 14
Curry
  Service Area: Catchment Area 14
Gilliam
  Service Area: East Columbia
Grant
  Service Area: East Columbia
Harney
  Service Area: Southeastern Oregon
*Lincoln
Malheur
  Service Area: Southeastern Oregon
Morrow
  Service Area: East Columbia
*Tillamook
Umatilla
  Service Area: East Columbia
Union

MENTAL HEALTH: Oregon
County Listing

County Name

Service Area: Northeastern Oregon
Wallowa
Service Area: Northeastern Oregon
Wheeler
Service Area: East Columbia

MENTAL HEALTH: Oregon
Service Area Listing

Service Area Name

Catchment Area 14
County—Coos
County—Curry
East Columbia
County—Gilliam
County—Grant
County—Morrow
County—Umatilla
County—Wheeler
Northeastern Oregon
County—Baker
County—Union
County—Wallowa
Southeastern Oregon
County—Harney
County—Malheur

MENTAL HEALTH: Pennsylvania
County Listing

County Name

Armstrong
Population Group: Low Inc—Armstrong Co
Beaver
Population Group: Low Inc—Beaver Co
Fayette
Huntingdon
Service Area: Juniata/Mifflin
*Indiana
Juniata
Service Area: Juniata/Mifflin
Mifflin
Service Area: Juniata/Mifflin
Monroe
*Pike
*Susquehanna
*Wayne (g)
Facility: Farview State Hosp
Wyoming

MENTAL HEALTH: Pennsylvania
Service Area Listing

Service Area Name

Juniata/Mifflin
County—Huntingdon
County—Juniata
County—Mifflin

MENTAL HEALTH: Pennsylvania
Population Group Listing

Population Group

Low Inc—Armstrong Co
County—Armstrong
Parts:
Low Income
Low Inc—Beaver Co
County—Beaver
Parts:
Low Income

MENTAL HEALTH: Pennsylvania
Facility Listing

Facility Name

Farview State Hosp
County—Wayne
Warren State Hospital

MENTAL HEALTH: South Carolina
County Listing

County Name

Abbeville
Service Area: Catchment Area 5
Aiken
Service Area: Catchment Area 10
Allendale
Service Area: Catchment Area 11
Bamberg
Service Area: Catchment Area 14
Beaufort
Service Area: Catchment Area 11
Berkeley
Service Area: Rural Berkeley
Calhoun
Service Area: Catchment Area 14
Cherokee
Service Area: Catchment Area 3
Chester
Service Area: Catchment Area 4
Chesterfield
Service Area: Catchment Area 12
Clarendon
Service Area: Catchment Area 9
Colleton
Service Area: Catchment Area 11
Darlington
Service Area: Catchment Area 7
Dillon
Service Area: Catchment Area 12
Edgefield
Service Area: Catchment Area 5
Florence
Service Area: Catchment Area 7
Georgetown
Service Area: Catchment Area 13
Greenwood
Service Area: Catchment Area 5
Hampton
Service Area: Catchment Area 11
Horry
Service Area: Catchment Area 13
Jasper
Service Area: Catchment Area 11
Kershaw
Service Area: Catchment Area 9
Lancaster
Service Area: Catchment Area 4
Laurens
Service Area: Catchment Area 5
Lee
Service Area: Catchment Area 9
Marion
Service Area: Catchment Area 7
Marlboro
Service Area: Catchment Area 12
McCormick
Service Area: Catchment Area 5
Newberry
Service Area: Catchment Area 5
Orangeburg
Service Area: Catchment Area 14
Richland
Facility: Broad River Corr. Complex
Facility: G. Werber Bryan Psychiatric Hospital

MENTAL HEALTH: South Carolina
County Listing

County Name

Saluda
Service Area: Catchment Area 5
Spartanburg
Service Area: Catchment Area 3
Sumter
Service Area: Catchment Area 9
Union
Service Area: Catchment Area 3
Williamsburg
Service Area: Catchment Area 13
York
Service Area: Catchment Area 4

MENTAL HEALTH: South Carolina
Service Area Listing

Service Area Name

Catchment Area 10
County—Aiken
Parts:
Aiken
Barnwell
Catchment Area 11
County—Jasper
Catchment Area 12
County—Marlboro
Catchment Area 13
County—Williamsburg
Catchment Area 14
County—Orangeburg
Catchment Area 3
County—Cherokee
County—Spartanburg
County—Union
Catchment Area 4
County—Chester
County—Lancaster
County—York
Catchment Area 5
County—Abbeville
County—Edgefield
County—Greenwood
County—Laurens
County—McCormick
County—Newberry
County—Saluda
Catchment Area 7
County—Darlington
County—Florence
County—Marion
Catchment Area 9
County—Clarendon
County—Kershaw
County—Lee
County—Sumter
Rural Berkeley
County—Berkeley
Parts:
Bonneau CCD
Cordesville CCD
Cross CCD
Moncks Corner CCD
St. Stephens CCD
Wando CCD

MENTAL HEALTH: South Carolina
Facility Listing

Facility Name

Broad River Corr. Complex
County—Richland
G. Werber Bryan Psychiatric Hospital

MENTAL HEALTH: South Carolina
Facility Listing

Facility Name

County—Richland
Patrick B. Harris Psychiatric Hospital

MENTAL HEALTH: South Dakota
County Listing

County Name

Aurora
Service Area: Catchment Area 4
Beadle
Service Area: Catchment Area 3
Bennett
Service Area: Catchment Area 11
*Bon Homme
Service Area: Catchment Area 12
Facility: Sd State Pen.—Bon Homme
Brookings
Service Area: Catchment Area 1
Brown
Service Area: Catchment Area 7
Brule
Service Area: Catchment Area 4
Buffalo
Service Area: Catchment Area 2
Butte
Service Area: Catchment Area 11
Campbell
Service Area: Catchment Area 7
*Charles Mix
Service Area: Catchment Area 12
Clark
Service Area: Catchment Area 5
*Clay
Service Area: Catchment Area 12
Codington
Service Area: Catchment Area 5
Corson
Service Area: Catchment Area 8
Custer
Service Area: Catchment Area 11
Facility: Custer State Hospital
Davison
Service Area: Catchment Area 4
Day
Service Area: Catchment Area 7
Deuel
Service Area: Catchment Area 5
Dewey
Service Area: Catchment Area 8
*Douglas
Service Area: Catchment Area 12
Edmunds
Service Area: Catchment Area 7
Fall River
Service Area: Catchment Area 11
Faulk
Service Area: Catchment Area 7
Grant
Service Area: Catchment Area 5
Gregory
Service Area: Catchment Area 10
Haakon
Service Area: Catchment Area 2
Hamlin
Service Area: Catchment Area 5
Hand
Service Area: Catchment Area 3
Hanson
Service Area: Catchment Area 4
Harding
Service Area: Catchment Area 11
Hughes

MENTAL HEALTH: South Dakota
County Listing

County Name

Service Area: Catchment Area 2
*Hutchinson
Service Area: Catchment Area 12
Hyde
Service Area: Catchment Area 2
Jackson
Service Area: Catchment Area 11
Jerauld
Service Area: Catchment Area 3
Jones
Service Area: Catchment Area 2
Kingsbury
Service Area: Catchment Area 5
*Lake
Service Area: Catchment Area 3
Lawrence
Service Area: Catchment Area 11
Lyman
Service Area: Catchment Area 2
Marshall
Service Area: Catchment Area 7
Mc Pherson
Service Area: Catchment Area 7
Meade
Service Area: Catchment Area 11
Mellette
Service Area: Catchment Area 10
Miner
Service Area: Catchment Area 3
Minnehaha
Facility: Sd State Pen.—Minnehaha
Moody
Service Area: Catchment Area 1
Pennington
Service Area: Catchment Area 11
Perkins
Service Area: Catchment Area 8
Potter
Service Area: Catchment Area 7
Roberts
Service Area: Catchment Area 5
Sanborn
Service Area: Catchment Area 4
Shannon
Service Area: Catchment Area 11
Spink
Service Area: Catchment Area 7
Facility: Redfield State Hospital
Stanley
Service Area: Catchment Area 2
Sully
Service Area: Catchment Area 2
Todd
Service Area: Catchment Area 10
Tripp
Service Area: Catchment Area 10
*Union
Service Area: Catchment Area 12
Walworth
Service Area: Catchment Area 7
*Yankton
Service Area: Catchment Area 12
Facility: South Dakota Human Srv Ctr
Ziebach
Service Area: Catchment Area 8

MENTAL HEALTH: South Dakota
Service Area Listing

Service Area Name

Catchment Area 1
County—Brookings

MENTAL HEALTH: South Dakota
Service Area Listing

Service Area Name

County—Moody
Catchment Area 10
County—Gregory
County—Mellette
County—Todd
County—Tripp
Catchment Area 11
County—Bennett
County—Butte
County—Custer
County—Fall River
County—Harding
County—Jackson
County—Lawrence
County—Meade
County—Pennington
County—Shannon
Catchment Area 12
County—Bon Homme
County—Charles Mix
County—Clay
County—Douglas
County—Hutchinson
County—Union
County—Yankton
Catchment Area 2
County—Buffalo
County—Haakon
County—Hughes
County—Hyde
County—Jones
County—Lyman
County—Stanley
County—Sully
Catchment Area 3
County—Beadle
County—Hand
County—Jerauld
County—Lake
County—Miner
Catchment Area 4
County—Aurora
County—Brule
County—Davison
County—Hanson
County—Sanborn
Catchment Area 5
County—Clark
County—Codington
County—Deuel
County—Grant
County—Hamlin
County—Kingsbury
County—Roberts
Catchment Area 7
County—Brown
County—Campbell
County—Day
County—Edmunds
County—Faulk
County—Mc Pherson
County—Marshall
County—Potter
County—Spink
County—Walworth
Catchment Area 8
County—Corson
County—Dewey
County—Perkins
County—Ziebach

MENTAL HEALTH: South Dakota
Facility Listing

Facility Name
Custer State Hospital
County—Custer
Redfield State Hospital
County—Spink
Sd State Pen.—Bon Homme
County—Bon Homme
Sd State Pen.—Minnehaha
County—Minnehaha
South Dakota Human Srv Ctr
County—Yankton

MENTAL HEALTH: Tennessee
County Listing

County Name
Bedford
Service Area: Catchment Area 19
Benton
Service Area: Catchment Area 21
Bledsoe
Service Area: Catchment Area 12 (Part)
Cannon
Service Area: Catchment Area 9
Carroll
Service Area: Catchment Area 21
Cheatham
Service Area: Catchment Area 14
Chester
Service Area: Catchment Area 24
Claiborne
Service Area: Catchment Area 5
Clay
Service Area: Catchment Area 9
Cocke
Service Area: Catchment Area 5
Coffee
Service Area: Catchment Area 19
Crockett
Service Area: Catchment Area 22
Cumberland
Service Area: Catchment Area 9
De Kalb
Service Area: Catchment Area 9
Decatur
Service Area: Catchment Area 24
Dickson
Service Area: Catchment Area 14
Dyer
Service Area: Catchment Area 22
Fayette
Service Area: Catchment Area 25
Fentress
Service Area: Catchment Area 9
Franklin
Service Area: Catchment Area 19
Gibson
Service Area: Catchment Area 21
Giles
Service Area: Catchment Area 20
Grainger
Service Area: Catchment Area 5
Greene
Service Area: Catchment Area 4
Grundy
Service Area: Catchment Area 12 (Part)
Hamblen
Service Area: Catchment Area 5
Hancock
Service Area: Catchment Area 4
Hardeman
Service Area: Catchment Area 24
Hardin

MENTAL HEALTH: Tennessee
County Listing

County Name
Service Area: Catchment Area 24
Hawkins
Service Area: Catchment Area 4
Haywood
Service Area: Catchment Area 23
Henderson
Service Area: Catchment Area 23
Henry
Service Area: Catchment Area 21
Hickman
Service Area: Catchment Area 20
Houston
Service Area: Catchment Area 14
Humphreys
Service Area: Catchment Area 14
Jackson
Service Area: Catchment Area 9
Jefferson
Service Area: Catchment Area 5
Lake
Service Area: Catchment Area 22
Lauderdale
Service Area: Catchment Area 25
Lawrence
Service Area: Catchment Area 20
Lewis
Service Area: Catchment Area 20
Lincoln
Service Area: Catchment Area 19
Macon
Service Area: Catchment Area 9
Madison
Service Area: Catchment Area 23
Marion
Service Area: Catchment Area 12 (Part)
Marshall
Service Area: Catchment Area 20
Maury
Service Area: Catchment Area 20
Mc Nairy
Service Area: Catchment Area 24
Montgomery
Service Area: Catchment Area 14
Moore
Service Area: Catchment Area 19
Obion
Service Area: Catchment Area 22
Overton
Service Area: Catchment Area 9
Perry
Service Area: Catchment Area 20
Pickett
Service Area: Catchment Area 9
Putnam
Service Area: Catchment Area 9
Rhea
Service Area: Catchment Area 12 (Part)
Robertson
Service Area: Catchment Area 14
Sequatchie
Service Area: Catchment Area 12 (Part)
Smith
Service Area: Catchment Area 9
Stewart
Service Area: Catchment Area 14
Sumner
Service Area: Catchment Area 31
Tipton
Service Area: Catchment Area 25
Trousdale
Service Area: Catchment Area 31
Union

MENTAL HEALTH: Tennessee
County Listing

County Name
Service Area: Catchment Area 5
Van Buren
Service Area: Catchment Area 9
Warren
Service Area: Catchment Area 9
Wayne
Service Area: Catchment Area 20
Weakley
Service Area: Catchment Area 22
White
Service Area: Catchment Area 9
Wilson
Service Area: Catchment Area 31

MENTAL HEALTH: Tennessee
Service Area Listing

Service Area Name
Catchment Area 12 (Part)
County—Bledsoe
County—Grundy
County—Marion
County—Rhea
County—Sequatchie
Catchment Area 14
County—Cheatham
County—Dickson
County—Houston
County—Humphreys
County—Montgomery
County—Robertson
County—Stewart
Catchment Area 19
County—Bedford
County—Coffee
County—Franklin
County—Lincoln
County—Moore
Catchment Area 20
County—Giles
County—Hickman
County—Lawrence
County—Lewis
County—Marshall
County—Maury
County—Perry
County—Wayne
Catchment Area 21
County—Benton
County—Carroll
County—Gibson
County—Henry
Catchment Area 22
County—Crockett
County—Dyer
County—Lake
County—Obion
County—Weakley
Catchment Area 23
County—Haywood
County—Henderson
County—Madison
Catchment Area 24
County—Chester
County—Decatur
County—Hardeman
County—Hardin
County—McNairy
Catchment Area 25
County—Fayette
County—Lauderdale
County—Tipton

MENTAL HEALTH: Tennessee
Service Area Listing

Service Area Name

Catchment Area 31
County—Sumner
County—Trousdale
County—Wilson
Catchment Area 4
County—Greene
County—Hancock
County—Hawkins
Catchment Area 5
County—Claiborne
County—Cocke
County—Grainger
County—Hamblen
County—Jefferson
County—Union
Catchment Area 9
County—Cannon
County—Clay
County—Cumberland
County—De Kalb
County—Fentress
County—Jackson
County—Macon
County—Overton
County—Pickett
County—Putnam
County—Smith
County—Van Buren
County—Warren
County—White

MENTAL HEALTH: Texas
County Listing

County Name

*Anderson
Service Area: LSA 41
*Andrews
Service Area: LSA 38a
*Angelina
Service Area: LSA 11
*Aransas
Service Area: LSA 45
Archer
Service Area: LSA 52
*Atascosa
Service Area: LSA 47
*Austin
Service Area: LSA 33
Bailey
Service Area: LSA 7 Plainview
*Bandera
Service Area: LSA 40
Bastrop
Service Area: LSA 36a
*Baylor
Service Area: LSA 55
*Bee
Service Area: LSA 45
Bexar
Facility: San Antonio State Hosp.
*Blanco
Service Area: LSA 32
*Borden
Service Area: LSA 37a
Bowie
Service Area: LSA 21
Brewster
Service Area: LSA 58
Briscoe
Service Area: LSA 7 Plainview
*Brooks

MENTAL HEALTH: Texas
County Listing

County Name

Service Area: LSA 60
Brown
Service Area: LSA 8 Central
*Burnet
Service Area: LSA 36b
Caldwell
Service Area: LSA 36a
Cameron
Service Area: LSA 30 Lower Rio Grande
*Camp
Service Area: LSA 50
*Cass
Service Area: LSA 21
Castro
Service Area: LSA 7 Plainview
*Cherokee
Service Area: LSA 41
Facility: Rusk State Hosp.
*Childress
Service Area: LSA 53
*Clay
Service Area: LSA 57
*Coke
Service Area: LSA 9
Coleman
Service Area: LSA 8 Central
*Collingsworth
Facility: Vernon State Hosp.
*Colorado
Service Area: LSA 35
Comal
Service Area: LSA 44
Comanche
Service Area: LSA 8 Central
*Concho
Service Area: LSA 9
*Cooke
Service Area: LSA 28
*Cottle
Service Area: LSA 55
*Crane
Service Area: LSA 54c
*Crockett
Service Area: LSA 9
Culberson
Service Area: LSA 58
Dallas
Population Group: Pov. Pop.—Lancaster/Kiest
*Dawson
Service Area: LSA 38a
*Delta
Service Area: LSA 49a
*Dickens
Service Area: LSA 55
*Dimmit
Service Area: LSA 45
*Duval
Service Area: LSA 60
Eastland
Service Area: LSA 8 Central
*Edwards
Service Area: LSA 40
El Paso
Erath
Service Area: LSA 23
*Falls
Service Area: LSA 63
*Fannin
Service Area: LSA 28
*Fayette
Service Area: LSA 36a

MENTAL HEALTH: Texas
County Listing

County Name

*Fisher
Service Area: LSA 37a
Floyd
Service Area: LSA 7 Plainview
*Foard
Service Area: LSA 55
Fort Bend
Service Area: LSA 35
*Franklin
Service Area: LSA 49a
*Freestone
Service Area: LSA 63
*Frio
Service Area: LSA 45
*Gaines
Service Area: LSA 38a
*Garza
Service Area: LSA 38b
Gillespie
Service Area: LSA 40
*Glasscock
Service Area: LSA 37a
*Gonzales
Service Area: LSA 48
Grayson
Service Area: LSA 28
Gregg
Service Area: LSA 25
Guadalupe
Service Area: LSA 44
Hale
Service Area: LSA 7 Plainview
*Hardeman
Service Area: LSA 55
Harrison
Service Area: LSA 25
*Haskell
Service Area: LSA 52
Hays
Service Area: LSA 32
*Henderson
Service Area: LSA 12
Hidalgo
Service Area: LSA 30 Lower Rio Grande
*Hood
Service Area: LSA 23
*Hopkins
Service Area: LSA 49a
*Houston
Service Area: LSA 11
*Howard
Service Area: LSA 37a
Facility: Big Spring State Hspt
Hudspeth
Service Area: LSA 58
*Hunt
Service Area: LSA 62
*Irion
Service Area: LSA 9
*Jack
Service Area: LSA 57
*Jasper
Service Area: LSA 11
Jeff Davis
Service Area: LSA 58
Jim Hogg
Service Area: LSA 59
*Jim Wells
Service Area: LSA 60
Johnson
Service Area: LSA 34
*Karnes

MENTAL HEALTH: Texas
County Listing

County Name

Service Area: LSA 45
Kaufman
Service Area: LSA 49b
Facility: Terrell State Hospital
*Kendall
Service Area: LSA 40
*Kenedy
Service Area: LSA 60
*Kent
Service Area: LSA 38b
*Kerr
Service Area: LSA 40
Facility: Kerrville State Hosp.
*Kimble
Service Area: LSA 40
*King
Service Area: LSA 55
*Kinney
Service Area: LSA 42
*Kleberg
Service Area: LSA 60
*Knox
Service Area: LSA 55
*Lamar
Service Area: LSA 49a
Lamb
Service Area: LSA 7 Plainview
*Lasalle
Service Area: LSA 45
*Lee
Service Area: LSA 36a
Liberty
Service Area: LSA 29
*Limestone
Service Area: LSA 63
*Live Oak
Service Area: LSA 45
*Llano
Service Area: LSA 40
*Loving
Service Area: LSA 54a
*Marion
Service Area: LSA 25
*Martin
Service Area: LSA 38a
*Mason
Service Area: LSA 40
*Matagorda
Service Area: LSA 35
*Maverick
Service Area: LSA 45
McCulloch
Service Area: LSA 8 Central
*McMullen
Service Area: LSA 45
*Medina
Service Area: LSA 42
*Menard
Service Area: LSA 40
Mills
Service Area: LSA 8 Central
*Mitchell
Service Area: LSA 37a
*Montague
Service Area: LSA 57
Montgomery
Service Area: LSA 29
*Morris
Service Area: LSA 49a
Motley
Service Area: LSA 7 Plainview
*Nacogdoches

MENTAL HEALTH: Texas
County Listing

County Name

Service Area: LSA 11
*Navarro
Service Area: LSA 19
*Newton
Service Area: LSA 11
*Nolan
Service Area: LSA 37a
Palo Pinto
Service Area: LSA 23
*Panola
Service Area: LSA 25
Parker
Service Area: LSA 23
Parmer
Service Area: LSA 7 Plainview
*Pecos
Service Area: LSA 24a
*Polk
Service Area: LSA 11
Presidio
Service Area: LSA 58
*Rains
Service Area: LSA 12
*Reagan
Service Area: LSA 9
*Real
Service Area: LSA 40
*Red River
Service Area: LSA 21
*Reeves
Service Area: LSA 54a
*Runnels
Service Area: LSA 37b
*Rusk
Service Area: LSA 25
*Sabine
Service Area: LSA 11
*San Augustine
Service Area: LSA 11
*San Jacinto
Service Area: LSA 11
San Patricio
Service Area: LSA 45
San Saba
Service Area: LSA 8 Central
*Schleicher
Service Area: LSA 39
*Scurry
Service Area: LSA 37a
*Shackelford
Service Area: LSA 56
*Shelby
Service Area: LSA 11
Smith
Service Area: LSA 12
Somervell
Service Area: LSA 23
Starr
Service Area: LSA 59
*Stephens
Service Area: LSA 56
*Sterling
Service Area: LSA 9
*Stonewall
Service Area: LSA 52
*Sutton
Service Area: LSA 39
Swisher
Service Area: LSA 7 Plainview
*Terrell
Service Area: LSA 54b
*Terry

MENTAL HEALTH: Texas
County Listing

County Name

Service Area: LSA 38a
*Throckmorton
Service Area: LSA 52
*Titus
Service Area: LSA 49a
Tom Green
Service Area: LSA 9
*Trinity
Service Area: LSA 11
*Tyler
Service Area: LSA 11
Upshur
Service Area: LSA 25
*Upton
Service Area: LSA 54c
*Uvalde
Service Area: LSA 42
*Val Verde
Service Area: LSA 43
*Van Zandt
Service Area: LSA 12
*Walker
Service Area: LSA 29
Waller
Service Area: LSA 33
*Ward
Service Area: LSA 54a
Webb
Service Area: LSA 59
*Wharton
Service Area: LSA 35
*Wilbarger
Service Area: LSA 55
Willacy
Service Area: LSA 30 Lower Rio Grande
Wilson
Service Area: LSA 47
*Winkler
Service Area: LSA 54a
*Wise
Service Area: LSA 57
*Wood
Service Area: LSA 12
*Yoakum
Service Area: LSA 38a
*Young
Service Area: LSA 52
Zapata
Service Area: LSA 59
*Zavala
Service Area: LSA 45

MENTAL HEALTH: Texas
Service Area Listing

Service Area Name

LSA 11
County—Angelina
County—Houston
County—Jasper
County—Nacogdoches
County—Newton
County—Polk
County—Sabine
County—San Augustine
County—San Jacinto
County—Shelby
County—Trinity
County—Tyler
LSA 12
County—Henderson
County—Rains

MENTAL HEALTH: Texas
Service Area Listing

Service Area Name

County—Smith
County—Van Zandt
County—Wood
LSA 19
County—Navarro
LSA 21
County—Bowie
County—Cass
County—Red River
LSA 23
County—Erath
County—Hood
County—Palo Pinto
County—Parker
County—Somervell
LSA 24a
County—Pecos
LSA 25
County—Gregg
County—Harrison
County—Marion
County—Panola
County—Rusk
County—Upshur
LSA 28
County—Cooke
County—Fannin
County—Grayson
LSA 29
County—Liberty
County—Montgomery
County—Walker
LSA 30 Lower Rio Grande
County—Cameron
County—Hidalgo
County—Willacy
LSA 32
County—Blanco
County—Hays
LSA 33
County—Austin
County—Waller
LSA 34
County—Johnson
LSA 35
County—Colorado
County—Fort Bend
County—Matagorda
County—Wharton
LSA 36a
County—Bastrop
County—Caldwell
County—Fayette
County—Lee
LSA 36b
County—Burnet
LSA 37a
County—Borden
County—Fisher
County—Glasscock
County—Howard
County—Mitchell
County—Nolan
County—Scurry
LSA 37b
County—Runnels
LSA 38a
County—Andrews
County—Dawson
County—Gaines
County—Martin
County—Terry

MENTAL HEALTH: Texas
Service Area Listing

Service Area Name

County—Yoakum
LSA 38b
County—Garza
County—Kent
LSA 39
County—Schleicher
County—Sutton
LSA 40
County—Bandera
County—Edwards
County—Gillespie
County—Kendall
County—Kerr
County—Kimble
County—Llano
County—Mason
County—Menard
County—Real
LSA 41
County—Anderson
County—Cherokee
LSA 42
County—Kinney
County—Medina
County—Uvalde
LSA 43
County—Val Verde
LSA 44
County—Comal
County—Guadalupe
LSA 45
County—Aransas
County—Bee
County—Dimmit
County—Frio
County—Karnes
County—Lasalle
County—Live Oak
County—McMullen
County—Maverick
County—San Patricio
County—Zavala
LSA 47
County—Atascosa
County—Wilson
LSA 48
County—Gonzales
LSA 49a
County—Delta
County—Franklin
County—Hopkins
County—Lamar
County—Morris
County—Titus
LSA 49b
County—Kaufman
LSA 50
County—Camp
LSA 52
County—Archer
County—Haskell
County—Stonewall
County—Throckmorton
County—Young
LSA 53
County—Childress
LSA 54a
County—Loving
County—Reeves
County—Ward
County—Winkler
LSA 54b

MENTAL HEALTH: Texas
Service Area Listing

Service Area Name

County—Terrell
LSA 54c
County—Crane
County—Upton
LSA 55
County—Baylor
County—Cottle
County—Dickens
County—Foard
County—Hardeman
County—King
County—Knox
County—Wilbarger
LSA 56
County—Shackelford
County—Stephens
LSA 57
County—Clay
County—Jack
County—Montague
County—Wise
LSA 58
County—Brewster
County—Culberson
County—Hudspeth
County—Jeff Davis
County—Presidio
LSA 59
County—Jim Hogg
County—Starr
County—Webb
County—Zapata
LSA 60
County—Brooks
County—Duval
County—Jim Wells
County—Kenedy
County—Kleberg
LSA 62
County—Hunt
LSA 63
County—Falls
County—Freestone
County—Limestone
LSA 7 Plainview
County—Bailey
County—Briscoe
County—Castro
County—Floyd
County—Hale
County—Lamb
County—Motley
County—Parmer
County—Swisher
LSA 8 Central
County—Brown
County—Coleman
County—Comanche
County—Eastland
County—McCulloch
County—Mills
County—San Saba
LSA 9
County—Coke
County—Concho
County—Crockett
County—Irion
County—Reagan
County—Sterling
County—Tom Green

MENTAL HEALTH: Texas
Population Group Listing

Population Group
Pov. Pop.—Lancaster/Kiest
County—Dallas
Parts:
C.T. 20
C.T. 29–30
C.T. 32.02
C.T. 33–38
C.T. 39.01–39.02
C.T. 40–41
C.T. 48–49
C.T. 54–57
C.T. 59.01–59.02
C.T. 86.01–86.02
C.T. 87.01
C.T. 87.03–87.05
C.T. 88.01–88.02
C.T. 89
C.T. 91.02
C.T. 92.01–92.02
C.T. 93.01
C.T. 93.03–93.04
C.T. 112–113
C.T. 114.01–114.02
C.T. 115
C.T. 116.01–116.02
C.T. 165.05–165.06
C.T. 166.01–166.04
C.T. 167.01–167.02
C.T. 168
C.T. 169.01–169.04
C.T. 170–171

MENTAL HEALTH: Texas
Facility Listing

Facility Name
Big Spring State Hspt 2
County—Howard
Kerrville State Hosp.
County—Kerr
Rusk State Hosp.
County—Cherokee
San Antonio State Hosp.
County—Bexar
Terrell State Hospital
County—Kaufman
Vernon State Hosp.
County—Collingsworth

MENTAL HEALTH: Utah
County Listing

County Name
*Beaver
Service Area: Five County Mhca (Sw District)
*Daggett
*Duchesne
*Garfield
Service Area: Five County Mhca (Sw District)
*Iron
Service Area: Five County Mhca (Sw District)
*Kane
Service Area: Five County Mhca (Sw District)
*Tooele
*Uintah
*Washington
Service Area: Five County Mhca (Sw District)

MENTAL HEALTH: Utah
Service Area Listing

Service Area Name
Five County Mhca (Sw District)
County—Beaver
County—Garfield
County—Iron
County—Kane
County—Washington
Uintah Basin

MENTAL HEALTH: Vermont
County Listing

County Name
Caledonia
Service Area: Northeast Kingdom
Essex
Service Area: Northeast Kingdom
Franklin
Service Area: Franklin/Grand Isle
Grand Isle
Service Area: Franklin/Grand Isle
Orleans
Service Area: Northeast Kingdom

MENTAL HEALTH: Vermont
Service Area Listing

Service Area Name
Franklin/Grand Isle
County—Franklin
County—Grand Isle
Northeast Kingdom
County—Caledonia
County—Essex
County—Orleans

MENTAL HEALTH: Virginia
County Listing

County Name
Accomack
Service Area: Eastern Shore Of Virginia
Amelia
Service Area: Planning Dist XIV
Bland
Service Area: Planning Dist III
Buchanan
Service Area: Planning Dist II
Buckingham
Service Area: Planning Dist XIV
Carroll
Service Area: Planning Dist III
Charlotte
Service Area: Planning Dist XIV
Cumberland
Service Area: Planning Dist XIV
Danville City
Service Area: Planning Dist XII
Dickenson
Service Area: Planning Dist II
Essex
Service Area: Middle Peninsula/Northern Neck
Franklin
Service Area: Planning Dist XII
Galax City
Service Area: Planning Dist III
Gloucester
Service Area: Middle Peninsula/Northern Neck
Grayson
Service Area: Planning Dist III
Henry/Martinsville
Service Area: Planning Dist XII

MENTAL HEALTH: Virginia
County Listing

County Name
King And Queen
Service Area: Middle Peninsula/Northern Neck
King William
Service Area: Middle Peninsula/Northern Neck
Lancaster
Service Area: Middle Peninsula/Northern Neck
Lunenburg
Service Area: Planning Dist XIV
Martinsville City
Service Area: Planning Dist XII
Mathews
Service Area: Middle Peninsula/Northern Neck
Middlesex
Service Area: Middle Peninsula/Northern Neck
Northampton
Service Area: Eastern Shore Of Virginia
Northumberland
Service Area: Middle Peninsula/Northern Neck
Nottoway
Service Area: Planning Dist XIV
Patrick
Service Area: Planning Dist XII
Pittsylvania/Danville
Service Area: Planning Dist XII
Prince Edward
Service Area: Planning Dist XIV
Richmond
Service Area: Middle Peninsula/Northern Neck
Russell
Service Area: Planning Dist II
Smyth
Service Area: Planning Dist III
Facility: Southwestern Mh Inst
Tazewell
Service Area: Planning Dist II
Westmoreland
Service Area: Middle Peninsula/Northern Neck
Wythe
Service Area: Planning Dist III

MENTAL HEALTH: Virginia
Service Area Listing

Service Area Name
Eastern Shore Of Virginia
County—Accomack
County—Northampton
Middle Peninsula/Northern Neck
County—Essex
County—Gloucester
County—King And Queen
County—King William
County—Lancaster
County—Mathews
County—Middlesex
County—Northumberland
County—Richmond
County—Westmoreland
Planning Dist II
County—Buchanan
County—Dickenson
County—Russell
County—Tazewell
Planning Dist III

MENTAL HEALTH: Virginia
Service Area Listing

Service Area Name

County—Bland
County—Carroll
County—Grayson
County—Smyth
County—Wythe
County—Galax City
Planning Dist XII
County—Franklin
County—Henry/Martinsville
County—Patrick
County—Pittsylvania/Danville
County—Danville City
County—Martinsville City
Planning Dist XIV
County—Amelia
County—Buckingham
County—Charlotte
County—Cumberland
County—Lunenburg
County—Nottoway
County—Prince Edward

MENTAL HEALTH: Virginia
Population Group Listing

Population Group

Pov. Pop.—Huntersville
Parts:
C.T. 21
C.T. 25–34
C.T. 35.01–35.02
C.T. 36–37
C.T. 40.01–40.02
C.T. 41–44
C.T. 46–48

MENTAL HEALTH: Virginia
Facility Listing

Facility Name

Southwestern Mh Inst
County—Smyth

MENTAL HEALTH: Washington
County Listing

County Name

*Adams
Asotin
Service Area: Asotin/Garfield
Benton
Service Area: Tri-Cities
Population Group: MFW—Benton/Franklin
Chelan
Service Area: Chelan/Douglas
*Clallam
Facility: Clallam Bay Corr Ctr
*Columbia
*Cowlitz
Douglas
Service Area: Chelan/Douglas
*Ferry
Franklin
Service Area: Tri-Cities
Population Group: MFW—Benton/Franklin
Garfield
Service Area: Asotin/Garfield
*Grant
*Grays Harbor
*Jefferson
*Kittitas
*Klickitat

MENTAL HEALTH: Washington
County Listing

County Name

*Lewis
Population Group: Low Inc—Lewis Cty
*Lincoln
*Mason
Population Group: Low Inc—Mason Cty
Facility: Wash/Corr/Reception Ctr
*Okanogan
*Pacific
*Pend Oreille
Pierce
Facility: McNeil Island Corr Ctr
*Skamania
Spokane
Population Group: Am In—Spokane
*Stevens
*Wahkiakum
*Walla Walla
Service Area: Tri-Cities
Facility: Wa State Pen
*Whitman
Yakima
Population Group: MSFW—Yakima Cty

MENTAL HEALTH: Washington
Service Area Listing

Service Area Name

Asotin/Garfield
County—Asotin
County—Garfield
Chelan/Douglas
County—Chelan
County—Douglas
Tri-Cities
County—Benton
County—Franklin
County—Walla Walla
Parts:
Burbank CCD

MENTAL HEALTH: Washington
Population Group Listing

Population Group

Am In—Spokane
County—Spokane
Parts:
Am In Pop
Low Inc—Lewis Cty
County—Lewis
Parts:
Low Inc
Low Inc—Mason Cty
County—Mason
Parts:
Low Inc
MFW—Benton/Franklin
County—Benton
Parts:
MFW
County—Franklin
Parts:
MFW
MSFW—Yakima Cty
County—Yakima
Parts:
MSFW

MENTAL HEALTH: Washington
Facility Listing

Facility Name

Clallam Bay Corr Ctr
County—Clallam
McNeil Island Corr Ctr
County—Pierce
Wa State Pen
County—Walla Walla
Wash/Corr/Reception Ctr
County—Mason

MENTAL HEALTH: West Virginia
County Listing

County Name

*Boone
Braxton
Service Area: Central (VI–2)
Cabell
Facility: Huntington State Hosp
*Clay
Doddridge
Service Area: Central (VI–2)
Gilmer
Service Area: Central (VI–2)
Grant
Service Area: Petersburg (VIII)
Greenbrier
Service Area: Seneca (IV)
Hampshire
Service Area: Petersburg (VIII)
Hardy
Service Area: Petersburg (VIII)
Harrison
Service Area: Central (VI–2)
Lewis
Service Area: Central (VI–2)
Facility: Weston State Hosp
Logan
Service Area: Logan/Mingo (II–1)
Marshall
Service Area: Northwood
Mc Dowell
Service Area: Mercer/Mcdowell/Wyoming (I–1)
Mercer
Service Area: Mercer/Mcdowell/Wyoming (I–1)
Mineral
Service Area: Petersburg (VIII)
Mingo
Service Area: Logan/Mingo (II–1)
Nicholas
Service Area: Seneca (IV)
Pendleton
Service Area: Petersburg (VIII)
Pocahontas
Service Area: Seneca (IV)
Webster
Service Area: Seneca (IV)
Wetzel
Service Area: Northwood
Wyoming
Service Area: Mercer/Mcdowell/Wyoming (I–1)

MENTAL HEALTH: West Virginia
Service Area Listing

Service Area Name

Central (VI–2)
County—Braxton
County—Doddridge
County—Gilmer
County—Harrison

MENTAL HEALTH: West Virginia
Service Area Listing

Service Area Name

County—Lewis
Logan/Mingo (II–1)
County—Logan
County—Mingo
Mercer/Mcdowell/Wyoming (I–1)
County—Mc Dowell
County—Mercer
County—Wyoming
Northwood
County—Marshall
County—Wetzel
Petersburg (VIII)
County—Grant
County—Hampshire
County—Hardy
County—Mineral
County—Pendleton
Seneca (IV)
County—Greenbrier
County—Nicholas
County—Pocahontas
County—Webster

MENTAL HEALTH: West Virginia
Facility Listing

Facility Name

Huntington State Hosp
County—Cabell
Weston State Hosp
County—Lewis

MENTAL HEALTH: Wisconsin
County Listing

County Name

Adams
Service Area: Catchment Area 16
Ashland
Service Area: Catchment Area 3
Barron
Service Area: Catchment Area 2
Bayfield
Service Area: Catchment Area 3
Buffalo
Service Area: Catchment Area 9
Burnett
Service Area: Catchment Area 2
Calumet
*Clark
Columbia
Service Area: Catchment Area 16
Crawford
Service Area: Catchment Area 21
Dane
Facility: Mendota M. H. Inst.
Door
Service Area: Catchment Area #6
Douglas
Service Area: Catchment Area 1
Dunn
Service Area: Catchment Area 7
*Florence
Service Area: Catchment Area #6
Forest
Service Area: Catchment Area 4
Grant
Service Area: Catchment Area 21
Green
Service Area: Catchment Area 21
Iowa
Service Area: Catchment Area 21

MENTAL HEALTH: Wisconsin
County Listing

County Name

Iron
Service Area: Catchment Area 3
Jackson
Service Area: Catchment Area 9
*Jefferson
Juneau
Service Area: Catchment Area 15
Lafayette
Service Area: Catchment Area 21
*Langlade
Service Area: Catchment Area 5
*Lincoln
Service Area: Catchment Area 5
Marathon
Service Area: Catchment Area 5
*Marinette
Service Area: Catchment Area #6
Marquette
Service Area: Catchment Area 16
Menomonee
Service Area: Catchment Area 11
Milwaukee
Service Area: Near North Side—Milwaukee
Facility: Milwaukee Child & Adolescent Trtmt C.
Facility: Milwaukee Mh Complex
*Monroe
Oneida
Service Area: Catchment Area 4
Pepin
Service Area: Catchment Area 7
Pierce
Service Area: Catchment Area 7
Polk
Service Area: Catchment Area 2
Price
Service Area: Catchment Area 3
Richland
Service Area: Catchment Area 15
Rusk
Service Area: Catchment Area 2
Sauk
Service Area: Catchment Area 15
Sawyer
Service Area: Catchment Area 3
Shawano
Service Area: Catchment Area 11
St. Croix
Service Area: Catchment Area 7
*Taylor
Trempealeau
Service Area: Catchment Area 9
*Vernon
Vilas
Service Area: Catchment Area 4
Washburn
Service Area: Catchment Area 2
Waupaca
Service Area: Catchment Area 11
*Waushara

MENTAL HEALTH: Wisconsin
Service Area Listing

Service Area Name

Catchment Area 1
County—Douglas
Catchment Area #6
County—Door
County—Florence
County—Marinette
Catchment Area 11

MENTAL HEALTH: Wisconsin
Service Area Listing

Service Area Name

County—Menomonee
County—Shawano
County—Waupaca
Catchment Area 15
County—Juneau
County—Richland
County—Sauk
Catchment Area 16
County—Adams
County—Columbia
County—Marquette
Catchment Area 2
County—Barron
County—Burnett
County—Polk
County—Rusk
County—Washburn
Catchment Area 21
County—Crawford
County—Grant
County—Green
County—Iowa
County—Lafayette
Catchment Area 3
County—Ashland
County—Bayfield
County—Iron
County—Price
County—Sawyer
Catchment Area 4
County—Forest
County—Oneida
County—Vilas
Catchment Area 5
County—Langlade
County—Lincoln
County—Marathon
Catchment Area 7
County—Dunn
County—Pepin
County—Pierce
County—St. Croix
Catchment Area 9
County—Buffalo
County—Jackson
County—Trempealeau
Near North Side—Milwaukee
County—Milwaukee
Parts:
C.T. 18–28
C.T. 38–49
C.T. 60–72
C.T. 79–92
C.T. 98–107

MENTAL HEALTH: Wisconsin
Facility Listing

Facility Name

Mendota M. H. Inst.
County—Dane
Milwaukee Child & Adolescent Trtmt C.
County—Milwaukee
Milwaukee Mh Complex
County—Milwaukee

MENTAL HEALTH: Wyoming
County Listing

County Name

*Albany
Service Area: Southeast

MENTAL HEALTH: Wyoming
County Listing

County Name

Big Horn
*Big Horn
Service Area: Mh Region I
Service Area: Mh Region I
*Campbell
*Carbon
Converse
Service Area: Eastern
*Crook
Service Area: Crook/Weston
*Fremont
*Goshen
Service Area: Southeast
Hot Springs
*Hot Springs
Service Area: Mh Region I
Service Area: Mh Region I
*Johnson
Service Area: Northern
Laramie
Service Area: Southeast
*Lincoln
Natrona
Niobrara
Service Area: Eastern
Park
Service Area: Mh Region I
*Platte
Service Area: Southeast
*Sheridan
Service Area: Northern
*Sublette
*Sweetwater
*Teton
*Uinta (g)
Facility: Wyoming State Hosp.
Washakie
*Washakie
Service Area: Mh Region I
Service Area: Mh Region I
*Weston
Service Area: Crook/Weston

MENTAL HEALTH: Wyoming
Service Area Listing

Service Area Name

Crook/Weston
County—Weston
Eastern
County—Niobrara
Mh Region I
County—Washakie
County—Washakie
Northern
County—Johnson
Parts:
Johnson
County—Sheridan
Parts:
Sheridan
Southeast
County—Platte

MENTAL HEALTH: Wyoming
Facility Listing

Facility Name

Wyoming State Hosp.
County—Uinta

MENTAL HEALTH: American Samoa
County Listing

County Name

Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

MENTAL HEALTH: American Samoa
Service Area Listing

Service Area Name

Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Western District
County—Swains Island

MENTAL HEALTH: Fed Ste Micronesia
County Listing

County Name

*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

MENTAL HEALTH: Guam
County Listing

County Name

Terr. Of Guam
Service Area: Terr. Of Guam

MENTAL HEALTH: Guam
Service Area Listing

Service Area Name

Terr. Of Guam
County—Terr. Of Guam

MENTAL HEALTH: N. Mariana Islands
County Listing

County Name

*Comnwlth Of N. Mariana Is

MENTAL HEALTH: Republic of Palau
County Listing

County Name

*Republic Of Palau

MENTAL HEALTH: Puerto Rico
County Listing

County Name

*Adjuntas
Service Area: Southern (Ponce) C.A.
*Albonito
Service Area: Southern (Ponce) C.A.
*Anasco
Service Area: Mayaguez Catchment Area
*Aquada
Service Area: Mayaguez Catchment Area
*Aquadilla
Service Area: Mayaguez Catchment Area
*Aquas Buenas
Service Area: Eastern (Caguas) C.A.

MENTAL HEALTH: Puerto Rico
County Listing

County Name

*Arecibo
Service Area: Northern (Arecibo) C.A.
*Arroyo
Service Area: Eastern (Caguas) C.A.
*Barceloneta
Service Area: Northern (Arecibo) C.A.
*Barranquitas
Service Area: Northeastern (Bayamon) C.A.
*Bayamon
Service Area: Northeastern (Bayamon) C.A.
*Cabo Rojo
Service Area: Mayaguez Catchment Area
*Caguas
Service Area: Eastern (Caguas) C.A.
*Camuy
Service Area: Northern (Arecibo) C.A.
*Canovanas
Service Area: Fajardo/Loiza C.A.
*Catano
Service Area: Northeastern (Bayamon) C.A.
*Cayey
Service Area: Eastern (Caguas) C.A.
*Ceiba
Service Area: Fajardo/Loiza C.A.
*Ciales
Service Area: Northern (Arecibo) C.A.
*Cidra
Service Area: Eastern (Caguas) C.A.
*Coamo
Service Area: Southern (Ponce) C.A.
*Comerio
Service Area: Northeastern (Bayamon) C.A.
*Corozal
Service Area: Northeastern (Bayamon) C.A.
*Culebra
Service Area: Fajardo/Loiza C.A.
Service Area: Northeastern (Bayamon) C.A.
*Dorado
Service Area: Fajardo/Loiza C.A.
Service Area: Northeastern (Bayamon) C.A.
*Fajardo
Service Area: Fajardo/Loiza C.A.
*Florida
Service Area: Northern (Arecibo) C.A.
*Guanica
Service Area: Southern (Ponce) C.A.
*Guayama
Service Area: Eastern (Caguas) C.A.
*Guayanilla
Service Area: Southern (Ponce) C.A.
*Gurabo
Service Area: Eastern (Caguas) C.A.
*Hatillo
Service Area: Northern (Arecibo) C.A.
*Hormigueros
Service Area: Mayaguez Catchment Area
*Humacao
Service Area: Eastern (Caguas) C.A.
*Isabella
Service Area: Mayaguez Catchment Area
*Jayuya
Service Area: Southern (Ponce) C.A.
*Juana Diaz
Service Area: Southern (Ponce) C.A.
*Juncos

MENTAL HEALTH: Puerto Rico
County Listing

County Name

Service Area: Eastern (Caguas) C.A.
*Lajas
Service Area: Mayaguez Catchment Area
*Lares
Service Area: Northern (Arecibo) C.A.
*Las Marias
Service Area: Mayaguez Catchment Area
*Las Peidras
Service Area: Eastern (Caguas) C.A.
*Loiza
Service Area: Fajardo/Loiza C.A.
*Luquillo
Service Area: Fajardo/Loiza C.A.
*Manati
Service Area: Northern (Arecibo) C.A.
*Maricao
Service Area: Mayaguez Catchment Area
*Maunabo
Service Area: Eastern (Caguas) C.A.
*Mayaguez
Service Area: Mayaguez Catchment Area
*Moca
Service Area: Mayaguez Catchment Area
*Morovis
Service Area: Northern (Arecibo) C.A.
*Naguabo
Service Area: Eastern (Caguas) C.A.
*Naranjito
Service Area: Northeastern (Bayamon) C.A.
*Orocovis
Service Area: Northeastern (Bayamon) C.A.
*Patillas
Service Area: Eastern (Caguas) C.A.
*Penuellas
Service Area: Southern (Ponce) C.A.
*Ponce
Service Area: Southern (Ponce) C.A.
*Quebradillas
Service Area: Northern (Arecibo) C.A.
*Rincon
Service Area: Mayaguez Catchment Area
*Rio Grande
Service Area: Fajardo/Loiza C.A.
*Sabana Grande
Service Area: Mayaguez Catchment Area
*Salinas
Service Area: Southern (Ponce) C.A.
*San German
Service Area: Mayaguez Catchment Area
*San Lorenzo
Service Area: Eastern (Caguas) C.A.
*San Sabastion
Service Area: Mayaguez Catchment Area
*Santa Isabel
Service Area: Southern (Ponce) C.A.
*Toa Alta
Service Area: Northeastern (Bayamon) C.A.
*Toa Baja
Service Area: Northeastern (Bayamon) C.A.

MENTAL HEALTH: Puerto Rico
County Listing

County Name

*Utuado
Service Area: Northern (Arecibo) C.A.
*Vega Alta
Service Area: Northeastern (Bayamon) C.A.
*Vega Baja
Service Area: Northern (Arecibo) C.A.
*Vieques
Service Area: Fajardo/Loiza C.A.
*Villalba
Service Area: Southern (Ponce) C.A.
*Yabucoa
Service Area: Eastern (Caguas) C.A.
*Yauco
Service Area: Southern (Ponce) C.A.

MENTAL HEALTH: Puerto Rico
Service Area Listing

Service Area Name

Eastern (Caguas) C.A.
County—Aquas Buenas
County—Arroyo
County—Caguas
County—Cayey
County—Cidra
County—Guayama
County—Gurabo
County—Humacao
County—Juncos
County—Las Peidras
County—Maunabo
County—Naguabo
County—Patillas
County—San Lorenzo
County—Yabucoa
Fajardo/Loiza C.A.
County—Canovanas
County—Ceiba
County—Culebra
County—Fajardo
County—Loiza
County—Luquillo
County—Rio Grande
County—Vieques
Mayaguez Catchment Area
County—Aquada
County—Aquadilla
County—Anasco
County—Cabo Rojo
County—Hormigueros
County—Isabella
County—Lajas
County—Las Marias
County—Maricao
County—Mayaguez
County—Moca
County—Rincon
County—Sabana Grande
County—San German
County—San Sabastion
Northeastern (Bayamon) C.A.

MENTAL HEALTH: Puerto Rico
Service Area Listing

Service Area Name

County—Barranquitas
County—Bayamon
County—Catano
County—Comerio
County—Corozal
County—Dorado
County—Naranjito
County—Orocovis
County—Toa Alta
County—Toa Baja
County—Vega Alta
Northern (Arecibo) C.A.
County—Arecibo
County—Barceloneta
County—Camuy
County—Ciales
County—Florida
County—Hatillo
County—Lares
County—Manati
County—Morovis
County—Quebradillas
County—Utuado
County—Vega Baja
Southern (Ponce) C.A.
County—Adjuntas
County—Albonito
County—Coamo
County—Guanica
County—Guayanilla
County—Jayuya
County—Juana Diaz
County—Penuellas
County—Ponce
County—Salinas
County—Santa Isabel
County—Villalba
County—Yauco

MENTAL HEALTH: Virgin Islands
County Listing

County Name

St. Croix
Service Area: Virgin Islands C.A.
St. John
Service Area: Virgin Islands C.A.
St. Thomas
Service Area: Virgin Islands C.A.

MENTAL HEALTH: Virgin Islands
Service Area Listing

Service Area Name

Virgin Islands C.A.
County—St. Croix
County—St. John
County—St. Thomas

[FR Doc. 95–23160 Filed 9–29–95; 8:45 am]
BILLING CODE 4160–15–P

federal register

Monday
October 2, 1995

Part III

Department of Housing and Urban Development

24 CFR Part 882

Section 8 Moderate Rehabilitation; Rent Adjustments; Annual and Special Adjustments; Comparability Studies; Rent Reductions; Proposed Rule

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

24 CFR Part 882

[Docket No. FR–3709–P–01]

RIN 2577–AB48

Section 8 Moderate Rehabilitation; Rent Adjustments; Annual and Special Adjustments; Comparability Studies; Rent Reductions

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Proposed rule.

SUMMARY: This proposed rule would revise the current regulations on adjusting Section 8 Moderate Rehabilitation Contract Rents. The rule would modify the method used by Public Housing Agencies (PHAs) to determine the amount of the annual increase in the Contract Rents by providing for PHAs to conduct comparability studies for Moderate Rehabilitation projects to prevent the application of the Annual Adjustment Factors from resulting in a material difference between rents charged for assisted units and similar unassisted units. The proposed rule provides a substitute method of determining the initial difference between Moderate Rehabilitation rents and rents charged for comparable unassisted units, if the PHA failed to establish the amount of the difference when the initial Contract Rents were determined. The proposed rule also provides, subject to the availability of appropriations, for special adjustments when an exemption from real property tax expires under certain circumstances. The proposed rule also adds insurance to the categories of cost increases that may result in a special adjustment.

DATES: Comment Due Date: December 1, 1995.

ADDRESSES: Interested persons are invited to submit comments regarding this proposed rule to the Rules Docket Clerk, Office of General Counsel, room 10276, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410. Communications should refer to the above docket number and title. Facsimile (FAX) comments are not acceptable. A copy of each communication submitted will be available for public inspection and copying during regular business hours.

FOR FURTHER INFORMATION CONTACT: Madeline Hastings, Rental Assistance Division, Room 4226, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–2841 (voice) or (202) 708–4594 (TDD). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act Statement

The information collection requirements contained in this proposed rule have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520). No person may be subjected to a penalty for failure to comply with these information collection requirements until they have been approved and assigned an OMB control number. The OMB control number, when assigned, will be announced by separate notice in the Federal Register.

The public reporting burden for each of these collections of information is estimated to include the time for reviewing and instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information on the estimated public reporting burden is provided under the preamble heading, Other Matters.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Housing and Urban Development, Rules Docket Clerk, 451 Seventh Street SW, Room 10276, Washington, DC 20410; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention Desk Officer for HUD, Washington, DC 20503. At the end of the public comment period on this rule, the Department may amend the information collection requirements set out in this rule to reflect public comments or OMB comments received concerning the information collection.

II. Background

A. Applicability

This proposed rule would be applicable to all projects which are currently, or will be in the future, under a Section 8 Moderate Rehabilitation Housing Assistance Payments (HAP) Contract, as provided in the regular Section 8 Moderate Rehabilitation Program, and the Section 8 Moderate Rehabilitation Single Room Occupancy (SRO) Program for Homeless Individuals. This rule proposes to revise the current regulations in 24 CFR part 882, subpart D, that govern the special procedures for adjusting Contract Rents of regular and SRO Moderate Rehabilitation projects during the term of the HAP Contract. The procedures for both annual and special rent adjustments would be revised by the rule. These are the only upward adjustments to the initial base and Contract Rents set forth in the HAP Contract that are allowed during the term of the HAP Contract. Downward adjustments due to changes in project financing are also permitted during the term of the HAP Contract.

Regulations governing annual and special rent adjustments for the other Section 8 Programs have been and will be addressed by separate rulemaking. A proposed rule, entitled ''Annual Adjustments of Contract Rents for Section 8 Assisted Housing; Comparability Studies,'' was published in the Federal Register on October 29, 1992 (57 FR 49120). The Department received considerable public comment on the October 29, 1992 proposed rule, and, as a result of this public comment, is further considering its October 29, 1992 proposal. Accordingly, the language of this proposed rule which is limited to the Section 8 Moderate Rehabilitation Program and which would make similar amendments to those amendments proposed to be made by the October 29, 1992 rule is not based on the language of the October 29, 1992 proposed rule.

Additionally, the Department notes that 24 CFR part 888, subpart B, does not apply to the process utilized under the Section 8 Moderate Rehabilitation Program. Although subpart B currently applies to all Section 8 Housing Assistance Programs, its scope is limited to the Automatic Annual Adjustment factors. The Section 8 Moderate Rehabilitation Program does not utilize automatic adjustments and, therefore, adjustments will be made in accordance with § 882.410, not 24 CFR part 888, subpart B.[1]

B. Comparability Studies

This proposed rule would implement section 801(c) of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101–235, approved December 15, 1989) (HUD Reform Act), by providing for PHAs to conduct comparability studies for Moderate Rehabilitation projects to prevent a material difference between

[1] Another proposed rule applicable to the section 8 regulations and entitled ''Section 8 Certificate and Voucher Programs Conforming Rule'' was published on February 24, 1993 (58 FR 11292).

rents charged for assisted units and similar unassisted units. The rule also would revise 24 CFR 882.410 to provide that upon request to the PHA by the Moderate Rehabilitation owner (Owner) to the PHA for an annual adjustment, a comparability study may be conducted to ensure that the application of the Annual Adjustment Factor (AAF) would not result in a new Contract rent that is materially different from the rents charged for comparable unassisted units. HUD will prescribe procedures on how a comparable rent shall be determined.

Under the proposed rule, when the application of the AAF to the base rent, plus the monthly rehabilitation debt service and utility allowance, produces an amount which is 110 percent or more of the most recently published Fair Market Rents (FMRs) for Existing Housing or exception rent approved by HUD, a comparability study would be conducted by the PHA. The Owner would be given notice of the PHA's intent to conduct a comparability study within a limited timeframe. Where the results of the PHA's comparability study show that a material difference would result between the adjusted Contracts Rents and rents being charged for similar unassisted units, allowing for any difference which may have existed with respect to the initial Contract Rent (see Section D of this preamble), the Contract rent would be set at the maximum allowable Contract rent (which will be defined later in this preamble). However, the Contract Rent would be reduced below its current level based upon the comparability study.

A material difference between the assisted and comparable unassisted rents exists if the adjusted base rent is greater than the maximum allowable Contract rent plus any amount attributable to an initial difference. The maximum allowable base rent is a dollar amount equal to 105 percent of the comparable rent.

The rule also would provide that Contract Rents will never be reduced as a result of a comparability study. Contract rents may be reduced when the project has been refinanced in such a manner that the periodic payment of the Owner has been reduced. The Owner is required to notify the PHA of any refinancing that occurs during the term of the HAP Contract.

C. Initial Difference

In determining whether a material difference exists, the PHA must allow for any difference which may have existed with respect to the initial Contract Rent. The initial difference is defined as a dollar amount equal to the difference between the original comparable rent at the time the unit went under HAP contract and the initial Contract Rent. In many cases, however, PHAs never established the initial difference. The Regular Moderate Rehabilitation rent formula is based on a cost approach and therefore in most instances PHAs neglected to perform a comparability analysis. Because of the nature of the Moderate Rehabilitation program, the Department will assume that in most cases an initial difference actually existed between comparable unassisted rents and initial Contract Rents.

For those contracts where an initial difference was never established, the Department has created a substitute method to allow for the initial difference. Where an initial difference was never established, the initial difference will be assumed to be ten percent of the initial Contract Rent, unless an owner can document that the initial difference was greater.

Providing for a substitute method that assumes the initial difference is ten percent if it was never established is consistent with HUD's procedures established for Section 8 New Construction and Substantial Rehabilitation Properties where current contract rents are above the published FMRs. In a direct issuance to HUD's Field Offices (Notice H–95–12, issued March 7, 1995), HUD stated: ''In order to provide a fair number to owners who may not be able to show proof of the initial difference which existed in the initial Section 8 contract rents, HUD will use 10% of the initial Section 8 contract rent (plus the Financial Adjustment Factor, if applicable) where evidence of the initial difference cannot be provided by the owner.'' (Page 4 of Notice H–95–12). Accordingly, HUD's use of the 10 percent initial difference in this rule is to maintain consistency and uniformity, to the extent possible, in its Section 8 programs.

D. Special Adjustments

This proposed rule would clarify and expand the availability of special rent adjustments. Special adjustments may not be approved because of cost increases particular to operation of the individual Owner or project, but only may be granted for ''general increases'' that affect operation of housing in the community. The proposed rule would provide that these special adjustments may only be approved to reflect ''substantial general'' increases in ''actual and necessary'' expenses of owning and maintaining the dwelling unit. The Owner does not have a contractual or regulatory right to receive the special adjustment. HUD ''may approve'' a special adjustment, and the PHA ''may make'' a special adjustment. A special adjustment must be determined in accordance with HUD procedures and be approved by HUD.

The proposed rule would implement section 142 of the Housing and Community Development Act of 1992 (Pub.L. 102–550, approved October 28, 1992). Section 142 allows HUD to give a special adjustment, subject to the availability of appropriations, to the extent HUD determines such adjustments are necessary to reflect increases in the actual and necessary expenses of owning and maintaining the units that have resulted from the expiration of a real property tax exemption. In addition, the proposed rule would include insurance in the categories of cost increases that may result in a special adjustment, provided that the insurance cost increases are actual and necessary expenses which have resulted from substantial general increases in insurance costs. Special adjustments are currently limited by the regulations pertaining to real property taxes or special assessments, and increases of utility rates or cost of utilities not covered by regulated rates.

On September 16, 1994 (59 FR 47772), HUD published a final rule that implements section 542 of the Cranston-Gonzalez National Affordable Housing Act of 1990 (Pub.L. 101–625, approved November 28, 1990). Consistent with section 542, the September 16, 1994 final rule provides for PHAs to recommend, and HUD to approve, subject to the availability of appropriations, a special adjustment, on a project by project basis, to reflect substantial increases in operating, maintenance and capital repair costs primarily due to the general prevalence in the community of drug-related criminal activity. The authority for this special adjustment is strictly subject to the availability for appropriations for this purpose.

The September 16, 1994 final rule codified the section 542 special rent adjustments provisions in § 882.410(a)(2). This proposed rule would move these provisions to § 882.410(d), and would make some organizational and minor clarifying language changes. However, the substance of the special rent adjustment provisions as implemented in § 882.410(a)(2) in the September 16, 1994 final rule, remains the same as in § 882.410(d)(1),(2),(4) and (6) of this proposed rule.

III. Other Matters

Executive Order 12866

This proposed rule was reviewed by the Office of Management and Budget (OMB) under Executive Order 12866 on Regulatory Planning and Review, issued by the President on September 30, 1993. Any changes made in this proposed rule as a result of that review are clearly identified in the docket file, which is available for public inspection in the office of the Department's Rules Docket Clerk, Room 10276, 451 Seventh Street, SW, Washington, DC.

Environmental Impact

With respect to the rule's proposal to implement the comparability studies provision of the HUD Reform Act, an environmental assessment is unnecessary since statutorily required establishment and review of rent schedules that do not constitute a development decision affecting the physical condition of specific project areas or buildings sites is categorically excluded from HUD's National Environmental Policy Act (NEPA) procedures under 24 CFR 50.20(l). With respect to the proposed rule's special rent adjustment provision, a Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implements section 102(2)(C) of NEPA in connection with development of the September 16, 1994 final rule that implements section 542 of the NAHA, and which provides for special rent adjustments certain operating and maintenance costs incurred as a result of a general prevalence of drug-related criminal activity in the community. That Finding of No Significant Impact is applicable to this proposed rule available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of the General Counsel, Department of Housing and Urban Development Room 10276, 451 Seventh Street, SW, Washington, DC 20410.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official for HUD under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this proposed rule do not have federalism implications and, thus, are not subject to review under the order. The rule is limited to revising the regulations applicable to the Section 8 Moderate Rehabilitation Program on the matter of adjustment of Contract Rents.

Executive Order 12606, the Family

The General Counsel, as the Designated Official under Executive Order 12606, *The Family*, has determined that this proposed rule would not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the order. The rents paid by families in housing governed under this rule are based on the income of the families, and not on the Contract Rents affected by this rule. Therefore, the proposed rule is not subject to review under that order.

Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this proposed rule before publication and by approving it certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities. Specifically, the rule would modify the procedures for adjusting Contract Rents in the Section 8 Moderate Rehabilitation Program.

Paperwork Reduction Act Statement

The information collection requirements contained in this rule have been submitted to the Office of Management and Budget for approval under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520). The following provisions of the rule have been determined by the Department to contain collection of information requirements:

Submission requirements	Number of rrespondents	Number responses per respondent	Total annual responses	Hours per response	Total hours
PHAs complete study	130	1	130	20	2600
Notify owners of results where it is found that a material difference exists	65	1	65	1	65
Owner appeal of results	22	1	22	8	176
PHA process appeal	22	1	22	4	88
Owner final appeal	4	1	4	4	16
HUD review of final appeal and notify owner of result	4	1	4	4	16
Owner submit request for special rent adjustment due to expiration of real property tax exemption	100	1	100	10	1000
PHA process owner request for special rent adjustment due to expiration of real property tax exemption	100	1	100	8	800
HUD review request for special rent adjustment due to expiration of real property tax exemption	75	1	75	8	600
Owner submit request for special rent adjustment due to increases in insurance costs	100	1	100	10	1000
PHA process owner request for special rent adjustment due to increases in insurance costs	100	1	100	8	800
HUD review request for special rent adjustment due to increases in insurance costs	75	1	75	8	600
Total	7,761				

List of Subjects in 24 CFR Part 882

Grant programs—housing and community development, Homeless, Lead poisoning, Manufactured homes, Rent subsidies, Reporting and recordkeeping requirements.

Accordingly, 24 CFR part 882, subpart D is proposed to be amended as follows:

PART 882—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—EXISTING HOUSING

1. The authority citation for part 882 continues to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d). Subpart H is also issued under 42 U.S.C. 11361 and 11401.

2. Section 882.410 is revised to read as follows:

§ 882.410 Rent adjustments.

(a) *Annual adjustments.* (1) Contract Rents will be adjusted annually as provided in paragraph (a) of this section upon submittal to the PHA by the Owner of a revised schedule of Contract Rents, provided that the unit is in decent, safe, and sanitary condition and that the Owner is otherwise in compliance with the terms of the Lease and Contract. The Annual Adjustment Factors (AAFs) which are published annually by HUD (see Schedule C, 24 CFR part 888) will be utilized.

(2) On or after each annual anniversary date of the Contract, the Contract Rents may be adjusted in accordance with this paragraph and other established HUD procedures. Contract Rents will only be adjusted for housing assistance payments for the months commencing 60 days after the PHA receives the Owner's revised schedule of Contract Rents. Contract Rents will not be adjusted retroactively or cumulatively. The annual adjustment with respect to any anniversary date must be requested prior to the next annual anniversary date.

(3) The adjusted Contract Rents cannot exceed the amount established by multiplying the applicable AAF by the base rents then adding the monthly rehabilitation debt service.

(4) Rents to be adjusted by the AAF must then be examined in accordance with paragraphs (b) and (c) of this section and may be adjusted accordingly.

(b) *Overall limitation.* (1) Notwithstanding any other provisions of this part, adjustments as provided in this section must not result in material differences between the rents charged for assisted and unassisted units of similar age, quality, and type in the same market area, as determined by the PHA (and approved by HUD in the case of adjustments under paragraph (d) of this section). A material difference between the assisted and comparable unassisted rent is determined to exist if the adjusted Contract rent is greater than the maximum allowable Contract rent plus any difference which may have existed initially. The maximum allowable base rent is a dollar amount equal to 105 percent of the comparable rent.

(2) In determining whether a material difference exists, the PHA must allow for any difference which may have existed with respect to the initial Contract Rent. If the PHA did not establish an initial difference at the time the HAP contract was executed, ten percent of the initial Contract Rent shall be used as a substitute, unless an owner can document that the initial difference was greater.

(c) *Comparability Studies.* (1) A comparability study will be conducted for the purpose of determining whether a material difference, as described in paragraph (b) of this section, will result from application of the AAF. The PHA will notify the Owner in writing of its intention to conduct a comparability study.

(2) If the Contract rent, as adjusted by the AAF, plus the utility allowance, is less than 110 percent of the current Existing Housing FMR or exception rent (if granted for a geographical area in accordance with § 882.408(b)), the adjusted Contract Rent for the project shall be approved by the PHA in accordance with HUD prescribed procedures and the PHA shall not conduct a comparability study.

(3) If the Contract rent, adjusted by the AAF, plus the utility allowance, is 110 percent or more of the current Existing Housing FMR or if an exception rent limit (if granted for a geographical area in accordance with § 882.408(b)), the PHA will conduct a comparability study to determine and approve an adjusted base rent that is not materially different from rents charged for comparable unassisted units.

(4)(i) In conducting a comparability study, the project's Contract rents, as adjusted by the AAFs, will be compared to rents charged for unassisted units of similar quality, type and age in the same market area.

(ii) Comparability studies will be conducted by PHA staff. PHA staff conducting the comparability studies will make adjustments necessary to accommodate any difference between the comparables and the assisted project that significantly affect the amount of rent charged (including, without limitation, adjustments for utility charges).

(5) If it is determined by the comparability study that a material difference would result (as provided in paragraph (b) of this section) from application of the full AAF, a notice showing the results of the study will be provided to the Owner within 30 business days of receipt of the Owner's request for a rent increase. The Contract Rent will be set at the maximum allowable Contract rent (as defined in paragraph (b) of the section). However, the Contract Rent will never be reduced as a result of a comparability study.

(6) Where the results of a comparability study show that a material difference would not result from application of the full AAF, the base rent will be adjusted by the full AAF to determine the new Contract Rent.

(7)(i) Appeals of the decision to disapprove a full adjustment under the AAF must be made to the appropriate PHA within 30 business days from the date of the notice as required in paragraph (c)(5) of this section. Sufficient documentation must be provided of any objections to the decision.

(ii) The PHA will review the appeal within 30 business days from receipt of the documentation.

(8) Final appeals of the PHA decision may be made to the appropriate HUD Field Office.

(d) *Special adjustments.* (1) A special adjustment, to the extent determined by HUD to reflect increases in the actual and necessary expenses of owning and maintaining the unit which are not adequately compensated for by annual adjustments under this part, and which have resulted from substantial general increases in real property taxes, assessments, utility rates, utilities not covered by regulated rates, or increases in insurance costs, may be recommended by the PHA for approval by HUD.

(2) Subject to the availability of appropriations for the purpose specified in paragraph (d)(2) of this section, a special adjustment may be recommended by the PHA for approval by HUD when HUD determines, based upon a clear demonstration by the Owner, that a project is located in a community where drug-related criminal activity is generally prevalent, and not specific to a particular project, and the project's operating, maintenance, and capital repair expenses have substantially increased primarily as a result of the prevalence of such drug-related activity.

(i) HUD may, on a project-by-project basis, provide adjustments to the maximum monthly rents to a level no greater than 120 percent of the current gross rents for each unit size under a Housing Assistance Payments Contract to cover the costs of maintenance, security, capital repairs and reserves required for the Owner to carry out a strategy acceptable to HUD for addressing the problem of drug-related criminal activity.

(ii) Where the strategy involves physical improvements, HUD will perform an environmental review to the extent required under HUD's environmental regulations at 24 CFR

part 50 prior to approving the special adjustment.

(3) Subject to the availability of appropriations, a special adjustment also may be recommended by the PHA for approval by HUD when and to the extent HUD determines such adjustments are necessary to reflect increases in such actual and necessary expenses that have resulted from expiration of an exemption from real property tax.

(4) The special rent adjustments described in paragraph (d) of this section only will be approved if and to the extent the Owner clearly demonstrates that these general increases have caused increases in the Owner's operating costs which are not adequately compensated for by annual adjustments.

(5) Special adjustments are a separate component of the Contract Rent and are never added to the Base Rent for the purpose of calculating annual rent adjustments.

(6) The Owner must submit financial information to the PHA which clearly supports the increase. For Contracts of more than twenty units, the Owner must submit audited financial information.

(e) *Effective date of special adjustments.* The effective date of the adjusted Contract Rent will be the first day of the month following the actual increase, or the first day of the month after the Owner's written request for the special adjustment, whichever is later. Special adjustments for security will not be made retroactively.

(f) *Term of special adjustments.* (1) The term of a special rent adjustment will be coterminous with the period of the increased cost to the Owner, subsequent to its effective date. HUD will approve the term of the special adjustment and the special adjustment must be terminated at the end of the specified term. The special adjustment must be reviewed annually by the PHA to determine whether it is still justifiable. The PHA may request and HUD may approve a decrease or an increase in the term.

(2) Special adjustments are removed from the Contract Rent at the end of the approved term. The removal of a special adjustment from the Contract Rent at the end of the approved term is not and will not be considered a reduction of Contract Rents.

(g) *Rent reductions.* Contract Rents will never be reduced as a result of a comparability study, but may be reduced when the project has been refinanced in such a manner that the periodic payment of the Owner has been reduced. The Owner is required to notify the PHA of any refinancing that occurs during the term of the HAP Contract. When the property acquisition portion of a loan has been refinanced, procedures prescribed by HUD will be utilized to recompute the base rents in relation to AAFs. Such procedures shall not be applicable to projects under subpart H of this part.

Editorial Note: This document was received at the Office of the Federal Register on September 26, 1995.

Dated: December 1, 1994.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 95–24368 Filed 9–29–95; 8:45 am]

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federal register

Monday
October 2, 1995

Part IV

The President

Executive Order 12973—Amendment to Executive Order No. 12901

Federal Register
Vol. 60, No. 190
Monday, October 2, 1995

Presidential Documents

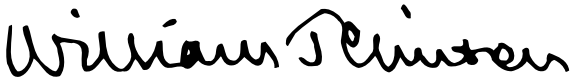
Title 3—

The President

Executive Order 12973 of September 27, 1995

Amendment to Executive Order No. 12901

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 141 and 301–310 of the Trade Act of 1974, as amended (19 U.S.C. 2171, 2411–2420), and to ensure that the trade policies of the United States advance, to the greatest extent possible, the export of the products and services of the United States and that trade policy resources are used efficiently, it is hereby ordered that Executive Order No. 12901 of March 3, 1994, is amended in section 1 by inserting in the first sentence ''1996'' in place of ''1994'' and ''1997'' in place of ''1995.''



THE WHITE HOUSE,
September 27, 1995.

[FR Doc. 95–24649
Filed 9–29–95; 11:26 am]
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FEDERAL REGISTER PAGES AND DATES, OCTOBER

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4	(869–026–00003–4)	5.50	Jan. 1, 1995
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150–279	(869–026–00058–1)	13.00	Apr. 1, 1995
280–399	(869–026–00059–0)	13.00	Apr. 1, 1995
400–End	(869–026–00060–3)	11.00	Apr. 1, 1995
19 Parts:			
1–140	(869–026–00061–1)	25.00	Apr. 1, 1995
141–199	(869–026–00062–0)	21.00	Apr. 1, 1995
200–End	(869–026–00063–8)	12.00	Apr. 1, 1995
20 Parts:			
1–399	(869–026–00064–6)	20.00	Apr. 1, 1995
400–499	(869–026–00065–4)	34.00	Apr. 1, 1995
500–End	(869–026–00066–2)	34.00	Apr. 1, 1995
21 Parts:			
1–99	(869–026–00067–1)	16.00	Apr. 1, 1995
100–169	(869–026–00068–9)	21.00	Apr. 1, 1995
170–199	(869–026–00069–7)	22.00	Apr. 1, 1995
200–299	(869–026–00070–1)	7.00	Apr. 1, 1995
300–499	(869–026–00071–9)	39.00	Apr. 1, 1995
500–599	(869–026–00072–7)	22.00	Apr. 1, 1995
600–799	(869–026–00073–5)	9.50	Apr. 1, 1995
800–1299	(869–026–00074–3)	23.00	Apr. 1, 1995
1300–End	(869–026–00075–1)	13.00	Apr. 1, 1995
22 Parts:			
1–299	(869–026–00076–0)	33.00	Apr. 1, 1995
300–End	(869–026–00077–8)	24.00	Apr. 1, 1995
23	(869–026–00078–6)	22.00	Apr. 1, 1995
24 Parts:			
0–199	(869–026–00079–4)	40.00	Apr. 1, 1995
200–219	(869–026–00080–8)	19.00	Apr. 1, 1995
220–499	(869–026–00081–6)	23.00	Apr. 1, 1995
500–699	(869–026–00082–4)	20.00	Apr. 1, 1995
700–899	(869–026–00083–2)	24.00	Apr. 1, 1995
900–1699	(869–026–00084–1)	24.00	Apr. 1, 1995
1700–End	(869–026–00085–9)	17.00	Apr. 1, 1995
25	(869–026–00086–7)	32.00	Apr. 1, 1995
26 Parts:			
§§ 1.0-1–1.60	(869–026–00087–5)	21.00	Apr. 1, 1995
§§ 1.61–1.169	(869–026–00088–3)	34.00	Apr. 1, 1995
§§ 1.170–1.300	(869–026–00089–1)	24.00	Apr. 1, 1995
§§ 1.301–1.400	(869–026–00090–5)	17.00	Apr. 1, 1995
§§ 1.401–1.440	(869–026–00091–3)	30.00	Apr. 1, 1995
§§ 1.441-1.500	(869-026-00092-1)	22.00	Apr. 1, 1995
§§ 1.501–1.640	(869–026–00093–0)	21.00	Apr. 1, 1995
§§ 1.641–1.850	(869–026–00094–8)	25.00	Apr. 1, 1995
§§ 1.851–1.907	(869–026–00095–6)	26.00	Apr. 1, 1995
§§ 1.908–1.1000	(869–026–00096–4)	27.00	Apr. 1, 1995
§§ 1.1001–1.1400	(869–026–00097–2)	25.00	Apr. 1, 1995
§§ 1.1401–End	(869–026–00098–1)	33.00	Apr. 1, 1995
2–29	(869–026–00099–9)	25.00	Apr. 1, 1995
30–39	(869–026–00100–6)	18.00	Apr. 1, 1995
40–49	(869–026–000101–4)	14.00	Apr. 1, 1995

Title	Stock Number	Price	Revision Date
50–299	(869–026–00102–2)	14.00	Apr. 1, 1995
300–499	(869–026–00103–1)	24.00	Apr. 1, 1995
500–599	(869–026–00104–9)	6.00	[4] Apr. 1, 1990
600–End	(869–026–00105–7)	8.00	Apr. 1, 1995
27 Parts:			
1–199	(869–026–00106–5)	37.00	Apr. 1, 1995
200–End	(869–026–00107–3)	13.00	[8] Apr. 1, 1994
28 Parts:			
1-42	(869–026–00108–1)	27.00	July 1, 1995
43-end	(869-026-00109-0)	22.00	July 1, 1995
29 Parts:			
*0–99	(869–026–00110–3)	21.00	July 1, 1995
100–499	(869–026–00111–1)	9.50	July 1, 1995
500–899	(869–022–00109–4)	35.00	July 1, 1994
900–1899	(869–026–00113–8)	17.00	July 1, 1995
1900–1910 (§§ 1901.1 to 1910.999)	(869–022–00111–6)	33.00	July 1, 1994
1910 (§§ 1910.1000 to end)	(869–022–00112–4)	21.00	July 1, 1994
1911–1925	(869–022–00113–2)	26.00	July 1, 1994
1926	(869–022–00114–1)	33.00	July 1, 1994
1927–End	(869–022–00115–9)	36.00	July 1, 1994
30 Parts:			
1–199	(869–022–00116–7)	27.00	July 1, 1994
200–699	(869–026–00120–1)	20.00	July 1, 1995
700–End	(869–022–00118–3)	27.00	July 1, 1994
31 Parts:			
0–199	(869–026–00122–7)	15.00	July 1, 1995
200–End	(869–022–00120–5)	30.00	July 1, 1994
32 Parts:			
1–39, Vol. I		15.00	[2] July 1, 1984
1–39, Vol. II		19.00	[2] July 1, 1984
1–39, Vol. III		18.00	[2] July 1, 1984
1–190	(869–022–00121–3)	31.00	July 1, 1994
191–399	(869–026–00125–1)	38.00	July 1, 1995
400–629	(869–022–00123–0)	26.00	July 1, 1994
630–699	(869–026–00127–8)	14.00	[5] July 1, 1991
700–799	(869–022–00125–6)	21.00	July 1, 1994
800–End	(869–026–00129–4)	22.00	July 1, 1995
33 Parts:			
1–124	(869–022–00127–2)	20.00	July 1, 1994
125–199	(869–022–00128–1)	26.00	July 1, 1994
200–End	(869–026–00132–4)	24.00	July 1, 1995
34 Parts:			
1–299	(869–026–00133–2)	25.00	July 1, 1995
300–399	(869–026–00134–1)	21.00	July 1, 1995
400–End	(869–022–00132–9)	40.00	July 1, 1994
35	(869–026–00136–7)	12.00	July 1, 1995
36 Parts			
1–199	(869–026–00137–5)	15.00	July 1, 1995
200–End	(869–022–00135–3)	37.00	July 1, 1994
37	(869–022–00136–1)	20.00	July 1, 1994
38 Parts:			
0–17	(869–026–00140–5)	30.00	July 1, 1995
18–End	(869–026–00141–3)	30.00	July 1, 1995
39	(869–026–00142–1)	17.00	July 1, 1995
40 Parts:			
1–51	(869–022–00140–0)	39.00	July 1, 1994
52	(869–022–00141–8)	39.00	July 1, 1994
53–59	(869–022–00142–6)	11.00	July 1, 1994
60	(869-022-00143-4)	36.00	July 1, 1994
61–80	(869–022–00144–2)	41.00	July 1, 1994
81–85	(869–022–00145–1)	23.00	July 1, 1994
86–99	(869–022–00146–9)	41.00	July 1, 1994
100–149	(869–022–00147–7)	39.00	July 1, 1994
150–189	(869–022–00148–5)	24.00	July 1, 1994
190–259	(869–022–00149–3)	18.00	July 1, 1994
260–299	(869–022–00150–7)	36.00	July 1, 1994
300–399	(869–022–00151–5)	18.00	July 1, 1994
400–424	(869–022–00152–3)	27.00	July 1, 1994
425–699	(869–022–00153–1)	30.00	July 1, 1994
700–789	(869–022–00154–0)	28.00	July 1, 1994
790–End	(869–026–00158–8)	15.00	July 1, 1995
41 Chapters:			
1, 1–1 to 1–10		13.00	[3] July 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)		13.00	[3] July 1, 1984
3–6		14.00	[3] July 1, 1984
7		6.00	[3] July 1, 1984
8		4.50	[3] July 1, 1984
9		13.00	[3] July 1, 1984
10–17		9.50	[3] July 1, 1984
18, Vol. I, Parts 1–5		13.00	[3] July 1, 1984
18, Vol. II, Parts 6–19		13.00	[3] July 1, 1984
18, Vol. III, Parts 20–52		13.00	[3] July 1, 1984
19–100		13.00	[3] July 1, 1984
1–100	(869–026–00159–6)	9.50	July 1, 1995
101	(869–022–00157–4)	29.00	July 1, 1994
102–200	(869–022–00158–2)	15.00	July 1, 1994
201–End	(869–022–00159–1)	13.00	July 1, 1994
42 Parts:			
1–399	(869–022–00160–4)	24.00	Oct. 1, 1994
400–429	(869–022–00161–2)	26.00	Oct. 1, 1994
430–End	(869–022–00162–1)	36.00	Oct. 1, 1994
43 Parts:			
1–999	(869–022–00163–9)	23.00	Oct. 1, 1994
1000–3999	(869–022–00164–7)	31.00	Oct. 1, 1994
4000–End	(869–022–00165–5)	14.00	Oct. 1, 1994
44	(869–022–00166–3)	27.00	Oct. 1, 1994
45 Parts:			
1–199	(869–022–00167–1)	22.00	Oct. 1, 1994
200–499	(869–022–00168–0)	15.00	Oct. 1, 1994
500–1199	(869–022–00169–8)	32.00	Oct. 1, 1994
1200–End	(869–022–00170–1)	26.00	Oct. 1, 1994
46 Parts:			
1–40	(869–022–00171–0)	20.00	Oct. 1, 1994
41–69	(869–022–00172–8)	16.00	Oct. 1, 1994
70–89	(869–022–00173–6)	8.50	Oct. 1, 1994
90–139	(869–022–00174–4)	15.00	Oct. 1, 1994
140–155	(869–022–00175–2)	12.00	Oct. 1, 1994
156–165	(869–022–00176–1)	17.00	[7] Oct. 1, 1993
166–199	(869–022–00177–9)	17.00	Oct. 1, 1994
200–499	(869–022–00178–7)	21.00	Oct. 1, 1994
500–End	(869–022–00179–5)	15.00	Oct. 1, 1994
47 Parts:			
0–19	(869–022–00180–9)	25.00	Oct. 1, 1994
20–39	(869–022–00181–7)	20.00	Oct. 1, 1994
40–69	(869–022–00182–5)	14.00	Oct. 1, 1994
70–79	(869–022–00183–3)	24.00	Oct. 1, 1994
80–End	(869–022–00184–1)	26.00	Oct. 1, 1994
48 Chapters:			
1 (Parts 1–51)	(869–022–00185–0)	36.00	Oct. 1, 1994
1 (Parts 52–99)	(869–022–00186–8)	23.00	Oct. 1, 1994
2 (Parts 201–251)	(869–022–00187–6)	16.00	Oct. 1, 1994
2 (Parts 252–299)	(869–022–00188–4)	13.00	Oct. 1, 1994
3–6	(869–022–00189–2)	23.00	Oct. 1, 1994
7–14	(869–022–00190–6)	30.00	Oct. 1, 1994
15–28	(869–022–00191–4)	32.00	Oct. 1, 1994
29–End	(869–022–00192–2)	17.00	Oct. 1, 1994
49 Parts:			
1–99	(869–022–00193–1)	24.00	Oct. 1, 1994
100–177	(869–022–00194–9)	30.00	Oct. 1, 1994
178–199	(869–022–00195–7)	21.00	Oct. 1, 1994
200–399	(869–022–00196–5)	30.00	Oct. 1, 1994
400–999	(869–022–00197–3)	35.00	Oct. 1, 1994
1000–1199	(869–022–00198–1)	19.00	Oct. 1, 1994
1200–End	(869–022–00199–0)	15.00	Oct. 1, 1994
50 Parts:			
1–199	(869–022–00200–7)	25.00	Oct. 1, 1994
200–599	(869–022–00201–5)	22.00	Oct. 1, 1994
600–End	(869–022–00202–3)	27.00	Oct. 1, 1994

Title	Stock Number	Price	Revision Date
CFR Index and Findings Aids	(869–026–00053–1)	36.00	Jan. 1, 1995
Complete 1995 CFR set		883.00	1995
Microfiche CFR Edition:			
Complete set (one-time mailing)		188.00	1992
Complete set (one-time mailing)		223.00	1993
Complete set (one-time mailing)		244.00	1994
Subscription (mailed as issued)		264.00	1995
Individual copies		1.00	1995

[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[4] No amendments to this volume were promulgated during the period Apr. 1, 1990 to Mar. 31, 1995. The CFR volume issued April 1, 1990, should be retained.

[5] No amendments to this volume were promulgated during the period July 1, 1991 to June 30, 1995. The CFR volume issued July 1, 1991, should be retained.

[6] No amendments to this volume were promulgated during the period January 1, 1993 to December 31, 1994. The CFR volume issued January 1, 1993, should be retained.

[7] No amendments to this volume were promulgated during the period October 1, 1993, to September 30, 1994. The CFR volume issued October 1, 1993, should be retained.

[8] No amendments to this volume were promulgated during the period April 1, 1994 to March 31, 1995. The CFR volume issued April 1, 1994, should be retained.

CFR ISSUANCES 1995
January—July 1995 Editions and Projected October, 1995 Editions

This list sets out the CFR issuances for the January–July 1995 editions and projects the publication plans for the **October, 1995** quarter. A projected schedule that will include the **January, 1996** quarter will appear in the first **Federal Register** issue of January.

For pricing information on available 1994–1995 volumes consult the CFR checklist which appears every Monday in the Federal Register.

Pricing information is not available on projected issuances. The weekly CFR checklist and the monthly List of CFR Sections Affected will continue to provide a cumulative list of CFR titles and parts, revision date and price of each volume.

Normally, CFR volumes are revised according to the following schedule:

Titles 1–16—January 1
Titles 17–27—April 1
Titles 28–41—July 1
Titles 42–50—October 1

All volumes listed below will adhere to these scheduled revision dates unless a notation in the listing indicates a different revision date for a particular volume.

Titles revised as of January 1, 1995:

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3 (Compilation)

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5 Parts:
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700–1199
1200–End

6 [Reserved]

7 Parts:
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27–45
46–51
52
53–209
210–299
300–399
400–699
700–899
900–999
1000–1059
1060–1119
1120–1199
1200–1499
1500–1899
1900–1939
1940–1949
1950–1999
2000–End

8

9 Parts:
1–199
200–End

10 Parts:
0–50
51–199
200–399 (Cover only)
400–499
500–End

11

12 Parts:
1–199
200–219
220–299
300–499
500–599
600–End

13

14 Parts:
1–59
60–139
140–199
200–1199
1200–End

15 Parts:
0–299
300–799
800–End

16 Parts:
0–149
150–999
1000–End

Titles revised as of April 1, 1995:

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17 Parts:
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200–239
240–End

18 Parts:
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150–279
280–399
400–End

19 Parts:
1–140
141–199
200–End

20 Parts:
1–399
400–499
500–End

21 Parts:
1–99
100–169
170–199
200–299
300–499
500–599
600–799
800–1299
1300–End

22 Parts:
1–299
300–End

23

24 Parts:
0–199
200–499
500–699
700–1699
1700–End

25

26 Parts:
1 (§§ 1.0-1–1.60)
1 (§§ 1.61–1.169)
1 (§§ 1.170–1.300)
1 (§§ 1.301–1.400)
1 (§§ 1.401–1.440)
1 (§§ 1.441–1.500)
1 (§§ 1.501–1.640)
1 (§§ 1.641–1.850)
1 (§§ 1.851–1.907)
1 (§§ 1.908–1.1000)
1 (§§ 1.1001–1.1400)
1 (§ 1.1401–End)
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600–End

27 Parts:
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200–End (Cover only)

Titles revised as of July 1, 1995:

Title

28 Parts:
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43–End

29 Parts:
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100–499
500–899
900–1899
1900–1910 (§§ 1901.1–1910.999)
1910 (§§ 1910.1000–End)
1911–1925
1926
1927–End

30 Parts:
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200–699
700–End

31 Parts:
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200–End

32 Parts:
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191–399
400–629
630–699 (Cover only)
700–799
800–End

33 Parts:
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125–199
200–End

34 Parts:
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300–399
400–End

35

36 Parts:
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200–End

37

38 Parts:
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40 Parts:
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190–259
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700–789
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41 Parts:

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Chs. 102–200
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42 Parts:
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430–End

43 Parts:
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1000–3999
4000–End

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45 Parts:
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200–499
500–1199
1200–End

46 Parts:
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500–End

47 Parts:
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48 Parts:
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Ch. 1 (52–99)
Ch. 2 (201–251)
Ch. 2 (252–299)
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Ch. 15–28
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TABLE OF EFFECTIVE DATES AND TIME PERIODS—OCTOBER 1995

This table is used by the Office of the Federal Register to compute certain dates, such as effective dates and comment deadlines, which appear in agency documents. In computing these dates, the day after publication is counted as the first day.

When a date falls on a weekend or holiday, the next Federal business day is used. (See 1 CFR 18.17)

A new table will be published in the first issue of each month.

DATE OF FR PUBLICATION	15 DAYS AFTER PUBLICATION	30 DAYS AFTER PUBLICATION	45 DAYS AFTER PUBLICATION	60 DAYS AFTER PUBLICATION	90 DAYS AFTER PUBLICATION
October 2	October 17	November 1	November 16	December 1	January 2
October 3	October 18	November 2	November 17	December 4	January 2
October 4	October 19	November 3	November 20	December 4	January 2
October 5	October 20	November 6	November 20	December 4	January 3
October 6	October 23	November 6	November 20	December 5	January 4
October 10	October 25	November 9	November 24	December 11	January 8
October 11	October 26	November 13	November 27	December 11	January 9
October 12	October 27	November 13	November 27	December 11	January 10
October 13	October 30	November 13	November 27	December 12	January 11
October 16	October 31	November 15	November 30	December 15	January 16
October 17	November 1	November 16	December 1	December 18	January 16
October 18	November 2	November 17	December 4	December 18	January 16
October 19	November 3	November 20	December 4	December 18	January 17
October 20	November 6	November 20	December 4	December 19	January 18
October 23	November 7	November 22	December 7	December 22	January 22
October 24	November 8	November 24	December 8	December 26	January 22
October 25	November 9	November 24	December 11	December 26	January 23
October 26	November 13	November 27	December 11	December 26	January 24
October 27	November 13	November 27	December 11	December 26	January 25
October 30	November 14	November 29	December 14	December 29	January 29
October 31	November 15	November 30	December 15	January 2	January 29