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Federal Register

Thursday
May 29, 1980

Highlights

36043 **Delegation of Panama Canal Functions** Executive order

36079 **Educational Study Programs** ED changes the regulations for certain programs in order to increase stipend amount which provides for a cost of living increase

36110 **Grants—Education** ED invites applicants for new awards under the State Postsecondary Commissions Program-Intrastate Planning; apply by 7-7-80

36109 **Grants—Education** ED announces closing date for transmittal of applications for continuous projects under Gifted and Talented Children's Education Program, apply by 6-27-80

36047 **Wage and Price Controls** CWPS publishes questions and answers on gross-margin standard for gas, electric and water utilities

36049 **Petroleum Price Regulations** DOE/ERA responds to comments applicable to retailers of motor gasoline; effective 5-19-80

36172 **Continental Shelf** Interior/GS issues proposed revision to standards for training and qualifications of personnel in well-control equipment and techniques for drilling on offshore locations; comments by 7-28-80

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Highlights

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36179, 36180 **Continental Shelf** Interior/GS issues receipt of proposed development and production plan for oil, gas and sulphur operations (7 documents)

36058 **Air Carriers** CAB adopts statement policy on price discrimination; effective 6-27-80

36082 **Nuclear Power Plants** NRC proposes to require certain minimum provisions for fire protection; comments by 6-30-80

36075 **Securities** SEC adopts requirements for persons filing applications for extension, suspension, or termination of unlisted trading privileges; effective 7-1-80

36063 **Government Employees** SEC revises its conduct regulations; effective 6-2-80

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36094 **Trial-Type Proceedings** DOE/FERC proposes controlling *ex parte* communications; comments by 6-27-80

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36256 **Sunshine Act Meetings**

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Title 3—

The President

Executive Order 12215 of May 27, 1980

Delegation of Panama Canal Functions

By the authority vested in me as President of the United States of America by the Panama Canal Code (76A Stat. 1), as amended, by the Panama Canal Act of 1979 (93 Stat. 452; 22 U.S.C. 3601 *et seq.*), and by Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

1–1. The Secretary of Defense.

1–101. The Secretary of Defense shall develop for the President's consideration an appropriate legislative proposal as required by Section 3(d) of the Panama Canal Act of 1979 (93 Stat. 456; 22 U.S.C. 3602(d)). The Secretary of Defense shall coordinate development of this proposal with the Secretary of State and the heads of other interested Executive agencies.

1–102. The function vested in the President by Section 1212(d)(1) of the Panama Canal Act of 1979 (93 Stat. 464; 22 U.S.C. 3652(d)(1)) to exclude employees of, or positions within, the Department of Defense from coverage under any provision of subchapter II, Chapter 2 of Title I of the Panama Canal Act of 1979, is delegated to the Secretary of Defense.

1–103. The function vested in the President by Section 1281(b) of Title 6 of the Panama Canal Code (76A Stat. 455; 6 P.C.C. 1281(b)), as amended, with respect to areas and installations made available to the United States pursuant to the Agreement in Implementation of Article IV of the Panama Canal Treaty of 1977 is delegated to the Secretary of Defense.

1–104. The function vested in the President by Section 1701 of the Panama Canal Act of 1979 (93 Stat. 492; 22 U.S.C. 3801), with respect to regulations applicable within the areas and installations made available to the United States pursuant to the Agreement in Implementation of Article IV of the Panama Canal Treaty of 1977, is delegated to the Secretary of Defense.

1–105. The functions vested in the President by Sections 1243(c)(1) and 2401 of the Panama Canal Act of 1979 (93 Stat. 474 and 495; 22 U.S.C. 3681(c)(1) and 3851) are delegated to the Secretary of Defense.

1–106. The functions vested in the President by Section 1502(a) of the Panama Canal Act of 1979 (93 Stat. 488; 22 U.S.C. 3782(a)) are delegated to the Secretary of Defense.

1–2. Coordination of Pay and Employment Practices.

1–201. In order to coordinate the policies and activities of agencies under subchapter II of Chapter 2 of Title I of the Panama Canal Act of 1979 (93 Stat. 463; 22 U.S.C. 3651 *et seq.*), each agency shall periodically consult with the Secretary of Defense with respect to the establishment of rates of pay, in order to develop compatible or unified systems for basic pay. In addition, each agency shall consult with the Secretary of Defense on such other matters as the Secretary may deem appropriate in order to develop compatible or unified employment practices.

1–202. The head of each agency shall, upon approval by the Secretary of Defense, adopt a schedule of basic pay pursuant to Section 1215 of the Panama Canal Act of 1979 (93 Stat. 465; 22 U.S.C. 3655) and adopt regulations governing other matters relating to pay and employment practices.

1–203. The authority vested in the President by Section 1223(a) of the Panama Canal Act of 1979 to coordinate the policies and activities of agencies (93 Stat. 467; 22 U.S.C. 3663(a)) is delegated to the Secretary of Defense. The Secretary shall exercise such functions in a manner which is in accord with the provisions of Sections 1–201 and 1–202 of this Order.

1–3. Panama Canal Commission.

1–301. The functions vested in the President and delegated to the Secretary of Defense in this Section 1–3 of this Order shall be carried out by the Secretary of Defense, who shall, in carrying out the said functions, provide, by redelegation or otherwise, for their performance, in a manner consistent with paragraph 3 of Article III of the Panama Canal Treaty of 1977, by the Panama Canal Commission.

1–302. The authority of the President under Section 1104 of the Panama Canal Act of 1979 (93 Stat. 457; 22 U.S.C. 3614) to fix the compensation of and to define the authorities and duties of the Deputy Administrator and the Chief Engineer is delegated to the Secretary of Defense.

1–303. The functions vested in the President by Sections 1418, 1801, and 2206 of the Panama Canal Act of 1979 (93 Stat. 487, 492, and 494; 22 U.S.C. 3778, 3811, and 3844) are delegated to the Secretary of Defense.

1–304. The authority of the President under Section 1701 of the Panama Canal Act of 1979 (93 Stat. 492; 22 U.S.C. 3801) with respect to regulations applicable within the areas and installations made available to the United States pursuant to the Agreement in Implementation of Article III of the Panama Canal Treaty of 1977 is delegated to the Secretary of Defense.

1–305. The function vested in the President by Section 1281(b) of Title 6 of the Panama Canal Code (76A Stat. 455; 6 P.C.C. 1281(b)), as amended, with respect to areas and installations in the Republic of Panama made available to the United States pursuant to the Agreement in Implementation of Article III of the Panama Canal Treaty of 1977 is delegated to the Secretary of Defense.

1–306. The functions vested in the President by Sections 82 and 86 of Title 3 of the Panama Canal Code (76A Stat. 54 and 55; 3 P.C.C. 82 and 86), as amended, are delegated to the Secretary of Defense.

1–307. The functions vested in the President by subsections (a), (b) and (c) of Section 8146 of Title 5 of the United States Code, as they apply to the employees of the Panama Canal Commission, are delegated to the Secretary of Defense.

1–308. Except to the extent heretofore delegated, the functions vested in the President pursuant to subchapter II of Chapter 2 of Title I of the Panama Canal Act of 1979 (93 Stat. 463) are hereby delegated to the Secretary of Defense.

1–4. Other Agencies.

1–401. The functions vested in the President by Sections 1111 and 3301 of the Panama Canal Act of 1979 (93 Stat. 459 and 497; 22 U.S.C. 3621 and 3871), are delegated to the Secretary of State. The Secretary shall perform these functions in coordination with the Secretary of Defense.

1–402. The functions vested in the President by Sections 1112(d), 1344(b), and 1504(b) of the Panama Canal Act of 1979 (93 Stat. 460, 484, and 488; 22 U.S.C. 3622(d), 3754(b), and 3784(b)) are delegated to the Secretary of State.

1–403. The functions vested in the President by Section 1243(a)(1) of the Panama Canal Act of 1979 (93 Stat. 473; 22 U.S.C. 3681(a)(1)) are delegated to the Director of the Office of Personnel Management.

1–404. Paragraphs (22) and (23) of Section 1 of Executive Order No. 11609, as amended, and Executive Order No. 11713 are revoked.

Jimmy Carter

THE WHITE HOUSE,
May 27, 1980.

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Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

COUNCIL ON WAGE AND PRICE STABILITY

6 CFR Part 705

Anti-Inflationary Price Standards; Questions and Answers on Gross-Margin Standard for Utilities; Amendment and Additions

AGENCY: Council on Wage and Price Stability.

ACTION: Amendment and Additions to Questions and Answers on Gross-Margin Standard for Gas, Electric and Water Utilities. (Q&A II–C–1 through II–C–5; 44 FR 67060, November 21, 1979.)

SUMMARY: The Council is changing Q&A II–C–5 to provide that, subject to public utility commission (PUC) approval, a portion of the revenues attributable to the incorporation in rate base of additional construction work in progress or net plant in service need not be included in program year gross margins. In addition, the Council is adding Q&A II–C–6, providing that savings in fuel costs made possible by the introduction of new plant may, within limits, be deducted from the revenues otherwise included in the gross margin, and Q&A II–C–7, providing that the costs and revenues associated with incidental sales of steam by electric utilities may be included within the electric operations for purposes of computing gross margins.

DATES: Effective on May 29, 1980. Comments are requested by June 13, 1980.

ADDRESS: Written comments should be sent to the Office of General Counsel, Council on Wage and Price Stability, 600 17th Street, N.W., Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: Arthur J. Corazzini, Office of Price Monitoring, (202) 456–7730 or George Johnson, Office of General Counsel, (202) 456–6286.

SUPPLEMENTARY INFORMATION: The Council's gross margin standard for electric, gas and water utilities defines gross margin as "sales less the cost of purchased fuels, gas and power" (for electric and gas utilities), or as "sales less the cost of purchased water and power" (for water utilities).

Q&A II–C–5 currently states that, in determining gross margins, utilities should include revenues attributable to inclusion in the rate base of additions to construction work in progress (CWIP) and new facilities transferred to plant in service, unless an exception is granted by the Public Utility Commission (PUC). Representatives of the electric utility industry have argued that this policy unduly burdens utilities with major construction programs. They point out that Allowances for Funds used During Construction (AFDC) are customarily accounted for "below the line", as non-operating income. As a result, AFDC attributable to such construction is not included in a utility's base-year sales revenue or gross margin, as these terms are defined by the Council. On the other hand, program-year revenues attributable to including additional CWIP or new plant in service in the rate base are included in a utility's program-year sales revenues and its gross margin. Under current Q&A II–C–5, therefore, utilities that have engaged in substantial new construction but that have not enjoyed corresponding increases in sales volume typically require an exception from the gross margin standard. If such exceptions are not freely granted, the gross margin standard can be unduly constraining.

The new Q&A's 5 and 6 eliminate any unintended special burden on utilities with substantial construction projects. If a PUC finds, under its usual and customary policies and new Q&A's II–C–5 and 6, that a utility meets the gross margin standard, then the utility is spared the necessity of demonstrating that it satisfied the usual criteria for qualifying for an uncontrollable cost, undue hardship, or gross inequity exception. The Council is *not* asking the PUC's to change their policies; in particular, it is not asking them to include more CWIP in rate bases than they would ordinarily do. If a PUC does change its policy with respect to such additions to the rate base, however, it should include in its decision an explanation of the reasons for the change in policy.

The new Q&A's II–C–5 and 6 leave the ultimate responsibility for determining compliance with the anti-inflation standards to the PUC's but they give utilities provisions for the treatment of program year revenues attributable to rate base additions of CWIP and net plant in service, and of fuel savings resulting from the introduction of more fuel-efficient plant, in calculating whether a rate increase proposed or allowed is in compliance with the gross margin standard. As described in Q&A 5, utilities may adjust their program-year gross margin to exclude the revenues required to cover the return on additional CWIP or net plant included in the rate base. The only requirement for them to exercise this option is that it be consistent with the PUC's usual and customary policies and practices in this area. If what is involved is a change in the PUC policy for the inclusion of CWIP and net additions to plant in service in rate base, they should seek an exception from the PUC and justify it.

Q&A II–C–6 is directed to a related problem. New plant is frequently more energy-efficient than the plant it replaces. It thus contributes to the national goal of reducing energy consumption. Under the gross margin standard as currently interpreted, however, utilities receive no credit for reducing energy costs. They may thus be penalized for substituting capital costs (which are within the gross margin) for fuel costs (which are not). Q&A II–C–6 makes it clear that the program-year realized gross margin may be adjusted to reflect fuel savings, but is so drafted that they not be permitted to take advantage of those savings twice—once (under Q&A 5) by excluding the additional return requirement associated with the new plant, and again (under 6) by taking full credit for the fuel savings that that plant generates.

Q&A II–C–7 responds affirmatively to inquiries from electric companies about whether they may be permitted to include in the computation of their gross margins costs and revenues associated with small sales of steam.

Issued in Washington, D.C., May 23, 1980.
R. Robert Russell,
Director.

The Council hereby revises Q&A II–C–5 (44 FR 67066) and publishes Q&A's II–C–6 and 7 as follows:

Q5. Under the gross margin standard, how should utilities treat program-year revenues that are attributable to the inclusion in the rate base of additional construction work in progress (CWIP) and/or new facilities completed and transferred to plant-in-service since the base year?

A5. A utility applying the gross margin standard may, subject to approval by its PUC, adjust its program-year gross margin by excluding from program year sales all of the revenues that can be expected, under the utility's usual and customary method of accounting, to result from multiplying (a) an increase in rate base attributable to the inclusion of construction work in progress and additions to net plant in service since the base year by (b) the rate of return expected to be realized in the program year.

Q6. Under the gross margin standard, how should utilities treat net reductions in the cost of purchased power and fuel that result from introducing more fuel-efficient plant since the base year?

A6. The realized program year gross margin may be adjusted downward by the amount of estimated fuel savings in the program year, up to the amount by which those savings exceed the additional costs of the new plant recognized in Q&A5.

Q7. If sales of steam by an electric utility produce only a small proportion of its revenues, may it include its steam operations with its electric operations in calculating its gross margin?

A7. Yes.

[FR Doc. 80-16423 Filed 5-28-80; 8:45 am]
BILLING CODE 3175-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 495]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period May 30, 1980–June 5, 1980. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: May 30, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, 202–447–5975.

SUPPLEMENTARY INFORMATION: *Findings.* This regulation is issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1979–80 which was designated significant under the procedures of Executive Order 12044. The marketing policy was recommended by the committee following discussion at a public meeting on October 30, 1979. A final impact analysis on the marketing policy is available from Malvin E. McGaha, Chief, Fruit Branch, F&B, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

The committee met again publicly on May 27, 1980 at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navels deemed advisable to be handled during the specified week. The committee reports the demand for navel oranges continues to ease.

It is further found that there is insufficient time between the date when information became available upon which this regulation is based and when the action must be taken to warrant a 60 day comment period as recommended in E.O. 12044, and that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

1. Section 907.795 is added as follows:

§ 907.795 Navel Orange Regulation 495.

Order. (a) The quantities of navel oranges grown in Arizona and California which may be handled during the period May 30, 1980, through June 5, 1980, are established as follows:

(1) District 1: 600,000 cartons;
(2) District 2: Unlimited cartons;
(3) District 3: Unlimited cartons;
(4) District 4: Unlimited cartons.

(b) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" mean the same as defined in the marketing order.

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

Dated: May 28, 1980.

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

[FR Doc. 80-16568 Filed 5-28-80; 12:00 pm]
BILLING CODE 3410-02-M

7 CFR Part 908

[Valencia Orange Reg. 648]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona Valencia oranges that may be shipped to market during the period May 30–June 5, 1980. Such action is needed to provide for orderly marketing of fresh Valencia oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: May 30, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, 202–447–5975.

SUPPLEMENTARY INFORMATION: *Findings.* This regulation is issued under the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Valencia Orange Administrative Committee and upon other available information. It is hereby found that the action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1979–80 which was designated significant under the procedures of Executive Order 12044.

The marketing policy was recommended by the committee following discussion at a public meeting on January 22, 1980. A final impact analysis on the marketing policy is available from Malvin E. McGaha, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

The committee met again publicly on May 27, 1980 at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of Valencia oranges deemed advisable to be handled during the specified week. The committee reports the demand for Valencia oranges is easing.

It is further found that there is insufficient time between the date when information became available upon which this regulation is based and when the action must be taken to warrant a 60-day comment period as recommended in E.O. 12044, and that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

Section 908.948 is added as follows:

§ 908.948 Valencia Orange Regulation 648.

Order. (a) The quantities of Valencia oranges in Arizona and California which may be handled during the period May 30, 1980 through June 5, 1980, are established as follows:

(1) District 1: 376,000 cartons;

(2) District 2: 424,000 cartons;

(3) District 3: Open Movement.

(b) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" mean the same as defined in the marketing order.

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

Dated: May 28, 1980.

D. S. Kuryloski,

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

[FR Doc. 80-16567 Filed 5-28-80; 12:06 pm]

BILLING CODE 3410-02-M

7 CFR Part 918

Fresh Peaches Grown in Georgia; Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses and rate of assessment for the 1980-81 fiscal period, to be collected from handlers to support activities of the Industry Committee which locally administers the Federal marketing order covering Georgia peaches. It also authorizes an increase in expenses of the committee for the 1979-80 fiscal period.

EFFECTIVE DATES: The 1979-80 fiscal period ended February 29, 1980, and the 1980-81 fiscal period began March 1, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, (202) 447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* These actions are issued under the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918) regulating the handling of peaches grown in Georgia. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). These actions are based on recommendations and information submitted by the Industry Committee, and upon other available information. It is hereby found that these actions will tend to effectuate the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking and postpone the effective date until June 30, 1980 (5 U.S.C. 553), as the order requires that the rate of assessment for a particular fiscal year shall apply to all assessable peaches handled from the beginning of such year. To enable the committee to meet financial obligations for the 1979-80 and 1980-81 fiscal periods, approval of the actions specified herein is necessary without delay. Handlers and other interested persons were given an opportunity to submit information and views at an open meeting. It is necessary to effectuate the declared purposes of the act to make these provisions effective as specified.

Further, in accordance with procedures in Executive Order 12044, the emergency nature of this regulation warrants publication without opportunity for further public comment. The regulation has not been classified significant under USDA criteria for implementing the Executive Order. An Impact Analysis is available from Malvin E. McGaha, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

PART 918—FRESH PEACHES GROWN IN GEORGIA

Therefore, 1. paragraph (a) of § 918.217 (44 FR 28777) is amended to read as follows:

§ 918.217 Expenses and rate of assessment.

(a) Expenses that are reasonable and likely to be incurred by the Industry Committee during the period March 1, 1979, through February 29, 1980, will amount to $17,550.

(b) * * *

2. A new § 918.218 is added to read as follows: (§ 918.218 expires February 28, 1981, and will not be published in the annual Code of Federal Regulations).

§ 918.218 Expenses and rate of assessment.

(a) Expenses that are reasonable and likely to be incurred by the Industry Committee during the period March 1, 1980, through February 28, 1981, will amount to $17,995.

(b) The rate of assessment for said period payable by each handler in accordance with § 918.41 is fixed at $0.0125 per bushel (48 pounds net weight) of peaches.

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

Dated: May 22, 1980.

D. S. Kuryloski,

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

[FR Doc. 80-16285 Filed 5-28-80; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

10 CFR Parts 210 and 212

[Docket No. ERA-R-79-32]

General Allocation and Price Rules and Mandatory Petroleum Price Regulations; Retailer Price Rule for Motor Gasoline

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Final rule and response to major public comments.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) is responding to the major comments, criticisms, and alternatives offered during the period for comment upon its July 1979 amendments to the price regulations applicable to retailers of motor gasoline. After consideration of the comments we are

repromulgating the regulations currently in effect, with the exception of § 212.93(a)(3), relating to the delegation of authority to State Governors, which is being rescinded in favor of vesting similar authority in the ERA Administrator.

EFFECTIVE DATE: May 19, 1980.

FOR FURTHER INFORMATION CONTACT:

William L. Webb (Office of Public Information), Economic Regulatory Administration, Room B–110, 2000 M Street, N.W., Washington, D.C. 20461 (202) 653–4055.

Chuck Boehl (Office of Regulations and Emergency Planning), Economic Regulatory Administration, Room 7302, 2000 M Street, N.W., Washington, D.C. 20461 (202) 653–3202.

William Funk or Jeffrey D. Stoermer, (Office of General Counsel), Department of Energy, Room 6A–127, 1000 Independence Avenue, S.W., Washington, D.C. 20585 (202) 252–6736 or 252–6911.

SUPPLEMENTARY INFORMATION:

I. Background.
II. Response to Comments.
III. Conclusion.

I. Background

On June 22, 1979, ERA issued a notice of proposed rulemaking and public hearing (44 FR 27316, June 26, 1979) proposing changes in its retailer price regulations for motor gasoline, as well as alternative regulatory schemes. Hearings were held in San Francisco, California on July 10 and 11 and in Washington, D.C. on July 12 and 13 with nearly 100 witnesses presenting testimony in regard to these proposals. In addition, more than 400 written comments were submitted in conjunction with the proposed rulemaking.

On July 15, 1979, ERA issued a final rule (44 FR 42541, July 19, 1979) adopting the following amendments to the retailer price regulations for motor gasoline, effective July 16, 1979.

1. The maximum lawful selling price for retail sales of each type or grade of gasoline was to be the acquisition cost, plus applicable taxes, plus 15.4 cents per gallon.

2. The acquisition cost for firms which had made their last three purchases from the same supplier was to be the price paid in the most recent purchase of gasoline. All other firms were to use the weighted average price paid in their last three (3) purchases of gasoline in determining their acquisition cost. DOE retained the authority to disallow from the acquisition cost computation purchases of amounts of gasoline which would have the effect of frustrating the purpose of the price regulations.

3. Retail dealers were not to be allowed to pass through current and prospective "banks" of unrecovered costs.

4. The Governor of a State was allowed to increase the margin charged by retailers in that State.

5. Retailers were to post in a prominent place their maximum allowable margin and the maximum allowable price permitted under these regulations. At that time we also extended the written comment period for this rule through November 16, 1979.

On July 30, 1979, we issued a notice of further hearing (44 FR 45957, August 6, 1979) in this rulemaking to receive oral comments dealing with the delegation of authority to the Governors to grant increases in the allowable margins for retail dealers. A hearing was held on August 20, 1979, in Chicago, Illinois, at which sixteen witnesses testified. Twenty-eight additional written comments were submitted before the end of the extended comment period.

On July 30, 1979, we issued interim rules (44 FR 45352, August 1, 1979) amending the posting requirements applicable to gasoline retailers. The interim amendments suspended the posting requirements we had adopted on July 15, 1979, and instead required that all retail sellers of gasoline post either the maximum lawful selling price or a certification that the retail seller had computed its maximum lawful selling price and that its actual selling price is not in excess of the maximum lawful selling price. The postings were required to be located either on the gasoline pump or in a prominent place at the retail outlet. In addition, to aid in the enforcement of the new price rule, we provided that if any retailer fails to comply with the posting requirements DOE could require that the maximum lawful selling price of that retailer be reduced by five cents per gallon for each day of violation, plus an additional 30 days. These amendments were adopted in response to numerous comments we received from retail gasoline dealers who criticized our earlier posting requirements for their anticompetitive effect. In order to fully consider all public comments, these amendments were adopted on an interim basis, and comments were accepted through November 16, 1979.

On October 18, 1979, we issued technical amendments to the posting requirements in response to comments from gasoline dealers who experienced difficulty in meeting the size and location aspects of the posting requirements (44 FR 61169, October 24, 1979). These amendments merely altered the size and location requirements to ease the burden of compliance.

In adopting the final rule effective July 16, 1979, we waived certain procedural requirements of section 501 of the Department of Energy Organization Act (DOE Act), 42 U.S.C. 7101 *et seq.*, Pub. L. 95–91. In accordance with section 501(e) of the DOE Act, this waiver was based upon our finding that strict compliance with these requirements at that time was likely to cause serious harm or injury to the public health, safety or welfare. Section 501(e) further provides that even though a requirement is waived, it must still be satisfied within a reasonable period of time subsequent to the promulgation of the rule. This notice is being published to satisfy the section 501(d) requirement that we publish an "explanation responding to the major comments, criticisms, and alternatives offered during the comment period."

II. Response to Comments

A. *Proposed Amendments:*

1. *Maximum Lawful Markup Expressed as Fixed Cents per Gallon.*— Retail dealers that commented generally agreed that certain of their costs have risen more rapidly than inflation. A few dealers offered personal or local cost data, but none of the dealers offered standard nationwide, regional, or local non-product cost averages in support of their arguments for higher markups. Representatives of city, State, and Federal governmental agencies, as well as consumers and public interest representatives, generally called for tight limits on retail gasoline markups. The method which we decided to adopt for calculating markups uses as a base figure the average margin of all retail stations in the U.S. in the first quarter of 1974 (7.5 cents per gallon). Added to this base figure is the maximum allowable passthrough of increased non-product costs (3 cents per gallon) which was granted in March 1974. This March 1974 average margin (10.5 cents per gallon) is then adjusted periodically for inflation as measured by the GNP deflator. The inflation adjustments added 4.9 cents per gallon in July 1979 and 0.7 cents per gallon in December 1979, so that the current maximum allowable markup is 16.1 cents per gallon. We believe that this is the most equitable method of calculating retailer markups because both retailers and motorists are reasonably protected. Most retailers, who so far have failed to demonstrate that their overall non-product costs have risen at a rate greater than that of general inflation, are permitted to raise prices sufficiently to cover their costs. Those retailers who may be able to

show excessively high non-product costs always have the option of seeking exceptions relief. The motorists, on the other hand, are assured that out of the price they pay at the pump, the amount attributable to the retailer's margin will not increase faster than prices in general.

Some commenters, predominantly retailers, suggested that a percentage markup rather than a cents per gallon markup should be utilized. Among those who preferred a percentage markup, however, most stated that they would find a cents per gallon markup acceptable if tied to an inflation index. Other commenters, mostly consumers, public interest representatives, and government officials, were skeptical of percentage markups. Our decision to utilize a cents per gallon markup, adjustable semiannually according to an inflation index, should therefore be acceptable to nearly all commenters. Moreover, the cents per gallon approach is preferable on grounds of simplicity. Retailers could simply add the published cents per gallon markup to their acquisition cost and need not recalculate markups each time their product costs change. Consumers, on the other hand, could more easily monitor retail prices to ensure that retailers are keeping within the allowable markup. We also prefer the cents per gallon approach because of our concern about the fact that the non-product costs of retailing gasoline (which the retailer pays out of his markup) have not increased nearly as fast as product costs, and that this trend will continue. If markups based on a percentage of product costs were used, such markups would give the retailer an unjustified windfall to the extent his product costs increased faster than his non-product costs.

Comments from smaller gasoline dealers and jobbers, particularly from rural areas, suggested a need for regional or local differences in markups due to regional and local differences in the costs of retailing. In the interests of uniformity and simplicity we have adopted a single markup for all regions. We recognize, however, that certain cases might arise where a higher markup is justified to prevent economic hardship. In such cases, DOE's Office of Hearings and Appeals (OHA) is the primary route for granting relief, either to individual retailers or to classes of retailers, through the exceptions process. In addition, since July 16, 1979, we have allowed each Governor limited authority to increase markups for retailers in his State by up to ten cents per gallon, where such increase is cost justified. Exercise of this authority has been voluntary on the part of the Governors. The delegation to the Governors was designed to provide a localized exceptions process in addition to that already provided by OHA. Although we have now decided to rescind the Governors' authority, we remain convinced of the need for a vehicle in addition to OHA which could provide relief for hardships that might arise due to local and regional differences in the costs of retailing. As discussed more fully below, we have accordingly provided that the ERA Administrator may, upon the recommendation of the Governor of a State, increase the markup for some or all of the retailers in a State.

At least one commenter observed that any markup which is applied across the board, without being justified by actual non-product cost increases, would be inequitable in that it could mean higher prices for consumers and higher profits for any retailer whose costs fall below the allowable markup. While we recognize that some retailers may realize slightly higher profits due to the allowance of a nationwide fixed cents per gallon markup, we believe that on balance the simplicity of the approach adopted, in terms of both its administration and enforcement, outweighs the possibility that some retailers may enjoy higher profits. Even though the rules we have adopted do not achieve the impossible goal of perfect equity, we continue to believe that our rules fulfill the objectives of section 4(b)(1) of the Emergency Petroleum Allocation Act (EPAA) in that our rules provide for prices that are equitable to the maximum extent practicable while minimizing unnecessary interference with market mechanisms.

2. *Product Cost Banks Eliminated.*— Wide support for the elimination of all unrecouped increased product costs ("banks") was evident in the comments, provided a sufficient increase in the markups for gasoline at retail was allowed. Very few comments defended cost banks. The predominant views expressed in the comments, therefore, are consistent with the amendments we have adopted, which eliminate all product cost banks and provide for increases in the allowable markup as inflation increases.

3. *Eliminate Use of Weighted Average Cost of Inventory in Favor of Most Recent Acquisition Cost.*—Most comments advocated eliminating the use of the weighted average cost of inventory, in favor of the most recent acquisition cost, for determining the maximum allowable retail price for gasoline. Some comments also suggested, however, that if the most recent acquisition cost concept is used, the rule should include qualifications to prevent retailers from taking small, unrepresentative shipments at high costs to justify higher prices. The approach we have adopted is generally consistent with these comments. The most recent acquisition cost concept, which is simpler for everyone concerned, has been adopted. To prevent circumvention of the new rule, a retail firm which has multiple suppliers, or which makes a purchase from a firm other than its usual supplier, must compute its acquisition cost by using the weighted average price paid by it in its last three gasoline purchases. In addition, DOE has retained the authority to disallow from the acquisition cost computation any purchases which would have the effect of frustrating the purpose of the price regulations.

4. *Posting Requirements.*— Requirements that retailers post acquisition cost, allowable markup, applicable taxes, and maximum lawful selling price were widely and strongly criticized as disruptive, discriminatory, expensive, time consuming, troublesome, anticompetitive, and liable to create bad dealer-customer relations. In response to these comments we have made several adjustments to the posting requirements in an effort to make them less troublesome. On July 30, 1979, we suspended the posting requirement adopted on July 15, and substituted the requirement that retailers post either the maximum lawful selling price or a certification that the retailer has computed such price and that the actual selling price is equal to or less than the maximum lawful selling price. (See 44 FR 45352, August 1, 1979). On October 18, 1979, we modified the size and location requirements in order to ease the burden of posting price information. (See 44 FR 61169, October 24, 1979). Nonetheless, we have not totally abolished posting requirements because we continue to believe that such requirements are necessary and desirable to inform the public and to aid in ensuring compliance with the price regulations.

B. *Comments Regarding Alternative Regulatory Schemes:*

1. The alternative of setting a single national maximum retail price for gasoline was widely criticized in the comments as impractical and unfair, primarily due to local and regional cost differences. We generally concur in this assessment and therefore have declined to further consider this alternative.

2. A few dealer representatives suggested that we adopt a minimum markup requirement so that high volume, "gas-and-go" operators could not capture a greater share of the market by underselling independent dealers during periods of gasoline abundance while "banking" excess nonproduct costs so that they could greatly increase selling prices during periods of gasoline shortage. We observe that this suggested scheme is not necessary or desirable in view of our amendments which have eliminated the banking provisions of the old price rule. Additionally, we cannot impose a requirement for minimum markups under any current legal authority.

3. Some retail dealers advocated the tying of markups to the individual dealers's allocation fraction. The comments of consumers, public interest representatives, and various government agencies expressed doubt that such an additional allowance is needed, citing the fact that markups have commonly been below maximums during periods of adequate supplies. Even if tying markups to allocation fractions would tend to compensate retail dealers for reduced supplies, it would require the use of a formula which is overly complicated to justify the benefits to retailers that might arise from its use.

Numerous administrative problems are inherent in any scheme where markups would be tied to allocation fractions. The calculation of allowable markups would be especially difficult in instances where the retail gasoline dealer has multiple suppliers, each with a different allocation fraction, or where the allocation fraction changes during the course of a month.

C. *Comments Regarding the Delegation of Authority to State Governments to Modify Price Rules:*

Comments from individual States and from the National Governors' Association indicated overwhelming opposition to the delegation of authority to the Governors to raise gasoline markups for dealers in their States. Forty States advocated recision of the Governors' authority, while only one State (South Carolina) publicly supported the provision. One additional State (Oregon) noted that it had exercised the authority reluctantly and referred to the delegation as "unwanted." The most frequently expressed reasons for this opposition were that (1) the States are not equipped to administer such authority, but that DOE alone has the experience, resources, and expertise to grant such relief, (2) the delegation creates confusion and erodes the effectiveness of Federal programs, (3) desirable uniformity can best be achieved at the Federal level, without State interference, and (4) the States were not adequately consulted regarding the delegation prior to the adoption of the rule. The National Governors' Association requested that the delegation provision be rescinded. Gasoline retailers were generally in favor of the delegation in theory, but observed that in practice it may not be effective because of the Governors' reluctance to exercise this authority.

This provision of the regulations has been little used. The Governors of only four States and one territory—Alaska, Arizona, Nevada, Oregon, and the Northern Mariana Islands—have exercised their authority to grant margin increases. Alaska authorized increases up to 10 cents, differentiating, however, between "accessible" and "inaccessible" areas. Nevada authorized margins of 16.5 cents for self-service and 18.2 cents for full-service. Oregon initially authorized an increased margin of 17.9 cents, which it further increased to 18.6 cents in December to correspond to DOE' semiannual upward adjustment for inflation. Arizona authorized a temporary increase for specified counties in the State, but allowed it to expire after Labor Day last year. The Northern Mariana Islands authorized a 3 cent increase to 19.1 cents per gallon. The Administrator of ERA was duly notified and did not object to any of the proposed increases.

The strong and virtually unanimous opposition expressed by State Governors and State energy offices has persuaded us that the adoption of the Governors' authority provision was improvident. We are particularly concerned that its administration would further strain the already limited resources of many of the State energy offices. Accordingly, we have decided to rescind this provision of the rule, effective immediately.

Although we are rescinding the Governors' authority at this time, the recision will have only a prospective effect. Any markup increases granted by a State in accordance with § 212.93(a)(3) prior to the date of issuance of this rule will be unaffected by this recision. Such prior increases will remain valid, subject only to disallowance by the ERA Administrator at any time.

Instead of continuing the Governors' authority to increase markups we are vesting similar authority in the ERA Administrator. Under this amendment the Governors' only role will be to recommend to the Administrator that the markup be increased for some or all retailers in a State. The Governor may delegate this responsibility to any State office or officer. This amendment will fulfill our objective of maintaining a vehicle, in addition to the Office of Hearings and Appeals, that could provide relief for the retailers whose retailing costs are insufficiently covered by a single nationwide fixed markup. In contrast to the previous provision in § 212.93(a)(3), however, this amendment would greatly relieve a State of its burden in initiating an increase in gasoline retail markups in the State.

In addition, in light of the recent regulation adopting a fixed markup for retailers, we are providing for an increase in the fixed markup for retail sales by reseller-retailers that is equivalent to the markup for retail sales by reseller-retailers by the ERA Administrator on the same basis as is provided for retailers.

III. Conclusion

Based upon the foregoing, the preambles to the proposed and final retailer price rules, and ERA's experience under the retailer price rule, ERA has determined that the retailer price rule should be repromulgated, except for § 212.93(a)(3), which is being amended to allow the ERA Administrator, rather than the State Governors, to increase retail markups if cost justified. It is ERA's conclusion that the retailer price rule, with the amendment adopted today, best furthers the objectives of section 4(b)(1) of the EPAA when compared to other regulatory schemes suggested in the comments or proposed by ERA.

(Emergency Petroleum Allocation Act of 1973, 15 U.S.C. § 751 *et seq.*, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, 15 U.S.C. § 787 *et seq.*, Pub. L. 93-275, as amended, Pub. L. 94-332, Pub. L. 94-385, Pub. L. 95-70, and Pub. L. 95-91; Energy Policy and Conservation Act, 42 U.S.C. § 6201 *et seq.*, Pub. L. 94-163, as amended, Pub. L. 94-385, Pub. L. 95-70, Pub. L. 95-619, and Pub. L. 96-30; Department of Energy Organization Act, 42 U.S.C. § 7101 *et seq.*, Pub. L. 95-91, Pub. L. 95-509, Pub. L. 95-619, Pub. L. 95-620, and Pub. L. 95-621; E.O. 11790, 39 FR 23185; E.O. 12009, 42 FR 46267.)

In consideration of the foregoing, Part 212 of Chapter II of Title 10 of the Code of Federal Regulations is amended as set forth below, effective immediately. As thereby amended, we repromulgate Parts 210 and 212 of Chapter II of Title 10 of the Code of Federal Regulations, effective immediately.

Issued in Washington, D.C., May 19, 1980.

Hazel R. Rollins,

Administrator, Economic Regulatory Administration.

1. In § 212.93, paragraph (a)(3) is revised to read as follows:

§ 212.93 Price rule.

* * * * *

(a) * * *

(3)(i) Upon the recommendation of the Governor of a State, the ERA Administrator may increase the fixed cents per gallon markup as described in paragraph (a)(2) of this section for all or some of the retailers or reseller-retailers in the State. The amount of markup increase granted to a retailer, reseller-retailer, or class of reseller-retailers or retailers shall not exceed the amount of cost increase experienced by the retailer, reseller-retailer, or class of reseller-retailers or retailers.

(ii) For purposes of this section, the term "Governor of a State" includes the Governors of the 50 States, and the Chief Executive Officers of the District of Columbia, Puerto Rico, and the territories and possessions of the United States, other than the Panama Canal Zone, and further includes their delegates.

(iii) Any increase in the fixed cents per gallon markup described in paragraph (a)(2) of this section that was granted by the Governor of a State prior to May 19, 1980, in accordance with paragraph (a)(3) of this section as then in effect, shall continue to be valid in accordance with the terms of that increase subject to disallowance by the ERA Administrator at any time.

* * * * *

[FR Doc. 80-16416 Filed 5-28-80; 8:45 am]
BILLING CODE 6450-01-M

10 CFR Parts 703 and 1023

Rules of the Contract Adjustment Board

AGENCY: Department of Energy, Contract Adjustment Board.

ACTION: Final rule.

SUMMARY: These regulations update and revise the rules of procedure of the Department's Contract Adjustment Board to reflect the establishment of the Department of Energy and the continuation of the Contract Adjustment Board pursuant to Secretarial delegation. The Board functions within the Department as provided for in DOE Order 1100.4.

EFFECTIVE DATE: May 28, 1980.

FOR FURTHER INFORMATION CONTACT: John B. Farmakides, Chairman, Contract Adjustment Board, Department of Energy, Webb Building, Room 1006, 4040 No. Fairfax Drive, Arlington, VA 22203. Telephone: (703) 235-2700.

SUPPLEMENTARY INFORMATION: These regulations provide procedures followed by the Contract Adjustment Board of the Department of Energy for handling applications for extraordinary relief under Public Law 85-804. The Contract Adjustment Board has been delegated the authority and responsibility to decide those applications for extraordinary relief that involve "contractual fairness" as defined in 41 CFR 9-17. Such contractual fairness cases relate to those concerned ". . . with facilitating the national defense through fair and equitable treatment of . . . persons directly or indirectly involved in procurement or other contract activities." In addition, the Board, upon specific designation may hear and decide cases of "special management considerations," relating to those cases which ". . . facilitate the national defense through the accomplishment of an important procurement objective or policy goal."

The amendments are routine and do not involve any substantive changes. They are intended merely to update the earlier rules (found at Subpart B of 10 CFR Part 703, issued on March 24, 1976) to reflect the establishment of the Department of Energy, and the continuing charter of the Contract Adjustment Board within the Department. As such, they do not involve substantial issues of fact or law, nor will they have a substantial impact on the Nation's economy, nor affect the quality of the environment.

DRAFTING INFORMATION: The principal persons involved in drafting these regulations are: John B. Farmakides, Chairman; Carlos R. Garza, Vice Chairman; and Beryl S. Gilmore, Member, Department of Energy, Contract Adjustment Board.

Issued in Washington, D.C. on May 23, 1980.

John B. Farmakides,

Chairman, Contract Adjustment Board.

Accordingly, 10 CFR is amended as follows:

PART 703—CONTRACT APPEALS

§§ 703.200—703.203 [Deleted]

1. In Part 703, Subpart B, §§ 703.200-703.203 are deleted.

2. Part 1023 is amended by the addition of §§ 1023.200-1023.203 (Subpart B), to read as follows:

PART 1023—CONTRACT APPEALS

* * * * *

Subpart B—Rules of the Contract Adjustment Board

Sec.

1023.200 Delegation.
1023.201 Applicable rules.
1023.202 Matters pending as contract appeals.
1023.203 Decisions.

* * * * *

Subpart B—Rules of the Contract Adjustment Board

Authority: Pub. L. 95-91, sec. 301, 91 Stat. 577; Pub. L. 85-804, 72 Stat. 972, 50 U.S.C. 1433; E.O. 10789; DOE Order 1100.4.

§ 1023.200 Delegation.

The Board of Contract Appeals when sitting in its designated capacity as the Contract Adjustment Board exercises the authority of the Secretary on applications for extraordinary relief under Pub. L. 85-804 involving contractual fairness cases as defined in 41 CFR 9-17, and also as to such other matters as may be referred to the Board by the Secretary or his designee.

§ 1023.201 Applicable rules.

The Contract Adjustment Board shall proceed to hear and decide matters brought before it, with sole regard to the merits of each matter, in the same general manner as when it presides as the Board of Contract Appeals. (See rules under 10 CFR 1023, Subpart A.)

§ 1023.202 Matters pending as contract appeals.

A matter otherwise before the Board of Contract Appeals which also appears to be an application for extraordinary relief under Pub. L. 85-804 involving contractual fairness, may be heard and decided by the Contract Adjustment Board (upon proper application made by the petitioner, and with due consideration to the circumstances and equities as they affect all parties), provided it is placed on the Contract Adjustment Board's docket for such cases.

§ 1023.203 Decisions.

Decisions of the Contract Adjustment Board shall be made in writing and served simultaneously on all parties. Although recorded, the Contract Adjustment Board's decisions are not considered to be judicial in character and may not be cited as precedents in other matters brought to the Contract Adjustment Board.

[FR Doc. 80-16229 Filed 5-28-80; 8:45 am]
BILLING CODE 6450-01-M

FEDERAL RESERVE SYSTEM

12 CFR Part 217

[Regulation Q; Docket No. R-0298]

Interest on Deposits

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Temporary suspension of Regulation Q.

SUMMARY: The Board of Governors, acting through its Secretary, pursuant to delegated authority, has suspended temporarily the Regulation Q penalty for the withdrawal of time deposits prior to maturity from member banks for depositors affected by severe storms and tornadoes in Pettis County, Missouri.

EFFECTIVE DATE: May 15, 1980.

FOR FURTHER INFORMATION CONTACT: Daniel L. Rhoads, Attorney, Legal Division, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202/452-3711).

SUPPLEMENTARY INFORMATION: On May 15, 1980, pursuant to section 301 of the Disaster Relief Act of 1974 (42 U.S.C. 5141) and Executive Order 12148 of July 15, 1979, the President, acting through the Director of the Federal Emergency Management Agency designated Pettis County, Missouri a major disaster area. The Board regards the President's action as recognition by the Federal government that a disaster of major proportions has occurred. The President's designation enables victims of the disaster to qualify for special emergency financial assistance. The Board believes it appropriate to provide an additional measure of assistance to victims by temporarily suspending the Regulation Q early withdrawal penalty.[1] The Board's action permits a member bank, wherever located, to pay a time deposit before maturity without imposing this penalty upon a showing that the depositor has suffered property or other financial loss in the disaster area as a result of the severe storms and tornadoes. A member bank should obtain from a depositor seeking to withdraw a time deposit pursuant to this action a signed statement describing fully the disaster-related loss. This statement should be approved and certified by an officer of the bank. This action will be retroactive to May 15, 1980, and will remain in effect until 12 midnight November 15, 1980.

Section 19(j) of the Federal Reserve Act (12 U.S.C. § 371b) provides that no member bank shall pay any time deposit before maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the Board. The Board has determined it to be in the overriding public interest to suspend the penalty provision in section 217.4(d) of Regulation Q for the benefit of depositors suffering disaster-related losses within Pettis County, Missouri which has been officially designated a major disaster area by the President. The Board, in granting this temporary suspension, encourages member banks to permit penalty-free withdrawal before maturity of time deposits for depositors who have suffered disaster-related losses within the designated disaster area.

In view of the urgent need to provide immediate assistance to relieve the financial hardship being suffered by persons directly affected by the severe damage and destruction occasioned by the severe storms and tornadoes in the Pettis County, Missouri, good cause exists for dispensing with notice and public participation referred to in section 553(b) of Title 5 of the United States Code with respect to this action and public procedure with regard to this action would be contrary to the public interest. Because of the need to provide assistance as soon as possible and because the Board's action relieves a restriction, there is good cause to make the action effective immediately.

By order of the Board of Governors, acting through its Secretary, pursuant to delegated authority (12 CFR 265.2(a)(18)), May 21, 1980.

Theodore E. Allison,

Secretary of the Board.

[FR Doc. 80-16252 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

[1] Effective July 1, 1979, § 217.4(d) of Regulation Q provides that where a time deposit with an original maturity of one year or less, or any portion thereof, is paid before maturity, a depositor shall forfeit at least three months of interest on the amount withdrawn at the rate being paid on the deposit. Time deposits with original maturities of greater than one year require the forfeiture of at least six months' interest when paid prior to maturity. With respect to time deposits issued prior to July 1, 1979, where such deposits, or any portion thereof are paid before maturity, a member bank may pay interest on the amount withdrawn at a rate not to exceed the current ceiling rate for a savings deposit under section 217.7 and the depositor shall forfeit three months of interest payable at such rate. Effective August 1, 1979, a member bank may apply the new, generally less restrictive, penalty to time deposits issued prior to July 1, 1979, with the consent of the depositor.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 80-CE-15-AD; Amdt. 39-3759]

Airworthiness Directives; Beech Models B90, C90, E90 (Military T-44A), 100, A100, A100 (Military U-21F), B100, 200 and A200 (Military C-12A) Airplanes

Correction

In FR Doc. 80-13185, appearing at page 29005, in the issue for Thursday, May 1, 1980, make the following correction:

On page 29006, in the middle column, in the table headed "Group I", beneath the entry "A200 (Military C-12C)", insert the heading "Group II". Models C90 through B100 belong under Group II.

BILLING CODE 1505-01-M

14 CFR Part 71

[Airspace Docket No. 80-GL-10]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate additional controlled airspace near Kokomo, Indiana in order to accommodate a new Instrument Landing System Runway 23 (ILS Runway 23) instrument approach procedure into the Kokomo Municipal Airport which was established on the basis of a request from the Kokomo Airport officials to provide that airport with an additional instrument approach procedure.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1200 feet above surface to 700 feet above surface for a distance of approximately 4 miles northeast of that now depicted. The development of the proposed procedure necessitates that the FAA alter the designated airspace to insure that the procedure will be contained within controlled airspace. In addition, aeronautical maps and charts will reflect that area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 16199 of the Federal Register dated March 13, 1980, the Federal

Aviation Administration published a Notice of Proposed Rule Making which would amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Kokomo, Indiana. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In § 71.181 (45 FR 445) the following transition area is amended to read:

Kokomo, Indiana

That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Grissom AFB (latitude 40°38'55"N; longitude 86°09'10"W); within a 6½-mile radius of Kokomo Municipal Airport, (latitude 40°31'45"N; longitude 86°03'30"W); within a 5-mile radius of Logansport, Indiana, Municipal Airport (latitude 40°42'35"N., longitude 86°22'45"W.); within 4½-miles each side of the Grissom AFB ILS localizer southwest course, extending from the 8½-mile and 6½-mile radii areas to 4½-miles southwest of the OM; within 3 miles each side of the Kokomo VORTAC 045° radial, extending from the 6½-mile radius to 12 miles northeast of the VORTAC; and within 3 miles each side of the Kokomo VORTAC 129° radial, extending from the 6½-mile radius area to 8 miles southeast of the VORTAC.

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 80-GL-10, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on May 12, 1980.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 80-16203 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-GL-11]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate additional controlled airspace near Winchester, Indiana in order to accommodate a new instrument approach procedure into the Randolph County Airport, Wincester, Indiana, which was established on the basis of a request from the local Airport officials to provide that airport with an additional instrument approach procedure.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1200 feet above surface to 700 feet above surface for a distance of approximately 3 miles northeast of that now depicted. The development of the proposed procedure necessitates that the FAA alter the designated airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitudes for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 14593 of the Federal Register dated March 6, 1980, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Winchester, Indiana. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In § 71.181 (45 FR 445) the following transition area is amended to read:

Winchester, Indiana

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Randolph County Airport (latitude 40°10'15"N., longitude 84°55'13"W); within 2.5 miles either side of the 111° bearing extending from the 5 mile radius to 6 miles southeast of the airport, and within 3 miles either side of the 068° bearing extending from the 5 mile radius to 8 miles northeast of the airport.

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 80-GL-11, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on May 15, 1980.

Wm. S. Dalton,

Acting Director, Great Lakes Region.

[FR Doc. 80-16204 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-GL-12]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to alter existing controlled airspace near Willmar, Minnesota in order to accommodate a revised

instrument approach procedure into the Willmar Municipal Airport.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1,200 feet above surface to 700 feet above surface for a distance of approximately 1 mile southeast of that now depicted. In addition, the floor of controlled airspace south and west will be raised from 700 feet above the surface to 1,200 feet, since it is no longer needed to accomplish instrument operations. The minimum descent altitudes for this revised procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 16199 of the Federal Register dated March 13, 1980, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Willmar, Minnesota. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In § 71.181 (45 FR 445) the following transition area is amended to read:

Willmar, Minnesota

That airspace extending upward from 700 feet above the surface within a 6.5 statute mile radius of the Willmar Municipal Airport, Willmar, Minnesota (latitude 45°06'45"N; longitude 95°05'15"W) and within 3.0 miles either side of the 091° true bearing and the 279° true bearing from the Willmar, Minnesota (ILL) VOR (latitude 45°06'50"N; longitued 95°05'12"W) extending from the 6.5 statute mile radius zone to 8.5 statute miles.

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 80-GL-12, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued at Des Plaines, Illinois, on May 12, 1980.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 80-16205 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-GL-17]

Designation of Federal Airways Area Low Routes, Controlled Airspace, and Reporting Points, Designation of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate controlled airspace near Buffalo, Minnesota to accommodate a new instrument approach into Buffalo Municipal Airport, established on the basis of a request from the local Airport officials to provide that facility with instrument approach capability.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this section is to insure segregation of the aircraft using this approach procedure in instrument weather conditions and other aircraft operating under visual conditions. The floor of the controlled airspace in this area will be lowered from 1200' above ground to 700' above ground. The development of the proposed instrument procedures necessitates the FAA to lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 20906 of the Federal Register dated March 31, 1980, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Buffalo, Minnesota. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In § 71.181 (45 FR 445) the following transition area is added:

Buffalo, Minnesota

That airspace extending upward from 700 feet above the surface within a 6.5 statute mile radius of the Buffalo Municipal Airport, Buffalo, Minnesota (latitude 45°12'00"N; longitude 93°51'00"W).

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No.

80–GL–17, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on May 15, 1980.

Wm. S. Dalton,

Acting Director, Great Lakes Region.

[FR Doc. 80-16206 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-GL-65]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to alter existing controlled airspace near Cadillac, Michigan in order to accommodate a new instrument approach procedure into the Wexford County Airport, Cadillac, Michigan which was established on the basis of a request from the Wexford County Airport officials to provide that airport with an additional instrument approach procedure.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL–530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694–4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1200 feet above the surface to 700 feet above the surface for a distance of approximately three miles beyond that now depicted. The development of the proposed procedure necessitates that the FAA alter the designated airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitudes for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 14594 of the Federal Register dated March 6, 1980, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Cadillac, Michigan. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In § 71.181 (45 FR 445) the following transition area is amended to read:

Cadillac, Michigan

That airspace extending upward from 700 feet above the surface within an 8.5 statute mile radius of the Wexford County Airport, Cadillac, Michigan (latitude 44°16'30"N, longitude 85°25'30"W).

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 79–GL–65, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on May 9, 1980.

Wm. S. Dalton

Acting Director, Great Lakes Region.

[FR Doc. 80-16207 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 89-GL-9]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate additional controlled airspace near Winamac, Indiana in order to accommodate a new Non-Directional Radio Beacon (NDB) Runway 9 instrument approach procedure into the Arens Field Airport, Winamac, Indiana which was established on the basis of a request from the Arens Airport officials to provide that airport with an additional instrument approach procedure.

EFFECTIVE DATE: July 10, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL–530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694–4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1200 feet above surface to 700 feet above surface for a distance of approximately 5 miles beyond that now depicted. The development of the proposed procedure necessitates that the FAA alter the designated airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitudes for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 14592 of the Federal Register dated March 6, 1980, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Winamac, Indiana. Interested persons were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective July 10, 1980, as follows:

In Section 71.181 (45 FR 445) the following transition area is amended to read:

Winamac, Indiana

That airspace extending upward from 700 feet above the surface within a 5 mile radius of the Arens Airport (latitude 41°05'35"N., longitude 86°36'45"W.); within 2 miles each side of the Knox VORTAC 173° radial extending from the 5 mile radius area to 10 miles south of the VORTAC, and within 3 miles each side of a 265° bearing from the airport extending from the 5 mile radius area to 8 miles west of the airport.

This amendment is made under the authority of Section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 80-GL-9, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on May 12, 1980.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 80-16208 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

CIVIL AERONAUTICS BOARD

14 CFR Part 399

[Regulation PS-93; Policy Statements Amendment No. 70 to Part 399; Docket 35253]

Price Discrimination; Statements of General Policy

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: The CAB is adopting a statement of policy on price discrimination, stating that it will not interfere with carriers' pricing judgments unless interests worthy of protection are unreasonably threatened and consumer welfare cannot be better served through achievable alternatives to the challenged fare. The policy statement also announces a relaxation in the existing policy toward "status" fares by terminating the presumption that they are unreasonably discriminatory. This rulemaking is at the Board's own initiative.

DATES: Adopted: May 22, 1980; Effective: June 27, 1980.

FOR FURTHER INFORMATION CONTACT: Barry L. Molar, Office of the Assistant Director for Fares, Rates and Tariffs, Bureau of Domestic Aviation. Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. 202-673-5373.

SUPPLEMENTARY INFORMATION: In PSDR-58, 44 FR 21816, April 12, 1979, the Board proposed for comment a policy designed to relax traditional standards concerning discriminatory pricing practices on the part of air carriers. In reaching this tentative position, we recognized our continued responsibility under section 404(b) of the Federal Aviation Act (49 U.S.C. 1374(b)). This section prohibits unjust discrimination, or undue preference or prejudice by an air carrier or foreign air carrier in providing air transportation. We concluded that on balance, the general diminution of the Board's domestic rate authority by the Airline Deregulation Act of 1978 (ADA) (Pub. L. 95-504), and our policy of not obstructing innovative fares and rates, required some withdrawal from active regulation of discriminatory, prejudicial or preferential pricing.

For purposes of this rulemaking we have defined discrimination in economic terms, as the act of charging different customers prices that differ by varying proportions from the costs of serving them. For example, if an airline's normal fare is 120 percent of its costs, and if it offers a 30-percent-off discount fare to a limited class of passengers, but its costs of serving this class are only 20% lower, the discount fare would be only 105 percent of costs. We would consider this to be within our definiton of price discrimination. In our notice, we recognized the fact that the industry's existing fare structure may contain elements of price discrimination for a variety of reasons which include regulatory considerations as well as the economic conditions of supplier market power and differing consumer price sensitivity. Among the regulatory factors are the Board's willingness to permit discounted fares that may not correspond to airline cost savings, so long as they are available to any passenger who complies with ticketing restrictions, and the Board's decision to construct the Standard Industry Fare Level on a system basis without taking into account factors other than mileage that affect costs.

We concluded that carrier price discrimination served important competitive purposes and hastened the breakdown of cartel pricing. Given the Deregulation Act's mandate to place greater reliance on market forces, its strictures against interference with management marketing decisions, and the increasing competitiveness in the industry, we concluded that the Board should reduce its interference in management decisons on differential pricing. Our proposal accomplished this by limiting findings of unreasonable discrimination to cases where: (a) the fare or rate is in fact discriminatory without providing other benefits recognized under law; (b) the fare or rate is likely to result in long-run economic injury to passengers or shippers; and (c) the undesirable effects are not likely to be eliminated in a reasonable period of time without regulatory interference. We also proposed to eliminate the existing presumption against the legality of "status fares," *i.e.*, those fares based on personal characteristics of the traffic, such as youth fares or family fares.

Comments both supporting our proposal and opposing it were received from various carriers, civic groups, governmental units and individual consumers.[1] We have carefully considered the various comments and have concluded that we have the legal authority to make the policy adjustment proposed in the rule and that the adjustment will not have any adverse economic consequences. Therefore, we are adopting our proposal as written as a final policy statement. We will treat questions raised by our proposal on status fares separately in the discussion.

Legal Authority

Parties opposed to the proposal challenge it with the general argument

[1] Comments were filed by the Antitrust Division, United States Department of Justice, Trans World Airlines, AFS International/Intercultural Programs, Inc., the Air Freight Forwarders Association of America (AFFA), on behalf of its members, the Omaha Airport Authority, the Port of Seattle Commission, the City of Seattle, King County, Washington, the Seattle Chamber of Commerce and the Puget Sound Traffic Association, filing together as the Seattle Parties, Pacific Southwest Airlines, World Airways, and several individuals.

that it exceeds the pace at which Congress, under the Deregulation Act, intended the Board to turn control over to market forces, and also on the ground that Congress specifically intended the Board to continue to interpret section 404(b) as it had in the past. They also argue that the air transportation system remains in law a public utility, having a special public interest, and that, as such, it should remain subject to strict prohibitions against discrimination.

As to Congressional intent in general, the objectors rely on portions of the legislative history of the Airline Deregulation Act. They cite as key a statement in the Report of the Senate Committee on Commerce, Science and Transportation, reporting on the Senate version of the ADA, indicating that the transition to a competitive environment should be gradual, as follows:

. . . the movement to a more competitive airline system should be made without major disruptions to the industry or the traveling public. Thus, the bill provides for a gradual phase in of the more competitive provisions over periods that vary from one to ten years.

These commenters also refer to the Senate Commerce Committee's discussion of section 1002(d)(4) of the Act, which establishes the Board's powers to police rate and fare practices. The Committee noted that the Board would retain its power to declare that rates or fares are unlawful because they are unjustly discriminatory or unduly preferential or prejudicial, and it stated, "The Committee believes that current Board case law defining unlawfully discriminatory, preferential or prejudicial carrier prices and practices are generally satisfactory." [3] The opponents argue that these statements, combined with the directive contained in the Conference Committee Report [4] that deregulation proceed in accordance with the ADA and not in accordance with the views of Board members, prevents the Board from altering substantially its policy on pricing discrimination.

The opponents also assert that the proposed policy statement represents a substantial shift in the burden of proof in discriminatory pricing cases. Currently, carriers must provide data to justify a rate or fare after a *prima facie* showing of its discriminatory, prejudicial or preferential nature. Under the Board's proposal, opponents argue, complainants would in essence be required to prove not only that such a rate or fare is discriminatory, but also that injury results from it and that the situation cannot be corrected without regulatory intervention. This burden, they allege, is virtually impossible to meet, especially in the case of passenger fares, because only carriers are in possession of the data which would indicate whether a particular discriminatory fare meets these criteria and passengers rarely if ever sustain economic injury in the sense intended by the Board, other than the loss of equal treatment. Opponents of the proposal thus argue that this shift in burden is impermissible under the ADA since it would, as a practical matter, write section 404(b) out of the Act and would therefore be inconsistent with Congressional action in retaining section 404(b) in the Act and Congressional statements of its intentions concerning discriminatory pricing.

We do not believe, however, that the legislative history of the ADA compels blind adherence to historical interpretations in this area, particularly in view of the marked changes in both the law and the competitive environment since those interpretations were made. The statements cited by the opponents, noted above, must be read in the context of the entire ADA, including the mandate to place maximum reliance on competitive forces. While Congress mandated a gradual transition to competition it also mandated a smooth one. The breakdown of the administered pricing system—moving from uniform industry pricing under Board formulae to unfettered individual carrier marketing—will not occur in a single step. Rather, the change can be expected to be gradual. Carriers should not be expected to make across the board system-wide changes in their pricing practices. It would be more rational for them to experiment with competitive pricing practices in markets where there is the greatest potential for revenue generation and the least potential for revenue dilution. A continuation of the Board's historic rigid policies against differential pricing would be likely to stifle this experimentation, and create a danger that movement toward a competitive pricing system would be insignificant until Board authority over domestic fares was eliminated entirely. Then, the change would be neither smooth nor gradual.

In contrast, a flexible policy in this area will permit the kind of experimentation that can lead to a continuous and incremental transition while the Board retains its authority to correct any serious abuses. Under these circumstances we believe that a liberalization of our policy toward differential pricing under section 404(b), far from being inconsistent with the Congressional mandate, will implement it by permitting the type of carrier experimentation most likely to lead to that type of transition. This analysis is limited, however, to pricing discrimination which has the potential to enhance the transition to a competitive system. We will continue vigorous enforcement against discrimination which does not enhance competition and may injure consumers. This combination of less vigorous enforcement of section 404 against strict price discrimination and vigilant enforcement against discrimination in its more invidious forms will further a transition that is not disruptive to either passengers or industry. On the one hand, as noted above, carriers will have the freedom to conduct pricing experiments necessary to accomplish the transition. On the other hand, the Board will continue to intervene to protect consumers from any abuses that might occur.

The Board's retained powers under section 1002(d) must also be examined in the context of broader Congressional action in the ADA. Thus, although we have the power to find a domestic fare or rate unlawful on the ground that it is unjustly discriminatory, the Board cannot suspend a fare or rate, even on those grounds, if it falls within the zone of reasonableness established by the ADA.[5] Further, section 1002(d)(5) imposes on persons complaining that a fare is too low in proceedings under section 1002(d)(1) the burden of proving that a fare, rate or charge is too low.[6] Section 1002(d)(1) applies to rates, fares and charges which are unjustly discriminatory or unduly preferential or prejudicial. Finally, amendments to section 102 (declaration of policy) and to section 1002(e) (rules of ratemaking), together with their explanation in the legislative history, make it clear that the Board is not to use its residual powers to frustrate the competitive pricing practices of carrier management, including market-by-market pricing to take into account differences in cost or a competitive situation.[7] Taken together,

[2] S. Rep. 95-631, 95th Cong., 2nd Sess. 5, (1978).

[3] S. Rep. 95-631, *supra*, 109.

[4] H.R. Rep. 95-1779, 95th Cong., 2nd Sess. (1978) 56.

[5] Section 1002(g) of the Act 49 U.S.C. 1382(g) combined with section 1002(d)(4) 49 U.S.C. 1382(d)(4); section 37(a) of P.L. 95-504.

[6] Section 1002(d)(5). 49 U.S.C. 1482(d)(5). P.L. 95-504. section 37(a)(1).

[7] Section 102(a). 49 U.S.C. 1302(a). Section 1002(e). 49 U.S.C. 1482(e). P.L. 95-504 section 37(b). See generally S. Rep. 95-631. *supra*. pp. 108 and 109. Particular statutory provisions, such as sections 102(a)(3). 102(a)(7) and 1002(d)(8) must be read in light of this basic shift in pricing policy and procedure. Compare, for example, the language of section 102(a)(3) before and after its revision by the ADA.

we believe that these modifications clearly permit, if not require, the Board to use restraint in exercising its powers over discriminatory pricing practices.

A higher threshold for finding unreasonable discrimination is wholly consistent with this approach. If the Board is to reduce its intervention in carrier pricing practices, those seeking such intervention should be compelled to present a more convincing case than was necessary in the past. Congress has, of course, in section 1002(d)(5) mandated some shift in the burden of proof to opponents of innovative pricing practices. The purpose of this action is to prevent harassment or discouragement of carriers engaging in pricing competition. While differential pricing may not be an ideal form of pricing competition in the eyes of some, it is one which we believe well prove beneficial in the transition period. Moreover, on the basis of a recent analysis of the economics of providing service in discrete city pairs, a copy of which is included in this docket, we expect differential pricing to be a permanent feature of a competitive air transportation system as airlines attempt to satisfy simultaneously time-sensitive and price-sensitive passengers. Those who argue that Congress intended to tie our hands and force us to adopt policies which will inhibit competition bear a heavy burden, and in our view have not met it.

This policy statement does not shift any burden of proof. It merely describes conditions that must be found as prerequisites to a Board finding of discrimination. The objection made by several commenters that we are unwisely or illegally shifting the burden of proof in discrimination cases is therefore not well taken. Furthermore, these conditions should not be impossible to demonstrate in cases where there is real economic harm to affected persons. Complainants will be in the best position to present evidence of economic injury to themselves. And while carriers have more complete costing data than users of air transportation, much information is publicly available to enable complainants to make a case that the discrimination is not cost justified. On the other hand, once discrimination and injury were demonstrated, we would not ordinarily rely on complainants to show either the absence of countervailing benefits or the inability of competition to eliminate the undesirable effects of the discrimination.

Opponents argue that passengers suffer no economic harm in the traditional sense in the face of discriminatory pricing, but that their injury comes simply from the loss of equal treatment. This position, known as the rule of equality, demands equal charges for equal service. The rule pervades much public utility law, and it was relied on by the courts in the decisions reversing Board dismissals of complaints against status based discount fares which preceded Phase 5 of the *Domestic Passenger Fare Investigation,* Order 72–12–18, December 5, 1972.[8] Although the Board also relied on the rule of equality in ultimately rejecting those discount fares, Phase 5 did not, as we noted in PSDR–58, stand for a rigid enforcement of that rule. Rather, we stated that the rule of equality would be adhered to unless there were sufficient countervailing benefits, in which case deviation might be permitted. Opponents further argue that the Board's proposal, by eliminating the lack of equal treatment as a grounds for declaring a fare unlawful, impermissibly removes air transportation from the realm of a public utility. As an element of the transportation industry, they claim, air transportation, like other modes, is invested with the public interest and as such is to be considered a surrogate of the state and hence a utility. The continuing stringent safety requirements imposed on aviation are alleged to further demonstrate air transportation's continuing status as a public utility.

Status as a public utility, justifying rigorous regulation of prices, does not, however, depend solely on conducting an enterprise connected with the public interest. Another element is the need for state intervention to protect that interest. Where competitive forces cannot be relied on, the state is compelled to act, either directly, or through its surrogate, the public utility.[9] As we noted in PSDR–58, the Airline Deregulation Act reflects quite clearly the decision of Congress that competitive forces can and should be relied on to protect the interests of the public, and that air carriers should not continue to be considered surrogates of the state. Nor does continued safety regulation render air carriers public utilities. Numerous industries or professions are subject to strict governmental regulation for the protection of the health and safety of citizens, such as meat packing, pharmaceutical production, and cosmetology. These industries are not, however, considered public utilities for the purpose of imposing government control over pricing decisions. For this reason, we do not believe that the cases which predated Phase 5 preclude our action to the extent that they affirmed the rule of equality. Regardless of whether airlines are considered a public utility, however, Congress has decided that they are not to be treated the same as other Federally regulated industries. Instead, competition is to be the primary regulator. For example, Congress stated that we are to consider economic, efficient, low-priced service, without unjust discrimination, to be in the public interest. That is what the policy statement here is intended to encourage. The rule of equality is no longer applicable to the airline industry, no matter how the industry may be classified.

Effectiveness of the Board's Proposal

Some commentors have questioned the effectiveness of the Board's proposal on two levels. On one level they argue that the policy statement will not cause carriers to change their practices on discriminatory prices. On the other, they allege that any changes in discriminatory pricing practices will not result in the spread of nondiscriminatory low fares.

On the first point, they argue that the rule is too vague and general to be relied on by carrier management for a change in pricing policy. Further, opponents argue that the standards are not specific enough to serve as guideposts to separate the lawful practice from the unlawful, and that they give the Board so much discretion that carriers will tread lightly in altering their pricing practices.

The rule is not intended to provide definitive standards, however. Rather, the purpose of the rule is simply to announce a general shift in Board policy away from historical interpretation of the anti-discrimination provisions of the Act. We fully expect to develop concrete standards on a case-by-case basis in dealing with specific fare or rate proposals, as some of the commentors have urged.

The civic parties especially question the effectiveness of a liberal discriminatory pricing policy in producing a lower overall fare structure. They argue that carriers were willing to extend restricted fares to smaller markets because they could limit the effects of yield dilution through use of restrictions to insure that higher prices continue to be paid by a substantial portion of passengers. They argue that carriers would not be so willing to spread low normal fares to new markets

[8] *Transcontinental Bus System, Inc.* v. *C.A.B.* 385 F2d 466 (1967) and *Trailways of New England, Inc.* v. *C.A.B.* 412 F2d 926 (1969).

[9] See Wyman "The Law of Public Calling as a Solution to the Antitrust Problem", 17 Harvard Law Review 156, 157–159 (1904).

because of the greater potential for revenue dilution. To support this proposition, the objectors point out that the spread of the super-saver fares to smaller markets has not been followed by a spread of existing normal low-fare service to those markets.

Opponents further argue that, rather than spurring the development of low fare proposals, a relaxation of the Board's rules will hinder their spread to more markets. Under this line of argument, established carriers would employ discriminatory pricing practices to undercut low fare operators by using discount fares. These fares are then subsidized by above cost normal fares charged to passengers who have a need to travel by air, almost without regard to price, such as business travelers. Presumably, the discount fare would be below that which could be charged profitably by the low-fare operator as a standard fare, with the result that it would be forced to either give up traffic or resort to a discriminatory pricing structure itself.

On the basis of available information, we are not convinced that either of the results described will occur, or that if they do, they were not anticipated by Congress in enacting the ADA. Those parties who point to the current selection of low normal fares appear to be objecting to discrimination between city-pair markets. One has even suggested as an alternative to PSDR-58 that the Board require carrier management to develop nonrestricted low fare marketing proposals for all markets. Aside from the fact that a Board-ordered low-fare program would be inconsistent with the mandate of the ADA to place maximum reliance on competition, this type of market-by-market price differential was clearly envisioned by the ADA. In discussing amendments to the Board's ratemaking authority (Section 1002(e)), the Senate Commerce Committee repeatedly emphasized that one of its effects would be to require the Board to give strong weight ". . . to the desirability of allowing each air carrier to determine prices in response to its own costs and the competitive condition of the route it serves." [10] Moreover, in enacting the amendments to section 1002, Congress was aware that the use of national averages under the DPFI formulas hindered market-by-market competition on the basis of demand and cost differences.

While we have encouraged the development of unrestricted low fares in the past, it is possible that the extent to which they have been offered to date is the result of the differing cost and demand factors anticipated in the ADA. Moreover, there is evidence that unrestricted low fares are beginning to spread beyond the major transcontinental and Northeast/Florida markets. Midway Airlines has filed low-fare tariffs for transportation between Chicago and three other interior points, Cleveland, Detroit and Kansas City. Northwest Airlines recently reduced normal fares in a number of lower density markets, including Billings-Minneapolis and Minneapolis-Spokane. Since, as discussed below, we do not believe that use of discriminatory fares will hinder the spread of unrestricted low fares where they are economically justified, we are satisfied that the slow pace of their introduction to date does not call for us to delay a liberalization in our policy toward discriminatory, preferential, or prejudicial pricing.

Our belief that discriminatory pricing practices will not be used to hinder the spread of unrestricted low fares rests on theoretical considerations as well as observation of recent carrier behavior. The argument that low-fare pricing will be frustrated rests on a cross-subsidization theory. It is assumed that a large carrier will set prices above cost in markets where it enjoys market power in order to underwrite markets where it competes against a smaller low-fare innovator. However, in the competitive environment which our policies are fostering, this source of funds would evaporate as the new competitors are attracted into high profit markets. Furthermore, the incentive for such predatory pricing, the prospect of charging substantially higher fares after the smaller competitor is driven from the market, will also be reduced as entry freedom increases the likelihood that a new competitor would enter the market to undercut the excessive fares. Although the industry may not yet be at an optimum level of competition, low-fare innovators are already providing service in the most lucrative domestic markets. For example, Capitol International Airways and World Airways offer low-fare transcontinental service and Air Florida offers Northeast-Florida service.

Status Fares

The most consistent criticism of the change in the Board's policy to allow status fares is that permitting them represents the abandonment of the rule of equality. As we noted above, however, the rule of equality is a rule designed to govern pricing practices of public utilities. Whatever relevance it might have had before the Airline Deregulation Act, we do not believe that, by itself, the rule requires the continuation of our historically stringent policies.

Opponents also argue that price discrimination is impermissible even in unregulated sectors of the economy, by virtue of the Robinson-Patman Act, amendments to the Clayton Act (15 U.S.C. 13 and 13a) and applicable court decisions. They argue that the Board cannot therefore rely on the shift to competition as grounds for liberalizing its policy in this area. The Robinson-Patman Act, however, is expressly limited to the sale of commodities. The sale of services is excluded from its scope, and it is clear that air transportation is not a commodity for purposes of Robinson-Patman.[11] In contrast, numerous service-oriented industries have discriminatory pricing based on status imbedded in their pricing structure. The airline industry shares a characteristic of supply with certain other service-oriented industries such as hotels or theaters that makes differential pricing especially attractive. The inventory of these industries is capacity, and after a certain point unused capacity is lost as a source of revenue. Once a plane takes off, or a show starts, or a single guest checks into a four-person room, the unsold seats or remaining beds can produce no revenue. While this capacity cannot be sold at relatively higher normal prices, some of it could be sold at lower prices. Differential pricing to fill this otherwise unused capacity is a rational business response which, by spreading costs among more consumers, will actually reduce prices in a competitive environment.

Objectors have also alleged that the Board's proposal on status fares will place the Board in the role of making social policy judgments, a role reserved for Congress, which has not delegated it to the Board. They have also suggested that on the basis of experience in the United States, economic incentives cannot be relied upon to cure certain types of status discrimination, such as racial discrimination. This type of discrimination, however, would be included in the category of invidious discrimination, which under our proposal would continue to be

[10] S. Rep. 95-63, *supra* 106.

[11] *Gordon* v. *New York Stock Exchange* 366 F. Supp. 1261-63 (S.D.N.Y. 1973) Affd. 498 F.2d 1303, 1305 (2d Cir. 1974). Affd. 422 U.S. 659 (1975). See also *Fleetway, Inc.* v. *Public Service Interstate Transportation Co.* 72 F2d 761 (3d Cir. 1934) *cert. den.* 293 U.S. 626 (1935) holding that tickets for passenger bus transportation did not constitute commodities under the predecessor of the Robinson-Patman Act.

presumptively illegal.[12] In view of the existence of discriminatory pricing systems in other industries and extensive legislative and judicial actions on the subject that can serve as a guide, we are confident that our role will be limited to maintaining these existing barriers to invidious discrimination.

Finally, even under Phase 5 standards, status fares were not absolutely illegal. They could be approved (as in the case of children's fares) where the Board found sufficient benefits to air transportation or the public under the Act. Under the Airline Deregulation Act, however, carriers themselves, rather than the Board, are primarily responsible for developing air transportation under the disciplines of actual and potential competition. Even if we did not formally modify our policy toward status fares, a more permissive approach under the "qualified disapproval" policy of Phase 5 might have been necessary to implement the Congressional mandate to give primary responsibility for the air transportation system back to the carriers.

International Fares and Rates

While it is true that the original impetus for this policy statement was the ADA of 1978 with its implicit emphasis upon domestic aviation, the Board did not intend to preclude a common international pricing application. We invited comments but made no specific proposals on the international pricing aspects of this subject, and therefore received few concrete proposals or arguments on it. Consequently, we will limit this policy statement to domestic and overseas air transportation.

Nevertheless, the passage of the International Air Transportation Competition Act of 1979, after our initial policy proposal here, has substantially altered the statutory and policy framework within which we consider international pricing and entry issues. In many pertinent respects, the framework is now similar—if not identical—to the domestic area. While there are *ad hoc* circumstantial differences, such as limited entry in some international markets and detailed pricing control by a number of foreign governments, we believe that many of the fundamental policy considerations that lead us to issue this statement are equally applicable to foreign air transportation. Our staff is now considering this issue, and it also has been raised by the commentors in EDR-351B and EDR-383, by which we proposed, among other things, to permit cargo charters on scheduled flights. Thus, we will address this question in more detail shortly.

Miscellaneous Matters

In its comments supporting our proposal, the Air Freight Forwards Association requested that we list in the policy statement as being lawful certain practices, such as multiple shipment discounts, which we have rejected in the past. The policy statement, however, is intended to be a general one without itself authorizing specific carrier practices. As we indicated above, we believe that it would be better to evaluate specific practices in the context of a rate proceeding on a concrete proposal. We are, therefore, not modifying the policy statement in this manner.

World Airways filed a motion to consolidate into this proceeding an application by Davis Agency, Inc., Docket 35533 for an exemption to negotiate for placing charter passengers on scheduled flights. The exemption would have been limited to cases where the direct air carrier that had originally contracted to provide lift for Davis failed to do so and other aircraft could not be obtained on a charter basis. Davis filed an answer in opposition to this motion. Since that time, however, Davis requested withdrawal of its exemption application which request was granted in Order 80-3-44, March 7, 1980. The motion to consolidate is therefore moot.

Accordingly, the Civil Aeronautics Board amends 14 CFR Part 399, *Statements of General Policy*, as follows:

1. A new § 399.36 is added, to read:

§ 399.36 Unreasonable discrimination.

(a) As used in this section—

(1) "Unreasonable discrimination" means unjust discrimination or unreasonable preference or prejudice; and

(2) "Rate" means rate, fare, or charge.

(b) Except in unusual circumstances or as provided in paragraph (c) of this section, the Board will find a rate for domestic air transportation to constitute unreasonable discrimination only if:

(1) There is a reasonable probability that the rate will result in significant long-run economic injury to passengers or shippers;

(2) The rate is in fact discriminatory according to a reasonable cost allocation or other rational basis;

(3) The rate does not provide transportation or other statutorily recognized benefits that justify the discrimination; and

(4) Actual and potential competitive forces cannot reliably be expected to eliminate the undesirable effects of the discrimination within a reasonable period.

(c) A rate that discriminates on the basis of the status of the traffic carried will not be presumed to be unreasonably discriminatory, unless the use of the status categories in question is contrary to established national anti-discrimination policy.

2. The Table of Contents is amended accordingly.

(Secs. 204, 403, 404, 416, 1001, and 1002 of the Federal Aviation Act of 1958, as amended by Pub. L. 95-504; 72 Stat. 743, 758, 760, 771, 788, 92 Stat. 1705; 49 U.S.C. 1324, 1373, 1374, 1380, 1481, 1482)

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-16372 Filed 5-28-80; 8:45 am]

BILLING CODE 6320-01-M

[12] Discrimination on certain bases, such as race or religion, and in some cases sex, raises issues of violating the Constitution as well as various federal statutes. The final rule excludes discrimination which violates federal antidiscrimination policy from the presumption of lawfulness. We would include constitutional and federal statutory prohibitions in that concept as well as forms of discriminations prohibited by Executive Order or agency actions.

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket C-3018]

Commercial Lighting Products, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order, among other things, requires an Englewood, N.J. seller of light bulbs and other products to cease shipping or billing for unordered merchandise; soliciting orders from unauthorized persons; shipping goods that vary in quantity or price from that ordered; offering discounts or sending collection letters to induce payment for unordered merchandise; and transferring alleged delinquent accounts to debt collection agencies, after being informed that the merchandise had not been ordered. The firm is further prohibited from shipping merchandise pursuant to any unsigned purchase order. Should such a form be received, the company is required to mail to the "Lighting Buyer" of the business an acknowledgment card containing prescribed information and a

toll-free number to call should problems arise. Additionally, the order requires that the firm develop and provide relevant personnel with an approved statement of operating principals and practices, and maintain a surveillance program designed to detect those who fail to conform.

DATES: Complaint and order issued May 6, 1980.[1]

FOR FURTHER INFORMATION CONTACT: FTC/P, Albert H. Kramer, Washington, D.C. 20580. (202) 523-3727.

SUPPLEMENTARY INFORMATION: On Monday, Feb. 25, 1980, there was published in the Federal Register, 45 FR 12261, a proposed consent agreement with analysis In the Matter of Commercial Lighting Products, Inc., a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or Requirements; 13.533-45 Maintain records; 13.533-45(c) Complaints; 13.533-45(e) Correspondence; 13.533-50 Maintain means of communication. Subpart—Enforcing Dealings or Payments Wrongfully: § 13.1045 Enforcing dealings or payments wrongfully. Subpart—Misrepresenting Oneself and Goods—Business Status, Advantages or Connections: § 13.1395 Connections and arrangements with others; § 13.1397 Customer connection.—Goods: § 13.1625 Free goods or services; § 13.1720 Quantity.—Prices: § 13.1776 Prices. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1895 Scientific or other relevant facts. Subpart—Offering Unfair, Improper and Deceptive Inducements To Purchase or Deal: § 13.1928 Customer connection or action; § 13.1955 Free goods; § 13.2063 Scientific or other relevant facts. Subpart—Securing Orders By Deception: § 13.2170 Securing orders by deception.

[1] Copies of the Complaint and Decision and Order filed with the original document.

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

Carol M. Thomas,

Secretary.

[FR Doc. 80-16254 Filed 5-28-80; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 200

[Release Nos. 33-6212; 34-16829; 35-21586; 39-567; IC-11181; IA-722]

Comprehensive Revision of Regulation Concerning Conduct of Members and Employees and Former Members and Employees

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Commission is revising its Conduct Regulation. A number of changes have been made in the current rules to reflect changes in federal regulations; to reflect changes in Commission policy; and to make existing rules more specific.

EFFECTIVE DATE: June 2, 1980.

FOR FURTHER INFORMATION CONTACT: Myrna Siegel, Ethics Counsel, Securities and Exchange Commission, Washington, D.C. 20549 (202) 272-2430.

SUPPLEMENTARY INFORMATION: During the past two years the Commission's Conduct Regulation has been undergoing a thorough review. While the Regulaton has been amended several times [1] since its adoption on April 7, 1966, it has remained essentially the same for the last fourteen years. Although the Commission has consistently acted to maintain high standards of ethical conduct within the agency, the current Conduct Regulation has not always provided sufficient guidance.

The Commission's Conduct Regulation as it now exists presents a broad framework of ethical standards,[2] followed by specific rules dealing with such areas as outside or private employment [3] and securities transactions.[4] Although this broad approach provides the flexibility required for ethical rules, the current Regulation appears to be deficient in several areas. Specifically, it does not include interpretations of various rules which are currently adhered to; it is not sufficiently specific in some areas; it does not provide sufficient guidance with respect to procedures that members and employees should follow when faced with ethical conduct questions; and certain provisions are inappropriate in the face of changing federal statutes.

To remedy these problems the Commission is adopting a comprehensive revision of its Conduct Regulation. Each rule has been reviewed both individually and as part of the entire structure and changes have been made to make the Regulation more readable and more effective as a guide to acceptable conduct by Commission employees.

The reader is referred to the entire Conduct Regulation, set forth below.

The following is a synopsis only of the major changes in the various rules.

§ 200.735-1 Policy.

Minor changes.

§ 200.735-2 Purpose.

Minor changes.

§ 200.735-3 General provisions.

The major changes in this rule are:

(1) The possibility of additional restrictions on the conduct of employees in certain Offices, Divisions or Regions.

(2) More specific restrictions on the acceptance of free meals.

(3) The addition of rules applicable to the acceptance of meals or gifts when one is a participant in a conference or meeting.

(4) The requirement of disclosure to a supervisor under certain circumstances when one is negotiating for employment with another government agency.

§ 200.735-4 Outside employment and activities.

The major changes in this rule are:

(1) Additions to the list of types of entities with whom employment would be incompatible with concurrent Commission employment.

(2) Narrowing of the focus of the rule dealing with incompatible employment of a spouse or member of a Commission employee's household so that such employment would only be incompatible if the spouse or "member of the employee's household" is employed (a) by an entity subject to regulation by the Commission; *or* (b) where the actual job is directly related to the issuance, sale, purchase or investment of securities; *and* (c) in a capacity which relates *directly* to the Commission employee's official duties and activities.

(3) Allowing acceptance of reimbursement for travel expenses from

[1] *See* 33 FR 2631 (Feb. 7, 1968); 42 FR 30834 (June 17, 1977); 43 FR 36900 (Aug. 21, 1978).

[2] 17 CFR 200.735-3 General Provisions.

[3] 17 CFR 200.735-4.

[4] 17 CFR 200.735-7.

an association or other group predominantly composed of persons regulated by the Commission if authorized by the Chairman.

(4) Allowing, in connection with attendance at conferences or meetings, the acceptance of reimbursement for expenses personally incurred from non-governmental entities, from which reimbursement may be accepted, when an employee is on administrative leave or annual leave. Administrative leave must be authorized by the employee's Division Director, Office Head or Regional Administrator and have the concurrence of the Executive Director.

(5) A clearer articulation of the prohibitions applicable to members, employees, and former members and employees when dealing with nonpublic or confidential information.

(6) Allowing the use of Commission facilities in connection with teaching or writing activities under certain circumstances, when approved by the employee's Division Director, Office Head or Regional Administrator.

(7) Allowing, in appropriate circumstances, a waiver from the prohibition on the acceptance of payment for expenses of a spouse or traveling companion in connection with a member or employee's attendance at conferences or meetings.

(8) Allowing employees to represent other employees in administrative proceedings in connection with allegations arising with respect to official duties.

(9) More specific procedures are provided for the review of speeches and articles written by Commission employees.

§ 200.735–5 Securities transactions.

The major changes are:

(1) The holding period for securities is changed from one year to eleven months.

(2) Members and employees are prohibited from purchasing or selling options. Spouses or other members of a member or employee's household may purchase or sell options or future contracts for commodities.

(3) Subject to certain restrictions, employees, except Senior Executive Service members in the Division of Investment Management, are no longer prohibited from purchasing securities which are registered under the Investment Company Act of 1940. (For the most part these are mutual funds or money market funds.)

(4) The rule relating to blind trusts is made more specific.

§ 200.735–6 Action in case of personal interest.

Minor changes.

§ 200.735–7 Negotiation for employment.

Major change in this rule is a requirement that an employee who is representing the Commission in a particular matter in which another government agency is taking a position adverse to the Commission and who wishes to negotiate for employment with the other government agency must disclose that intention to his or her supervisor.

§ 200.735–8 Practice by former members and employees of the Commission.

This rule has been altered to conform to the requirements of the Ethics in Government Act of 1978.

§ 200.735–9 Indebtedness.

Minor changes.

§ 200.735–10 Miscellaneous statutory provisions.

Minor change.

§ 200.735–11 Statement of employment and financial interests.

The list of persons from whom such statements are required has been revised and procedures applicable to submission of the statements are made more specific.

§ 200.735–12 Special Government employees.

The rule relating to restrictions on special Government employees has been made more specific.

§ 200.735–13 Disciplinary and other remedial action.

The changes in this rule are:

(1) Minor changes making the rule more specific.

(2) Inclusion of a provision which specifies the procedure to be used in implementing the administrative enforcement proceedings for violations of post-employment restrictions of the Ethics in Government Act of 1978.

§ 200.735–15 Interpretive and advisory service.

The major changes in this rule are:

(1) Designation of the General Counsel as "Counselor for the Commission."

(2) More specific provisions dealing with the availability of interpretive and advisory services in connection with these rules.

§ 200.735–16 Delegation.

New section providing for the delegation of certain functions and responsibilities.

§ 200.735–17 Administration of the Conduct Regulation.

New section.

§ 200.735–18 Requests for waiver, modification or postponement.

New section.

Revision of Conduct Regulation

Accordingly, 17 CFR Part 200 is amended by revising Subpart M to read as follows:

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION REQUESTS

* * * * *

Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission

Sec.

200.735–1 Purpose.
200.735–2 Policy.
200.735–3 General provisions.
200.735–4 Outside employment and activities.
200.735–5 Securities transactions.
200.735–6 Action in case of personal interest.
200.735–7 Negotiation for employment.
200.735–8 Practice by former members and employees of the Commission.
200.735–9 Indebtedness.
200.735–10 Miscellaneous statutory provisions.
200.735–11 Statement of employment and financial interests.
200.735–12 Special government employees.
200.735–13 Disciplinary and other remedial action.
200.735–14 Employees on leave of absence.
200.735–15 Interpretive and advisory service.
200.735–16 Delegation.
200.735–17 Administration of the conduct regulation.
200.735–18 Requests for waivers.

Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission

Authority: Secs. 19, 23, 48 Stat. 85, 901, as amended, sec. 20, 49 Stat. 833, sec. 319, 53 Stat. 1173, secs. 38, 211, 54 Stat. 841, 855; 15 U.S.C. 77s, 78w, 79t, 77sss, 80a–37, 80b–11; E.O. 11222; 3 CFR, 1964–1965 Comp., 5 CFR 735.104.

§ 200.735–1 Purpose.

This subpart sets forth the standards of ethical conduct required of members, employees and special Government employees, and former members and employees of the Securities and

Exchange Commission. It is a further revision of a comprehensive conduct regulation first adopted by the Commission in 1953 "to restate the ethical principles which it believes should govern and have governed the conduct of members and employees and former members and employees of the Commission." [1] This revision is necessary to provide members, employees, special Government employees and former Commission members and employees with a comprehensive statement of standards of conduct which are dictated by applicable Federal law, Executive orders, and the Commission's own requirements.

§ 200.735-2 Policy.

(a) The Securities and Exchange Commission has been entrusted by Congress with the protection of the public interest in a highly significant area of our national economy. In view of the effect which Commission action frequently has on the general public, it is important that members, employees and special Government employees maintain unusually high standards of honesty, integrity, impartiality and conduct. They must be constantly aware of the need to avoid situations which might result either in actual or apparent misconduct or conflicts of interest and to conduct themselves in their official relationships in a manner which commands the respect and confidence of their fellow citizens.

(b) For these reasons, members, employees and special Government employees should at all times abide by the standards of conduct set forth in this subpart, the canons of ethics for members of the Securities and Exchange Commission (Subpart C of this Part 200) and, in the case of a professional person, the ethical standards applicable to the profession of such person.

§ 200.735-3 General provisions.

(a)(1) In considering the prohibitions of this section, members and employees must constantly be aware that the provisions here enumerated set forth standards of conduct which are broader than the specific applications stated in the rules which follow. Therefore, members and employees should look to these general prohibitions when assessing the advisability of a particular course of conduct. The broadly stated provisions of this rule are aimed at eliminating the appearance of impropriety as well as any actual wrongdoing.

(2) Accordingly, a member or employee should avoid any action, whether or not specifically prohibited by law or regulation (including the provisions of this subpart), which would result in or might create appearance of, among other things:

(i) Using public office for private gain;

(ii) Giving preferential treatment to any organization or person;

(iii) Losing complete independence or impartiality;

(iv) Making a Government decision outside official channels; or

(v) Affecting adversely the confidence of the public in the integrity of the Government.

(3) While provisions applicable to all employees of the Commission are outlined in this Regulation, certain Offices or Divisions for management reasons may require more stringent regulations in certain areas. These may be imposed by Division Directors, Office Heads or Regional Administrators with the consent of the Chairman and the approval of the Office of Government Ethics. Should such additional regulations be imposed, all employees affected must be notified ten days before the effective date of the restriction or at the time of their employment.

(b) A member or employee of the Commission shall not:

(1) Engage, directly or indirectly, in any personal business transaction or private arrangement for personal profit the opportunity for which arises because of his or her official position or authority, or that is based upon confidential or nonpublic information which he or she gains by reason of such position or authority.[2]

(2) Solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, service, or any other thing of monetary value from any person with whom he or she transacts business on behalf of the United States; who has, or is seeking to obtain, contractual or other business or financial relations with the Commission; who conducts operations or activities regulated by the Commission; or who has interests that may be substantially affected by the performance or non-performance of his or her official duty. This paragraph does not apply (i) when the cirumstances make it clear that it is obvious family or personal relationships rather than the business of the persons concerned which govern and are the motivating factors; (ii) when, on infrequent occasions, food and refreshments of modest value are offered free in the course of a luncheon or dinner meeting, or other meeting not connected with an inspection or investigation where attendance is official and proper and the circumstances make individual payment difficult; (iii) when unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of modest intrinsic value are offered; (iv) when one is participating as panelist or speaker in an educational program and meals or refreshments are provided to all panelists; or (v) when the employee's Division Director, Office Head or Regional Administrator determines in writing that an exception is warranted and appropriate in a particular situation.

(A) Gifts given for participation in an educational program may be accepted when they are of modest value; or provided to all participants in the program; or are in the nature of a remembrance traditional to the particular sponsor institution.

(B) For purposes of this subpart, "person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company; or any other organization or institution,[3] or anyone who acts for such person in a representative capacity.

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[1] The last major revision of the Conduct Regulation was done in 1966 to implement Executive Order 11222, May 8, 1965, and Part 735 of the Civil Service Commission regulations (5 CFR Part 735) adopted pursuant thereto. It also contains references to the several applicable statutes governing employee conduct, particularly Pub. L. 87-849 (76 Stat. 1119, 18 U.S.C. 201 *et seq.*), and the "Code of Ethics for Government Service," House Concurrent Resolution 175, 85th Congress, 2d session (72 Stat. B 12).

[2] Detailed provisions regarding outside or private employment and transactions in securities and commodities are set forth in §§ 200.735-4 and 200.735-5, respectively. Further provisions regarding use and disclosure of confidential information are set forth in paragraph (b) of this section and in the note appended thereto.

Members of the Commission are subject also to the following prohibition in section 4(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(a)): "" * * No Commissioner shall engage in any other business, vocation, or employment than that of serving as Commissioner, nor shall any Commissioner participate, directly or indirectly, in any stock market operations or transactions of a character subject to regulation by the Commission pursuant to this title * * *." This does not preclude Commissioners from engaging in securities transactions. *See* Opinion letter dated February 11, 1975, sent by the Office of the General Counsel to David Reich, Ethics Counselor at the Civil Service Commission. In addition, members of the Commission are subject to the requirements of Executive Order 11222 of May 8, 1965.

[3] Members and employees of the Commission are subject also to provisions of the Federal Criminal Code which prohibits any officer or employee of the United States from asking, accepting or receiving any money or other thing of value in connection with any matter before him or her in his or her official capacity (18 U.S.C. 203); and which prohibits the compensation of Government employees for service to the Government by entities other than the United States (18 U.S.C. 209).

(3) Solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself or herself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 7351). However, this paragraph does not prohibit the occasional giving of gifts of modest value to an employee in a superior position or the receipt of such gifts by a superior or the use of completely voluntary contributions of nominal amounts by employees within the Commission to establish funds for the limited purpose of providing token remembrances or gifts of modest value to an employee in a superior position on special occasions.

(4) Accept from a foreign government a gift, decoration or other thing of more than minimal value except in accordance with the provisions of 5 U.S.C. 7342.

(5) Discuss or entertain a proposal for future employment by any person outside the Government with whom he or she is personally and substantially involved in transacting business on behalf of the United States.[4]

(i) If an employee wishes to discuss future employment with another Government agency, this fact should be disclosed to the employee's Division Director, Office Head or Regional Administrator prior to any discussion regarding employment, if at that time the employee is representing the Commission in a particular matter in which the other agency is taking a position adverse to the Commission.

(6)(i) Divulge to any unauthorized person or release in advance of authorization for its release [5] any nonpublic Commission document, or any information contained in any such document or any confidential information: (A) In contravention of the rules and regulations of the Commission promulgated under 5 U.S.C. 552, 552a and 552b; or (B) in circumstances where the Commission has determined to accord such information confidential treatment.

(ii) Except where the Commission has previously granted approval or in relation to a Commission administrative proceeding or a judicial proceeding in which the Commission, or a present or former Commissioner, or present or former member of the staff, represented by Commission counsel, is a party, any officer, employee or former officer or employee who is served with a subpoena requiring the disclosure of confidential or nonpublic information or documents shall, unless the Commission authorizes the disclosure of such information or documents, respectfully decline to disclose the information or produce the documents called for, basing his or her refusal upon this paragraph.

(iii) Any member, employee or former member or employee who is served with such a subpoena not covered by the exceptions in (2) above shall promptly advise the General Counsel of the service of such subpoena, the nature of the information or documents sought, and any circumstances which may bear upon the desirability in the public interest of making available such information or documents.[6] The General Counsel shall seek authorization from the Commission to disclose information or documents.

(7) Act in any official matter with respect to which there exists a personal interest incompatible with an unbiased exercise of official judgment.[7]

(8) Have direct or indirect personal, business or financial affairs which conflict or appear to conflict with his or her official duties and responsibilities.

(9)(i) Use, or allow the use of, directly or indirectly, Government property of any kind, including property leased to the Government, for other than officially approved activities. "Officially approved activities" for the purpose of this section are those activities which are part of an employee's official duties or are approved by the employee's Division Director, Office Head or Regional Administrator as being sufficiently related to the employee's official duties, or important to the interests of the Commission to warrant the use of Commission facilities for their accomplishment. Division Directors, Office Heads and Regional Administrators may, for their own activities meeting the same criteria, obtain the concurrence of the Executive Director.

(ii) An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him or her.

(10) Participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

(11) Engage in unlawful or unethical conduct, or other conduct prejudicial to the Government.

§ 200.735-4 Outside employment and activities.

(a) No member or employee shall permit his or her name to be associated in any way with any legal, accounting or other professional firm or office.[8]

(b)(1) No employee shall have any outside or private employment, activity, or affiliation incompatible with concurrent employment by the Commission. Incompatible activities include but are not limited to

(i) Employment or association with any securities exchange, association of securities dealers, or other self-regulatory organization either registered under the Securities Exchange Act of 1934 or otherwise involved with the securities industry, any registered broker, dealer, registered municipal securities dealer, public utility holding company, investment company, investment adviser, securities information processor, transfer agent, clearing agency or other persons who are subject to regulation by the Commission, or where the facts relating to a particular employment would create an appearance of impropriety, because the employment is directly or indirectly related to the issuance, sale, purchase or investment of securities;

(ii) Legal, accounting, or engineering work for compensation involving matters in which the Federal government may be significantly interested;

(iii) Acceptance of a fee, compensation, gift, payment of expense,

[4] Detailed provisions regarding negotiations for future employment are set forth in § 200.735-7.

[5] In Section 171 of the Commission's Manual of Administrative Regulations the Commission's policy on making available nonpublic information to federal, state and foreign government authorities, national securities exchanges and national securities associations is outlined.

[6] Detailed prohibitions regarding disclosure or use of confidential or nonpublic information are set forth in Rule 122 (17 CFR 230.122) under the Securities Act of 1933; section 24(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78x) and Rule 0-4 (17 CFR 240.0-4); and Rule 24(b)(2) (17 CFR 240.24b-2), thereunder; section 22(c) of the Public Utility Holding Company Act of 1935 (15 U.S.C. 79y) and Rule 104 thereunder (17 CFR 250.104); section 45(a)(1) of the Investment Company Act, and section 210(b) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-10). *But see,* section 171 of the Administrative Manual which authorizes the staff to divulge certain nonpublic information without Commission approval (n. 5, *supra*).

[7] Section 200.735-6 of this subpart provides a procedure for relieving employees from assignments in certain cases, including those covered by paragraph (f) of this section.

[8] With respect to members, this paragraph supplements the statutory prohibition against outside employment contained in Section 4(a) of the Securities Exchange Act of 1934, quoted in footnote 2. Except as otherwise indicated, the remaining provisions of this section are not made applicable to members in view of the provisions of Section 4(a) of the Securities Exchange Act of 1934.

or any other thing of monetary value in circumstances in which acceptance may result in or create the appearance of conflicts of interest;

(iv) Outside employment or activity which impairs the employee's mental or physical capacity to perform his or her Commission duties and responsibilities in an acceptable manner;

(2) For the purposes of this paragraph (b), the private employment of an employee's spouse, or other member of his or her immediate household with any securities exchange, association of securities dealers, or other self-regulatory organization either registered under the Securities Exchange Act of 1934 or otherwise involved in the securities industry, any registered broker, dealer, registered municipal securities dealer, public utility holding company, investment company, investment adviser, securities information processor, transfer agent, clearing agency or other persons who are subject to regulation by the Commission, or where the particualar employment is directly related to the issuance, sale, purchase or investment of securities is deemed to be incompatible with the employee's concurrent employment by the Commission if the duties and activities incident to such employment relate directly to the official activities of the Commission employee, except as determined otherwise by the Commission in a specific case.

(i) "Member of his or her immediate household" is defined for the purposes of this paragraph as a resident of the employee's household who is related to the employee by blood or marriage.

(3) No employee shall accept or perform outside employment prohibited by law, regulations of the Office of Personnel Management or the rules in this subpart.

(4) No employee shall receive any salary or anything of monetary value from a private source as compensation for his or her services to the Government (18 U.S.C. 209), except as otherwise provided by law.

(5) The Commission encourages employees to engage in teaching, lecturing, and writing activities with or without compensation.[9] In participating in such activities, employees should be guided by the following:

(i) No teaching, lecturing, or writing should be engaged in if prohibited by law, Executive order, Office of Personnel Management regulations, or the rules in this subpart.

(ii) No teaching, lecturing, or writing should be engaged in (including for the purpose of the special preparation of a person or class of persons for an examination of the Office of Personnel Management or Board of Examiners for the Foreign Service) that depends on information filed with the Commission, or obtained by the Commission in an investigation or otherwise, or generated within the Commission which is nonpublic, unless the Commission gives formal approval for the use of such nonpublic information on the basis that the use thereof is in the public interest.[10]

(6)(i) A member or employee may accept reimbursement for travel or subsistence expenses and any expenses may be paid on his or her behalf only if reimbursement is authorized by paragraphs (b)(6) (iv) or (v) of this section. No member or employee may, under any circumstances, accept reimbursement for travel or subsistence expenses incurred in connection with attendance at a seminar, meeting, conference, etc., sponsored in whole or in part by any person from whom the acceptance of reimbursement is prohibited by paragraph (b)(6)(ii) of this section.

(ii) No member or employee shall accept reimbursement for travel or subsistence expenses from:

(A) Any person [11] directly required to file reports or registration statements with the Commission;

(B) Any person [11] directly or indirectly regulated by the Commission; or

(C) Unless authorized by the Chairman, any association or other group predominantly composed of persons regulated by the Commission.

(iii) For purposes of this section, the phrase "person regulated by the Commission" means all persons whose activities are directly regulated by, or who are required to register with, the Commission, including, but not limited to, such persons as brokers or dealers in securities, national securities exchanges, national securities associations, investment companies, investment advisers, public utility holding companies, and any self-regulatory organization, as that term is defined in Section 3 of the Securities Exchange Act of 1934, 15 U.S.C. 78(c).

(iv) Subject to the general prohibition set forth in paragraph (b)(6)(ii) of this section, members or employees may, pursuant to 5 U.S.C. 4111, while on official duty status, accept bona fide reimbursement for actual expenses for travel or necessary subsistence incident to attendance at meetings from a person determined by the Secretary of the Treasury to be a tax-exempt organization of the type described in 26 U.S.C. 501(c)(3), *Provided, however,* That no Government payment or reimbursement is made for the expense so reimbursed: *And provided further,* That the member or employee is not reimbursed, nor payment made on his or her behalf, for those personal living benefits which are unreasonable or lavish.

(v) Consistent with the general prohibition set forth in paragraph (b)(6)(ii) of this section and the Commission's regulations governing conflicts of interest, employees (but not members) of the Commission appropriately on either administrative leave or annual leave may accept bona fide reimbursement for actual expenses personally incurred for travel or necessary subsistence from persons in addition to organizations described in paragraph (b)(6)(iv) if this section: *Provided,* That the employee is not reimbursed, nor payment made on his or her behalf, for those personal living expenses, gifts, entertainment or other personal benefits which are unreasonable or lavish.

(vi)(A) In instances in which a Commission employee has an expertise in a particular area, and it is in the interest of the Commission for such employee to participate in a particular program, the employee's Division Director, Office Head or Regional Administrator may, with the concurrence of the Executive Director, approve administrative leave for such appearance for themselves or their subordinates.

(B) In those instances in which administrative leave is not granted pursuant to paragraph (b)(6)(iv)(A) of this section, annual leave may be taken.

(vii) Nothing in this section or otherwise shall be considered as permitting the acceptance from any person of reimbursement to a member or employee of the Commission, directly or indirectly, for the travel or subsistence expenses of the member's or employee's spouse or traveling companion. Under appropriate circumstances, such as programs where participants are expected to engage in social activities, exceptions to this section may be

[9] As to employees, while the receipt of honoraria is discouraged (*See* 17 CFR 200.735-4(b)(7)), that rule is not applicable to the receipt of compensation for teaching.

[10] Since members of the Commission are covered by section 401(a) of Executive Order 11222, they are prohibited by Civil Service Regulations (5 CFR 735.203(c)) from receiving compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of their agencies, or which draws substantially on official data or ideas which have not become part of the body of public information.

[11] As defined in paragraph (b)(2)(ii) of § 200.735-3.

obtained upon application to the General Counsel.

(7) The provisions of this paragraph (b) and § 200.735–3(b)(2) do not preclude a member or employee from:

(i) Participation in the activities of national or State political parties not proscribed by law;

(ii) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by, a charitable, religious, professional, social, fraternal, nonprofit educational, recreational, public service, or civic organization.

(8)(i) As a matter of general policy, the Commission discourages the acceptance of honoraria or similar fees and payments which are given for publications, speeches or lectures based on the official duties of the employee. In accord with this policy, no member or employee may accept such an honorarium unless written approval is obtained in advance from the Commission's General Counsel, subject to the general review of the Commission. Requests for such approval should be submitted to the General Counsel in writing and should include a statement in support of the request.

(ii) Honoraria which are most likely to be deemed acceptable are those which appear to be remuneration for teaching. An employee may not, under any circumstances, accept an honorarium from any person from whom reimbursement for travel expenses is prohibited by paragraph (b)(6)(ii) of this section. In any event an employee may not accept an excessive honorarium as described in 2 U.S.C. 441(i). This section does not preclude the acceptance of a modest gift for participation as a speaker, as provided in Rule 3.

(c) No employee shall appear in court or on a brief in a representative capacity (with or without compensation) or otherwise accept or perform legal, accounting, engineering, or similar professional work, unless specifically authorized to do so by the Commission. Acceptance of a forwarding fee shall be deemed to be within the foregoing prohibition. As a matter of general policy, outside or private professional work or practice by the staff is discouraged and only in unusual cases or circumstances will it be authorized. However, the Commission encourages its employees, in off-duty hours and consistent with official responsibilities, to participate, without compensation, in programs to provide legal or other appropriate assistance and representation to indigents.[12] Such participation may include limited appearances in court and on briefs when required in connection with such programs. However, such participation may not involve any activities which are prohibited by law, Executive Orders, Office of Personnel Management regulations, or this Subpart M.[13] For example, 18 U.S.C. 205 prohibits a Federal employee from appearing in court in a matter in which the United States has an interest (other than on behalf of the United States), without regard to compensation.

(1) The provisions of this paragraph (c) and § 200.735–3(b)(2) do not preclude an employee from:

(i) Acting without compensation as agent or attorney (A) for a Commission employee who is sued or is under investigation in connection with his or her official duties; (B) for any Commission employee who is the subject of disciplinary, loyalty or other personnel administrative proceedings in connection with those proceedings; or (C) for any Commission employee who raises claims or against whom allegations of wrongdoing are made pursuant to the Commission's equal Opportunity regulations, if such representation is not inconsistent with the faithful performance of the employee's duties.[14]

(d) No member or employee shall hold office in or be a director of any company which has public security holders, except not for profit corporations, savings and loan associations, and similar institutions, whose securities are exempted under Section 3(a)(4) or 3(a)(5) of the Securities Act of 1933 (15 U.S.C. 77c(a)(4), 77c(a)(5)).

(e)(1) As paragraph (b)(5) of this section indicates, the Commission encourages employees to engage in teaching, lecturing and writing activities.[15] It is understood, however, that Commission employees in their teaching, writing and lecturing shall not

(i) Use confidential or nonpublic information;

(ii) Make comments on pending litigation in which the Commission is participating as a party or *amicus curiae;* or

(iii) Make comments on rulemaking proceedings pending before the Commission which would adversely affect the operations of the Commission.

(2) To assist employees in conforming to these requirements the following procedure for reviewing writings prior to publication, or prepared speeches prior to delivery, has been established:

(i) Employees must submit proposed publications or prepared speeches relating to the Commission, or the statutes or rules it administers, to the General Counsel for review. Employees will be notified as promptly as possible, with due regard to publication deadlines, but in any event within 30 days of receipt of the written document, whether such document conforms to the requirements of this Rule.

(ii) A determination by the General Counsel that a proposed publication conforms to the requirements of the rule will not involve adoption of, or concurrence in, the views expressed. Therefore, such publication or speech shall include at an appropriate place or by way of footnote, or otherwise, the following disclaimer of responsibility:

> The Securities and Exchange Commission, as a matter of policy, disclaims responsibility for any private publication or statement by any of its employees. The views expressed herein are those of the author and do not necessarily reflect the views of the Commission or of the author's colleagues upon the staff of the Commission.

In appropriate cases, the above disclaimer may be modified by the General Counsel or the Commission to reflect the circumstances of an individual case. In addition, any publication or speech which reflects positions taken by the Commission shall set forth those positions accurately and, if it contains differences with Commission positions, it shall clearly state that such positions are those of the employee.

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[12] As a matter of policy, the Commission encourages members of its staff to participate in matters involving improvement to their communities and service to indigent persons, provided that the necessary approval is obtained in advance. However, in no case will approval be given to participate in matters involving securities.

[13] Attention is called to Title 18, United States Code, sections 201 through 209 which provide, among other things, that Federal employees are prohibited from acting as agent or attorney in prosecuting any claim against the United States or from aiding and assisting in any way, except as otherwise permitted in the discharge of official duties, in the prosecution or support of any such claim, or from receiving any gratuity, or any share of an interest in any claim from any claimant against the United States; and from directly or indirectly receiving or agreeing to receive any compensation whatever for services rendered or to be rendered to any persons in relation to any matter in which the United States is a party or directly or indirectly interested. 18 U.S.C. 205 contains an exception from the foregoing restrictions for acting as agent or attorney, without compensation, for government employees who are the subject of disciplinary, loyalty or other personnel-type proceedings, in connection with these proceedings.

[14] This is adapted from the provision in 18 U.S.C. 205 and expresses the Commission's general policy which favors the representation of fellow employees without compensation. However, it may be necessary to look to other regulations for specific provisions regarding such representation.

[15] This paragraph (e), requiring review of prepared speeches or writings relating to the Commission, does not apply to teaching activities.

(f) An employee who intends to accept or perform any outside or private employment or professional work shall obtain necessary authorization in advance of such acceptance or performance. A request for such authorization shall be submitted to the Division Director, Office Head or Regional Administrator concerned, together with all pertinent facts regarding the proposed employment, such as the name of the employer, the nature of the work to be performed, its estimated duration, and the fee or compensation to be received. Division Directors, Office Heads and Regional Administrators have been delegated the authority to approve routine requests for outside employment. The approving official shall forward to the Director of Personnel a copy of each request showing the date of approval. Requests of a non-routine nature should be forwarded to the Director of Personnel.

(g) The Director of Personnel, or his designee, is authorized to approve or disapprove requests for outside or private employment under this rule, except as to those cases which, in his judgment, should be considered and decided by the Commission. An employee may appeal a disapproved request to the Commission. The written appeal, submitted through the Director of Personnel, shall give reasons why the proposed outside or private employment is consistent with this rule. The Director of Personnel may not approve proposed outside or private employment which is absolutely prohibited by these Rules. The Commission may, in a particular case, approve such employment.[16]

§ 200.735-5 Securities transactions.

(a)(1) This section applies to all transactions effected by or on behalf of a member or employee, including transactions for the accounts of other persons effected by the member or employee, directly or indirectly, under a power of attorney or otherwise. A member or employee is considered to have sufficient interest in the securities transactions of his or her spouse or unemancipated minor child or other member of his or her immediate household so that such transactions must be reported and are subject to all the terms of this section. For purposes of this section, "member of his or her immediate household" means a resident of the member's or employee's household who is related to the employee by blood or marriage or who is in the legal care and/or custody of the employee by reason of adoption, prospective adoption or guardianship.

(2) No securities which a member or employee could not purchase because of a restriction under this Rule shall be recommended or suggested by the employee for purchase by any person over whom the employee has control or substantial influence with respect to investments, by reason of (i) monetary payments made by the employee to or on behalf of the person; or (ii) the age or mental condition of the person.

(b) (1) No member or employee shall effect or cause to be effected any transaction in a security except for bona fide investment purposes. Unless otherwise determined by the Commission for cause shown, any purchase except of money market fund shares [17] which is held for less than 11 months will be presumed not to be for investment purposes. This 11 month holding period is not applicable to securities purchased by a member or employee prior to entrance on duty with the Commission, and such securities may, therefore, be disposed of at any time. Nor is it applicable to debt securities with an initial term of less than one year which are held to term, or shares of a unit investment trust having a term of less than one year.

(2) Any member or employee who believes the requirement of paragraph (a) of this section as to spouse, child or "member of his or her household" or the application of this paragraph (b) will result in undue hardship in a particular case may make written application to the Commission (through the Director of Personnel) setting out, in detail, the reasons for that belief and requesting a waiver.

(c) No member or employee shall effect any purchase or sale of an option or future contract for any commodity or involving a security. The prohibition on the purchase or sale of options or future contracts for commodities shall not apply to spouses or other members of a member's or employee's household.

(d) No member or employee shall carry securities on margin. Also no member or employee shall borrow funds or securities, with or without collateral, for the purpose of purchasing or carrying securities with the proceeds unless prior approval of the Commission has been secured.

(e) No member or employee shall sell a security which he or she does not own, or the sale of which is consummated by the delivery of a security borrowed by or for such member's or employee's account.

(f) No member or employee shall purchase any security which is the subject of a registration statement filed under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*), or of a letter of notification filed under Regulation A (§§ 230.251–230.263 of this chapter), or any other security of the same issuer, while such a registration statement or letter of notification is pending or during the first sixty days after its effective date. This prohibition applies even though the registration statement or Regulation A filing covers a so-called limited offering such as to officers and employees of the company under a bonus plan. However, with respect to securities issued by an investment company, other than a closed-end investment company, this provision shall not apply except during the pendency of an initial offering of shares to the public or during the first sixty days after the effective date of such initial offering.

(g) No member or employee shall purchase any security which to his or her knowledge is involved in any pending investigation by the Commission, or in any proceeding before the Commission, or to which the Commission is a party.

(h) No member or employee shall purchase any securities of any company which is in a receivership proceeding in which the Commission is participating, or which arose out of a Commission action which is the subject of a proceeding under the Bankruptcy Act, in which the Commission is a party.

(i) The restrictions imposed in paragraphs (f), (g), (h), and (j) of this section do not apply:

(1) To the exercise of a privilege to convert or exchange securities;

(2) To the exercise of rights accruing unconditionally by virtue of ownership of other securities (as distiguished from a contingent right to acquire securities not subscribed for by others);

(3) To the acquisition and exercise of rights in order to round out fractional shares; or

(4) To the acceptance of stock dividends on securities already owned; to the reinvestment of cash dividends on a security already owned under a reinvestment program; or the participation in a monthly investment plan for the purchase of a security when the original purchase was consistent with the provisions of this Rule.

(j) No member or employee shall purchase securities of (1) any holding company registered under Section 5 of the Public Utility Holding Company Act of 1935 (15 U.S.C. 79e), or any subsidiary

[16] The Commission does not favor the granting of waivers from the provision of this subsection.

[17] For purposes of this rule a "money market fund" is defined as an open-end investment company whose investment policy calls for investment of at least 80% of its assets in debt securities maturing in thirteen months or less.

thereof, or (2) any company if its status under such Act or the applicability of any provision of the Act to it is known by the employee to be under consideration.

(k) No member or employee holding a Senior Executive Service position in the Division of Investment Management shall purchase any securities issued by any investment company *prima facie* subject to the jurisdiction of the Commission under the provisions of the Investment Company Act of 1940 (15 U.S.C. 80a *et seq.*). Capital or income dividends received by persons subject to this Rule from securities acquired prior to entrance on duty may not be reinvested but must be accepted in cash if this option is available.

(l) No member or employee shall have a beneficial interest in any broker, dealer or investment adviser through ownership of securities or otherwise. Beneficial interest for the purpose of this paragraph (l) does not include ownership of a life insurance policy in a mutual insurance company; nor does beneficial interest exist by virtue of ownership of a life insurance contract, variable annuity contract or guaranteed investment contract issued by a life insurance company which is affiliated with a broker, dealer or investment adviser.

(m)(1) Except with respect to changes in money market fund holdings, members and employees shall report every purchase or sale of any security within 5 business days of the transaction date. (Reports submitted by employees in field offices must be placed in the mails within 5 business days of the date of each transaction.) Other changes in holdings resulting from inheritance or from reclassifications, gifts, stock dividends, dividend reinvestments or splitups, for example, shall be reported within 5 days of the receipt of the notice of a change in holdings. In addition, every employee owning securities shall furnish the Director of Personnel with a complete list of all securities held by him or her by May 15 of each year. Any required report shall be prepared on the official form provided for this purpose, copies of which may be procured from the Office of Personnel or the Publications Unit. These reports shall be transmitted to the Director of Personnel. The envelope should be marked "Confidential—Securities Transactions."

(2) Employees shall report changes of $2,500 or more in money market funds within 5 days of such change. Reports of total money market fund holdings shall be reported on the form and according to the schedule provided by the Office of Personnel.

(n) At the time of taking the oath of office, or prior thereto for prospective employees if requested by the Director of Personnel, a new member or employee shall fill in the information required, on the form provided by the Office of Personnel, (1) relating to securities owned by him or her, or his or her spouse or unemancipated minor child, or a member of his or her immediate household or by any trust or estate of which he or she is a trustee or other fiduciary or beneficiary or by any person for whom he or she effects transactions under a power of attorney or otherwise; (2) relating to accounts with securities firms; (3) relating to close relatives (*i.e.* parents, grandparents, siblings, aunts, uncles, parents or grandparents, or like relations of a spouse), who are partners or officers of securities firms, investment advisers, or registered public utility holding companies or their affiliates; (4) relating to the holding of office in or being a director of any company which has public security holders; and (5) such other information as may be required by the form.

(o) Paragraphs (b), (m) and (n) of this section do not apply to personal notes, individual real estate mortgages, securities issued by the U.S. Government or its agencies, and securities issued by building and loan associations or cooperatives.

(p) Any member or employee who is a trustee or other fiduciary or a beneficiary of a trust or estate holding securities not exempted by paragraph (o) of this section shall report the existence and nature of such trust or estate to the Director of Personnel. The transactions of such trust or estate which is not a "qualified blind trust" shall be subject to all the provisions of this section except in situations where the member or employee did not create the trust, is solely a beneficiary, and has no power to control, and does not in fact control or advise with respect to the investments of the trust or estate, and except to the extent that the Commission shall otherwise direct in view of the circumstances of the particular case.

(q) In those instances where members or employees have blind trusts, such trusts must conform to the requirements for qualified blind trusts established by Pub. L. 95-521 (Ethics in Government Act of 1978). The holdings and transactions of such trusts, to the extent that they hold securities not exempted by paragraph (o) of this section, shall only be subject to provisions (h), (j), (k) and (l) of this section.

(r) The Director of Personnel, or his designee, is authorized to require the disposition of securities acquired as a result of the unintentional violation of the provisions of this section. Repeated violations shall be reported to the Commission for appropriate action.

§ 200.735-6 Action in case of personal interest.

Any employee assigned to work on any application, filing or matter of a company (a) in which he or she or his or her spouse or his or her minor unemancipated child then owns any securities or has a personal interest, including a continuing financial interest in a pension or retirement plan, shared income, or other arrangement, as a result of any current or prior employment or business or professional association; or (b) with which he or she has been employed or associated in the past 5 years; or (c) which was a client of a firm with which he or she had been associated, shall immediately advise his or her Division Director or other Office Head or Regional Administrator of the fact. Division Directors, Office Heads and Regional Administrators are authorized to direct the reporting employee to continue with the assignment in question where this appears in the interest of the Government, taking into account (1) the prohibitions stated in § 200.735-3 (e) and (f); (2) the general desirability of avoiding situations that require a question of conflict of interest to be resolved; (3) the extent to which the employee's activities will be supervised; and (4) the difficulty of assigning the matter to some other employee. Where the employee in question is not relieved of the assignment, his or her written report concerning the nature of his or her interest shall be forwarded to the Director of Personnel with a notation that he or she has been directed to continue the assignment, together with such explanation, if any, as may seem appropriate. In the event that a Division Director, Office Head or Regional Administrator deems that he or she has, himself or herself, such a personal interest in an application, filing or matter of a company as may raise a question as to his or her disinterestedness, he or she may delegate his or her responsibility with regard thereto to a subordinate, but in that event shall submit a brief memorandum of the circumstances to the Director of Personnel.[18]

[18] 18 U.S.C. 208, provides among other things, that a member or employee is prohibited from participating personally and substantially in any matter in which to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as an officer, director, trustee, partner or

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§ 200.735-7 Negotiation for employment.

(a) An employee may not negotiate employment with anyone outside the Commission with whom he or she is personally transacting business in any matter on behalf of the Commission or the United States, or while he or she is immediately or personally engaged in representing the Commission in any matter in which the prospective employer is a participant or witness or counsel for such a person, whether or not such a person takes a substantive position in an adversary proceeding in opposition to the Commission's position.

(b) An employee who wishes to negotiate employment with another Government agency at a time when he or she is representing the Commission in a particular matter in which the other Government agency is taking a position adverse to the Commission should disclose this intention to his or her Division Director, Office Head or Regional Administrator prior to taking any action.

(c) No employee shall undertake to act personally on behalf of the Commission in any capacity in a matter [19] that, to his or her knowledge, affects even indirectly any person or organization outside the Commission with whom he or she is discussing or entertaining any proposal for future employment, except pursuant to the direction of the Commission, his or her Division Director, Office Head, or Regional Administrator, as provided in §200.735-6. *See* footnote 18.

§ 200.735-8 Practice by former members and employees of the Commission.

(a)(1) No person shall appear in a representative capacity before the Commission in a particular matter if such person, or one participating with him or her in the particular matter, participated personally and substantially in that matter while he or she was a member or employee of the Commission.[20] As used in this Rule, a "matter" means a discrete and isolatable transaction or set of transactions between identifiable parties.[21]

(2) No person who has been a member or employee shall, within 2 years after his or her employment has ceased, assist, by personal presence, a person appearing in a representative capacity before the Commission in any matter in which he or she participated personally and substantially while a member or employee of the Commission at any time within a period of 1 year prior to the termination of such responsibility.

(3) No person who has been a member or an employee shall, within 2 years after his or her employment has ceased, appear in a representative capacity before the Commission in any matter which was under his or her official responsibility as a member or employee of the Commission at any time within a period of 1 year prior to the termination of such responsibility. The term "official responsibility" as defined in 18 U.S.C. 202 means the "direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action."

(4) No employee in a position which is designated by the Director of the Office of Government Ethics shall, within one year after his or her employment has ceased, appear in a representative capacity before the Commission or communicate with the Commission or its employees with the intent to influence.[22] This restriction does not apply to members who ceased employment before July 1, 1979, or to employees who ceased employment prior to February 28, 1980.

(b) Any former member or employee of the Commission who, within 2 years after ceasing to be such, is employed or retained as the representative of any person outside the Government in any matter in which it is contemplated that he or she will appear before the Commission shall, within ten days of such retainer or employment, or of the time when appearance before the Commission is first contemplated, file with the Secretary of the Commission a statement as to the nature thereof together with any desired explanation as to why it is deemed consistent with this section. Employment of a recurrent character may be covered by a single comprehensive statement. Each such statement should include an appropriate caption indicating that it is filed pursuant to this section. The reporting requirements of this paragraph do not apply to communications incidental to court appearances in litigation involving the Commission.

(c) As used in this section, the term "appear before the commission" means physical presence before the Commission or its employees in either a formal or informal setting or the conveyance of material in connection with a formal appearance or application to the Commission. As used in this section the term "communication with intent to influence" does not encompass communications which are not for the purpose of influencing the Commission or any of its employees or which, at the time of the filings, are reasonably believed not to involve any potential controversy. As used in this section, the term "representative" or "representative capacity" shall include not only the usual type of representation by an attorney, etc., but also representation of a corporation in the capacity of an officer, director or controlling stockholder thereof.

(d)(1) Partners or associates of any person disqualified from appearing or practicing before the Commission in a particular matter by paragraph (a)(1) of this section are also disqualified. Such partners or associates (the "firm") may request a waiver of this prohibition from the Commission by writing a letter to the General Counsel of the commission setting forth the facts of the proposed representation and the individual's disqualification. In appropriate situations, a firm may request a generic waiver with respect to a number of different matters. Upon the advice of the Office of the General Counsel, the Commission, or the General Counsel exercising delegated authority, will

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employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. This section (of the Criminal Code) does not apply if the employee has received a written determination made by an authorized official that the interest is not so substantial as to be deemed likely to affect the integrity of the employee's service. Note: Members of the Commission may follow the procedural provision contained in Part V, Section 503 of the Executive Order 11222.

[19] Employees should bear in mind that in this connection the word "matter" is construed very broadly. See 200.735-8 and footnote 20, thereto, *infra*.

[20] As used in this paragraph, a single investigation or formal proceeding, or both if they are related, shall be presumed to constitute a particular matter for at least 2 years irrespective of changes in the issues. However, in cases of proceedings in which the issues change from time to time, such as proceedings involving compliance with section 11 of the Public Utility Holding Company Act (15 U.S.C. 79k), this paragraph shall not be construed as prohibiting appearance in such a proceeding, more than two years after ceasing to be a member or employee of the Commission, unless it appears to the Commission that there is such an identity of particular issues or pertinent facts as to make it likely that confidential information, derived while a member or employee of the Commission, would have continuing relevance to the proceeding, so as to make participation therein by the former member or employee of the Commission unethical or prejudicial to the interests of the Commission.

[21] This definition is taken from Formal Opinion 342 of the ABA Ethics Committee. The opinion states that "work as a government employee in drafting, enforcing or interpreting government or agency procedures, regulations or laws, or in briefing abstract principles of law, does not disqualify the lawyer under DR9-101B (which states 'a lawyer shall not accept private employment in a matter in which he had substantial responsibility while he was a public employee') from subsequent private employment involving the same regulation procedures, or points of law * * *."

[22] This prohibition appears in the Ethics in Government Act of 1978. Pub. L. 95-521.

advise the requestor of the Commission's response.

(2) Waivers ordinarily will be granted where the firm makes a satisfactory representation that it has adopted screening measures which will effectively isolate the individual lawyer disqualified under paragraph (a)(1) of this section from participating in the particular matter or matters and from sharing in any fees attributable to it. It will be considered significant for purposes of this determination that:

(i) The firm had a pre-existing securities law practice prior to the arrival of the disqualified attorney;

(ii) The matter was previously the subject of consideration by the firm or the client was already advised by the firm;

(iii) In cases where the matter or client became the subject of consideration by the firm subsequent to the firm's employment of the lawyer individually disqualified, that the matter was not brought to the firm because of the disqualified attorney.

(3) Notwithstanding the existence or non-existence of any of these factors, no waiver will be issued if the proposed representation would create a significant appearance of impropriety or would otherwise adversely affect the interests of the government.[23] All proceedings with respect to waivers shall be a matter of public record except to the extent that such public disclosure might violate attorney-client privilege or breach the attorney's obligation to preserve the confidences and secrets of this or her clients, reveal the existence of ongoing private investigations, interfere with law enforcement proceedings, or otherwise be inconsistent with the public interest.

(e) Persons in doubt as to the applicability of any portion of this section may apply for an advisory ruling of the Commission.[24]

§ 200.735-9 Indebtedness.

(a) The Securities and Exchange Commission considers the indebtedness of its members and employees to be essentially a matter of their own concern and will not be placed in the position of acting as a collection agency or of determining the validity or amount of contested debts. Nevertheless, failure on the part of an employee without good reason and in a proper and timely manner to honor debts acknowledged by him or her to be valid, or reduced to judgment by a court, or to make or to adhere to satisfactory arrangements for the settlement thereof, may be a cause for disciplinary action. In this connection each member and employee is expected to meet his or her responsibilities for payment of Federal, State and local taxes. For purposes of this section, "in a proper and timely manner" means in a manner which the agency determines does not, under the circumstances, reflect adversely on the Government as his or her employer.

(b) Compensation due members and employees is subject to garnishment for child support and alimony obligations. (42 U.S.C. 659).

§ 200.735-10 Miscellaneous statutory provisions.

Each member and employee is responsible for acquainting himself or herself with each statute that relates to his or her ethical and other conduct as a member or employee of the Commission and of the Government, including the statutory provisions listed below. Violations of any of these statutes are deemed to be violations of the rules in this Subpart M as well.

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(b) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibition against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(e) The prohibition against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) disclosure of confidential information (18 U.S.C. 1905).

(f) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(g) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(h) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(j) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(k) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(l) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(m) The prohibition against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(n) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(o) The prohibition against political activities in subchapter III of Chapter 73 of Title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

(p) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 200.735-11 Statement of employment and financial interests.

(a) Members and employees in the Senior Executive Service or Grades GS-16 through GS-18 are required to file a financial disclosure report as provided by Title II of the Ethics in Government Act of 1978, Pub. L. 95-521. Members and such employees need not also file the statement of employment and financial interests required by the following provisions.

(b) Prior to the time of entry on duty, or upon designation to a position set forth in paragraph (c) of this section, such employee shall submit to the Director of Personnel a statement, on the official form made available for this purpose through the Office of Personnel, setting forth the following information:[25]

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions with or in which the employee, his or her spouse, unemancipated minor child or other member of his or her immediate household has—

(i) Any connection as an employee, officer, owner, director, member, trustee, partner, adviser or consultant; or

(ii) Any continuing financial interest, through a pension or retirement plan,

[23] For example, no waiver will be granted if, during the course of representing a client who has an interest with respect to a matter before the Commission, a firm employs, or accepts as a partner, a member of the staff or of the Commission who at any time during the course of that representation had direct and substantial responsibility for the same matter, and whose departure would result in a significant adverse impact upon that matter at the Commission.

[24] Attention of former members and employees is directed to Formal Opinion 342 of the Committee on Ethics of the American Bar Association, 62 A.B.A.J. 517 (1975) and to 18 U.S.C. 207.

[25] In addition to the information required by this Rule, all employees are required by Rule 3(n) to file annually with the Director of Personnel a listing of their securities holdings.

shared income, or other arrangement as a result of any current or prior employment or business or professional association.

(iii) Any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

(2) A list of the names of the employee's creditors and the creditors of his or her spouse, unemancipated minor child or other member of his or her immediate household, other than those creditors to whom any such person may be indebted by reason of a mortgage on property which he or she occupies as a personal residence, or to whom such person may be indebted for current and ordinary household and living expenses such as those incurred for household furnishings, vacations, an automobile, education, or the like.

(3) A list of the employee's interests and those of his or her spouse, unemancipated minor child, or other member of his or her immediate household in real property or rights in lands, other than property which he or she occupies as a personal residence.

(4) For the purpose of this section, "member of his or her immediate household" means a resident of the employee's household who is related to the employee by blood or marriage.

(5) In the instance where a spouse is not a "member of the employee's immediate household," and the employee certifies he or she neither derives nor expects to derive any economic benefit from the holdings of the spouse, the Director of Personnel may waive the requirement of reporting the interests of such spouse.

(c) Except as to employees noted in paragraph (a) of this section, statements of employment and financial interests are required of the following:

(1) All employees in grade GS–15.

(2) Incumbents of the following positions, regardless of grade:

(i) Executive Staff. (A) Legal Assistants to the Chairman and to each Commissioner; (B) Special Counsels to the Chairman.

(ii) Employees serving under SEC Fellowship Programs.

(iii) All employees engaged in any aspect of Government contracting or procurement activities.

(iv) Division, Office, Directorate

(A) Directors

(B) Deputies

(C) Associates

(D) Assistants

(E) Chief Counsels

(v) Regional Offices

(A) Administrators

(B) Associate Administrators

(C) Assistant Administrators

(D) Attorneys-in-Charge of Branch Offices

(E) Chief Enforcement Attorneys

(d) Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of May 15 of each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this paragraph, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflict-of-interest provisions of Section 208 of Title 18, United States Code, or of this Conduct Regulation.

(e) If any information required to be included on a statement of employment and financial interest or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his or her behalf.

(f) Paragraph (c) of this section does not require an employee to submit any information relating to his or her connection with, or interest in, a non-profit educational, charitable, religious, professional, social, fraternal, recreational, public service, civic, or political organization, or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

(g) Statements of employment and financial interests filed pursuant to paragraph (c) of this section shall be sent to the Director of Personnel in a sealed envelope marked "Confidential Employment and Financial Interests." They shall be maintained in a confidential file. Only those officials of the Commission whose participation is necessary for the carrying out of the purpose of this Conduct Regulation may have access to such statements and no information may be disclosed from them except as the Commission or the Office of Personnel Management may determine for good cause shown.

(h) In accordance with the requirements of the Ethics in Government Act of 1978, Pub. L. 95–521, the Director of Personnel or the Assistant Director of Personnel shall review the financial disclosure reports filed pursuant to that Act.

(i) The Director of Personnel or the Assistant Director of Personnel shall examine the statements of employment and financial interests filed pursuant to paragraph (c) of this section to determine whether conflicts of interest or apparent conflicts of interest on the part of employees exist. An employee shall be afforded the opportunity to explain any conflict or appearance of conflict. When the Director or Assistant Director of Personnel, in consultation with appropriate superiors of the employee involved, is unable to resolve a conflict or appearance of conflict, he or she shall report the matter to the Commission through the Counselor for the Commission designated under § 200.735–15(a).

(j) The Counselor for the Commission shall examine statements filed by the Director of Personnel and the Assistant Director of Personnel.

(k) Except as otherwise provided in paragraph (a) of this section the statement of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order or regulation. The submission of a statement by an employee does not permit him or her or any other person to participate in a matter in which his or her or the other person's participation is prohibited by law, order or regulation.

(l) An employee has the right to ask for a review through the Commission's grievance procedure outlined in section 771, Part II, Manual of Administrative Regulations, of a complaint that his or her position has been improperly included under the provisions of this section as one requiring the submission of a statement of employment and financial interests.

§ 200.735–12 Special Government employees.

(a) Special Government employee means a person defined in section 18 U.S.C. 202 as a "special Government employee." All of the provisions of this Conduct Regulation are applicable to special Government employees, except that in specific appropriate cases the Commission may exempt such employees from, or modify the applicability of, any portion of any provision of the Conduct Regulation.

(b) In no event will the Commission waive a provision of the Conduct Regulation which would permit a special Government employee to:

(1) Use his or her Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain

for himself or another person, particularly one with whom he or she has family, business, or financial ties.

(2) Use inside information obtained as a result of his or her Government employment for private gain for himself or herself or another person either by direct action on his or her part or by counsel, recommendation, or suggestion to another person, particularly one with whom he or she has family, business, or financial ties. For purposes of this paragraph, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(3) Use his or her Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or herself or another person, particularly one with whom he or she has family, business, or financial ties.

(4) Receive or solicit from a person having business with the Commission anything of value as a gift, gratuity, loan, entertainment, or favor for himself or herself or another person, particularly one with whom he or she has family, business or financial ties.

(c) Prior to entrance on duty, each special Government employee shall submit to the Director of Personnel a statement of employment and financial interests which contains such information as the Director of Personnel determines is relevant in the light of the duties the special Government employee is to perform and, if appropriate, the financial disclosure report as provided by Title II of the Ethics in Government Act of 1978, Pub. L. 95–521. It shall be kept current throughout the period of employment by the filing of supplementary statements in accordance with the requirements of § 200.735–11(d). Statements shall be on the official form made available for this purpose through the Office of Personnel.

(d) The Commission may waive the requirement of paragraph (c) of this section in the case of a special Government employee who is not a "consultant" or an "expert," as those terms are defined in Chapter 304 of the Federal Personnel Manual (5 CFR 735.304), if the duties of the position are determined to be at a level of responsibility which does not require the submission of such statement to protect the integrity of the Commission.

§ 200.735–13 Disciplinary and other remedial action.

(a) Knowing participation in a violation of this subpart by persons not within the scope of the foregoing rules in this subpart shall likewise be deemed improper conduct and in contravention of Commission rules. Departure from any of the rules in this subpart by employees or special Government employees without specific approval may be cause for appropriate remedial and/or disciplinary action or, in the case of former members, employees, and special Government employees, for disqualification from appearing and practicing before the Commission, which may be in addition to any penalty prescribed by law.

(b) When there has been a departure from any of the rules of this subpart without specific approval or when a conflict of interest or an apparent conflict of interest on the part of an employee or special Government employee arises, the Director of Personnel may order immediate action to end such conflict or appearance of conflict of interest. Remedial action may include, but is not limited to (1) changes in assigned duties; (2) divestment by the employee or special Government employee of his conflicting interest; (3) disciplinary action; or (4) disqualification for a particular assignment. Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive Orders, and regulations. The Director of Personnel may refer any recommended action to the Commission. The employee may obtain review by the Commission of any action ordered to be taken by the Director of Personnel. During the period of review, unless otherwise directed by the Commission, the action ordered by the Director of Personnel is stayed.

(c) Former members or employees who violate the post-employment restriction provisions of 18 U.S.C. 207(a), (b) or (c), which parallel the provisions of Rule 8(a), *supra*, will be subject to an administrative enforcement proceeding as set forth in Rule 2(e) of the Commission's Rules of Practice, 17 CFR 201.2(e), except that, when proceedings are brought to determine if violations of post-employment restrictions have occurred, denial of the privilege of appearing and practicing before the Commission will be based on a finding of violation of the provisions of Rule 8(a) and 18 U.S.C. 207 (a), (b) and (c). Procedures applicable to such administrative proceedings are to be found in the Commission's Rules of Practice, 17 CFR 201.1 *et seq.*

§ 200.735–14 Employees on leave of absence.

The provisions of the rules in this subpart relative to employees of the Commission are applicable to employees on a leave with pay or a leave without pay status other than extended military service.

§ 200.735–15 Interpretive and advisory service.

(a) The General Counsel shall be designated "Counselor for the Commission" and shall serve as the Commission's delegate to the Office of Personnel Management on matters covered by the rules in this subpart. The General Counsel shall be responsible for coordinating the Commission's counseling services provided under this section and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by the rules in this subpart are available to all members and employees.

(b) There shall be designated as Deputy Counselors the Director of Personnel, the Administrator of each regional office, and the person in charge of each branch office. The General Counsel or his or her designee shall provide guidance to the Deputy Counselors for the purpose of achieving uniform interpretations of this subpart.

(c) A member, employee, or former member or employee may obtain advice or guidance on the application of the rules in this subpart from any Deputy Counselor or the General Counsel. In addition, any former member or employee seeking advice or an interpretation relating to the Ethics in Government Act shall submit his or her request to the General Counsel.

(d) The General Counsel and Deputy Counselors will treat information they receive pursuant to requests for advice or guidance under this Rule on a confidential basis, except that information they receive indicating a possible past violation of any provision of this Conduct Regulation or of the law will be brought to the attention of appropriate persons.

(e) The Director of Personnel shall furnish a copy of this Conduct Regulation (Subpart M) to each member, employee and special Government employee immediately upon his or her entrance on duty and shall thereafter, annually, and at such other times as circumstances warrant, bring to the attention of each member, employee and special Government employee this

Conduct Regulation (Subpart M) and all revisions thereof.

(f) The Director of Personnel shall notify each member, employee and special Government employee at the time of entrance on duty, and from time to time thereafter, of the availability of counseling services and of how and where these services are available.

§ 200.735–16 Delegation.

Any official responsibility assigned to a person in a particular position pursuant to this subpart may be delegated by such person to any other person.

§ 200.735–17 Administration of the conduct regulation.

Under the general direction of the Executive Director, the Director of Personnel is responsible for the day-to-day administration of this conduct regulation except where otherwise provided.

§ 200.735–18 Requests for waivers.

Unless a different procedure is specifically prescribed in a rule of this part, an employee may submit a request for a waiver, modification or postponement of a requirement included in this part to the Chairman. Such waiver, modification or postponement may be granted if it is determined by the Chairman that such waiver, modification of postponement would not adversely affect the interest of the Commission or the United States. Any such waiver, modification or postponement granted by the Chairman shall be made available to the public. The Chairman may submit any request made pursuant to this rule to the Commission for its consideration. Any Commission action on such request shall be made public only in the discretion of the Commission. Requirements included in this part which implement any provision of Federal law, regulation or Executive Order generally applicable to the Executive Branch shall not be waived under this provision.

* * * * *

The Commission finds that the foregoing action relates solely to rules of agency procedure or practice and, accordingly, that notice and prior publication for comments under the Administrative Procedure Act, 5 U.S.C. 551 *et seq.*, are unnecessary. See 5 U.S.C. 553(b).

By the Commission.

George A. Fitzsimmons,

Secretary.

May 22, 1980.

[FR Doc. 16315 Filed 5–28–80; 8:45 am]

BILLING CODE 8010–01–M

17 CFR Part 240

[Rel. No. 34–16831; File No. S7–828]

Applications for Extension, Suspension, or Termination of Unlisted Trading Privileges

AGENCY: Securities and Exchange Commission.

ACTION: Final rules.

SUMMARY: The Commission is adopting proposed amendments to Rules 12f–1 and 12f–3 [17 CFR 240.12f–1, 12f–3] under the Securities Exchange Act of 1934 ("Act") to require persons filing applications for an extension, suspension, or termination of unlisted trading privileges to certify that notice of such applications has been given to certain persons specified by Section 12(f)(5) of the Act. This will more fully satisfy the purposes of the notice provisions of Section 12(f)(5) by giving interested persons a better opportunity to comment upon these applications.

EFFECTIVE DATE: July 1, 1980.

FOR FURTHER INFORMATION CONTACT: Susan Wilk, Division of Market Regulation, Securities and Exchange Commission, Room 341, 500 North Capitol Street, Washington, D.C. 20549. (202) 272–2824.

SUPPLEMENTARY INFORMATION: On April 3, 1980, the Commission issued a release proposing for comment amendments to Rules 12f–1 and 12f–3 under the Act which would require applicants for an extension, suspension or termination of unlisted trading privileges to give notice to certain persons specified in Section 12(f)(5) of the Act.[1]

Rule 12f–1 [17 CFR 240.12f–1] governs the information which must be included in an application by a national securities exchange for extension of unlisted trading privileges. Such an application is made under Section 12(f)(2) of the Act,[2] and may be approved by the Commission if, after appropriate notice and opportunity for hearing, it finds that such extension is consistent with the maintenance of fair and orderly markets and the protection of investors.

Similarly, Rule 12f–3 under the Act [17 CFR 240.12f–3] prescribes the information which must be included in an application for the termination or suspension of unlisted trading privileges. Under Section 12(f)(4) of the Act,[3] the Commission may terminate or suspend unlisted trading privileges if, after appropriate notice and opportunity for hearing, the Commission finds that such action is necessary or appropriate in the public interest or for the protection of investors.

Section 12(f)(5) of the Act [4] provides that "appropriate notice" of not less than 10 days of applications for extension, suspension or termination of unlisted trading privileges should be given to "* * * the issuer of the security involved, to the exchange which is seeking to continue or extend unlisted trading privileges for such security, and to the exchange, if any, on which such security is listed and registered * * *."

Upon the filing of an application for extension, suspension or termination of unlisted trading privileges the Commission publishes notice by the issuance of a Commission release and by publication in the Federal Register at least 10 days prior to making a determination on the application. Constructive notice of applications filed under Rules 12f–1 and 12f–3, thus, is provided to all persons. The Commission does not provide personal notice to the parties delineated in Section 12(f)(5) as being entitled to notice.

The Commission has determined to amend Rules 12f–1 and 12f–3 to ensure that notice requirements of Section 12(f)(5) are fully satisfied and that interested persons are provided the opportunity to comment upon any application for the extension, suspension or termination of unlisted trading privileges. The amended rules will require that exchanges, when applying for the extension of unlisted trading privileges pursuant to Section 12(f)(2) of the Act, and issuers, when applying for the suspension or termination of unlisted trading privileges pursuant to Section 12(f)(4) of the Act, certify in their application that a copy of such application has been mailed or otherwise given to the persons required by Section 12(f)(5).

The Commission believes that the amendments to Rules 12f–1 and 12f–3 will more fully satisfy the purposes of the notice provisions of Section 12(f)(5) by providing interested persons a better opportunity to comment upon applications relating to unlisted trading privileges. Further, the Commission believes that the amendments will

[1] Securities Exchange Act Release No. 16720 (April 3, 1980), 45 FR 24505. No comments on the proposal were received.

[2] 15 U.S.C. § 78*l*(f)(2) (1975).

[3] 15 U.S.C. § 78*l*(f)(4) (1975). The issuer of any security for which unlisted trading privileges have been extended, or any other interested person, may make an application to terminate or suspend unlisted trading privileges.

[4] 15 U.S.C. § 78*l*(f)(5) (1975).

facilitate the efficient processing of such applications by this agency.

For the reasons stated above, the Commission finds that the proposed amendments are appropriate in the public interest, for the protection of investors, and otherwise in furtherance of the purposes of the Act. Accordingly, the Commission acting pursuant to its authority under Section 23(a)(1) of the Act,[5] hereby amends Part 240 of Chapter II of Title 17 of the Code of Federal Regulations as follows:

1. By amending paragraph (a)(5) of § 240.12f–1 and adding paragraph (a)(6) to read as follows:

§ 240.12f–1 Applications for permission to extend unlisted trading privileges

(a) * * *

(5) Any other information which is deemed pertinent to the question of whether the continuation or extension of unlisted trading privileges in such security is consistent with the maintenance of fair and orderly markets and the protection of investors; and

(6) That a copy of the instant application has been mailed, or otherwise personally provided, to the issuer of the securities for which unlisted trading privileges are sought and to each exchange listed in item (3) of this section.

2. By amending paragraph (a)(8) of § 240.12f–3 and adding paragraph (a)(9) to read as follows:

§ 240.12f–3 Termination or suspension of unlisted trading privileges

(a) * * *

(8) A brief statement of the information in the applicant's possession, and the source thereof, with respect to (i) the extent of public trading in such security on such exchange, and (ii) the character of trading in such security on such exchange; and

(9) A brief statement that a copy of the instant application has been mailed, or otherwise personally provided, to the exchange from which the suspension or termination of unlisted trading privileges is sought, and to any other exchange on which such security is listed or traded pursuant to unlisted trading privileges.

* * * * *

By the Commission.

May 22, 1980.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–16251 Filed 5–28–80; 8:45 am]

BILLING CODE 8010–01–M

[5] 15 U.S.C. § 78w(a)(1).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM 80–44; Order No. 72–A]

Order Denying Applications for Rehearing of Final Regulations Implementing Section 109 of the Natural Gas Policy Act of 1978

May 19, 1980.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order Denying Applications for Rehearing.

SUMMARY: On March 18, 1980, the Federal Energy Regulatory Commission issued Order No. 72 establishing final regulations implementing section 109 of the Natural Gas Policy Act of 1978. This order hereby denies applications for rehearing of Order 72.

EFFECTIVE DATE: May 19, 1980.

FOR FURTHER INFORMATION CONTACT:

Thomas P. Gross, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Room 4308, Washington, D.C. 20426, (202) 357–8077.

Mark Magnuson, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 4016–I, Washington, D.C. 20426, (202) 357–8511.

On March 18, 1980, the Federal Energy Regulatory Commission (Commission) issued Order No. 72.[1] By that order, the Commission established final regulations implementing section 109 of the Natural Gas Policy Act of 1978 (NGPA). Section 109 establishes ceiling prices for natural gas which is not covered by any maximum lawful price under any other section of Title I, Subtitle A of the NGPA.

The Commission received four applications for rehearing of Order No. 72.[2] Only one argument raised in the applications for rehearing requires a response by the Commission. Tenneco Oil Company, *et al.*, states that section 109(a)(1) was included in the NGPA in order to elicit the drilling of new wells necessary to develop new reserves of gas. These parties then argue that the Commission's interpretation of section 109 frustrates this Congressional purpose by reading out and repealing section 109(a)(1) of the NGPA

The Commission does not agree that its interpretation of section 109, *viz.*, that a new well which qualifies for a lower price under another section of the NGPA is excluded from section 109, reads out or repeals section 109(a)(1).

From experience gained as a result of the implementation of the NGPA, the Commission is aware that producers have chosen not to file applications for determinations under section 102 or 103 for new wells where contractual limitations exist or where the producer is not willing to incur costs associated with the determination process. If the natural gas from these wells is not covered by sections 104, 105, or 106 of the NGPA, then the producer is eligible for the section 109 maximum lawful price; and this natural gas is natural gas "not qualifying for a higher maximum lawful price under this title" within the meaning of section 109(a)(1) because no determination of eligibility for an incentive price has been obtained. The Commission is aware that producers have been selling natural gas at the section 109 price; and section 109 was intended to cover the production of new reserves in these circumstances.[3] Thus, contrary to the argument raised in the applications for rehearing, the Commission's interpretation of section 109 does not repeal section 109(a)(1) but rather gives section 109(a)(1) an interpretation which is consistent with other sections of the statute and which recognizes its legitimate importance in the discovery and production of new gas reserves.

The remaining arguments raised in the rehearing applications were fully considered by the Commission in Order No. 72 and do not require a response by the Commission.

The Commission Orders: For the reasons given above, the applications for rehearing on Order No. 72, filed by the parties listed in footnote 1 of this order are denied.

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–16371 Filed 5–28–80; 8:45 am]

BILLING CODE 6450–85–M

[1] Order No. 72 "Final Rule Adopting Regulations Implementing Section 109 of the Natural Gas Policy Act of 1978," Docket No. RM80–44 (issued March 18, 1980), 45 FR 18915 (March 24, 1980).

[2] Applications for rehearing were received from Texaco, Inc.; Southland Royalty Company, *et al.* (which includes Southland Royalty Co.; Penn Resources, Inc.; Trustees under the Will of Warren Wright, deceased; William Y. Penn, and the First National Bank of Dallas, Texas, Trustees; Nancy Elizabeth Penson; Elizabeth Hudson Penn, Trustee; Nancy Penson and John G. Penson, Trustees; and Lucille P. Markey and Gene Markey, individually); Exxon Corp.; and Tenneco Oil Company, Pennzoil Company, Pennzoil Producing Company, Pennzoil Oil and Gas, Inc., Pogo Producing Company, General American Oil Company of Texas, and Texasgulf, Inc., jointly.

[3] The fact that producers have been willing to sell natural gas from new wells at the section 109 price is also a sufficient response to the related argument in the applications for rehearing that few, if any, new wells would be justified at the section 109 price.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL-1493-1]

Standards of Performance of New Stationary Sources: Adjustment of Opacity Standard for Fossil Fuel Fired Steam Generator

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On April 1, 1980, there was published in the Federal Register (45 FR 21302) a notice of proposed rulemaking setting forth a proposed EPA adjustment of the capacity standard for Interstate Power Company's Lansing Unit No. 4, in Lansing, Iowa. The proposal was based on Interstate's demonstration of the conditions that entitle it to such an adjustment under 40 CFR 60.11(e). Interested persons were given thirty days in which to submit comments on the proposed rulemaking.

No written comments have been received and the proposed adjustment is approved without change and is set forth below.

Effective Date: May 29, 1980.

FOR FURTHER INFORMATION CONTACT: Henry Rompage, Enforcement Division, EPA, Region VII, Area Code 816-374-3171.

Signed at Washington, D.C., on May 22, 1980.

Douglas M. Costle,

Administrator.

In consideration of the foregoing, Part 60 of 40 CFR Chapter I is amended as follows:

Subpart D—Standards of Performance for Fossil Fuel-Fired Generators

§ 60.42 [Amended]

1. Section 60.42 is amended by adding paragraph (b)(2):

* * * * *

(b) * * *

(2) Interstate Power Company shall not cause to be discharged into the atmosphere from its Lansing Station Unit No. 1 in Lansing, Iowa, any gases which exhibit greater than 32% opacity, except that a maximum of 39% opacity shall be permitted for not more than six minutes in any hour.

(Sec. 111.301(a), Clear Air Act as amended (42 U.S.C. 7411, 7601)).

2. Section 60.45(g)(1) is amended by adding Paragraph (ii) as follows:

§ 60.45 Emission and fuel monitoring.

* * * * *

(g) * * *

(1) * * *

(i) * * *

(ii) For sources subject to the opacity standard of § 60.42(b)(2), excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 32 percent opacity, except that one six-minute average per hour of up to 39 percent opacity need not be reported.

[FR Doc. 80-16409 Filed 5-28-80; 8:45 am]

BILLING CODE 6560-01-M

GENERAL SERVICES ADMINISTRATION

41 CFR Parts 101-43, 101-44

[FPMR Amdt. H-122]

Utilization and Donation of Personal Property; Miscellaneous Changes

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: This regulation updates GSA's utilization rules to raise the minimum dollar reporting criteria and direct transfer dollar criteria for reportable excess personal property to correct the imbalance between reportable and nonreportable property brought about by inflation. It also updates GSA's donation rules to provide a more equitable procedure for reimbursement to State agencies for care, handling and transportation costs of undistributed property which is subsequently sold.

EFFECTIVE DATE: May 29, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Stanley M. Duda, Director, Utilization Division, Office of Personal Property, Federal Property Resources Service (703-557-0714).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals and, therefore, is not significant for the purposes of Executive Order 12044.

PART 101-43—UTILIZATION OF PERSONAL PROPERTY

Subpart 101-43.3—Utilization of Excess

1. Section 101-43.315-5 is amended to revise paragraph (a)(1) to read as follows:

§ 101-43.315-5 Procedures for effecting transfers.

(a) * * *

(1) Reportable under § 101-43.311 but has not yet been reported to GSA and its total acquisition cost does not exceed $2,000, and the owning agency's regulations relative to internal redistribution have been satisfied; or

* * * * *

Subpart 101-43.48—Exhibits

2. Section 101-43.4801 is amended to revise paragraph (a)(2) to read as follows:

§ 101-43.4801 Excess personal property reporting requirements.

(a) * * *

(2) It has an acquisition cost (or standard price) of $500 or more, except that a line item in group 71 will be reported to General Services Administration without regard to acquisition cost (or standard price) if it is in better than scrap condition.

* * * * *

PART 101-44—DONATION OF PERSONAL PROPERTY

Subpart 101-44.2—Donations to Public Agencies and Nonprofit Educational and Public Health Activities

3. Section 101-44.205 is amended to revise the introductory paragraph of paragraph (j)(4) to read as follows:

§ 101-44.205 Property in the possession of a State agency.

* * * * *

(j) * * *

(4) When disposing of undistributed property in the possession of a State agency by public sale, GSA may authorize reimbursement to the State agency for expenses related to care and handling incurred by the State agency in acquiring the property from within or outside the United States. Certification by the State agency of costs incurred is required and must be supported by documentation if requested by GSA. Reimbursement for each item or lot sold shall not exceed the proceeds from each individual item or lot. Reimbursement shall not be made to the State agency for actions subsequent to the receipt of property by the State agency from any source, including unloading, moving, repairing, preserving, or storing, except as authorized in paragraph (j)(4)(iii) of this section. Reimbursement will not be authorized by GSA for property acquired from any source if the property has been in the possession of the State agency for a period of 2 years from the date it was received by the State agency until the date it was reported to GSA for disposal. Costs of transporting property to a GSA property center or sales center

or to a location outside a State agency distribution facility are not reimbursable unless transportation was specifically required by GSA. The sale of property at a GSA property center or sales center or at a location outside the State distribution facility, however, does not preclude authorized reimbursement to the State agency. Reimbursement is limited to:

* * * * *

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Dated: May 14, 1980.

R. G. Freeman III,

Administrator of General Services.

[FR Doc. 80-16198 Filed 5-28-80; 8:45 am]

BILLING CODE 6820-96-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Identification and Mapping of Special Flood Hazard Areas; Changes in Special Flood Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Insurance Administration.

ACTION: Final rule.

SUMMARY: The Federal Insurance Administrator, after consultation with the Chief Executive Officer of each community listed, finds that modification of the proposed Special Flood Hazard Areas (SFHAs) for those communities is appropriate as a result of requests for changes in the interim rule.

DATES: These modified SFHAs are in effect as of the dates listed in the sixth column of the attached list and amend the Federal Insurance Rate Map(s) (FIRM) in effect for each listed community prior to this date.

ADDRESSES: The modified SFHA determinations for each community are available for inspection at the office of the Chief Executive Officer of the community, listed in the fifth column of the table.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, 451 Seventh Street SW., Washington, D.C. 20410, (202) 755-5581 or Toll Free Line (800) 424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator has published a notification of modification of the SFHAs in prominent local newspapers for the communities listed below. Ninety (90) days have elapsed since that publication, and the Administrator has received appeals from the communities requesting changes in the proposed SFHA determinations.

The numerous changes made in the SFHAs on the Flood Insurance Rate Map for each community make it administratively infeasible to publish in this notice all of the SFHA changes contained on the maps. However, this notice includes the address of the Chief Executive Officer where the modified SFHA determinations are available for inspection.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65 (Presently appearing at its former Section 24 CFR part 1915).

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.

These SFHAs are basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These SFHAs together with the flood plain management measures required by 60.3 (Presently appearing at its former Section 1910.3) of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities.

These modified SFHAs shall be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The changes in the SFHAs listed below are in accordance with 44 CFR 65.4. (Presently also appearing at its former Section 24 CFR 1915.4):

State	County	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Alabama	Tuscaloosa	City of Tuscaloosa (Docket No. FEMA 5722).	*Tuscaloosa News*, Aug. 25 and Sept. 1, 1979.	Mr. Ernest W. Collins, Mayor, City of Tuscaloosa, P.O. Box 2089, Tuscaloosa, Ala. 35403.	Aug. 16, 1979	010203A.
California	San Mateo	City of San Carlos (Docket No. FEMA 5722).	*Peninsula Times and San Carlos Enquirer*, Aug. 15 and Aug. 22, 1979.	Hon. Bill Steele, Mayor, City of San Carlos, 666 Elm Street, San Carlos, Calif. 94070.	Aug. 21, 1979	060327C.
Mississippi	Lowndes	City of Columbus (Docket No. FEMA 5722).	*Commercial Dispatch*, July 31 and Aug. 7, 1979.	Hon. James M. Trotterer, Mayor, City of Columbus, P.O. Box 703, City Hall, Columbus, Miss. 39701.	Aug. 7, 1979	280180, 0005C.
Missouri	Lawrence	City of Aurora (Docket No. FEMA 5722).	*Aurora Advertiser*, Aug. 16 and Aug. 17, 1979.	The Honorable Max Solomon, Mayor of Aurora, City Hall, Aurora, Mo. 65605.	Aug. 17, 1979	290199C.
North Dakota	Mercer	City of Hazen (Docket No. FEMA 5722).	*Hazen Star*, July 26 and Aug. 2, 1979.	The Honorable Melvin P. Beckler, Mayor, City of Hazen, P.O. Box 717, Hazen, N. Dak. 58545.	July 9, 1979	380067, 0001B.
Illinois	Cook	Village of Arlington Heights (Docket No. FEMA 5756).	*The Arlington Heights*, Nov. 8 and Nov. 9, 1979.	Mr. L. A. Hanson, Village Manager, Village of Arlington Heights, 33 South Arlington Heights Road, Arlington Heights, Ill. 60005.	Oct. 29, 1979, 1916B	170056.
Louisiana	East Baton Rouge Parish	City of Baker (Docket No. FEMA 5756).	*The Baker Observer*, Oct. 11 and Oct. 18, 1979.	Hon. M. A. Cross, Mayor, City of Baker, P.O. Box 707, Baker, La. 70714.	Oct. 18, 1979	225193C.
Massachusetts	Hampden	Town of West Springfield (Docket No. FEMA 5756).	*West Springfield Record*, Oct. 4 and Oct. 11, 1979.	Dr. Frederick Conlin, Chairman, Board of Selectmen, Municipal Office Building, 26 Central Street, West Springfield, Mass. 01089.	Oct. 18, 1979	250155C.
New Jersey	Bergen	Borough of Bergenfield (Docket No. FEMA 5756).	*The Post*, Oct. 3 and Oct. 10, 1979.	Hon. James F. Lodato, Mayor, Borough of Bergenfield, 198 North Washington Avenue, Bergenfield, N.J. 07621.	Oct. 10, 1979	3400209.
Alaska		Fairbanks North-Star Borough (Docket No. FEMA 5722).	*News-Miner*, Sept. 5 and Sept. 12, 1979.	The Honorable John Carlson, Mayor, Fairbanks North-Star Borough, P.O. Box 1267, Fairbanks, Alaska 99707.	Sept. 11, 1979	025009D.

State	County	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Texas	Hidalgo	City of Alamo (Docket No. FEMA 5722).	*Alamo News Monitor*, Sept. 27 and Oct. 4, 1979.	The Honorable Cruz Alaniz, Mayor, City of Alamo, 423 North Tower Road, Alamo, Tex. 78516.	Sept. 25, 1979.	480335C.
Wisconsin	Manitowoc	Unincorporated Area (Docket No. FEMA 5722).	*Herald News*, Oct. 12 and Oct. 19, 1979.	Mr. James M. Hendericks, Chairman, Manitowoc County Board, Manitowoc County Courthouse, 1010 South Eighth Street, Manitowoc, Wis. 54220.	Sept. 12, 1979.	550236.
Pennsylvania	Carbon	Borough of Lehighton (Docket No. FEMA 5756).	*Times-News*, Oct. 29 and Nov. 2, 1979.	Hon. Wilbur A. Bauchspies, Mayor, Borough of Lehighton, Municipal Building, Lehighton, Pa. 18235.	Oct. 16, 1979, 1916B	420251B.
Rhode Island	Bristol	Town of Barrington (Docket No. FEMA 5756).	*Barrington Times*, Sept. 26 and Oct. 3, 1979.	Mr. Robert J. Schedler, Town Manager, Town Hall, Barrington, R.I. 02806.	Sept. 19, 1979.	445392.
Iowa	Scott	City of Riverdale (Docket No. FEMA 5756).	*Quad-City Times*, Nov. 12 and Nov. 13, 1979.	Hon. Ralph I. Brooks, Mayor, City of Riverdale, 209 Manor Drive, Riverdale, Iowa 52722.	Nov. 13, 1979.	190245C.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 40014128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963)

Issued: April 18, 1980.

Gloria M. Jimenez,

Federal Insurance Administrator.

[FR Doc. 80-16063 Filed 5-28-80; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF EDUCATION

45 CFR Parts 179, 194, and 196

Graduate and Professional Opportunities Program; Public Service Education Program; and Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships Program

AGENCY: Department of Education.

ACTION: Final rule.

SUMMARY: The Secretary of Education amends the regulations for the Graduate and Professional Opportunities Program; Public Service Education Program; and the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships Program. The regulations will increase the stipend amount to provide for cost of living increases that have occurred since the stipend amount was last determined.

EFFECTIVE DATE: These regulations are expected to take effect 45 days after they are transmitted to Congress. Regulations are usually transmitted to Congress several days before they are published in the Federal Register. The effective date is changed by statute if Congress disapproves the regulations or takes certain adjournments. If you want to know the effective date of these regulations, call or write the Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: Donald N. Bigelow, Chief, Graduate Training Branch, Division of Training and Facilities, 400 Maryland Avenue, SW., (Room 3060, Regional Office Building 3), Washington, D.C. 20202. Phone (202) 245-2347.

SUPPLEMENTARY INFORMATION: For the Public Service Education Program the President has proposed budget rescissions to the Congress that may reduce the funds available for this program. When the Congress acts on the proposed rescissions, a notice to the public will be published in the Federal Register stating whether funds are still available for grants and if so, how much. For the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowship Program the President has proposed budget rescissions to the Congress that may eliminate funds for this program. If the Congress approves the proposed rescissions, a notice to the public will be published in the Federal Register, stating that the rescissions have been approved.

Summary of Comments and Responses

In the Notice of Proposed Rulemaking published in the Federal Register of February 4, 1980 (45 FR 7582), the Commissioner of Education invited comments on the proposed regulations to increase the stipends in the fellowship programs funded under Title IX, Parts B, C, and D of the Higher Education Act. Without exception, all commenters endorsed the stipend increase. The following is a summary of the other comments received and the responses of the Department of Education.

Comment. Two commenters asked that consideration be given to increasing the institutional allowance which is paid to the institution for each fellow in lieu of tuition and fees.

Response. The Secretary of Education does not plan to increase the institutional allowance at this time. To increase the institutional allowance would reduce the number of fellowships available to an unacceptable level.

Comment. One commenter asked that the institutional allowance in the Graduate and Professional Opportunities Program and in the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships Program be equal to the stipend paid to the student.

Response. No change has been made in the regulations. Sections 924 and 963 of the Higher Education Act require that the Secretary pay stipends and institutional allowance at rates consistent with prevailing practices under comparable federally supported programs. The Secretary may in the future amend the regulations to increase the institutional allowance to reflect prevailing practices. However, there is no assurance that the prevailing rate for institutional allowance will ever be equal to the prevailing rate of stipend.

(Catalog of Federal Domestic Assistance No. 13.580 Graduate and Professional Opportunities Program; No. 13.555 Public Service Education Program; No. 13.567 Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships Program)

Dated: May 21, 1980.
Shirley M. Hufstedler,
Secretary of Education.
Steven A. Minter,
Acting Secretary of Education.

PART 179—GRADUATE AND PROFESSIONAL OPPORTUNITIES PROGRAM

Part 179 of Title 45 of the Code of Federal Regulations is amended by revising § 179.50(a) and § 179.51 (a) and (b) to read as follows:

§ 179.50 Amount of the fellowship.

(a) The maximum stipend to any fellow is $4,500 for a 12 month year payable at the monthly rate of $375 for any period the fellow is enrolled in the program.

* * * * *

§ 179.51 Institutional allowance.

(a) The institution of higher education at which the fellow is pursuing his or her course of study shall be paid $3,900 per 12 month period, except that any amount charged to and collected from the fellow by the institution as part of the fellow's instruction program shall be deducted from this amount. If the fellow is enrolled for less than 12 months the institution will be paid a pro rata share of the amount.

(b) Although the institutional allowance accrues on a monthly basis, the institution is entitled to claim one-half of this amount as soon as the fellow has been enrolled for two weeks. It is entitled to claim the remaining amount when the fellow has been enrolled for six and one-half months.

(20 U.S.C. 1134g(b))

* * * * *

PART 194—PUBLIC SERVICE EDUCATION PROGRAM

Part 194 of Title 45 of the Code of Federal Regulations is amended by revising § 194.27(a) to read as follows:

§ 194.27 Stipend.

(a) The maximum stipend to any fellow is $4,500 for a 12 month year payable at the monthly rate of $375 for any period the fellow is enrolled in the program.

* * * * *

PART 196—DOMESTIC MINING AND MINERAL AND MINERAL FUEL CONSERVATION FELLOWSHIPS PROGRAM

Part 196 of Title 45 of the Code of Federal Regulations is amended by revising § 196.7(a) to read as follows:

§ 196.7 Stipend.

(a) The maximum stipend to any fellow is $4,500 for a 12 month year payable at the monthly rate of $375 for any period the fellow is enrolled in the program.

* * * * *

[FR Doc. 80-16262 Filed 5-28-80; 8:45 am]
BILLING CODE 4110-02-M

NATIONAL TRANSPORTATION SAFETY BOARD

49 CFR Part 800

Organization and Functions of the Board of Delegations and Authority

AGENCY: National Transportation Safety Board.

ACTION: Final rule.

SUMMARY: This amendment deletes an obsolete mailing address in a National Transportation Safety Board rule relating to submissions in air safety proceedings and adds a reference to merchant marine appeals.

EFFECTIVE DATE: May 29, 1980.

FOR FURTHER INFORMATION CONTACT: John M. Stuhldreher, General Counsel, National Transportation Safety Board, 800 Independence Avenue, SW., Washington, D.C. 20594, (202) 472-6033.

SUPPLEMENTARY INFORMATION: This is an editorial amendment which merely updates 49 CFR 800.6(a).

Accordingly, and pursuant to the authority delegated to me, paragraph (a) of § 800.6 of Title 49, Chapter VIII, Code of Federal Regulations, is amended to read as follows:

§ 800.6 Formal and informal submissions.

(a) All formal submissions required or permitted to be made in air safety on merchant marine proceedings should be addressed to the Docket Section, Office of Administrative Law Judges, National Transportation Safety Board, Washington, D.C. 20594, unless specifically provided otherwise in the provision requiring or permitting such submission. Requirements as to the form and content of such submissions are set forth in the Board's procedural regulations.

(Sec. 304, Independent Safety Board Act of 1974, (49 U.S.C. 1903))

Signed at Washington, D.C., this 23d day of May 1980.

John M. Stuhldreher,
General Counsel.

[FR Doc. 80-16345 Filed 5-28-80; 8:45 am]
BILLING CODE 4910-58-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Service Order No. 1472]

St. Maries River Railroad Co. Authorized To Operate Over Lines Conveyed by the Trustee of Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1472.

SUMMARY: This order authorizes the St. Maries River Railroad Company to operate over lines acquired from the Chicago, Milwaukee, St. Paul and Pacific Railroad Company between Plummer and Bovill, Idaho, via St. Maries, Idaho, pending the filing of an appropriate application for Public Convenience and Necessity certification as a railroad.

EFFECTIVE DATE: 12:01 a.m., May 24, 1980, and continuing in effect until 11:59 p.m., August 31, 1980, unless otherwise modified, amended or vacated by order of this Commission.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr., (202) 275-7840.

SUPPLEMENTARY INFORMATION:

Decided May 22, 1980.

The line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) comprising the Bovill Branch from Bovill to St. Maries, Idaho (a distance of approximately 52 miles), and the line segment from St. Maries to Plummer, Idaho (a distance of approximately 19 miles), was approved for abandonment by the Interstate Commerce Commission (ICC) in Docket AB-7 (SUB-NO. 86F), January 3, 1980, and by Order No. 307 of the U.S. District Court for the Northern District of Illinois, entered April 2, 1980.

The St. Maries River Railroad Company (SMRR) has entered into a purchase agreement for conveyance of the subject lines, dated May 1, 1980, which has been approved by the court. The SMRR's application for certification of public Convenience and Necessity will be filed with the ICC shortly.

It is the opinion of the ICC that an emergency exists requiring the operation by SMRR over tracks conveyed by MILW in the interest of the public; that notice and public procedure are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered,

§ 1033.1472 Service Order No. 1472.

(a) *St. Maries River Railroad Company authorized to operate over lines conveyed by the trustee of Chicago, Milwaukee, St. Paul and Pacific Railroad Company.* St. Maries River Railroad Company (SMRR) is authorized to operate over tracks conveyed by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) between St. Maries and Bovill, Idaho the Bovill Branch (a distance of approximately 52 miles), and between St. Maries and Plummer, Idaho, (a distance of approximately 19 miles).

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(c) Nothing herein shall be considered as a prejudgment of any application of SMRR seeking authority to operate over these tracks.

(d) *Rate applicable.* Inasmuch as this operation by SMRR over tracks previously operated by the MILW is deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via MILW, until tariffs naming rates and routes specifically applicable via SMRR, become effective.

(e) In transporting traffic over these lines, SMRR, and all other common carriers involved shall proceed even though no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Employees*—In providing service under this order SMRR, to the maximum extent practicable, shall use the employees who normally would have performed work in connection with the traffic moving over the lines subject to this Service Order.

(g) *Effective date.* This order shall become effective at 12:01 a.m., May 24, 1980.

(h) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1980, unless otherwise modified, amended, or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304–10305 and 11121–11126.

This order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John H. O'Brien.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16284 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register
Vol. 45, No. 105
Thursday, May 29, 1980

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Fire Protection Program for Nuclear Power Plants Operating Prior to January 1, 1979

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to require certain minimum provisions for fire protection in operating nuclear power plants. These minimum requirements must be established not only to identify fire hazards but also to protect against unacceptable consequences of fire.

DATES: Comment period expires June 30, 1980.

ADDRESSES: Written comments should be submitted to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

FOR FURTHER INFORMATION CONTACT: David P. Notley, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, phone 301–443–5921.

SUPPLEMENTARY INFORMATION:

Comment Period

The position of the staff and the licensees regarding the provisions of this rule is documented and well known. In addition, the public has been afforded several opportunities to comment on the provisions of the rule during two extensive comment periods and in open meetings with the ACRS in which a regulatory guide on fire protection was considered. For these reasons no extension of the comment period will be granted. Further, since the issues involved are well known and have been under discussion for several years, the Commission does not anticipate changes in the rule's action deadline as a result of further comments received.

On March 22, 1975, the Browns Ferry Nuclear Power Plant, owned and operated by the Tennessee Valley Authority, had the worst fire to date in an operating commercial nuclear power plant. The fire was eventually controlled, there was no release of radioactive material to the environment, and the reactor was safely shut down. However, many of the systems relied on for shutdown of the reactor under both normal and emergency conditions were not available because of extensive damage to control cabling of redundant systems. Although this fire was not a particularly large or serious fire in terms of insurance underwriting loss, it was very serious in terms of the type of equipment that was rendered inoperative. Also of concern following this fire was the attitude and belief among those responsible for managing the fire that water should not be used on burning electrical cables because the resultant electrical faults would be worse than the fire damage. As a consequence, the fire was allowed to burn for more than seven hours before it was extinguished with water.

Two recommendations made by the Special Review Group that investigated the Browns Ferry fire pertained to assurance that the fire protection programs at operating nuclear power plants conform to General Design Criterion 3, Fire Protection, contained in Appendix A to this part (GDC 3). One of the recommendations was that NRC should develop additional specific guidance for implementation of GDC 3 requirements. The other was that NRC should make a detailed review of the fire protection program at each operating plant comparing it to the guidance developed per the above recommendation.

In response to the first recommendation, NRR developed Branch Technical Position Auxiliary Power Conversion Systems Branch 9.5–1 (BTP 9.5–1), "Guidelines for Fire Protection for Nuclear Power Plants" and Appendix A to BTP 9.5–1, "Guidelines for Fire Protection For Nuclear Power Plants Docketed Prior to July 1, 1976." [1] The guidance contained in BTP 9.5–1 was published for public comment in June 1976 as Regulatory Guide 1.120, "Fire Protection guidelines for Nuclear Power Plants." As a result of public comments received, the staff proposed extensive changes to the guide and presented the proposed changes to the ACRS in an open meeting in May 1977. Additional written comments were solicited from the public following that meeting. Nineteen additional comment letters were received and they were also considered in Revision 1 of Regulatory Guide 1.120, which was published for a new one-year public comment period in November 1977. Comments received on Revision 1 of Regulatory Guide 1.120 were generally restatements of comments received during earlier comment periods and had already been considered and evaluated by the staff.

The guidelines in both the BTP 9.5–1 and Appendix A to BTP 9.5–1 were developed to provide a fire protection program that has two basic objectives:

1. to identify and distinguish between those consequences of fire that are acceptable and those consequences that are not.

2. to provide necessary means to minimize all consequences of fire and to prevent unacceptable consequences from occurring.

With respect to the first objective, the phenomenon of fire is believed to be sufficiently well understood to permit evaluation of existing and potential fire hazards and probable extent of damage should a fire occur. Such evaluations are useful in assessing the possible consequences of fire in a given area. However, the phenomenon of fire is so unpredictable in occurrence and development that measures to prevent unacceptable consequences may not be omitted on the basis of low probability of occurrence. The minimum fire protection requirements for nuclear power plants must be established not only to identify fire hazards but also to protect against unacceptable consequences of fire.

In response to the second recommendation of the Special Review Group, the NRC requested every operating plant to (1) compare its fire protection program with the above guidelines and (2) analyze the consequences of fire in each plant area. The NRC then reviewed the licensee's analysis against the guidance contained in Appendix A to BTP 9.5–1 and visited each plant to examine the relationship

[1] Branch Technical Position 9.5–1 and its Appendix A are available from David P. Notley, Office of Standards Development.

of the structures, systems, and components important to safety with both in situ and transient fire hazards, the potential consequences of fire, and the associated fire protection features.

Appendix A to BTP 9.5–1 has been used by the staff as a basis for evaluating the adequacy of fire protection provided at all of the presently operating nuclear power plants in the United States. Most of the licensees have accepted most of the staff positions and interpretations of this Appendix A. However, 17 generic issues exist in the fire protection safety analysis reports for 32 plants where agreement has not been reached between the staff and some licensees. In each case the disagreement turns on how to satisfy the basic protection requirement. For instance, all agree on the need for a fire brigade on all shifts. The disagreement is "how large"? The staff says that five should be the minimum size permitted while some licensees say that a brigade of only three or four will be adequate. Similar disagreements exist with each of the basic requirements covered by this proposed rule. Where the staff's safety evaluations contain open items, the position of the staff and the licensees are documented and well known.

There are, however, a few instances where the staff has accepted certain fire protection alternatives that would not satisfy some of the requirements of this proposed rule. The minimum requirements contained in this rule were developed over a 3 year period and, in each of these instances, the staff accepted a proposed alternative before these minimum requirements were established. All licensees will be expected to meet the requirements of this rule, in its effective form, including whatever changes result from public comments.

Because of the above-mentioned differences between the staff and the licensees in the interpretation of the staff's guidelines, it is timely and necessary for the Commission to state what the minimum fire protection requirements will be in each of these contested areas of concern. This proposed rule and its Appendix R have been developed to establish the minimum acceptable fire protection requirements necessary to resolve these contested areas of concern for nuclear power plants operating prior to January 1, 1979.

Other fire protection criteria that have been used by the staff during its plant-specific fire protection program reviews are contained in Appendix A to BTP 9.5–1. The combination of the guidance contained in Appendix A to BTP 9.5–1 and the requirements set forth in this proposed rule define the essential elements for an acceptable fire protection program at nuclear power plants docketed for Construction Permit prior to July 1, 1976, for demonstration of compliance with General Design Criterion 3 of Appendix A to 10 CFR Part 50. Similar acceptable guidance is provided in BTP 9.5–1 for nuclear power plants docketed for Construction Permit after July 1, 1976.

All modifications (except for alternate or dedicated shutdown capability) would be required to be implemented by November 1, 1980, unless for good cause shown the Commission approves an extension. Since the issues involved are well-known and have been under discussion for several years, the Commission anticipates approving few, if any, extensions. No plant would be allowed to continue operating after November 1, 1980, or beyond an extended date approved by the Commission, unless all modifications (except for alternate or dedicated shutdown capability) have been implemented. The Commission recognizes that, in a few instances, approval has previously been given to particular licensees to extend the implementation dates for some modifications beyond November 1, 1980. The Commission will review these extensions on a case-by-case basis to determine whether continued approval or some revision of the extension is appropriate.

For alternate or dedicated shutdown capability, the proposed rule specifies implementation deadlines which depend on which kind of capability is to be implemented and whether the plant is under review in the Systematic Evaluation Program (SEP).[2] For non-SEP plants, the proposed implementation deadlines are April 1, 1981 for alternate shutdown capability and December 1, 1981 for dedicated shutdown capability. Licensees who have committed to earlier implementation dates will be expected to meet those commitments.

For SEP plants, the proposed implementation deadlines are December 1, 1981 for alternate shutdown capability and October 1, 1982 for dedicated shutdown capability. The proposed rule requires licensees to submit plans and schedules to meet these implementation deadlines by August 1, 1980 (non-SEP plants) and November 1, 1980 (SEP plants). The Commission may revise the implementation deadlines for SEP plants to earlier dates following completion by the NRC staff of its review of the status of fire protection at those plants. The staff review is expected to be completed in August 1980.

[2] Plants under review in the SEP include Palisades, Dresden 1 and 2, Oyster Creek, Millstone 1, Ginna, Haddem Neck, San Onofre 1, La Crosse, Big Rock Point, and Yankee Rowe.

Separate Comments of Commissioners Hendrie and Kennedy

"We agree with the fire safety provisions of the proposed Appendix R to 10 CFR Part 50. However, we do not agree with the implementation schedule that the Commission proposes. In its original presentation of this rule to the Commission, the staff proposed a schedule which we believe is more reasonable.

"In the absence of Three Mile Island and the actions we have required, the short schedule the Commission proposes might be appropriate in view of the extended period during which a number of these fire safety provisions have been under discussion. In the present situation, the Commission has properly imposed a large number of Three Mile Island-related safety requirements on operating nuclear power plants. We are concerned that the short implementation schedule proposed here for fire safety provisions, together with the large workload associated with the Three Mile Island requirements, may make it impossible for licensees to complete all of these measures in a carefully considered and thorough fashion. Since all operating plants have implemented a number of improvements in their fire safety postures, the remaining improvements to be required under the proposed rule do not seem to us so urgent as to require either shutting down of plants because of inability to complete these requirements on the short schedule proposed or to make those improvements in a hasty fashion.

"We note also that the proposed implementation schedule would require licensees to submit their plans for complying with this rule by August 1, 1980. Considering that the staff has said it will not be able to complete its plant-by-plant reviews to determine specific requirements until July 1980, some licensees will simply not have any reasonable time to make an adequate plan."

A brief description of the major parts of the proposed rule, including the need for each of the specific requirements, follows.

I. Introduction and Scope

This section states that the basic objective of the proposed Appendix R is to specify the minimum fire protection requirements with respect to certain recurring generic issues for nuclear power plants operating prior to January

1, 1979. It limits application to commercial nuclear power electric generating stations and also states that the proposed Appendix R does not rescind any requirements set forth in any Safety Evaluation Report for any nuclear power facility.

II. General Requirements

This section states in general terms the need for a comprehensive fire protection program at each nuclear power plant.

A. Fire Protection Program

The concept of defense in depth is here extended to fire proteciton (1) to prevent fires from starting, (2) to rapidly detect, control, and promptly extinguish those fires that do occur, and (3) to arrange the structures, systems, and components important to safety so that a fire that starts in spite of the fire prevention activities and that is not promptly extinguished by the fixed automatic or manual fire suppression activities will not prevent the safe shutdown of the plant.

B. Loss of Offsite Power

This section requires that any fire detection or suppression system protecting systems necessary to achieve and maintain safe plant shutdown be capable of functioning with or without offsite power.

C. Manual Fire Fighting

This section requires that manual fire fighting capability (a fire brigade) be provided in all areas containing or presenting a fire hazard to structures, systems, or components important to safety.

D. Access for Manual Fire Fighting

This section requires that access for effective functioning of the fire brigade be provided in all areas containing or presenting a fire hazard to structures, systems, or components important to safety.

E. Fire Hazard Analysis

This section requires that the adequacy of fire protection provided in any area to ensure the ability (1) to safely shut down the plant or (2) to minimize and control the release of radioactivity to the environment be determined by analysis of the effects of fires on structures, systems, or components important to safety in the area.

III. Specific Requirements

Each of the 17 specific fire protection requirements in the proposed Appendix R is described below.

A. Fire Water Distribution System

Two of the lessons learned from the Browns Ferry Fire are (1) that water is the best extinguishing agent available for most potential fires in nuclear power plants and (2) that the sooner a fire is extinguished, the less total damage results. These two statements recognize that extenuating circumstances in operating plants may preclude the indiscriminate use of water to figh fires in particular locations; however, such circumstances are exceptions. In practical terms, this means that fires in electrical equipment (which may be subject to water damage) should be extinguished as quickly as possible. Water may not be excluded from an area as a fire extinguishant merely on the basis of potential water damage to safe shutdown equipment. If such water damage hazard is severe, other protective measures such as shields for equipment or alternate shutdown capability would be required.

A separate fire water distribution system would be required at each plant to ensure the necessary water supply with adequate pressure and volume for any combination of automatic and manual fire suppression demands.

A looped fire main with appropriate isolation valves provides a higher reliability of furnishing this necessary water supply to fire suppression systems by providing alternate directions of flow during maintenance or repair on part of the system.

Similarly, at least two water sources—tanks and pumps, or pumps alone from a large body of water such as a lake or a river—are necessary to ensure continuity of water supply. In the case of two intakes from a single large body of water, the intakes must be separated from each other so as to really ensure two separate sources.

B. Sectional Control Valves

This item requires the installation of approved visually indicating sectional control valves, such as Post Indicator Valves, to isolate portions of the fire main for maintenance or repair without shutting off the entire system.

C. Hydrant Block Valves

This item requires block valves to be installed in hydrant laterals if necessary to isolate a hydrant from the yard main without interrupting fire water supply to areas containing safety-related or safe shutdown equipment.

D. Manual Fire Suppression

This item requires that a standpipe system with an adequate number of hose stations located throughout the plant to ensure that all areas containing safety-related cabling and equipment can be reached with at least one effective hose stream. The staff has relied on physical separation of safety-related cables and equipment and has made extensive use of automatic fire detection and suppression systems for additional protection of safety-related cabling and equipment. The staff recognizes, however, the limits of automatic fire protection systems, and that such automatic protection, especially coupled with physical separation, is not always feasible in operating plants. Prudence therefore dictates that manual firefighting capability be available throughout the plant to increase the overall reliability of fire suppression capability.

E. Hydrostatic Hose Tests

This item describes the frequency and severity of hydrostatic tests to which all plant fire hose must be subjected in order to have reasonable assurance that it will function properly without rupture when needed during a fire.

F. Automatic Fire Detection

This item requires automatic fire detection systems in areas containing combustibles and safe shutdown or safety-related systems or components, in order to provide prompt notification and alarm in the event of fire in these areas. This will permit prompt response by the fire brigade to enable speedy extinguishment in those areas not protected by automatic fire suppression systems and may enable the brigade to control fires in areas that are so protected before the automatic systems operate.

G. Protection of Safe Shutdown Capability

A wide spectrum of fire hazards and shutdown equipment subject to fire damage exists in operating nuclear power plant. This item lists several parameters (the combination of fire hazards, the susceptibility of safe shutdown equipment to damage from both fire and fire suppression activities, fire suppression means available, and availability of alternate shutdown capability) that must be considered in evaluating the effectiveness of fire protection in areas containing safe shutdown equipment. Table 1 gives a summary of various conditions that mandate installation of manual or automatic fixed fire suppression systems.

H. Fire Brigade

The need for manual firefighting capability as backup to automatic fire

detection and fixed fire suppression systems is established in Item D, which requires that a standpipe and hose system be installed to provide at least one effective hose stream in each area of the plant containing safety-related or safe shutdown equipment. This item specifies the minimum shift fire brigade size necessary to give reasonable assurance of effective manual firefighting capability. It requires that at least five persons be assigned to the fire brigade on each shift and that these persons have no duties during a fire except those directly related to manual firefighting. It further requires that the brigade leader and at least two brigade members be operations personnel, and that the brigade leader be competent to assess potential safety consequences of a fire and advise control room personnel. It also states some of the equipment that it to be provided for the brigade members.

I. Fire Brigade Training

This item requires that training be provided for each individual brigade member and each shift brigade as a team in order to ensure the necessary high degree of proficiency required of a fire brigade during emergency response to an actual fire. The type and frequency of such training (classroom instruction, hands on practice sessions, and simulated drills) is specified.

J. Emergency Lighting

This item requires that emergency lighting from individual eight-hour battery-powered units be provided in those areas needed for operation of safe shutdown equipment and access routes to safety-related areas. Fire may damage normal lighting in areas other than the area of the fire. Such other areas may contain equipment or controls necessary for safe shutdown of the reactor. Emergency lighting is to be installed in all such areas in order to facilitate operation of such equipment by operations personnel other than the fire brigade in the event of loss of normal lighting due to fire.

K. Adminstrative Controls

The first goal of a fire protection program is fire prevention. Therefore, this item specified a number of administrative controls in an effort to control the more common types of hazards. In addition, certain responses to fire by the plant fire brigade and other plant (operations) personnel are also specified.

L. Alternate Shutdown Systems

This item requires that an alternate means of bringing the reactor to a safe shutdown be provided if the provision of other fire protection does not give assurance that safe shutdown capability will survive a fire.

M. Fire Barriers

This item discusses the need for fire barriers and the need to seal or close openings through fire barriers using fire doors, dampers, or penetration sealants depending on the type of opening. It discusses the need to close such openings in order to maintain the required fire resistance rating of the barrier.

N. Fire Barrier Penetration Seal Qualification

Openings are frequently required in fire barriers to permit passage of cable trays and conduits from one area to another. Such openings are degradations of the barrier and, per the requirements of Item M, are to be sealed with material that has fire retardant properties at least equal to that required of the unpierced barrier. This item describes the testing procedures that must be used to verify adequacy of a given penetration seal design.

O. Fire Doors

Personnel access openings in fire barriers require fire door closures with fire retardant properties at least equal to that required of the unpierced barrier. This item describes acceptable alternative methods to insure that fire doors will be closed in the event of fire.

P. Reactor Coolant Pump Lubrication System

The lubrication system for the reactor coolant pumps represents the largest single fire hazard inside containment. This item describes the arrangement of automatic fire suppression or oil collection systems that are to be provided for protection of this hazard.

Q. Associated Circuits

This item specifies the level of fire protection to be provided for electrical circuits that are not themselves safety circuits but that are associated with safety circuits.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 50 is contemplated.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. It is proposed to amend 10 CFR Part 50 by adding a new § 50.48 to read as follows:

§ 50.48 Fire protection.

(a) Each operating nuclear power facility shall have a fire protection plan which meets the requirements of Criterion 3 of Appendix A to this part. This fire protection plan should consist of two sections. The first section should describe the overall fire protection program for the facility, identify the various positions within the licensee's organization that are responsible for the program, state the authorities that are delegated to each of these positions to implement those responsibilities, and outline the plans for fire protection, fire detection and suppression capability, and limitation of fire damage. The second section should describe specific features necessary to implement the first section, such as: administrative controls and personnel requirements for fire prevention and manual fire suppression activities; automatic and manually operated fire detection and suppression systems; and means to insure capability to safely shut down the plant in spite of fire damage to safety related or safe shutdown structures, systems or components.

(b) For nuclear power facilities that commenced operation prior to January 1, 1979, appropriate portions of Criterion 3 of Appendix A to this part will be satisified by meeting the requirements contained in Appendix R to this part.[3]

(c) All fire protection modifications identified by the staff as necessary to satisfy Criterion 3 of Appendix A to this part, whether contained in Appendix R to this part or in other staff fire protection guidance (except for alternate or dedicated shutdown capability) shall be completed by November 1, 1980 unless, for good cause shown, the Commission approves an extension. For alternate or dedicated shutdown capability, the following implementation schedule will apply.

(1) *Plants not included in the Systematic Evaluation Program (SEP).*[2] Licensees implementing alternate

[3] The combination of the guidance contained in Appendix A to Branch Technical Position 9.5-1, "Guidelines for Fire Protection for Nuclear Power Plants Docketed Prior to July 1, 1976," as implemented by the staff in its plant-specific fire protection program reviews of operating nuclear power plants, and the requirements set forth in Appendix R to this Part define the minimum necessary conditions for demonstration of compliance with General Design Criterion 3 of Appendix A to this Part for nuclear power facilities that commenced operation prior to January 1, 1979.

shutdown capability shall complete implementation by April 1, 1981. Licensees who have previously committed to earlier implementation dates will be expected to meet the earlier dates. Licensees implementing dedicated shutdown capability shall complete implementation by December 1, 1981. Licensees shall submit, by August 1, 1980, plans and schedules for meeting these implementation deadlines.

(2) *Plants included in the SEP.* Licensees implementing alternate shutdown capability shall complete implementation by December 1, 1981; licensees implementing dedicated shutdown shall complete implementation by October 1, 1982. Licensees shall submit, by November 1, 1980, plans and schedules for meeting these implementation deadlines. The Commission may revise those implementation deadlines to earlier dates following completion by the NRC staff of its review of the status of fire protection at SEP plants. The staff review is expected to be completed in August, 1980.

2. A new Appendix R to 10 CFR Part 50 would be added to read as follows:

Appendix R—Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979

I. Introduction and Scope

This Appendix sets forth the minimum fire protection requirements needed for nuclear power facilities to satisfy Criterion 3 of Appendix A to this part with respect to certain recurring generic issues for nuclear power plants that were operating prior to January 1, 1979.[3]

This Appendix applies only to licensed commercial nuclear power electric generating stations operating prior to January 1, 1979; it does not apply to production reactors, test reactors, research reactors, or other licensed or unlicensed reactors used for other than electric power production.

This Appendix does not rescind any requirements set forth in any Safety Evaluation Report for any nuclear power facility.

II. General Requirements

A. *Fire Protection Program.* A fire protection program shall be established at each plant. The program shall establish the fire protection policy for the protection of structures, systems, and components important to safety at each plant and the procedures, equipment, and personnel required to implement the program at the plant site.

The fire protection program shall be under the direction of an individual who has been delegated authority commensurate with the responsibilities of the position. The individual shall be knowledgeable in both fire protection and nuclear safety.

The fire protection program shall extend the concept of defense in depth to fire protection with the following objectives:

- to prevent fires from starting;
- to detect rapidly, control, and extinguish promptly those fires that do occur;
- to arrange the structures, systems, and components important to safety so that a fire that starts in spite of the fire prevention activities and that is not promptly extinguished by the fixed automatic or manual fire suppression activities will not prevent the safe shutdown of the plant.

The fire protection program shall consist of an integrated effort of procedures, equipment, and personnel necessary to carry out the three-part defense-in-depth concept for each fire area containing combustibles and containing or presenting a fire hazard to structures, systems, and components important to safety. Measures for fire prevention; fire detection, suppression, and containment; and alternate shutdown capability shall be provided for each such area as follows:

1. *Fire Prevention.* a. In situ fire hazards shall be minimized by design and plant arrangement.

b. Transient fire hazards associated with normal operation, maintenance, repair, or modification activities shall be identified and minimized. Those transient fire hazards that cannot be eliminated shall be controlled.

2. *Fire Detection, Suppression, and Containment.* a. Fire detection system shall be installed.

b. Portable extinguishers and standpipe and hose stations shall be installed.

c. Manually actuated fixed suppression systems shall be installed where fire hazards of grouped electrical cables are large or access for the fire brigade is restricted.

d. A site fire brigade shall be established, trained, and equipped.

e. Automatic suppression systems shall be provided to control large fire hazards or to protect redundant systems or components important to safe shutdown.

f. Fire retardants, heat shields, or local fire barriers shall be provided where physical separation between redundant safe shutdown systems and components or between such systems and fire hazards is not adequate to ensure that automatic and manual fire suppression can limit the fire damage to one division of shutdown systems.

g. Fire barriers surrounding each fire area shall have a 3-hour fire rating unless the fire hazards analysis demonstrates that a lesser rating exceeds the duration of the in situ fire load by at least one-half hour.

h. Fire detection and suppression systems shall be designed, installed, maintained and tested by personnel properly qualified by experience and training in fire protection systems.

i. Surveillance procedures shall be established to ensure that fire barriers and automatic and manual fire suppression systems and components are operable.

3. *Alternate Shutdown Capability.* Alternate shutdown capability shall be provided when safe shutdown cannot be ensured by barriers and detection and suppression systems, because of the exposure of redundant safe shutdown equipment, cabling, or components in a single fire area to an exposure fire, fire suppression activities, or rupture or inadvertent operation of fire suppression systems.

B. *Loss of Offsite Power.* Fire detection and suppression systems protecting systems necessary to achieve and maintain safe plant shutdown shall be capable of functioning with or without offsite power.

C. *Manual Fire Fighting.* Manual fire fighting capability shall be provided in all areas containing or presenting a fire hazard to structures, systems, or components important to safety.

D. *Access for Manual Fire Fighting.* Access shall be provided to all areas containing or presenting a fire hazard to structures, systems, or components important to safety to permit effective functioning of the fire bridgade.

E. *Fire Hazard Analysis.* The adequacy of fire protection for any particular plant area shall be determined by analysis of the effects of postulated exposure fires involving both in situ and transient combustibles on the ability to safely shut down the reactor, or the ability to minimize and control the release of radioactivity to the environment. Separation of redundant systems and components by three-hour rated fire barriers or at least 50 feet both horizontal and vertical of clear air space shall be deemed adequate. Lesser ratings or distances shall be justified by analysis or test.

III. Specific Requirements

A. *Fire Water Distribution System.* An underground yard fire main loop shall distribute fire protection water from the fire water supplies to the automatic and manual suppression systems. Two fresh water supplies shall be provided to furnish necessary water volume and pressure to the yard fire main loop. Each supply shall consist of a storage tank, pump, piping, and appropriate isolation and control valves. These supplies shall be separated so that a failure of one supply will not result in a failure of the other supply.

Two separate redundant suctions from a large body of fresh water will satisfy the requirement for two separated water storage tanks.

Each supply of the fire water distribution system shall be capable of providing for a period of 2 hours the maximum expected water demands as determined by the fire hazards analysis for safety-related areas or other areas that present a fire exposure hazard to safety-related areas.

Minimum fire water storage shall be ensured by means of dedicated tanks or by means of a vertical standpipe for other water-service when storage tanks are used for combined service-water/fire-water uses.

Other water systems used as a fire water supply shall be permanently connected to the fire main system and shall be capable of automatic alignment to the fire main system. Pumps, controls, and power supplies in these systems shall satisfy the requirements for the main fire pumps. The use of other water systems for fire protection shall not be incompatible with their functions required for safe plant shutdown. Failure of the other system shall not degrade the fire main system.

B. *Sectional Control Valves.* Approved visually indicating sectional control valves such as Post Indicator Valves shall be provided to isolate portions of the fire main for maintenance or repair without shutting off the entire system.

C. *Hydrant Block Valves.* Block valves shall be installed in hydrant laterals if necessary to permit isolation of outside hydrants from the yard fire main without interrupting the fire water supply to any area containing or presenting a fire hazard to safety-related or safe shutdown equipment.

D. *Manual Fire Suppression.* Standpipe and hose systems shall be installed so that at least one effective hose stream will be able to reach any location that contains or could present an exposure fire hazard to safety-related equipment. Standpipe and hose stations shall be inside PWR containments and large BWR containments that are not inerted. For BWR dry wells, standpipe and hose stations shall be placed outside the dry well with adequate lengths of hose to reach any location inside the dry well with an effective hose stream.

E. *Hydrostatic Hose Tests.* Fire hose shall be hydrostatically tested at a pressure 50 psi above maximum service pressure. Hose stored in outside hose houses shall be tested annually. Interior standpipe hose shall be tested every three years.

F. *Automatic Fire Detection.* Automatic fire detection systems shall be installed in all areas of the plant that contain combustibles and safe shutdown or safety-related systems or components.

G. *Protection of Safe Shutdown Capability.* Protective features shall be provided for fire areas that contain cables or equipment of redundant systems important to achieving and maintaining safe shutdown conditions to ensure that at least one means of achieving said conditions survives postulated fires. The protective features may consist of a combination of automatic and manual fire suppression capability, fire propagation retardants, physical separation, partial fire barriers, or alternate shutdown capability independent of the fire area.

1. The design of the protective features shall consider:

a. The zone of influence of postulated fires and the fire extinguishing system used in the fire area.

b. The access for manual firefighting.

c. The potential disabling effects of water on shutdown capability

d. The limitations of fixed suppression systems.

e The separation between redundant divisions.

f. The in situ and transient combustibles.

g. The propagation rate of fire in the configuration.

h. The availability of shutdown capability independent of the fire area.

i. That all organic cable insulation and jacket material is combustible.

j. That metal conduit, covered cable trays, or solid bottom cable trays retard fire propagation but do not by themselves serve as a fire barrier to prevent the loss of function of the cables.

k. That fire retardant coatings retard fire propagation but do not prevent organic cable insulation and jacket materials from burning.

l. That oxygen is available to support combustion.

m. The failure of automatic fire suppression systems.

n. That the response of the fire brigade may be delayed.

o. That room air coolers do not provide adequate protection for shutdown systems by removing heat generated by a fire.

2. The following minimum fire protective features shall be provided:

a. An early warning fire detection system.

b. Manual fire suppression capability.

c. Fixed fire suppression systems and alternative shutdown capability as shown on Table 1.[4]

[4] A fire hazards analysis acceptable to the staff shall be used to determine whether the plant can be shut down from the Control Room and whether access for manual firefighting is good.

Table 1.—*Fire Protection Features for Safe Shutdown Capabilities*

Type fire	Fire/water disables normal shutdown capability	Shutdown from control room available	Shutdown from alternate panel required	Access for manual fire fighting	Fixed suppression systems required
In-situ	No	Yes	No	Good	No
Do				Poor	Yes—Manual.
Do	Yes	No	Yes [1]	Good	Yes—Automatic [2]
Do				Poor	Yes—Automatic.
Exposure	No	Yes	No	Good	No
Do				Poor	Yes—Manual
Do	Yes	No	Yes [1]	Good	Yes—Automatic [2]
Do				Poor	Yes—Automatic

Note 1—When the alternate shutdown capability is provided by an independent system dedicated to achieving and maintaining safe shutdown conditions, manually actuated fixed water systems or automatic gas suppression systems shall be provided for large concentrations of grouped electrical cables.

Note 2—Requirement for fixed suppression may be waived if (a) only in-situ combustible is cable insulation, (b) measures are provided to retard propagation, and (c) separation between redundant systems is at least 10 feet horizontal and vertical of clear air space.

h. *Fire Brigade.* A site fire brigade trained and equipped for firefighting shall be established to ensure adequate manual firefighting capability for all areas of the plant containing structures, systems, or components important to safety. The minimum size of the fire brigade shall be at least five members on each shift. The brigade leader and at least two brigade members shall be operations personnel or have equivalent knowledge of plant safety systems. The fire brigade members' qualifications shall include an annual physical examination for performing strenous firefighting activity. The shift supervisor shall not be a member of the fire brigade. The brigade leader shall be competent to assess the potential safety consequences of a fire and advise control room personnel. Such competence by the brigade leader may be evidenced by possession of an operator's license or equivalent knowledge of plant safety systems. Equipment provided for the brigade will consist of at least the following:

1. Personal protective equipment such as turnout coats, boots, gloves, hard hat, and pressure demand full-vision self-contained breathing apparatus with a minimum one-half hour rated capacity and approved by National Institute of Occupational Safety and Health (NIOSH) for firefighting purposes.

2. Manual suppression equipment such as portable extinguishers and standpipe and hose with nozzles suitable for the location.

3. Other systems and equipment necessary for efficient utilization of the brigade, such as emergency lighting in access routes to areas containing safety-related systems or components, and emergency communication capability throughout the plant that is independent of the normal communication systems. Emergency communication equipment shall not interfere with other plant equipment or controls.

I. *Fire Brigade Training.* The fire brigade training program shall ensure that the capability to fight potential fires is established and maintained. The program shall consist of an initial classroom instruction program followed by periodic classroom instruction, practice in firefighting, and fire drills:

1. *Instruction.* a. The initial classroom instruction shall include:

(1) Indoctrination of the plant firefighting plan with specific coverage of each individual's responsibilities.

(2) Identification of the fire hazards and associated types of fires that could occur in the plant and an identification of the location of such hazards.

(3) The toxic characteristics of expected products of combustion.

(4) Identification of the location of fire fighting equipment for each fire area and familiarization with the layout of the plant, including access and egress routes to each area.

(5) The proper use of available fire fighting equipment and the correct method of fighting each type of fire. The types of fires covered should include electrical fires, fires in cables and cable trays, hydrogen fires, fires involving flammable and combustible liquids or hazardous process chemicals, construction fires, and record file fires.

(6) The proper use of communication, lighting, ventilation, and emergency breathing equipment.

(7) The proper method for fighting fires inside buildings and confined spaces.

(8) The direction and coordination of the firefighting activities (fire brigade leaders only).

(9) Detailed review of firefighting strategies and procedures.

(10) Review of the latest plant modifications and corresponding changes in firefighting plans.

Note.—Items (9) and (10) may be deleted from the training of non-operations personnel who may be assigned to the fire brigade.

b. The instruction shall be provided by qualified individuals who are knowledgeable, experienced, and suitably trained in fighting the types of fires that could occur in the plant and in using the types of equipment available in the nuclear power plant.

c. Instruction shall be provided to all fire brigade members and fire brigade leaders.

d. Regular planned meetings shall be held at least every 3 months for all brigade members to review changes in the fire protection program and other subjects as necessary.

e. Periodic refresher training sessions shall be held to repeat the classroom instruction program for all brigade members over a two year period. These sessions may be concurrent with the regular planned meetings.

2. *Practice.* Practice sessions shall be held for each shift fire brigade on the proper method of fighting the various types of fires that could occur in a nuclear power plant. These sessions shall provide brigade members with experience in actual fire extinguishment and the use of emergency breathing apparatus under strenuous conditions encountered in firefighting. These practice sessions shall be provided at least once per year for each fire brigade member.

3. *Drills.* a. Fire brigade drills shall be performed in the plant so that the fire brigade can practice as a team.

b. Drills shall be performed at regular intervals not to exceed 3 months for each shift fire brigade. Each fire brigade member should participate in each drill, but must participate in at least two drills per year.

A sufficient number of these drills, but not less than one for each shift fire brigade per year, shall be unannounced to determine the firefighting readiness of the plant fire brigade, brigade leader, and fire protection systems and equipment. Persons planning and authorizing an unannounced drill shall assure that the responding shift fire brigade members are not aware of the time or location of the drill until it is begun.

At least one drill per year shall be performed on a "back shift" for each shift fire brigade.

c. The drills shall be preplanned to establish the training objectives of the drill and shall be critiqued to determine how well the training objectives have been met. Unannounced drills shall be planned and critiqued by members of the management staff responsible for plant safety and security. Performance defficiencies of a fire brigade or of individual fire brigade members shall be remedied by scheduling additional training for the brigade or members. Unsatisfactory drill performance shall be followed by a repeat drill within 30 days.

d. At 3-year intervals, drills shall be critiqued by qualified individuals independent of the licensee's staff. A copy of the written report from such individuals shall be submitted to NRC for evaluation.

e. Drills shall as a minimum include the following:

(1) Assessment of fire alarm effectiveness, time required to notify and assemble fire brigade, and selection, placement and use of equipment, and firefighting strategies.

(2) Assessment of each brigade member's knowledge of his role in the firefighting strategy for the area assumed to contain the fire. Assessment of the brigade member's conformance with established plant firefighting procedures and use of firefighting equipment, including self-contained emergency breathing apparatus, communication equipment, and ventilation equipment, to the extent practicable.

(3) The simulated use of firefighting equipment required to cope with the situation and type of fire selected for the drill. The area and type of fire chosen for the drill should be varied such that brigade members are trained in fighting fires in all safety-related areas. The situation selected should simulate the size and arrangement of a fire which could reasonably occur in the area selected, allowing for fire development due to the time required to respond, to obtain equipment, and organize for the fire, assuming loss of automatic suppression capability.

(4) Assessment of brigade leader's direction of the firefighting effort, as to thoroughness, accuracy, and effectiveness.

4. *Records.* Individual records of training provided to each fire brigade member, including drill critiques, shall be maintained for at least 4 years to ensure that each member receives training in all parts of the training program. These records of training shall be available for review. Retraining or broadened training for fire fighting within buildings shall be scheduled for all those brigade members whose performance records show deficiences.

J. *Emergency Lighting.* Emergency lighting shall be provided in all areas needed for operation of safe shut down equipment and in access routes to all safety-related areas and other areas presenting a fire hazard to safety-related areas. Such emergency lighting may be provided by the normal lighting if it is connected to an emergency bus and the fire hazard analysis shows that it will not be damaged by any fire. Otherwise permanently installed sealed beam or florescent units with individual 8-hour minimum battery power supply shall be provided.

K. *Administrative Controls.* Administrative controls shall be established to minimize fire hazards in areas containing structures, systems, and components important to safety. These controls shall establish procedures to:

1. Govern the handling and limitation of the use of ordinary combustible materials, combustible and flammable gases and liquids, high efficiency particulate air and charcoal filters, dry ion exchange resins, or other combustible supplies in safety-related areas.

2. Prohibit the storage of combustibles in safety-related areas or establish designated storage areas and fire protection therefor.

3. Govern the handling of and limit transient fire loads such as combustible and flammable liquids, wood and plastic products, or other combustible materials in buildings containing safety-related systems or equipment during maintenance, modification, or refueling operations.

4. Designate the onsite staff member responsible for the in-plant fire protection review of proposed work activities to identify potential transient fire hazards and specify required additional fire protection in the work activity procedure.

5. Govern the use of ignition sources by means of a flame permit system that controls welding, flame cutting, brazing, or soldering operations. A separate permit shall be issued for each area where work is to be done, and if work continues over more than one shift, the permit shall be valid for not more than 24 hours.

6. Govern the removal from the area of all waste, debris, scrap, oil spills, or other combustibles resulting from the work activity immediately following completion of the activity, or at the end of each work shift, whichever comes first.

7. Govern the periodic housekeeping inspections to ensure continued compliance with these administrative controls.

8. Govern the use of specific combustibles in safety-related areas. All wood used in safety-related areas during maintenance, modification, or refueling operations (such as lay-down blocks or scaffolding) shall be flame-retardant treated. Equipment or supplies (such as new fuel) shipped in untreated combustible packing containers may be unpacked in safety-related areas if required for valid operating reasons. However, all combustible materials shall be removed from the area immediately following the unpacking. Combustible material shall not be left unattended during lunch breaks, shift changes, or other similar periods. Loose combustible packing material such as wood or paper excelsior shall be placed in metal containers with tight-fitting self-closing metal covers.

9. Govern actions to be taken by individual discovering the fire, such as notification of control room, attempt to extinguish fire, and actuation of local fire suppression systems.

10. Govern actions to be taken by the control room operator to determine the need for brigade assistance upon report of a fire or receipt of alarm on control room annunciator panel, such as announcing location of fire over PA system, sounding fire alarms, and notifying the shift supervisor and the fire brigade leader of the type, size, and location of the fire.

11. Govern actions to be taken by the fire brigade after notification by the control room operator of a fire, such as assembling in a designated location, receiving directions from the specific fire fighting fire brigade leader, and, discharging specific fire fighting responsibilities including selection and transportation of fire fighting equipment to fire location, selection of protective equipment, use of fire suppression systems operating instructions, and use of preplanned strategies for fighting fires in specific areas.

12. Define the strategies for fighting fires in all safety-related areas and areas presenting a hazard to safety-related equipment. These strategies shall designate:

a. Fire hazards in each area covered by the specific fire fighting procedures.

b. Fire extinguishants best suited for controlling the fires associated with the fire hazards in that area and the nearest location of these extinguishants.

c. Most favorable direction from which to attack a fire in each area, in view of the ventilation direction, access hallways, stairs, and doors that are most likely to be fire free, and the best station or elevation for fighting the fire. All access and egress routes that involve locked doors should be specifically identified in the procedure with the appropriate precautions and methods for access specified.

d. Plant systems that should be managed to reduce the damage potential during a local fire; location of local and remote controls for such management (e.g., any hydraulic or electrical systems in the zone covered by the specific fire fighting procedure that could increase the hazards in the area because of overpressurization or electrical hazards).

e. Vital heat-sensitive system components that need to be kept cool while fighting a local fire. Particularly hazardous combustibles should be designated to receive cooling.

f. Organization of firefighting brigades and the assignment of special duties according to job title so that all fire fighting functions are covered by any complete shift personnel complement. These duties include command control of the brigade, transporting fire suppression and support equipment to the fire scenes, applying the extinguishant to the fire, communication with the control room, and coordination with outside fire departments.

g. Radiological and toxic hazards in fire zones.

h. Ventilation system operation that ensures desired plant pressure distribution when the ventilation flow is modified for fire containment or smoke clearing operations.

i. Operations requiring control room and shift engineer coordination or authorization.

j. Instructions for plant operators and general plant personnel during fire.

L. *Alternate Shutdown Capability.* 1. If the combination of fire protection features required for safe shutdown includes alternate shutdown capability independent of a specific fire area, the design for such alternate shutdown capability shall accomodate postfire conditions where offsite power is available and where offsite power is not available for 72 hours.

If there are several such areas, the combinations of systems that provide the shutdown capability may be unique for each critical area. However, the shutdown capability provided for each such area shall be able to achieve and maintain subcritical reactivity conditions in the reactor, maintain reactor coolant inventory, achieve and maintain hot standby [5] conditions for a PWR (hot shutdown [5] for a BWR) for at least 72 hours, achieve cold shutdown [5] conditions within 72 hours and maintain cold shutdown conditions thereafter. The reactor coolant system process variables shall be maintained within those predicted for a loss of normal ac power. The fission product boundary integrity shall not be affected; i.e., there shall be no fuel clad damage, rupture of any primary coolant boundary, or rupture of the containment boundary.

2. The performance goals for the shutdown functions shall be:

a. The reactivity control function shall be capable of achieving and maintaining cold shutdown reactivity conditions.

b. The reactor coolant makeup function shall be capable of maintaining the reactor coolant level above the top of the core for BWRs and in the pressurizer for PWRs.

c. The reactor heat removal function shall be capable of achieving and maintaining decay heat removal.

d. The process monitoring function shall be capable of providing direct readings of the process variables necessary to perform and control the above functions.

e. The supporting functions shall be capable of providing the process cooling, lubrication, etc., necessary to permit the operation of the equipment used for safe shutdown functions.

3. Various safety-related and non safety-related equipment and/or systems may be identified by the licensee and accepted by the staff to provide alternative means to achieve and maintain hot standby conditions (hot shut down for a BWR). The fire hazards analysis shall show that at least one means to achieve and maintain hot standby conditions (hot shutdown for a BWR) is undamaged by any fire anywhere in the plant. In addition, the equipment and systems comprising that means of hot standby or hot shut down condition shall be capable of maintaining such conditions for at least 72 hours if the equipment required to achieve and maintain cold shutdown is not available because of fire damage. They shall also be capable of being powered by both onsite and offsite electric power systems or by onsite power systems that are independent of the onsite and offsite electric power systems. The number of operating shift personnel, exclusive of fire brigade members, required to operate the equipment and systems shall be onsite at all times.

4. The fire hazards analysis shall show that either (a) any equipment and/or systems necessary to achieve and maintain cold shut down conditions will not be damaged by any fire; or (b) that any equipment and/or systems necessary to achieve and maintain cold shut down conditions that are damaged by fire can be repaired and cold shut down achieved within 72 hours. Materials for such repairs shall be readily available onsite and procedures shall be in effect to implement such repairs. Equipment and systems used prior to 72 hours after the fire shall be capable of being powered by both onsite and offsite electric power systems or by onsite power systems that are independent of the onsite and offsite electric power systems; equipment and systems used after 72 hours may be powered by offsite power.

These shutdown systems need not be designed to meet seismic Category I criteria or single failure criteria; or to cope with other plant accidents such as pipe breaks or stuck valves except where required for other reasons, e.g., because of interface with or impact on existing safety systems.

M. *Fire Barriers.* Fire barriers (floors, walls, ceilings, or other enclosures) separating fire areas, or equipment or components of redundant systems important to safe shutdown within an area, shall have a fire rating of 3 hours unless a lower rating is justified by the fire hazard analysis.

Structural steel forming a part of or supporting such fire barriers shall have fire resistance equivalent to that required of the barrier. Such fire resistance shall be provided by protection equivalent to metal lath and plaster covering.

Penetrations in these fire barriers, including conduits, cable trays, and piping, shall be sealed or closed to provide fire resistance rating equivalent to that required of the barrier. Door openings shall be protected with doors, frames, and hardware that have been tested and approved by a nationally recognized testing laboratory to have a fire resistance rating equivalent to that required of the barrier.

Penetrations for ventilation systems shall be protected by a standard "fire door damper."

N. *Fire Barrier Penetration Seal Qualification.* Penetration seal designs shall be qualified by an independent testing laboratory in accordance with American Society for Testing Materials, ASTM E-119 and the following conditions:

1. The cables used in the test shall be of the same type of construction as those used in the facility.

2. The test arrangement shall be representative of the worst-case configuration of cable loading, cable tray arrangement, anchoring, and penetration fire barrier size and design. The test sample shall also be representative of the cable sizes in the facility. Testing of the penetration fire barrier in the floor configuration will qualify the fire stop for use in the wall configuration also.

3. Cables penetrating the fire barrier shall extend at least 3 feet on the unexposed side and at least 1 foot on the exposed side.

4. The fire barrier shall be tested in both directions unless the fire barrier is symmetrical.

5. The fire barrier shall be tested with a pressure differential across it (higher pressure on the exposed side) that is equivalent to the maximum pressure differential a fire barrier in the plant is expected to experience unless such pressure differentials are shown to have no effect on the performance of the penetration seal.

6. The temperature levels of the cable insulation, cable conductor, cable tray, conduit, and fire stop material shall be recorded for the unexposed side of the fire barrier.

7. As an alternative to the standard straight-stream hose test stipulated in Sections 9.4 and 9.5 of ASTM E-119, either of the following tests may be used:

a. Two identical test specimens are exposed to the standard fire. After 1 hour, one specimen is subjected to the standard

[5] As defined in the Standard Technical Specifications.

straight-stream hose test stipulated in ASTM E119, while the other continues to be exposed to the standard fire for the full 3 hours; or

b. The single test specimen, immediately after the 3-hour standard fire exposure, is subjected to a water fog test using a high-velocity fog nozzle having an included angle of spray no larger than 30° and supplied by a hose no smaller than 1½ inches at a pressure of at least 75 psig measured at the base of the nozzle for an application time of at least 2½ minutes per 100 sq. ft. of test specimen.

8. Acceptance Criteria—The test is successful if:

a. The cable penetration fire barrier has withstood the fire endurance test without passage of flame or ignition of cables on the unexposed side for a period of 3 hours,

b. The temperature levels recorded for the unexposed side are analyzed and demonstrate that the maximum temperature is sufficiently below the cable insulation ignition temperature, and

c. The fire barrier remains intact and does not allow projection of water beyond the unexposed surface during the hose stream test.

O. *Fire Doors.* Fire doors shall be self-closing or provided with closing mechanisms and shall be inspected semiannually to verify that automatic hold-open, release, and closing mechanisms and latches are operable. Fire doors shall be kept closed unless provided with automatic hold-open, release, and closing mechanisms.

One of the following measures shall also be provided:

1. Fire doors shall be electrically supervised at a continously manned location; or

2. Fire doors shall be locked closed and inspected weekly to verify that the doors are in the closed position; or

3. Fire doors shall be provided with automatic hold-open and release mechanisms and inspected daily to verify that doorways are free of obstructions; or

4. Fire doors shall be kept closed and inspected daily to verify that they are in the closed position.

The fire brigade commander shall have ready access to keys for any locked fire doors.

Areas protected by automatic total flooding gas suppression systems shall have electrically supervised self-closing fire doors.

P. *Reactor Coolant Pump Lubrication System.* The reactor coolant pump lubrication system shall be protected by either an oil collection system or an automatic fire suppression system.

Oil collection systems shall be capable of collecting lube oil from all potential pressurized and unpressurized leakage sites in the reactor coolant pumps' lube oil systems, and draining the oil to a vented closed container. A flame arrestor is required in the vent if the flash point characteristics of the oil present the hazard of fire flashback. Leakage points to be protected shall include lift pump and piping, overflow lines, lube oil cooler, oil fill and drain lines and plugs, flanged connections on oil lines and lube oil reservoirs where such features exist on the reactor coolant pumps. Leakage shall be collected and drained to a closed container that can hold the entire lube oil system inventory. The drain line shall be large enough to accommodate the largest potential oil leak.

To provide adequate protection for a design basis Safe Shutdown Earthquake (SSE), one of the following should be provided:

1. The lube oil system components whose failure could result in leakage should be designed to withstand an SSE without leakage and the dropping of oil collection system components during an SSE should not cause loss of operability of safety-related equipment; or

2. The oil collection system should be designed to withstand an SSE and continue to be able to collect and drain leakage that may occur during an SSE. In this case the oil collection system should be adequate to collect oil from any external lube oil piping not designed to withstand an SSE in addition to leakage from points identified above.

If an automatic fire suppression system is selected, either the automatic and manual fire suppression system or the lube oil system components whose failure could result in leakage should be designed to withstand the SSE.

Q. *Associated Circuits.* Associated circuits shall be electrically isolated from safety equipment so that hot shorts, open circuits, or shorts to ground in the associated circuit will not prevent operation of the safety equipment.

If associated circuits are not known to be so electrically isolated, they shall be considered safe shutdown circuits. The separation and barriers between trays and conduits containing associated circuits of one safe shutdown division and trays and conduits containing associated circuits or safe shutdown cables from the redundant division shall be such that a postulated fire involving associated circuits will not prevent safe shutdown.[6]

All interested persons who desire to submit written comments or suggestions concerning the proposed rulemaking should send their comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, on or before June 30, 1980. Copies of comments received on the proposed amendments may be examined in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C.

(Sec. 161b, Pub. L. 83-703, 68 Stat. 948; Sec. 201, Pub. L. 93-438, 88 Stat. 1242 [42 U.S.C. 2201(b), 5841])

Dated at Washington, D.C., this 21st day of May 1980.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 80-16212 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[6] An acceptable method of complying with this alternative would be to meet Regulatory Guide 1.75 position 4 related to associated circuits and IEEE 384-1974 (Section 4.5) where trays from redundant safety divisions are so protected that postulated fires affect trays from only one safety division.

DEPARTMENT OF ENERGY

Economic Regulatory Administration

10 CFR Part 211

[Docket No. ERA-R-79-37]

Mandatory Petroleum Allocation Regulations; Establishment of Mandatory Production Levels of Middle Distillates

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of termination of rulemaking proceeding.

SUMMARY: On July 30, 1979 (44 FR 46244, August 6, 1979) the Economic Regulatory Administration (ERA) of the Department of Energy solicited comment on a proposed rulemaking that would amend the allocation regulations to require for the months August, September and October 1979 that each refiner's combined production of Nos. 1 and 2 heating oil and Nos. 1 and 2 diesel fuel be at least equal to its average monthly production of those products in the three months during the period January 1977 through December 1978 in which that refiner's combined production of those products was greatest. In addition, we proposed to require that each refiner's combined production of kerosene and kerosene-type aviation turbine fuel in each month proposed to be covered be at least equal to its average monthly production of those products in the three months of 1978 in which its combined production of those products was greatest. This Notice is to advise of our termination of this proceeding.

FOR FURTHER INFORMATION CONTACT:

C. Eric Hager (Regulations and Emergency Planning), Economic Regulatory Administration, Room 7202, 2000 M Street, N.W., Washington, D.C. 20461, (202) 653-3263.

Jack Kendall (Office of General Counsel), Department of Energy, Room 6A-127, 1000 Independence Avenue, S.W., Washington, D.C. 28585, (202) 252-6739.

SUPPLEMENTARY INFORMATION: At the time that the rule was proposed, ERA was concerned with indications that middle distillate primary stocks were significantly below the normal inventory levels of recent years. The mandatory production level requirement proposed

was based upon an intent to assure that inventory accumulation rates would be accelerated to avert possible emergency supply conditions during the upcoming heating oil season.

The 240 million barrel primary stock target established by the Department was met on a voluntary basis by the nation's refiners and this was sufficient to meet the nation's needs this past heating season. In view of this, further action to adopt the proposed rule for the months proposed was considered unnecessary.

In the course of reviewing the many comments received and our further consideration of the merit of having some form of mandatory production level rule on a standby or permanent basis, we considered proposing for public comment a provision that could apply for months other than August, September and October 1979. Based on the data available to us concerning the current adequacy of middle distillate stocks and the comments received we have determined that a middle distillate production level rule as was proposed in July 1979, is unnecessary in any form to achieve the objectives of the Emergency Petroleum Allocation Act of 1973, as amended.

A review of current middle distillate stock, production, and import data suggests that available supplies are increased substantially over this time last year. Currently, primary stocks are considerably higher than the projected normal range. As of March 28, 1980, distillate stocks stood at 175.5 million barrels which is 53.8 percent above the level a year ago. Distillate supplies are higher for this time of year than at any other comparable period in history. The majority of refiners are presently distributing distillate to their purchasers at or near 100% of historic use.

We intend to continue monitoring the middle distillate supply situation closely. In the event that anticipated supply data or other information indicate a need for regulatory intervention to avert middle distillate product shortages, we will not hesitate to act to assure that adequate supplies are available on an equitable basis for the next heating oil season.

The rulemaking proceeding entitled "Establishment of Mandatory Production Levels of Middle Distillates," Docket No. ERA-R-79-37 initiated on July 30, 1979, is hereby terminated.

Issued in Washington, D.C. May 19, 1980.

Hazel R. Rollins,

Administrator, Economic Regulatory Administration.

[FR Doc. 80-16197 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 80-GL-9-AD]

Mechanically Actuated Tachometers Installed In Certain Small Aircraft; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: This notice requests comments concerning a possible Airworthiness Directive (AD) against mechanical/magnetic drag type tachometers used in certain small aircraft to indicate engine RPM. This action deals with problems which may result from the pilot's inability to accurately determine engine RPM due to tachometer error.

DATES: Comments must be received on or before September 1, 1980.

ADDRESSES: Send written comments in duplicate to the Office of Regional Counsel, Federal Aviation Administration, Attn: Rules Docket (AGL-7), Docket No. 80-GL-9-AD, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Robert Alpiser, Engineer and Manufacturing Branch, AGL-214, Flight Standards Division, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-4500, extension 308.

SUPPLEMENTARY INFORMATION:

Invitation for Comments

This advance notice of proposed rulemaking is being issued to invite public participation in the identification and selection of a course or alternate course of action with respect to this particular rulemaking problem. An "advance" notice is issued when it is found that the resources of the FAA and reasonable inquiry outside of the agency do not yield a sufficient basis to identify and select a tentative course of action.

Interested persons are invited to participate in the formulation of the FAA action by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the date specified above will be considered by the Administrator before taking additional action. All comments will be available, both before and after the closing date for comments, in the Rules Docket office for examination by interested persons. If it is determined to be in the public interest to proceed with regulatory action, after consideration of the available data and comments, a notice of proposed rulemaking will be issued.

Background

A Directed Safety Investigation was conducted by FAA field offices in 1979 to determine the accuracy of mechanically actuated tachometers installed in the general aviation fleet. The compiled results of more than 2500 reports from 37 different field offices revealed a high percentage of tachometers with significant errors. The reported errors ranged from 300 RPM less than true engine speed to 270 RPM greater than true engine speed. A tachometer indicating other than true engine or propeller speed, if unknown and uncompensated for by the pilot, can affect airplane performance (takeoff, climb, and range), and may result in engine or propeller failures due to operation in restricted ranges and/or operation above redline limits.

The purpose of this advance notice of proposed rulemaking is to develop a procedure for notifying the pilot about the problem of inaccurate mechanically actuated tachometers, to develop a procedure for determining the installed accuracy of mechanically actuated tachometers, to develop a method of correcting or compensating for a tachometer that is outside the limits of acceptable accuracy, and to determine acceptable limits on tachometer accuracy at various operating conditions or power settings.

Topics of Inquiry

The FAA believes that some small aircraft have mechanical tachometers that are sufficiently inaccurate to cause an unsafe condition. Therefore, some form of corrective action is deemed appropriate. In this regard, the agency is interested in public comments and viewpoints on the following:

1. Should mechanical tachometer accuracy be checked annually?
2. Should allowable tolerance on installed tachometers be held to within plus or minus 50 RPM at various engine speeds from idle to takeoff?
3. Should a new standard be establised for newly type certificated

aircraft to require a mechanical tachometer accuracy of plus or minus 25 RPM (bench test) at various checkpoints?

4. Should tachometers outside of allowable tolerance be repaired or replaced; or should the restricted and redline ranges be remarked on the dial glass; or should a calibration card be added to the instrument panel?

5. Any suggestions for other possible courses of action not described above are solicited.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.85)

Note.—The FAA has determined that this document involves a proposed regulation which is not considered to be significant under Executive Order 12044 as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Des Plaines, Illinois on May 13, 1980.

Wm. S. Dalton,

Acting Director, Great Lakes Region.

[FR Doc. 80-16250 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-PC-4]

Alteration of Guam Island Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend the Guam Island Transition Area to provide additional airspace to protect aircraft executing instrument approaches being developed for Rota International Airport.

DATES: Comments must be received on or before June 30, 1980.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Pacific Region, Attention: Chief, Air Traffic Division, Docket No. 80-PC-4, Federal Aviation Administration, P.O. Box 4009, Honolulu, Hawaii 96813.

The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC-24), Room 916, 800 Independence Avenue SW, Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: L. Jack Overman, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW, Washington, D.C. 20591; telephone: (202) 426-3715.

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Pacific Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 4009, Honolulu, Hawaii 96813. All communications received on or before June 30, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

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

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) that would establish a 700 foot transition area at Rota International Airport to protect two NDB approach procedures being established to Runway 9 and Runway 27R. The proposed action would designate an area from 700 feet above the surface within an 8-mile radius of the airport (Lat. 14°10'26" N., Long 145°14'41" E.) within 2.5 miles either side of the 084° T(082° M) bearing from the Rota NDB (Lat. 14°10'13" N., Long. 145°14'15" E.) extending from the 8-mile radius area to 11 miles east of the NDB, and within 2 miles either side of the 290° T(288° M) bearing from the Rota NDB extending form the 8-mile radius area to 15 miles west of the NDB. Section 71.181 of Part 71 was republished in the Federal Register on January 2, 1980, (45 FR 445).

ICAO Considerations

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of, and Annex 11 to, the Convention on International Civil Aviation, which pertains to the establishment of air navigational facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undertermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as reapublished (45 FR 445) as follows:

Under Guam Island, "thence to point of beginning." is deleted and "thence to point of

beginning, and within an 8-mile radius of the Rota International Airport (Lat. 14°10'26" N., Long. 145°14'41" E.), within 2.5 miles either side of the 084° T bearing from the Rota NDB extending from the 8-mile radius area to 11 miles east of the NDB, and within 2 miles either side of the 290° T bearing from the Rota NDB extending from the 8-mile radius area to 15 miles west of the NDB." is substituted therefor.

(Secs. 307(a), 313(a), and 1110, Federal Aviation Act of 1958 [49 U.S.C. 1348(a), 1354(a), and 1510; Executive Order 10854 [24 FR 9565]; Sec. 6(c), Department of Transportation Act [49 U.S.C. 1655(c)]; and 14 CFR 11.65)

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issue in Washington, D.C., on May 21, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-16084 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-AAL-9]

Proposed Alternation of Transition Area, Gustavus, Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Gustavus, Alaska, transition area by expanding the 1,200-foot AGL floor portion of the transition area and designating a 12,500-foot MSL floor portion. The proposed alteration would provide additional controlled airspace for aircraft holding at BERGS intersection and for aircraft climbing northwest bound from Juneau and Gustavus until reaching continental control area. A need for this proposed action was created when holding was authorized at BERGS intersection and a minimum crossing altitude of 13,000 feet was established northwest bound at BERGS intersection.

DATE: Comments must be received on or before June 30, 1980.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Alaskan Region, Attn.: Chief, Air Traffic Division, Docket No. 80-AAL-9, Federal Aviation Administration, Box 14, 701 C Street, Anchorage, Alaska 99513.

The official docket may be examined at the following location: Office of the Regional Counsel, Alaskan Region, Federal Aviation Administration, Box 14, 701 C Street, Anchorage, Alaska 99513.

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

FOR FURTHER INFORMATION CONTACT: John G. Costello, Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, Box 14, 701 C Street, Anchorage, Alaska 99513, telephone (907) 271-5902.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Box 14, 701 C Street, Anchorage, Alaska 99513. All communications received on or before June 30, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments 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 public contact with FAA personnel concerned with this rulemaking will be filed in the public docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, Alaskan Region, Federal Aviation Administration, Box 14, 701 C Street, Anchorage, Alaska 99513, or by calling (907) 271-5902. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2, which describes application procedures.

The Proposal

The FAA is considering an amendment of Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR 71) to alter the Gustavus, Alaska, transition area. This amendment would provide additional controlled airspace to protect IFR aircraft holding at BERGS intersection and aircraft climbing northwest bound between BERGS intersection and the Yakutat VORTAC. A 1,200-foot AGL floor is proposed to protect aircraft holding and a 12,500-foot MSL floor to protect aircraft climbing northwest bound from over BERGS intersection.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Subpart G § 71.181 (45 FR 445), of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to amend the Gustavus transition area as follows:

Gustavus, Alaska

After "48 miles SE of the RBN." add "and within 22 miles SW of the 325° bearing from the Gustavus RBN, extending from 16 miles NW to 26 miles NW; and that airspace extending upward from 12,500 feet MSL within 5 miles each side of the Sisters Island VORTAC 302° radial extending from the NW boundary of the 1,200-foot portion transition area to 59 miles NW of the VORTAC, thence widening to 6 miles each side of the 302° radial at 69 miles NW of the VORTAC."

(This amendment is proposed under the authority of § 307(a) of the Federal Aviation Act of 1958, as amended [49 U.S.C. 1348(a)]; § 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)]; and 14 CFR 11.65)

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 1134, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, and anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Anchorage, Alaska on May 14, 1980.

Robert L. Faith,

Director, Alaskan Region.

[FR Doc. 80-16083 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-13-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 21

Futures Commission Merchants—Duties Concerning Accounts Carried for Foreign Brokers and Traders; Proposed Rule

Correction

In FR Doc. 80-14830, at page 31731, in the issue of Wednesday, May 14, 1980, make the following corrections:

(1) On page 31732, in the first column, the first full paragraph, the thirtieth line up, replace "deemed" with "deems".

(2) On page 31733, in the first column under paragraph (a) of § 21.03, the second to the last line, correct "transmissions" to read "transactions".

BILLING CODE 1505-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 1, 2 and 3c

[Docket No. RM80-60]

Revision of Commission's Rules on Ex Parte and Separation of Functions; Notice of Proposed Rulemaking

Issued: May 23, 1980.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Commission gives notice that it proposes to adopt new regulations controlling *ex parte* communications between persons outside the Commission and Commission decisionmakers, and new regulations controlling communications between decisionmakers and the Commission's advocacy or investigatory staff. The proposed rules will provide uniform *ex parte* and separation of functions rules for all trial-type proceedings at the Commission.

DATE: Written comments by June 27, 1980.

ADDRESS: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, reference Docket No. RM 80-60.

FOR FURTHER INFORMATION CONTACT: MaryJane Reynolds, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 (202) 357-8455.

SUPPLEMENTARY INFORMATION: The Federal Energy Regulatory Commission (FERC or Commission) is proposing rules controlling *ex parte* communications in trial-type proceedings. It is further proposing rules concerning the separation of advocacy and decisionmaking functions in trial-type proceedings.

I. Background

The FERC has never formulated rules governing *ex parte* communications or separation of functions. Instead, pending promulgation of its own rules, the savings provision of the Department of Energy Organization Act (DOE Act) provides that the Federal Power Commission's (FPC) and the Interstate Commerce Commission's (ICC) *ex parte* and separation of functions rules continue to apply to proceedings that were previously subject to the jurisdiction of those Commissions.[1] The FPC rules vary from the ICC rules and neither are fully consistent with the applicable provisions of the Administrative Procedure Act (APA). In addition, other proceedings at the Commission are conducted under statutes that were not administered by the FPC or the ICC. The Commission has no specific *ex parte* or separation of functions rules applicable to these proceedings.

For these reasons, the Commission considers it necessary to promulgate a set of uniform rules on *ex parte* communications and separation of functions applicable to all trial-type proceedings conducted under the various statutes that it administers.[2] The rules proposed herein will accomplish this objective.

In addition, the proposed rules will achieve a more fundamental and continuing objective of the Commission, that is, to insure those who practice before it that the decisionmaking process is both fair and equitable. One aspect of fairness in the decisionmaking process is "open" decisionmaking, a concept embodied in the Sunshine Act amendment to the APA.[3] In an effort to comply with the spirit of this provision, the Commission has already opened its deliberative meetings to the public in the majority of cases, including many cases which it is not required to open by the terms of that statute.

Another aspect of fairness concerns the integrity of the information gathering process that the Commission undertakes in a particular proceeding. In other words, the information gathering process should insure participants that the Commission will reach a decision in a proceeding based upon facts and arguments that have been publicly revealed. In statutorily required on-the-record proceedings, this result is insured by the dual provisions of the APA concerning *ex parte* communications (5 U.S.C. 557(d)) and separation of functions (5 U.S.C. 554(d)). As a matter of policy we propose *ex parte* and separation of functions rules patterned on the APA provisions to be applicable to all of our trial-type proceedings, including those to which the provisions of the APA do not apply.

II. Discussion

There is a close relationship between the proposed rules governing *ex parte* communications and those concerning separation of functions. Generally speaking, each constitutes a limitation on the access to or receipt of information that may be utilized in the decisionmaking process. The proposed *ex parte* rule constitutes a limitation on certain external communications. It proscribes off-the-record communications between decisionmakers and parties or interested persons outside the agency that are relevant to the merits of a pending trial-type proceeding. Similar communications between staff counsel or staff witnesses and third parties are not proscribed by the *ex parte* rule. Rather staff counsel and staff witnesses are restricted in their internal communications with decisionmakers by the proposed separation of functions rule. This rule would prohibit an agency investigator or advocate in a trial-type proceeding from participating in the decisionmaking process for that proceeding or another factually related trial-type proceeding or investigation.

A. Applicability of Proposed Rules

As stated earlier, both proposed rules will apply only to trial-type proceedings.[4] The term trial-type proceeding is defined in § 1.61(f). As proposed, § 1.61(f) sets forth five

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[1] Sections 401(f) and 705(a) of the DOE Act. The FPC's rules appear in 18 CFR 1.4 and 1.30(f). The ICC's rules appear in 49 CFR Part 1100, Appendix C.

[2] As part of its effort to arrive at a uniform set of proposed rules, the Commission has received advice and comment from various sources, including a report from the *Ex Parte* and Separation of Functions Subcommittee of the Commission's Advisory Committee on Revision of Rules of Practice and Procedure.

The Subcommittee's report was submitted to the Commission on September 27, 1979. A copy of the report may be obtained from the Commission's Division of Public Information.

In addition, on August 25, 1978, the staff requested comments respecting revision of the rules of practice. Certain of the comments were directed to the *ex parte* rules. (Docket No. RM78-22).

[3] 5 U.S.C. § 52(b).

[4] The proposed rules do not apply to informal rulemaking proceedings. The Commission intends to consider whether to issue a notice of proposed rulemaking governing *ex parte* communications in informal rulemakings proceedings in the near future.

categories of proceedings which will be considered trial-type proceedings. These include proceedings conducted before the Commission under § 1.38 and § 1.40 of the present regulations to review remedial or adjustment orders issued by the Secretary of Energy under § 503(a) and § 504(a) of the DOE Act and proceedings conducted under § 1.40 of the present regulations pertaining to review of the grant or denial of adjustment requests under § 502(c) of the NGPA. The last two categories of trial-type proceedings include any proceeding which by Commission order has been set for hearing before an Administrative Law Judge: or any proceeding which by law, Commission rule, or order is required to be decided on the record after opportunity for Commission hearing.

B. Ex Parte Communications in Trial-type Proceedings

Section 1.63 of the proposed rules governs *ex parte* communications in trial-type proceedings. This section prohibits interested persons and decisional employees from making *ex parte* communications with respect to any trial-type proceeding while such proceeding is pending before the Commission. In addition, this section contains a disclosure requirement for decisional employees who make or receive communications in violation of the *ex parte* rule as well as a sanctions provision for knowing violations of the rule by parties.

Central to an understanding of § 1.63 are the definitions of interested person, decisional employee, *ex parte* communication and pending trial-type proceeding.

1. *Interested Person.* The definition of the term "interested person" is contained in § 1.61(a) of the proposed rule. The term is broadly defined and encompasses those persons defined as "parties" in § 1.61(b). Read in conjunction, § 1.61(a) and § 1.61(b) provide that the term "interested person" includes a party or any agent or other person acting on behalf of a party, as well as any person who has an economic or other identifiable interest in the outcome of a trial-type proceeding.

The broad nature of this definition is supported by the legislative history of the term "interested person" as it appears in Section 557(d) of the APA:

> The wording "interested persons" is intended to be a wide, inclusive term covering any individual or other person with an interest in the agency proceeding that is greater than the general interest the public as a whole may have. The interest need not be monetary, nor need a person to be a party to, or intervenor in, the agency proceeding to come under this section. The term, includes, but is not limited to, parties, competitors, public officials, and nonprofit or public interest organizations, and associations with a special interest in the matter regulated. As used in this section, "person" has the same meaning as elsewhere in the Administrative Procedure Act.[5]

There are certain exclusions contained in the proposed definitions of interested person and party. First, a federal agency which is not a party to a trial-type proceeding is excluded from the definition of interested person. This exclusion is derived from the above-quoted legislative history:

> * * * As used in this section, "person" has the same meaning as elsewhere in the Administrative Procedure Act.[6]

Section 551(2) of the APA defines "person" to include "an individual, partnership, corporation, association, or public or private organization *other than an agency.*" (emphasis supplied) [7]

The Commission believes that there is a sound policy basis for generally excluding federal agencies from the category of interested persons. A cohesive government policy on any issue can only be derived and sustained by a free flow of information between the various federal agencies charged with formulating and implementing various aspects of that policy. This is to be distinguished from the situation where a federal agency becomes a perty to a trial-type proceeding or makes a communication on behalf of a party to a trial-type proceeding. In the latter situation, where the agency acts as an advocate and in an adversary capacity, the communications would properly be characterized as *ex parte.* The proposed definition of "party" contained in § 1.61(b) insures that this result will be reached by encompassing those persons, including for example federal agencies, who act as agent for or on behalf of a party to a trial-type proceeding.

In certain cases, the Commission believes that the policy underlying this exclusion may be equally applicable to communications between the FERC and state agencies which are not parties to a pending trial-type proceeding. The APA does not appear to provide a basis for this exclusion. However, the Commission seeks comment on the legal basis, if any, for permitting such an exclusion for state agencies.

The second exclusion is contained in the definition of "party." As defined, the term "party" does not include the staff of the Commission. The *ex parte* prohibitions contained in the proposed rule are only aimed at interested persons *outside* the agency. The prohibition on intra-agency communications is contained in the proposed rule on separations of functions discussed below.

2. *Decisional Employee.* The definition of "decisional employee" is contained in § 1.61(c) of the proposed rule. Under this definition all employees of the Commission are decisional employees unless they are staff advocates, staff investigators or are otherwise so designated under § 1.62(b) which is discussed below. The terms staff advocate and staff investigator are defined in § 1.61(d) and § 1.61(e), respectively. Staff advocate includes any person who is assigned to or who makes an appearance as staff counsel or staff witness in a trial-type proceeding. Staff investigator includes any person designated under § 1b.5 as an investigating officer in a formal investigation.

In addition, under § 1.62(b) of the proposed rule the Chairman may designate any employee (or class thereof) as a decisional employee, staff advocate or staff investigator. The proposed rule provides that any designation by the Chairman will be available to the public in the Office of the Secretary.

3. *Ex Parte* Communication. As discussed above, the proposed rule prohibits decisional employees and interested persons from making *ex parte* communications. The term *ex parte* communication is defined in § 1.63(d) of the proposed rule and includes any oral or written communication not on the public record which is relevant to the merits of a proceeding and with respect to which reasonable prior notice to all parties has not been given.

The term relevant to the merits is not defined in the proposed rule. However, § 1.62(a) of the proposed rule sets forth certain classes of communications that are specifically excluded from being relevant to the merits.

Section 1.62(a)(1) provides that a communication is not relevant to the merits of a proceeding if it is a status report or request for a status report; relates to a matter of procedure or is made in the course of another proceeding being conducted before the Commission and is on the public record of that proceeding.

Certain other exclusions are contained in § 1.62(a)(2) of the proposed rule. The exclusions contained in this paragraph apply to both the *ex parte* rule set forth in § 1.63 and the separations of functions rule set forth in § 1.64. Communications which are

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[5] S. Rep. No. 94-354, 94th Cong., 1st sess. 36 (1975); H. Rep. No. 94-880 Part 2, 94th Cong., 2d sess. 19, (1976).

[6] Id.

[7] 5 U.S.C. § 551(2)

specifically authorized by law are excluded. For instance, communications that take place pursuant to consultation provisions contained in certain of the statutes that the Commission administers would fall within this category. Second, communications which would otherwise be prohibited by the regulations can be made if all parties to the proceeding agree that the communication can take place. Finally, any communication which relates to the conduct of military or foreign affairs is excluded, if the Chairman determines that disclosure of the communication would be inimical to the military or foreign affairs functions of the United States.[8]

4. *Pendency of Proceeding.* The prohibition against *ex parte* communications contained in § 1.63 of the proposed rule applies only while a trial-type proceeding is pending before the Commission. Section 1.63(d)(2) of the proposed rule sets forth the time period during which a proceeding will be considered to be pending before the Commission.

Section 1.63(d)(2)(i) of the proposed rule defines the earliest time at which the *ex parte* prohibition will apply. It will apply at the earliest of: the time that a proceeding is noticed for hearing; the time when an opposing protest or intervention is first filed or a response in opposition to a complaint is filed; the time at which a petition for review is filed under § 1.38(d) or § 1.40(d); or it will apply to a communicator who reasonably believes that a proceeding will be noticed for hearing. In the latter situation the prohibition applies as soon as the communicator obtains such knowledge, but not before the proceeding is docketed. The Commission specifically requests comment on this aspect of the proposed rule.

Section 1.63(d)(2)(ii) of the proposed rule defines the time when a proceeding will no longer be subject to the *ex parte* rule. The concept embodied in § 1.63(d)(2)(ii) of the proposed rule is one of finality. Therefore, as proposed, the *ex parte* prohibitions of § 1.63 will terminate at the earliest of: the time when a decision becomes final agency action for purposes of judicial review; at the expiration of the time for filing applications for rehearings, if rehearing lies and no applications for rehearing have been filed; or ten days after the expiration of time for filing exceptions to an intermediate decision, if no exceptions have been filed.

5. *Remedies.* As described above, the proposed *ex parte* rule prohibits interested persons and decisional employees from making *ex parte* communications with respect to any trial-type proceeding while such proceeding is pending before the Commission. The underlying purpose of the proposed rule is to maintain the integrity of the decisionmaking process by insuring participants that the only facts and arguments that will be utilized in the process are those that have been publicly made on the record of a particular proceeding.

The first step toward achieving this result is to discourage and prohibit interested persons from making off-the-record, *ex parte* communications to decisional employees. The second step is to provide a mechanism whereby participants to a proceeding can obtain knowledge of the nature and contents of an *ex parte* communication should it occur.

Section 1.63(c) of the proposed rule set forth the remedies for noncompliance with the *ex parte* rule. Under § 1.63(c)(1) of the proposed rule, decisional employees are directed to decline the receipt of any communication which that employee has reason to believe is prohibited by the *ex parte* rule and to inform the communicator that the matter is pending before the Commission.

Under § 1.63(c)(2)(i) of the proposed rule if a decisional employee makes or receives an *ex parte* communication it must be delivered to the Secretary of the Commission within 48 hours after that person first had reason to believe that the communication was prohibited under § 1.63. If the communication was written it should be delivered directly to the Secretary. If the communication was made orally, a statement setting forth the substance of the communication must first be prepared and then delivered to the Secretary.

Section 1.63(c)(2)(ii) of the proposed rule requires the Secretary to place any such statements or communications in the public file. This public file is to be associated with the particular proceeding to which the communication relates but is to be separate from the record upon which the Commission will rely in reaching its decision in the proceeding. In addition, the Secretary must mail a copy of the statement or communication to each person on the official service list for the proceeding.

The Commission believes that the disclosure requirement of the proposed rule will serve two purposes. First, it should provide a sufficient disincentive to those persons who would contemplate the use of an *ex parte* communication to achieve a particular result in a pending proceeding. Second, the Commission recognizes that there may be circumstances where an *ex parte* communication may be made inadvertently. In those situations, notice to all participants in the proceeding of the nature and contents of the communication should be an adequate remedy.

However, the Commission realizes that a party to a proceeding may knowingly make or cause another to make an *ex parte* communication to a decisional employee. Depending on the circumstances, the disclosure remedy may not be adequate to either protect the interests of other participants to the proceeding or to discourage a calculated course of conduct.

Therefore, under § 1.63(d)(3) of the proposed rule a participant may apply to the Commission or a presiding officer may certify to the Commission for its determination the question of whether a party has knowingly made a communication in violation of the *ex parte* rule. The proposed rule provides that if the Commission determines that such a violation did occur then the Commission may, to the extent consistent with the interests of justice and the policy of the underlying statutes, require the party to show cause why his claim or interest in the proceeding should not be dismissed, denied, disregarded, or otherwise adversely affected.

C. Separation of Functions

Section 1.64 of the proposed rule concerns the separation of advocacy and decisionmaking functions in trial-type proceedings. Generally, this section prohibits certain employees of the Commission from advising certain decisional employees respecting a pending or factually related trial-type proceeding.

As previously discussed, the proposed separation of functions rule constitutes an internal limitation on the information which may be gathered and used in a particular proceeding. Since the proposed rule limits the Commission's accessibility to staff persons and therefore, limits its access to information that would otherwise be available to it, the rule has been narrowly drawn, both as to the class of persons who will be considered decisionmakers and the class of employees who will be prohibited from giving advice to those decisionmakers respecting a particular trial-type proceeding.

Section 1.64(a) of the proposed rule specifies which persons will be considered decisionmakers for all trial-type proceedings. These include: the Commission, any Commissioner or Commission's assistant, the Oil Pipeline

[8] See, 5 U.S.C. § 553(a)(1) and § 554(a)(4).

Board or member thereof, any member of the Office of Opinions and Review and the Administrative Law Judge who presided at the trial-type proceeding.

Under the proposed rule, the class of employees prohibited from advising those decisionmakers will vary from case to case. For instance, under proposed § 1.64(a)(1), if the employee was the staff advocate (as defined in § 1.61(a)) in the trial-type proceeding or was a staff advocate in a factually related trial-type proceeding then he would be prohibited from advising on the trial-type proceeding pending decision. Similarly, § 1.62(a)(2) of the proposed rule provides that an employee who was designated as a staff investigator in a formal investigation under § lb.5 of the present regulations would be prohibited from advising on the pending trial-type proceeding if the trial-type proceeding was factually related to the formal investigation.

The proposed rule on separation of functions also sets forth definitions of the terms "factually related" and "advise". Under proposed § 1.64(b)(1)(i), a trial-type proceeding is factually related to another trial-type proceeding if there is a substantial identity of facts which are material to both proceedings. In addition, under § 1.64(b)(1)(ii) of the proposed rule, a trial-type proceeding is factually related to a formal investigation if the same conduct of a person is the subject of both proceedings. The term "advise" is defined in § 1.64(b)(2) of the proposed rule to mean giving advice as to the findings, conclusions, or decision respecting a proceeding, other than in the role of staff counsel or staff witness in a public proceeding.

D. Other Provisions

Section 1.62 contains three additional provisions that warrant discussion. These provisions, which apply to both the *ex parte* rule in § 1.63 and the separation of functions rule in § 1.64, concern: phased or segmented proceedings; waiver of the regulations; and opinions of the General Counsel.

In the past, certain proceedings at the Commission have been phased or segmented in such a way that one phase of the proceeding has been conducted as a trial-type, on-the-record proceeding while another phase has been conducted as an informal rulemaking proceedings. Under section 1.62(e) of the proposed rule, the Commission may by rule or order provide that each phase or segment of the proceeding will constitute a separate proceeding for purposes of the *ex parte* and separation of functions rules.

Section 1.62(c) of the proposed rules contains a general waiver provision, under which the Commission may, to the extent permitted by law, waive any provision of the proposed rules as it may apply to all or part of a proceeding. As discussed earlier, the Commission has chosen, as a matter of policy, to propose rules governing *ex parte* communications and separation of functions which go beyond the applicable APA provisions. The Commission added § 1.62(c) to the rules because it recognizes that certain situations may arise where the application of these more stringent provisions may unduly restrict its ability to render an informed decision.

Finally, § 1.62(d) of the proposed rule concerns opinions of the General Counsel. Under this paragraph any person may apply to the Office of the General Counsel for an opinion as to whether any provision of the proposed rules applies to a communication or class of communications.

III. Comment Procedure

Interested persons may participate in this proposed rulemaking by submitting written comments. The comments may include any data, views or arguments that the commenter believes are relevant. Legal and policy considerations should be given in support of any recommendations concerning the proposed rules.

An original and 14 conformed copies of the comments should be submitted to the Office of Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before June 27, 1980. Comments should identify the notice (Docket RM80-60) and should indicate the name, title, mailing address and telephone number of one person to whom communications concerning the proposal may be addressed. Written comments will be placed in the Commission's public files and will be available for public inspection at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426, during regular business hours.

(Federal Power Act, *as amended*, 16 U.S.C. 792 *et seq.*; Natural Gas Act, as amended, 15 U.S.C. 717 *et seq.*; Interstate Commerce Act, as amended, 47 U.S.C. 1 *et seq*; Natural Gas Policy Act of 1978, 15 U.S.C. §§ 3301-3432; Public Utility Regulatory Policies Act of 1978, 16 U.S.C. §§ 2601-2645; Department of Energy Organization Act, Pub. L. No. 95-91, 91 Stat. 565, *et seq.*, E.O. 12009, 3 CFR 142 (1978); Administrative Procedure Act, 5 U.S.C. §§ 500 *et seq.*)

In consideration of the foregoing, the Commission is proposing to amend Parts 1, 2 and 3 of Chapter 1, Title 18 Code of Federal Regulations, as set forth below.

By direction of the Commission.

Kenneth F. Plumb,

Secretary.

PART 1—RULES OF PRACTICE AND PROCEDURE

1. Chapter I is amended in the table of contents to Part 1 and in the text of the regulations by inserting the title "Subpart A—General rules" before § 1.1 and by adding the following to the end thereof:

* * * * *

Subpart B—Ex Parte and Separation of Functions Rules

Sec.
1.61 Definitions.
1.62 General Provisions.
1.63 Ex parte communications in trial-type proceedings.
1.64 Separation of functions.

Authority: Federal Power Act, as amended, 16 U.S.C. 792 et seq.; Natural Gas Act, as amended, 15 U.S.C. 717 et seq.; Interstate Commerce Act, as amended, 47 U.S.C. 1 et seq.; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2601-2645; Department of Energy Organization Act, Pub. L. 95-91, 91 Stat. 565, et seq., E.O. 12009, 3 CFR 142 (1978); Administrative Procedure Act, 5 U.S.C. 500 et seq.

Subpart B—Ex Parte and Separation of Functions Rules

§ 1.61 Definitions.

For purposes of this subpart:

(a) The term "interested person" with respect to a proceeding means a person who has an economic or other identifiable interest in the outcome of such proceeding. Such term includes any party to such proceeding, but does not include a Federal agency which is not a party to such proceeding unless the Commission otherwise provides by rule or order.

(b) The term "party" includes an applicant, respondent, petitioner, declarant, complainant, defendant and intervenor in a trial-type proceeding, and any agent or other person acting on behalf of any of the above. Such term does not include the staff of the Commission.

(c) The term "decisional employee" with respect to a proceeding means any member of the Commission, any Commission presiding officer and any employee of the Commission other than (i) a staff advocate, or a staff investigator in such a proceeding, or (ii) any other person designated under § 1.62(b) as not being a decisional employee.

(d) "Staff advocate" means any person who is assigned or makes an appearance as staff counsel or staff witness in a trial-type proceeding, and any other person designated under § 1.62(b) as a staff advocate with respect to such proceeding.

(e) "Staff investigator" means a person designated under § 1b.5 as an Investigating Officer or otherwise designated under § 1.62(b) as a staff investigator.

(f) The term "trial-type proceeding" means a proceeding of the Commission:

(1) to review a remedial order under § 1.38,

(2) to review an adjustment request denial under § 1.40,

(3) to review, under § 1.40, the grant or denial of an adjustment under § 1.41(i), or

(4) which by Commission order has been set for a hearing before an ALJ, or

(5) which by law or Commission rule or order is required to be decided on the record after opportunity for Commission hearing and in which protest or intervention in opposition or response in opposition to a complaint is filed.

(g) For definitions of "person" and "Presiding Officer", see §§ 1.1(f)(1) and 1.1(b)(6).

§ 1.62 General provisions.

(a) *Exclusions.* (1) *Not relevant to merits.* For purposes of this subpart, the term "communication relevant to the merits" does not include a communication with respect to proceeding if such communication:

(i) is a status report or request for a status report,

(ii) relates to a matter of procedure,

(iii) is made in the course of another proceeding of the Commission to which it primarily relates, and is on the public record.

(2) *Other exclusions.* This subpart does not apply to any communication:

(i) which is specifically authorized by law;

(ii) which is one all parties to a proceeding agree may be made without regard to the applicable provisions of this part, in the case of a trial-type proceeding; or

(iii) which relates to the conduct of military or foreign affairs functions, the disclosure of which the Chairman determines would be inimical to the military or foreign affairs functions of the United States.

(b) *Designation of employees.* Any employee (or class of employees) may be designated for purposes of § 1.61(c), (d) or (e) by the Chairman, or in a manner prescribed by the Chairman. Any such designation shall be available to the public in the Office of the Secretary.

(c) *Waiver.* The Commission may, by rule or by order, waive or modify any provision of this subpart as it applies to all or part of a proceeding (or class of proceedings), to the extent permitted by law.

(d) *Office of General Counsel opinion.* Any employee of the Commission or person may apply to the Office of General Counsel for an opinion as to whether any provision of this subpart is applicable to a communication or class of communications.

(e) *Phased or segmented proceedings.* If a proceeding is phased or segmented so that one or more parts of the proceeding constitute informal rulemaking and one or more parts constitute trial-type proceedings, the Commission may by order provide that each phase or segment shall constitute a separate proceeding for purposes of this subpart.

§ 1.63 Ex parte communications in trial-type proceedings.

(a) *Applicability.* This section applies to any trial-type proceeding.

(b) *Prohibited communications.* (1) No interested person may, with respect to any trial-type proceeding make (or knowingly cause to be made) to any decisional employee any *ex parte* communication while such proceeding is pending before the Commission.

(2) No decisional employee may, with respect to any trial-type proceeding, make (or knowingly cause to be made to any interested person any *ex parte* communication while such proceeding is pending before the Commission.

(c) *Remedies for noncompliance.*—(1) *Declining to receive and consider communications.* A decisional employee who receives an oral offer of a communication which he has reason to believe is prohibited by paragraph (b)(1) shall decline to listen to such communication, shall state that the matter is pending before the Commission and shall advise the communicator that the communication will not be considered.

(2)(i) *Disclosure.* A decisional employee who makes or receives a communication respecting such proceeding, which is prohibited by paragraph (b) shall, within 48 hours after he first has reason to believe that such communication is prohibited:

(A) prepare and deliver to the Secretary a statement setting forth the substance of the communication if it is in oral form; or

(B) deliver it to the Secretary if it is in written form.

(ii) The Secretary shall place any communications and statements received by him under clause (i) in public files associated with the proceeding, but separate from the record upon which the Commission may rely in reaching its decision. The Secretary shall mail to each person on the official service list of the proceeding a copy of any matter delivered under clause (i).

(3) *Knowing violations by parties.* If on the application of a participant or upon the presiding officer's certification, the Commission determines that the communication was knowingly made (or caused to be made) by a party acting in violation of this section, the Commission may, to the extent consistent with the interests of justice and the policy of the underlying statutes, require the party to show cause why his claim or interest in the proceeding should not be dismissed, denied, disregarded, or otherwise adversely affected on account of such violation.

(d) *Definitions.* For purposes of this section:

(1) *"Ex parte* communication" means an oral or written communication not on the public record which is relevant to the merits of a proceeding and with respect to which reasonable prior notice to all parties has not been given.

(2) A proceeding is pending before the Commission during the period which:

(i) Begins at the earlier of:

(A) When it is noticed for hearing; or

(B) With respect to a communcator who reasonably believes it will be noticed for hearing, when he obtains such knowledge (but not before the proceeding is docketed); or

(C) When a protest, intervention in opposition or response in opposition to a complaint, is first filed; or

(D) When a petition for review is filed in accordance with § 1.38(d) or § 1.40(d); and

(ii) Ends at the earliest of:

(A) The time when the decision becomes a final agency action for purposes of judicial review; or

(B) In cases where rehearing lies and no applications for rehearing have been filed at the expiration of the time for filing such applications; or

(C) Ten days after the expiration of time for filing exceptions to an intermediate decision if no exceptions are filed.

§ 1.64 Separation of functions.

(a) *General rule.* No employee may advise the Commission, any Commissioner (or assistant thereto), the Oil Pipeline Board (or member thereof), member of the Office of Opinions and Review, or presiding Administrative

Law Judge, respecting any trial-type proceeding, if:

(1) such employee was a staff advocate in such trial-type proceeding or in a factually related trial-type proceeding or

(2) such employee was a staff investigator in a factually-related formal investigation under § 1b.5.

(b) *Definitions.* For purposes of this section:

(1) *Factually related.* (i) A trial-type proceeding is factually related to another trial-type proceeding if there is substantial identity of facts which are material to both proceedings.

(ii) A trial-type proceeding is factually related to a formal investigation if the same conduct of a person is the subject of both proceedings.

(2) *Advise.* The term "advise" means advise as to the findings, conclusions, or decision respecting a proceeding (other than as witness or counsel in public proceedings).

PART 2—GENERAL POLICY AND INTERPRETATIONS

PART 3c—STANDARDS OF CONDUCT

§§ 1.4, 1.27, 1.30, 1.38, 1.40, 2.100, 3c.6, 3c.112, 3c.206 -[Amended]

2. Chapter 1 is further amended in the following sections: In § 1.4 by deleting paragraph (d); in § 1.27 by deleting the second sentence of paragraph (c); in § 1.30 by deleting paragraph (f); in § 1.38(o) by deleting "§ 1.4(d) of this subpart" and inserting in lieu thereof "§ 1.63 of this part"; in § 1.40(k)(1) by deleting "§ 1.4(d) of this subpart" and inserting in lieu thereof "§ 1.63"; in § 2.100(d) by deleting "18 CFR § 1.4(d)" and inserting in lieu thereof "§ 1.63 of this subchapter"; in § 3c.6(f) by deleting "Section 1.4(d)" and inserting in lieu thereof "Section 1.63 of this subchapter"; in § 3c.112(f)(3) by deleting "Section 1.4(d)" and inserting in lieu thereof "Section 1.63 of this subchapter"; and in § 3c.206(f)(3) by deleting "Section 1.4(d)" and inserting in lieu thereof "Section 1.63 of this subchapter".

[FR Doc. 80-16355 Filed 5-28-80; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 228

[FRL 1458-1]

Ocean Dumping; Proposed Designation of Site

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA today proposes to designate the existing acid wastes dump site located in the New York Bight as an EPA approved Ocean Dumping Site for the dumping of aqueous acid wastes.

DATES: Comments must be received on or before July 28, 1980.

ADDRESS: Send comments to Mr. T. A. Wastler, Chief, Marine Protection Branch (WH-548), Oil and Special Materials Control Division, EPA, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Mr. T. A. Wastler, 202/472-2836.

SUPPLEMENTARY INFORMATION: Section 102(c) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 U.S.C. 1401 et seq., (hereafter "the Act") gives the Administrator of EPA the authority to designate sites where ocean dumping may be permitted. The EPA Ocean Dumping Regulations (40 CFR Chapter I, Subchapter H, § 228.4) state that ocean dumping sites will be designated by publication in this Part 228. A list of "Approved Interim and Final Ocean Dumping Sites" was published on January 11, 1977 (42 FR 2461 et seq.) and extended on January 16, 1980 (45 FR 3053 et seq.).

The purpose of this notice is to provide the public an opportunity to comment on the proposed designation, as an EPA Approved Ocean Dumping Site, of the existing acid wastes dump site located in the New York Bight.

The location of the acid site is approximately 27 kilometers east of Long Branch, New Jersey, and south of Long Beach, Long Island, positioned approximately in a rectangle with coordinates as follows:

40°16' N. to 40°20' N.; 73°36' W. to 73°40' W.

The site occupies an area of approximately 41 square kilometers. Water depths within this area range from 22.6 meters to 28.3 meters. The site was selected in 1948 and has been used since for the disposal of aqueous acid wastes.

Section 102(c) of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq. (hereafter "NEPA"), requires that Federal agencies prepare Environmental Impact Statements (EIS's) on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment. The object of NEPA is to build into the Agency decision-making process careful consideration of all environmental aspects of proposed actions.

The EPA has prepared a Draft EIS entitled "Environmental Impact Statement for New York Bight Acid Waste Disposal Site Designation." The Draft EIS was made available to the EPA Office of Environmental Review on December 14, 1979, and a notice of availability for public review and comment was published in the Federal Register on December 21, 1979 (44 FR 75713). The public comment period on this Draft EIS closed February 12, 1980.

Based on the information reported in the Draft EIS, EPA proposes to designate the site for: (1) continuing use for the ocean disposal of aqueous acid wastes where the applicant has demonstrated a need for ocean dumping, lack of alternatives to the dumping, and compliance with EPA's marine environmental impact criteria; and (2) use under emergency conditions where the applicant can demonstrate that there exists an emergency requiring the dumping of such materials which poses an unacceptable risk to human health and admits of not other feasible solution.

The designation of the existing New York Bight acid wastes dump site as an EPA Approved Ocean Dumping Site is being published as proposed rulemaking. Management authority on this site will be delegated to the Regional Administrator of EPA Region II.

Interested persons may participate in this proposed rulemaking by submitting written comments within 60 days of the date of this publication to the address given above.

Although this proposed site designation may have substantial local impacts in the vicinity of the dump site and to those who use it, we have determined that this proposed rule is not a "significant" regulatory action within the meaning of Executive Order 12044, Improving Government Regulations (March 23, 1978).

(33 U.S.C. Sections 1412 and 1418)

Dated: May 22, 1980.

Douglas M. Costle,

Administrator.

PART 228—CRITERIA FOR THE MANAGEMENT OF DISPOSAL SITES FOR OCEAN DUMPING

In consideration of the foregoing, Subchapter H of Chapter I of Title 40 is proposed to be amended by adding to § 228.12(b) an ocean dumping site for Region II as follows:

§ 228.12 Delegation of management authority for interim ocean dumping sites.

* * * * *

(b) * * *

(6) Acid Wastes Site—Region II.

Location: Latitude—40°16' N. to 40°20' N.; longitude—73°36' W. to 73°40' W.
Size: 41 square kilometers.
Depth: Ranges from 22.6 meters to 28.3 meters.
Primary Use: Acid waste (note restriction below).
Period of Use: Acid wastes dumped under Special Permits—continuing use but with Agency review every 5 years; Emergency Permit dumping—unlimited.
Restriction: Disposal shall be limited to aqueous acid wastes except under Emergency Permit.

[FR Doc. 80-16253 Filed 5-28-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Ch. IV

Medicare Program; Reasonable Charge Limitations

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

ACTION: Notice of decision to develop regulations.

SUMMARY: We propose to amend the Medicare regulations on reasonable charges to set forth the process and criteria by which HCFA will establish special reasonable charge rules and payment limits for individually identified high-technology items reimbursed under Part B of the Medicare program.

FOR FURTHER INFORMATION CONTACT: Paul Riesel, Health Care Financing Administration, Department of Health and Human Services, 1–A–3 East Low Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235, 301–594–1843.

SUPPLEMENTARY INFORMATION: The reasonable charge for an item or service is currently computed as the lowest of (1) the actual charge, (2) the customary charge made by the particular physician or supplier, and (3) the prevailing charge (the 75th percentile in the range of customary charges for similar services in the locality). In addition, our current regulations authorize us to consider "other factors that may be found necessary and appropriate, with respect to a specific item or service, to use in judging whether the charge is inherently reasonable."

However, under unusual market conditions, these rules may result in excessive or unreasonable levels of payment. This may occur, for example, when the Federal government is the primary payer for an item; when there is a rapid spread of new, expensive technology; or where an item is furnished by only one supplier.

The proposed regulation would establish a special rule for these situations. It would state general criteria for determining when a limit is appropriate for a specific item, set forth a process for public participation in subsequently establishing a limit on that specific item, and provide for exceptions when a supplier or beneficiary submits acceptable justification. Under the proposed process, once we have identified a situation in which the usual method of determining reimbursement does not appear appropriate, we would consider certain relevant factors on a national or regional basis (such as price mark-up, utilization rate, etc.). If we believe that a limit is appropriate, we would publish a notice in the Federal Register and provide for a 60-day period for public comments on the need for the limit and the basis for the proposed dollar amount. After we review all comments, we would make a final determination on the need for and the amount of the limit, and publish any final limit in the Federal Register.

The item we have under review for the initial application of this regulation is the computerized tomography scanner. We will be issuing a notice, shortly after publication of the proposed rule, setting forth proposed limits on scanner services and our basis for developing them.

The purpose of this proposed amendment is to control those health care costs that we can clearly identify as excessive under criteria set forth in published regulations, and to prevent the adverse effects on both Medicare beneficiaries and consumers in general that we believe would result from lack of such controls.

HCFA has classified the proposed regulation as policy significant. A regulatory analysis is not planned for this regulation, but may be appropriate for the subsequent notices proposing limits on specific items.

Dated: April 15, 1980.

Leonard D. Schaeffer,

Administrator, Health Care Financing Administration.

[FR Doc. 80-16312 Filed 5-28-80; 8:45 am]

BILLING CODE 4110-35-M

Notices

Federal Register
Vol. 45, No. 105
Thursday, May 29, 1980

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Alaska Region's Land and Resource Management Plan; Intent To Prepare an Environmental Impact Statement

Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, will prepare an Environmental Impact Statement on the proposed Land and Resource Management Plan for the Alaska Region. This proposed plan outlines long-term management direction and administration of the National Forest Systems land; State and Private Forestry programs; and identifies Research needs to support management programs.

The proposed Regional Plan is being prepared in response to public issues and management concerns. Scoping sessions have been held with State of Alaska agencies and other Federal agencies, following the initial identification of issues by Forest Service planing staff. An interdisciplinary team completed the identification of tentative issues and concerns and published them on February 19, 1980. Copies of those issues and concerns were mailed to over 5,000 individuals and organizations with a request for response to the adequacy of issue and concerns identification. The issues presented dealt with defining the role of Forest Service lands in Alaska in providing fish and wildlife habitat, wood fiber, energy and minerals, wilderness, and recreational opportunities. The effects of Forest Service programs on community stability and social well-being were also raised as public issues. Management concerns for soil and water shed resources, transportations systems, cooperative programs, research needs, technology transfer, pending legislation, and impacts of prior planning efforts were also rated.

A reasonable range of alternatives will be formulated by an interdisciplinary team to provide different ways to address and respond to the major public issues, management concerns, and resource opportunities identified during this planning process.

Alternatives will reflect a range of resource outputs and expenditure levels. In formulating these alternatives, the following criteria will be met:

(1) Each alternative will be capable of being achieved;

(2) A no-action alternative will be formulated—that is the most likely condition expected to exist in the future if current management direction would continue unchanged;

(3) Each alternative will provide for orderly elimination of backlogs of needed treatment for the restoration of renewable resources as necessary to achieve the multiple-use objectives of that alternative;

(4) Each identified major public issue and management concern will be addressed in one or more alternatives; and

(5) Each alternative will represent to the extent practicable the most cost efficient combination of management practices examined that can meet the objectives established in the alternative. Each alternative will state at least:

(a) the condition and uses that will result from long-term application of the alternative;

(b) the goods and services to be produced, and the timing and flow of these resource outputs;

(c) resource management standards and guidelines; and

(d) the purposes of the management direction proposed.

The selected alternative will guide the management of the Alaska Region through establishment of management standards and guidelines.

John A. Sandor, Regional Forester, is responsible for preparation of the plan. The team leader for the Regional Plan Interdisciplinary Team is Jim Pierce. R. Max Peterson, Chief of the Forest Service, is responsible for approval of the plan.

It is anticipated that the Draft Environmental Impact Statement will be completed and available for review on or about June 18, 1980. A 90-day review period will be followed with a Final Environmental Impact Statement scheduled to be available on October 17, 1980.

Comments on this Notice of Intent or on the proposal should be sent to John A. Sandor, Regional Forester, USDA Forest Service, P.O. Box 1628, Juneau, Alaska 99802.

Dated: May 19, 1980.

Douglas Leisz,

Acting Chief.

[FR Doc. 80-16225 Filed 5-28-80; 8:45 am]

BILLING CODE 3410-11-M

CIVIL AERONAUTICS BOARD

[Docket 37982; Order 80-5-3]

Proposed Revision To Make Domestic Fare Policies More Flexible; Order Dismissing Motion

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C. on the 1st day of May, 1980

On April 3, 1980, we issued a Notice of Proposed Rulemaking, PSDR-66 (Docket 37982) soliciting comments on several possible alternative changes to our current passenger fare policy.[1] These proposals are intended to permit carriers greater flexibility in establishing their own fares. The proposals in PSDR-66 are: full downward fare flexibility, full or expanded upward flexibility, and expanded flexibility in short-haul markets or on a portion of each airline's available capacity. (45 FR 24178, April 9, 1980)

On April 8, 1980, the Air Transport Association of America (ATA), filed a motion on behalf of the carriers named in Appendix A[2] requesting that we expand immediately, on an interim basis pending finalization of PSDR-66, the upward flexibility zones. ATA's request generally coincides with option V of our rulemaking and would permit the carriers to set fares up to 30 percent above the Standard Industry Fare Level (SIFL) in markets over 400 miles and up to 50 percent above the SIFL in markets of 400 miles or less.[3]

In support of the motion ATA states that the upward flexibility is needed immediately: to offset the rapidly

[1] Our current domestic fare policies are set forth in PS-92 (14 CFR Part 399, Subpart C), 45 FR 24115, April 9, 1980.

[2] Appendix A is filed as part of the original with the Office of the Federal Register.

[3] It is not clear why any request for additional upward flexibility was made on behalf of Air New England. This carrier has unrestricted pricing freedom under PS-92 (14 CFR 399.33(b)), since it only operates aircraft with 60 seats or less.

deteriorating financial condition of the airline industry; because of the carriers inability to recoup their escalating costs on a timely basis; since the target date for implementation of PSDR-66 appears to be mid-summer which will effectively deny them needed immediate flexibility to maintain a viable, privately owned United States air transport industry consistent with the public interest; and to restore the balance between route and fare deregulation.

ATA also asserts that we could, under the Administrative Procedure Act (5 USC Section 553(b)), effect the expanded upward flexibility zones immediately in this rulemaking if we found good cause (and incorporated our findings and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impractical, unnecessary, or contrary to the public interest.

Upon consideration of the motion and all other relevant facts we find this request to be inconsistent with sound administrative procedure, and therefore the motion will be denied.

We are aware of the current financial results and decline in traffic now being reported by the carriers. We are however, not persuaded by the arguments of ATA that there exists such an emergency as to warrant issuing an interim rule. Absent a true emergency, sound administrative procedure precludes issuing an interim rule involving a major change in policy at the very time comments by interested parties are being prepared. This is especially true considering that we have halved the time for comments from the usual 60 to 30 days, and are dealing with rapid increases in costs by modifying the SIFL every two months, or three times as often as required by statute.

We intend to act expeditiously when the time for comments has expired (May 12, 1980) and contrary to ATA's fears certainly intend to take action before mid-summer. Moreover, as we stated in PSDR-66, the upward flexibility zones we established in PS-80 were not intended to be a strait jacket, precluding fares outside the suspend-free zone; and that carriers could propose fares outside these zones with proper justification. We note that 17 of the 26 carriers in Appendix A have recently requested and have been given authority to set fares above the prescribed zones in PS-80. Should the carriers feel that additional increases are necessary, they are free to pursue the remedies currently available to them under our Regulations and the Act.

Accordingly,

1. We dismiss the motion of the Air Transportation Association of America in Docket 37982; and

2. We shall serve copies of this order on the Air Transport Association of America and all U.S. air carriers.

We shall publish this order in the Federal Register.

By the Civil Aeronautics Board:

Phyllis T. Kaylor,

Secretary.

All Members concurred.

[FR Doc. 80-16289 Filed 5-28-80; 8:45 am]

BILLING CODE 6320-01-M

[Order 80-5-157; Docket 38007]

Southwest Airlines Subpart Q Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order 80-5-157, Southwest Airline Subpart Q Proceeding, Docket 38007.

SUMMARY: The Board is proposing to grant unrestricted authority in the Denver-Phoenix/Las Vegas/Amarillo/Albuquerque/Kansas City/Oklahoma City and Tulsa markets to Southwest under our expedited Subpart Q procedures. The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing an order making final the tentative findings and conclusions, shall file by June 26, 1980, with the Board and serve upon Southwest a statement of objections, together with a summary of testimony, statistical data and other material expected to be relied upon to support the stated objections.

ADDRESSES: Objections should be filed in Docket 38007, Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

FOR FURTHER INFORMATION CONTACT: John F. Brennan, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428; (202) 673-6069.

SUPPLEMENTARY INFORMATION: The complete text of Order 80-5-157 is available from our Distribution Section, Room 516, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 80-5-157 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board: May 22, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-16292 Filed 5-28-80; 8:45 am]

BILLING CODE 6320-01-M

COMMISSION ON CIVIL RIGHTS

Delaware Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Delaware Advisory Committee (SAC) of the Commission will convene at 5:30 pm and will end at 8:00 pm, on June 17, 1980, at the Arsenal On The Green, Market Street, New Castle, Delaware 19720.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Mid-Atlantic Regional Office of the Commission, 2120 L Street, N.W., Room 510, Washington, D.C. 20037.

The purpose of this meeting is to discuss the drafting of a proposal for a Northeast Corridor (Rail) Improvement Project and other areas of possible interest.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., May 23, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-16223 Filed 5-28-80; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Results of Administrative Review of Antidumping Finding and of Tentative Determination To Revoke; Portland Cement, Other Than White, Nonstaining Portland Cement, From Sweden

AGENCY: U.S. Department of Commerce.

ACTION: Notice of Results of Administrative Review of Antidumping Finding and of Tentative Determination To Revoke.

SUMMARY: This notice serves to advise the public of the results of the administrative review of the antidumping finding on portland cement, other than white, nonstaining portland cement, from Sweden. It also serves as notification of a tentative determination to revoke the above finding. There have been no imports in the last four years of the subject cement from Sweden. This

notice is published pursuant to Section 751 of the Tariff Act of 1930, as amended.

EFFECTIVE DATE: May 29, 1980.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–2361).

SUPPLEMENTARY INFORMATION: On April 21, 1961, a dumping finding with respect to portland cement, other than white, nonstaining portland cement, from Sweden was published in the Federal Register as Treasury Decision 55369 (26 FR 3427).

A "Notice of Tentative Determination to Modify or Revoke Dumping Findings" with respect to this merchandise from Sweden was published in the Federal Register on September 4, 1979 (44 FR 51696).

Reasons for the tentative determination were published in the above mentioned notice, and interested persons were afforded an opportunity to provide written submissions or request an opportunity to present oral views in connection therewith. No written submissions or requests have been received.

In the Federal Register of March 28, 1980, a notice of intent to conduct administrative review was published (45 FR 20511–12). Pursuant to Section 751 of the Tariff Act of 1930, amended (93 Stat. 175, 19 U.S.C. 1675), the present notice serves to advise the public that the Department of Commerce has conducted an administrative review of the above finding of dumping. This review has disclosed no reasons why the tentative revocation should not be finalized. There have been no imports of portland cement, other than white, nonstaining portland cement, from Sweden during the years 1976 through 1979. In addition, although there were shipments during 1973 through 1975, there were no dumping duties assessed in 1973 and 1975 and only *de minimis* duties assessed in 1974. Cementa, A.B. has agreed in writing to an immediate suspension of liquidation and reinstatement of the finding if circumstances develop which indicate that the merchandise thereafter imported into the United States is being sold at less than fair value, as provided by Section 353.54(e) of the Commerce Regulations (19 CFR 353.54(e)). Therefore, shipments of portland cement, other than white, nonstaining portland cement, from Sweden which were entered, or withdrawn from warehouse, for consumption on or after September 4, 1979 will not be liable for dumping duties. The above finding will be revoked unless it is established to the Secretary's satisfaction that revocation is not warranted.

Interested parties may submit written comments on or before June 30, 1980 and may request disclosure and/or a hearing on or before June 16, 1980.

This revocation with respect to portland cement, other than white, nonstaining portland cement from Sweden shall be final, effective July 3, 1980 without further notice or action, unless comments are received prior to that time which establish to the satisfaction of the Secretary that revocation is not warranted. The amendment to Annex I, Section 353 of the Commerce Regulations (19 CFR 353, Annex I), will be published in a future Federal Register notice.

This notice is published pursuant to Section 751 (a)(1) and (c) of the Act (93 Stat. 175, 19 U.S.C. 1675 (a)(1), (c)), and Section 353.54(e) of Commerce Regulations (19 CFR 353.54(e), 45 FR 8206).

John D. Greenwald,

Deputy Assistant Secretary, Import Administration.

May 23, 1980.

[FR Doc. 80-16201 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

Food and Drug Administration; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. at 666—11th Street, N.W. (Room 735) Washington, D.C.

Docket Number: 80–00089. Applicant: U.S. Food and Drug Administration, HFF–459, 200 C Street, Washington, D.C. 20204. Article: Mass Spectrometer, Model MM ZAB–2F and Accessories. Manufacturer: VG Micromass, United Kingdom. Intended use of article: The article is intended to be used to extend existing capabilities in the trace level analysis of toxic and/or carcinogenic substances that may be present in foods. They include halogenated compounds (phenols, vinyl chloride, vinylidene chloride, polyhalogenated dibenzofurans, dibenzodioxins, and biphenyls), nitrosamines, direct and indirect food additives, veterinary drug residues, mycotoxins, plant toxins, marine toxins, organophosphate pesticides, and aromatic amines.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a guaranteed resolution of 70,000 (10% valley). The Department of Health, Education and Welfare advises in its memorandum dated March 28, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-16246 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

Pennsylvania State University; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. at 666–11th Street, N.W. (Room 735) Washington, D.C.

Docket Number: 80–00085. Applicant: The Pennsylvania State University, Biochemistry Department, 401 Althouse, Lab., University Park, PA 16802. Article: Colora Gel Electrophoresis Apparatus UltraPhor. Manufacturer: Colora Messtechnik GMBH, West Germany. Intended use of article: The article is intended to be used to separate blood (sera) from rats into its various protein components (about 50). After the various proteins in the serum preparations have been separated, the fractions will be tested for inhibitor activity. Studies will be conducted to determine the reason

why differences exist between normal and tumor-bearing animals.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides the capability for counter elution which permits recovery of the separated proteins on a continuous basis. The Department of Health, Education and Welfare advises in its memorandum dated March 28, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-16247 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

University of Denver; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. at 666-11th Street, N.W. (Room 735) Washington, D.C.

Docket Number: 80-00059. Applicant: University of Denver, Department of Chemistry (Colorado Seminary), Denver, Colorado 80208. Article: Spectropolarimeter with Stopped Flow Accessory. Manufacturer: JASCO, Ltd., Japan. Intended use of article: The article is intended to be used to obtain circular dichroism spectra of proteins and nucleic acids in different conformations in the course Biochemistry Laboratory, Purification and Properties of Enzymes and Nucleic Acids.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article measures circular dichroism with a minimum sensitivity of 0.2 millidegrees per centimeter and a minimum wave length accuracy of 0.1 nanometers (nm) over a wave length range of 180-1000 nm. The Department of Health, Education and Welfare advises in its memorandum dated March 28, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-16245 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

University of Hawaii; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301.)

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. at 666-11th Street, N.W. (Room 735), Washington, D.C.

Docket Number: 80-00076. Applicant: University of Hawaii, Honolulu, Hawaii 96822. Article: Rotating Anode X-ray Generator and Accessories. Manufacturer: Rigaku, Japan. Intended use of article: The article is intended to be used with a well-established high pressure-high temperature apparatus, and energy dispersive X-ray diffraction system as an intense X-ray source to investigate several very important problems in the area of (i) equation of state, (ii) phase relationships, and (iii) melting phenomena for mantle minerals such as olivines $(Mg, Fe)_2 SiO_4$; pyroxenes $(Mg, Fe) SiO_3$; garnets $(Mg, Fe)_3 Al_2Si_2 O_{12}$; and stishovite (SiO_2) and their analogs (i.e., $Mg\text{-}F_2$, FeF_2, MnF_2, CoF_2, NiF_2, and ZnF_2) under in situ high pressure (up to 600 kbar) and high temperature (up to 2000°C). Experimental data obtained will be used to refine the earth model and thus will be of great value in understanding of geothermal and geodynamics processes in the earth's interior.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a high intensity (brilliance) 12 kilowatt/square millimeter beam from a rotating anode X-ray system. The National Bureau of Standards advises in its memorandum dated April 1, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is to be intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-16246 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

President's Export Council Subcommittee on East-West Trade; Open Meeting

Pursuant to Section 10(a) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that a meeting of the East-West Trade Subcommittee of the President's Export Council will be held on Monday, June 16, 1980 at 3:00 p.m. in the Department of Commerce, 14th St. and Constitution Avenue, NW., Washington, D.C., Room 4830. The Council was initially established by Executive Order 11753 of December 20, 1973, subsequently extended by

Executive Order 11827 of January 4, 1975, Executive Order 11948 of December 20, 1976, and Executive Order 12100 of December 28, 1978. The Council was reconstituted by Executive Order 12131 of May 4, 1979, to advise the President on matters relating to United States export trade, including the implementation of the President's National Export Policy. The subcommittee has been formed to study U.S. Governmental restrictions on East-West trade and other applicable trade relations issues and to make recommendations to the Council regarding changes or improvements in present U.S. laws and policies relating to East-West trade. It is composed solely of Council members. The agenda of the meeting will be as follows:

1. Review of trade relations with the Soviet Union, Eastern Europe and China.

2. Identification of possible East-West trade issues to be addressed at June 17, 1980 PEC Executive Committee meeting.

3. Organizational business; discussion of Subcommittee's future role and activities.

A limited number of seats at the meeting will be available to the public on a first-come basis. The public may file written statements with the Subcommittee before or after each meeting. Oral statements may be presented at the end of the meeting to the extent that time is available.

Copies of the minutes of the meeting and further information concerning the President's Export Council may be obtained from Ms. Wendy Haimes (202) 377-5719 (Rm. 4015B) or Mr. Gus Maffry (202) 377-5334 (Rm. 4814A), International Trade Administration, U.S. Department of Commerce, Washington, D.C., 20230.

Dated: May 23, 1980.

J. Mishell George,

Acting Deputy Assistant Secretary for East-West Trade.

[FR Doc. 80-16255 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee; Partially Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that a meeting of the Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, June 18, 1980, at 1:30 p.m. in Room 3708, Main Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, January 13, 1977, and August 28, 1978, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee was established on July 8, 1975. On October 16, 1978, the Assistant Secretary for Industry and Trade approved the continuation of the Subcommittee pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to computer systems, including technical data or other information related thereto, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates, including proposed revisions of any such multilateral controls. The Foreign Availability Subcommittee was formed to ascertain if certain kinds of equipment are available in non-COCOM and Communist countries, and if such equipment is available, then to ascertain if it is technically the same or similar to that available elsewhere.

The Subcommittee meeting agenda has six parts:

General Session

(1) Opening remarks by the Subcommittee Chairman.

(2) Presentation of papers or comments by the public.

(3) Progress report by Office of Export Administration on foreign availability studies.

(4) Future of the Subcommittee and designation of a new chairman.

(5) New business.

Executive Session

(6) Discussion of matters properly classified under Executive Order 11652 or 12065, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The General Session of the meeting is open to the public; a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (6), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 6, 1978, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government in the Sunshine Act, Pub. L. 94-409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1). Such matters are specifically authorized under criteria established by an Executive Order to be kept secret in the interests of national defense or foreign policy. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under Executive Order 11652 or 12065. All Subcommittee members have appropriate security clearances.

The complete Notice of Determination to close meetings or portions thereof of the series of meetings of the Computer Systems Technical Advisory Committee and of any Subcommittees thereof, was published in the Federal Register on September 14, 1978 (43 FR 41073).

Copies of the minutes of the meeting will be available by calling Mrs. Margaret Cornejo, Policy Planning Division, Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-377-2583.

For further information contact Mrs. Cornejo either in writing or by phone at the address or number shown above.

Dated: May 23, 1980.

Kent N. Knowles,

Director, Office of Export Administration, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 80-16322 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

Hardware Subcommittee of the Computer Systems Technical Advisory Committee; Closed Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that a meeting of the Hardware Subcommittee of the Computer Systems Technical Advisory Committee will be held on Tuesday,

June 17, 1980, at 10:00 a.m. in Room B841, Main Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, January 13, 1977, and August 28, 1978, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Hardware Subcommittee of the Computer Systems Technical Advisory Committee was established on July 8, 1975, with the approval of the Director, Office of Export Administration, pursuant to the charter of the Committee. And, on October 16, 1978, the Assistant Secretary for Industry and Trade approved the continuation of the Subcommittee pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to computer systems, including technical data or other information related thereto, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates, including proposed revisions of any such multilateral controls. The Hardware Subcommittee was formed to continue the work of the Performance Characteristics and Performance Measurements Subcommittee, pertaining to (1) maintenance of the processor performance tables and further investigation of total systems performance; and (2) investigation of array processors in terms of establishing the significance of these devices and determining the differences in characteristics of various types of these devices.

The subcommittee will meet only in Executive Session to discuss matters properly classified under Executive Order 11652 or 12065, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

Written statements may be submitted at any time before or after the meeting.

The Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 6, 1978, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, P.L. 94-409, that the matters to be discussed furing the meeting should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the meeting will be concerned with matters listed in 5 U.S.C. 552b(c)(1). Such matters are specifically authorized under criteria established by an Executive Order to be kept secret in the interests of national defense or foreign policy. All materials to be reviewed and discussed by the subcommittee during the meeting have been properly classified under Executive Order 11652 or 12065. All subcommittee members have appropriate security clearances.

The complete Notice of Determination to close meetings or portions thereof of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the Federal Register on September 14, 1978 (43 FR 41073).

For further information, contact Ms. Margaret A. Cornejo, Operations Division, Office of Export Administration, International Trade Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: 202-377-2583.

Dated: May 23, 1980.

Kent Knowles,

Director, Office of Export Administration, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 80-16320 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee; Open Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that a meeting of the Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, June 18, 1980, at 9:30 a.m. in Room 3708, Main Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, January 13, 1977, and August 28, 1978, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee was established on February 4, 1974. On July 8, 1975, the Director, Office of Export Administration, approved the reestablishment of this Subcommittee, pursuant to the charter of the Committee. And, on October 16, 1978, the Assistant Secretary for Industry and Trade approved the continuation of the Subcommittee pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which may affect the level of export controls applicable to computer systems, including technical data or other information related thereto, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates, including proposed revisions of any such multilateral controls. The Licensing Procedures Subcommittee was formed to review the procedural aspects of export licensing and recommend areas where improvements can be made.

The Subcommittee meeting agenda has four parts:

(1) Opening remarks by the Subcommittee Chairman.

(2) Presentation of papers or comments by the public.

(3) Pending items of business:

a. Qualified general license.

b. Permissive reexports under GLR.

c. Technical preevaluation of products.

d. Standard formatting of license applications.

(4) Technical data regulations; member imputs on suggested revisions or required clarifications.

The meeting will be open for public observation and a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

Copies of the minutes of the meeting will be available by calling Mrs. Margaret Cornejo, Policy Planning Division, Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-377-2583.

For further information contact Mrs. Cornejo either in writing or by phone at the address or number shown above.

Dated: May 23, 1980.

Kent Knowles,

Director, Office of Export Administration, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 80-16321 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Increasing the Level of Restraint for Certain Cotton Apparel Exported From India

May 23, 1980.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the level of restraint from 39,326 dozen to 98,315 dozen for cotton skirts, in Category 342, produced or manufactured in India and exported during the agreement year which began on January 1, 1980. (A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on February 28, 1980 (45 FR 13172), as amended, on April 23, 1980 (45 FR 27463)).

SUMMARY: Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended, between the Governments of the United States and India, letters have been exchanged agreeing to increase the level for cotton textile products in Category 342 to 98,315 dozen during the agreement year which began on January 1, 1980 and extends through December 31, 1980.

EFFECTIVE DATE: May 23, 1980.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On December 28, 1979, there was published in the Federal Register (44 FR 76840) a letter dated December 21, 1979 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, including Category 342, produced or manufactured in India, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1980 and extends through December 31, 1980. In accordance with the terms of the bilateral agreement, the consultation level for Category 342 is being increased to 98,315 dozen for that period.

Accordingly, in the letter published below, the Chairman of the Committee for the implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry for consumption, or withdrawal from warehouse for consumption, of textile products in Category 342, produced or manufactured in India and exported during the twelve-month period which began on January 1, 1980, in excess of the designated level of restraint.

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

May 23, 1980.

Committee for the Implementation of Textile Agreements

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

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 21, 1979 by the Chairman of the Committee for the Implementation of Textile Agreements concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in India.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended between the Governments of the United States and India, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on May 23, 1980, and for the twelve-month period beginning on January 1, 1980 and extending through December 31, 1980, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 342, produced or manufactured in India in excess of 98,315 dozen.[1]

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

[1] The level of restraint has not been adjusted to reflect any imports after December 31, 1979.

Sincerely,

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 80-16261 Filed 5-23-80; 8:45 am]

BILLING CODE 3510-25-M

Increasing the Level of Restraint for Certain Cotton Apparel Exported From Mexico

May 23, 1980.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the consultation level from 152,174 pounds to 543,478 pounds for other cotton apparel products, such as mufflers, scarves, neckties, vests and coveralls, among others, in Category 359, produced or manufactured in Mexico and exported during the agreement year which began on January 1, 1980. A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463).

SUMMARY: Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of February 26, 1979, as amended, between the Governments of the United States and Mexico, letters have been exchanged agreeing to increase the consultation level for cotton textile products in Category 359 to 543,478 pounds during the agreement year which began on January 1, 1980 and extends through December 31, 1980.

EFFECTIVE DATE: May 23, 1980.

FOR FURTHER INFORMATION CONTACT: William J. Boyd, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On December 26, 1979, there was published in the Federal Register (44 FR 76383) a letter dated December 18, 1979 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, including Category 359, produced or manufactured in Mexico, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1980 and extends through December 31, 1980. In accordance with the terms of the bilateral agreement, the consultation level for Category 359 is being increased to 543,478 pounds for

that period. Accordingly, in the letter published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry for consumption, or withdrawal from warehouse for consumption, of textile products in Category 359, produced or manufactured in Mexico and exported during the twelve-month period which began on January 1, 1980, in excess of the designated increased level of restraint.

Pul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

May 23, 1980.

Committee for the Implementation of Textile Agreements

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

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 18, 1979 by the Chairman of the Committee for the Implementation of Textile Agreements concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in Mexico.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made-Fiber Textile Agreement of February 26, 1979, as amended between the Governments of the United States and Mexico; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on May 23, 1980, and for the twelve-month period beginning on January 1, 1980 and extending through December 31, 1980, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 359, produced or manufactured in Mexico in excess of 543,478 pounds.[1]

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

Sincerely,

Paul T. O'Day

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 80-16260 Filed 5-28-80; 8:45 am]

BILLING CODE 3510-25-M

[1] The level of restraint has not been adjusted to reflect any imports after December 31, 1979.

DEPARTMENT OF DEFENSE

Department of the Air Force

Environmental Impact Analysis on the Alternative to the Proposed Closure of the Active Air Force Portion of the Duluth International Airport (IAP) MN

The Air Force is expanding the environmental impact analysis process to include an alternative action to the proposed closure of the active Air Force portion of the Duluth International Airport (IAP), MN (Federal Register, Vol 44, No. 68, Friday, April 6, 1979). The proposed alternative action is to relocate the Electromagnetic Compatibility Analysis Center (ECAC) from Annapolis, Md, to Duluth IAP, MN, following the inactivation of the Duluth Region Control Center currently scheduled late in 1982. Refurbishment of Duluth facilities to accept ECAC could take 9–12 months. Thus, transfer of ECAC to Duluth is estimated for planning purposes as the fall of 1983.

The environmental impact analysis process for the proposed alternative will consider the biophysical and socioeconomic impacts of this alternative on the current and proposed locations of ECAC. Approximately 15 military, 40 Department of Defense civilians, and 700 contractor personnel would be relocated to Duluth.

The environmental impact analysis process will lead to an environmental assessment which will be used to determine if a draft environmental impact statement will be prepared or if a finding of no significant impact is appropriate.

A public meeting at Annapolis, Md., is planned for mid June 1980. The purposes of the meeting are to inform the public of the Air Force studies being prepared on the proposed alternative, and to provide the public an opportunity to identify issues which should be addressed in the environmental and socioeconomic assessments. Details of the public meeting will be announced in the local Annapolis, Md., news media. Questions on the meeting should be directed to: Mr. Preston Rogers, Headquarters Air Force Systems Command/DEV, Andrews AFB, Washington, DC 20334, Telephone: (301) 981–6341.

Carol M. Rose,

Air Force Federal Register, Liaison Officer.

[FR Doc. 80-16189 Filed 5-28-80; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

Draft Environmental Impact Statement; San Francisco Bay to Stockton, California (John F. Baldwin and Stockton Ship Channels) West Richmond Channel—Richmond Longwharf Maneuvering Area, San Francisco, Marin, and Contra Costa Counties, California

AGENCY: U.S. Army, Corps of Engineers, Department of Defense.

ACTION: Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY: 1. *Action*—The proposed project consists of deepening and widening the existing West Richmond Channel to minus 45 feet MLLW and 800 feet, respectively, and deepening the existing Richmond Longwharf Maneuvering Area to minus 45 feet MLLW. Both areas are maintained to a depth of minus 35 feet MLLW. Initial dredging would remove about 8 million cubic yards (mcy) of sediment by clamshell dredge. Construction with continuous year-round dredging and disposal is expected to extend over a three-year period. Maintenance dredging would remove about 1.6 mcy per year. All sediments are proposed to be disposed of at the inland water site near Alcatraz (SF 11). This site is in a high energy area, has a 1,000 foot radius, and an average depth of 130 feet.

The increased depth will aid crude oil tankers servicing the Standard Oil Refinery at Richmond Harbor to reduce transportation costs and eliminate tidal delays and lightering.

2. *Alternatives*—The alternatives to the proposed plan described above include the following:

a. No action.

b. Deepening the existing connecting channel (Southampton Shoal) from minus 35 feet MLLW to minus 45 feet MLLW and widening it to 800 feet. The Richmond Longwharf Maneuvering Area would be deepened to minus 45 feet MLLW as described in the proposed plan. Initial dredging by clamshell would remove about 8.7 mcy of sediments. Maintenance quantities are expected to be similar to those of the proposed plan. Bay disposal of sediments near Alcatraz is proposed for this alternative.

c. Alternative disposal sites include land, other historically used inland water sites, and two interim designated ocean disposal sites.

3. *Scoping Process:*

a. On 14 April 1980, the San Francisco District, Corps of Engineers held a scoping meeting with interested

agencies and individuals to discuss the West Richmond Channel—Richmond Longwharf Maneuvering portion of the project. The future plans for the evaluation of the upper reach of the John F. Baldwin was briefly discussed.

b. Significant issues that were identified at the scoping meeting included the following:

(1) The limitation of the disposal at Alcatraz to certain times of the year, if the California Department of Fish and Game (CDFG) felt it was necessary for protection of fishery resources and minimization of losses.

(2) The dredging and disposal impacts on fishery resources.

(3) The quality assurance of laboratories performing chemical analyses of the water and sediments.

(4) The quantities of dredged material to be disposed of and the capacity of the Alcatraz Site; dispersion of the dredged material throughout the Bay and the impacts on local dredgers.

(5) The development of an oil spill contingency plan.

(6) The determination of future vessel usage, projected size class of future tankers, and their maneuvering ability.

(7) The determination of the variability in the San Francisco Bay/Delta Model and the reduction of this variability.

(8) The impacts of the whole project on the Bay/Delta ecosystem.

(9) The projected air quality.

(10) The impacts of dredging on the shellfish bed near the Richmond Longwharf.

(11) The cumulative impacts at the disposal site due to initial and maintenance dredging.

(12) The use of alternative disposal sites.

c. The Corps will be coordinating with the Ecological Services Branch of the U.S. Fish and Wildlife Service (USFWS) on the preparation of their Coordination Report. Coordination will be effected with the Regional Water Quality Control Board, the USFWS, the California Department of Fish and Game, Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS) on the appropriate testing for the preparation of a Section 404 (of the Clean Water Act) Evaluation. This District will be coordinating with the Endangered Species Office of the USFWS in order to prepare a biological assessment, if necessary. The District will work with the Bay Conservation and Development Commission to determine consistency with the Coastal Zone Management Act and Bay Plan. We will be consulting with the NMFS on the impacts of the project on any protected marine mammals. The State Office of Historic Preservation will be consulted and coordinated with on cultural resources.

d. The District has established an Advisory Panel of professional engineers and scientists to review and aid in the interpretation of results obtained from the San Francisco Bay/Delta Model. This group will meet with District personnel throughout the study period.

4. As previously stated, a scoping meeting was held on 14 April 1930 at the District Office.

5. It is estimated that the DEIS will be available for public review in November of 1981.

6. Questions about the proposed action and DEIS can be answered by Karen Daniels, U.S. Army, Corps of Engineers, Environmental Branch, 211 Main Street, Room 809, San Francisco, California 94105.

Dated: May 20, 1980.

John M. Adsit,

Colonel, CE, District Engineer.

[FR Doc. 80-16188 Filed 5-28-80; 8:45 am]

BILLING CODE 3710-FS-M

DEPARTMENT OF EDUCATION

Gifted and Talented Children's Education Program—Discretionary Program for Professional Development Projects

AGENCY: Department of Education.

ACTION: Notice of Closing Date for Transmittal of Applications for Continuation Projects.

Applications are invited for continuation projects under the Gifted and Talented Children's Education Program—Discretionary Program for Professional Development Projects.

Authority for this program is contained in Section 905(a)(1) of the Gifted and Talented Children's Education Act of 1978. (20 U.S.C. 3315)

This program issues awards to State educational agencies, local educational agencies, institutions of higher education and other public and private agencies.

The purpose of the awards is to provide seminars and other high level opportunities for leaders or potential leaders in the education of gifted and talented students.

CLOSING DATE FOR TRANSMITTAL OF APPLICATIONS: An application for a grant must be mailed or hand delivered by June 27, 1980.

APPLICATIONS DELIVERED BY MAIL: An application sent by mail must be addressed to the Department of Education, Application Control Center Attention: 13.562B, Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail. Each late applicant will be notified that its application will not be considered.

APPLICATIONS DELIVERED BY HAND: An application that is hand delivered must be taken to the Department of Education, Application Control Center, Room 5673, Regional Office Building #3, 7th and D Streets, S.W., Washington, D.C.

the Application Control Center will accept a hand-delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

An application that is hand-delivered will not be accepted after 4:30 p.m. on the closing date.

AVAILABLE FUNDS: It is expected that approximately $120,000 will be available for one continuation professional development project in FY 1980.

However, this estimate does not bind the Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

APPLICATION FORM: Application forms and program information packages may be obtained from the Office for Gifted and Talented, Department of Education, (Room 3835, Donohoe Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. The Secretary strongly urges

that the narrative portion of the application not exceed 40 pages in length. The Secretary further urges that applicants not submit information that is not requested.

APPLICABLE REGULATIONS: Regulations applicable to this program include the following:

(a) Regulations governing the Gifted and Talented Children's Education Program (45 CFR Part 195), published April 3, 1980 (45 FR 22690).

(b) The Education Division General Administrative Regulations (EDGAR) (45 CFR Parts 100a and 100c), which were published in the Federal Register on April 3, 1980 (45 FR 22494). EDGAR will govern applications and grants under this program.

FURTHER INFORMATION: For further information contact Dr. Harold C. Lyon Jr., Director, Office for the Gifted and Talented, Department of Education, (Room 3827, Donohoe Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202, Telephone (202) 245-2482. (20 U.S.C. 3315)

(Catalog of Domestic Assistance Number 13.562, Gifted and Talented Children's Education Program)

Dated: May 23, 1980.

Shirley M. Hufstedler,

Secretary of Education.

[FR Doc. 80-16231 Filed 5-28-80; 8:45 am]

BILLING CODE 4110-02-M

Bilingual Education Program; Closing Date For Transmittal of Grant Applications; Correction

AGENCY: Department of Education.

ACTION: Closing date notices for transmittal of grant applications, corrections.

SUMMARY: In the closing date notices, FR Doc. 80-9817, 9818, 9824 and 9825, published at pages 23236-23243 of the April 4, 1980, Federal Register, corrections need to be made. These are separate documents but are related and only one correction notice is necessary.

FOR FURTHER INFORMATION CONTACT: Ms. Regina Robbins, Telephone: (202) 245-2600.

The closing date notices are corrected as follows:

Page	Column	Section	Incorrect word(s)	Corrections
		Notice of Closing Date for Training Projects		
23236	1	Closing date for transmittal of applications (para. 4).	June 16, 1979	June 16, 1980.
		Notice of Closing Date for Support Services Projects—BESCs		
23237	1	Closing date for transmittal of applications (para.4).	June 16, 1979	June 16, 1980.
23238	1	(15) (Para. 3)	Kinds, and Tulare Counties	Kinds, Tulare, and San Francisco Counties.
23238	1	(16) (Para. 4)	Multonomah	Multnomah.
23238	1	(16) (Para. 4)	Pok	Polk.
23238	1	(16) (Para. 4)	Linn, and Lane in Oregon	Linn, Lane, and Washington in Oregon.
		Notice of Closing Date for Demonstration Projects		
23242	2	ACTION	Projects Applications are invited for new projects under the Bilingual Education Act—Demonstration Project Program.	Projects. Applications are invited for new projects under the Bilingual Education Act—Demonstration Project Program.
23242	3	(Para. 2)	This program issues awards to local education agencies (including certain nonprofit institution and organizations of Indian tribes which operate schools for Indian children, and schools for Indian children on reservations which are operated or funded by the Bureau of Indian Affairs) and to institutions of higher education applying jointly with these agencies..	This program issues awards to local educational agencies; institutions of higher education which apply jointly with one or more local educational agencies; and elementary and secondary schools operated or funded by the Bureau of Indian Affairs for Indian children on reservation.
		Notice of Closing Date for Basic Projects		
23243	3	(Para. 3)	This program issues awards to local educational agencies (including certain nonprofit institutions and organizations of Indian tribes which operate schools for Indian children, and schools for Indian children on reservations which are operated or funded by the Bureau of Indian Affairs) and to institutions of higher education applying jointly with these agencies..	This program issues awards to local educational agencies; institutions of higher education which apply jointly with one or more local educational agencies; and elementary and secondary schools operated or funded by the Bureau of Indian Affairs for Indian children on reservations.

Dated: May 21, 1980.

Steven A. Minter,

Acting Secretary of Education.

(Catalog of Federal Domestic Assistance No. 13.403, Bilingual Education)

[FR Doc. 80-16300 Filed 5-28-80; 8:45 am]

BILLING CODE 4110-02-M

State Postsecondary Education Commissions Program—Intrastate Planning; Application Notice for New Awards for Fiscal Year 1980

Applications are invited for new awards under the State Postsecondary Education Commissions Program—Intrastate Planning.

Authority for this program is contained in section 1203(a) of the Higher Education Act of 1965, as amended, 20 U.S.C. 1142b(a).

This program issues awards to State Postsecondary Education Commissions.

The purpose of the awards is to enable State Commissions to conduct comprehensive inventories of, and

studies with respect to, all public and private postsecondary educational resources in the State, including planning necessary for resources to be better coordinated, improved, expanded, or altered so that all persons within the State who desire, and who can benefit from, postsecondary education may have an opportunity to do so.

Closing date for transmittal of applications: Applications for awards must be mailed (postmarked) or hand delivered by July 7, 1980.

Applications delivered by mail: An application sent by mail must be addressed to the U.S. Department of Education, Community Service and Continuing Education Branch, Division of Training and Facilities, Bureau of Higher and Continuing Education, 400 Maryland Avenue SW., Washington, D.C. 20202.

An application must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable by the Secretary of the Department of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail. Each late applicant will be notified that its application will not be considered.

Applications delivered by hand: An application that is hand delivered must be taken to the U.S. Department of Education, Community Service and Continuing Education Branch, Division of Training and Facilities, Room 3717, Regional Office Building 3, 7th and D Streets SW., Washington, D.C.

The Community Service and Continuing Education Branch will accept hand delivered applications between 8:00 a.m. and 4:00 p.m. (Washington, D.C., time) daily, except Saturdays, Sundays, or Federal holidays.

Applications will not be accepted after 4:00 p.m. on the closing date.

Available funds: The President has proposed budget rescissions to the Congress that may eliminate funds for this program. If the Congress approves the proposed rescissions, a notice to the public will be published in the Federal Register, stating that the rescissions have been approved. However, the deadline established in this notice will not be extended, and applicants should prepare and submit applications pending further notification.

Application forms: Application forms and program information packages have been mailed to the State Postsecondary Education Commissions. Additional applications may be obtained by writing to the Community Service and Continuing Education Branch at the address listed under Further Information.

Applications must be prepared and submitted in accordance with the regulations, instructions and forms included in the program information packages.

Applicable regulations: The regulations applicable to this program are:

(a) Program regulations governing the State Postsecondary Education Commissions Program—Intrastate Planning (45 CFR Part 199a), and

(b) The Education Division General Administrative Regulations (EDGAR), Part 100b (State Administered Programs) and Part 100c (Definitions), published in the Federal Register on April 3, 1980 (45 FR 22494–22631).

For further information contact: Charles I. Griffith, Chief, Community Service and Continuing Education Branch, Division of Training and Facilities, Bureau of Higher and Continuing Education, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3717, Regional Office Building 3, Washington, D.C. 20202. Telephone: (202) 245–2671.

(20 U.S.C. 1142b(a))

(Catalog of Federal Domestic Assistance Number 13.550; State Postsecondary Education Commissions Program—Intrastate Planning)

Dated: May 21, 1980.

Steven A. Minter,

Acting Secretary of Education.

[FR Doc. 80-16263 Filed 5-23-80; 8:45 am]

BILLING CODE 4110-02-M

DEPARTMENT OF ENERGY

Reduced-Enrichment Research and Test Reactor (RERTR) Program; Finding of No Significant Impact

AGENCY: Department of Energy.

ACTION: Finding of No Significant Impact for a demonstration program on the production and use of reduced-enrichment uranium in research and test reactors.

SUMMARY: The Department of Energy (DOE) has prepared an environmental assessment (EA) for its program on the demonstration of the production and use of reduced-enrichment-uranium (REU) fuel in research and test reactors in the U.S. and abroad. Based on the findings of the EA, which is available to the public on request, DOE has determined that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.* Therefore, no environmental impact statement is required.

The proposed RERTR program would provide the technical assistance necessary for the conversion to REU fuel in foreign and domestic research and test reactors presently using highly-enriched-uranium (HEU). The program would involve the technical development, design, testing and the conversion and demonstration of the REU fuel at one to three typical reactors. The program implications of the fuel development, fuel element fabrication and irradiation-testing, materials transportation, uranium enrichment and radioactive waste management are evaluated in the EA.

The purpose of the RERTR program is to demonstrate the feasibility and practicality of using REU fuel and thus minimize the proliferation risks associated with the use of HEU fuel in research and test reactors.

There are no significant environmental impacts associated with the use of REU fuel in research and test reactors. Existing facilities can be adapted easily to the producton, testing and demonstration of REU fuels. There will be a negligible effect on current uranium mining and milling activities. Impacts from the transportation of REU fuel should be minimal due to both the physical characteristics of the fuel (i.e., lower radioactivity levels) and the relatively insignificant addition to current amounts of uranium fuels now being transported. The radioactive wastes generated by the RERTR program will be minor in comparison to

current amounts generated. Additional manpower needed to implement the demonstration program is minor and should not result in any socioeconomic impacts.

Alternatives to the RERTR program that were considered are (1) continue use of HEU fuel in research and test reactors, (2) discontinue supplies of HEU fuel without providing an alternative, (3) mix a highly-radioactive "spike" with HEU, and (4) increase security requirements on HEU inventories.

The proposed action potentially involves the international shipment of REU fuel and minor modifications to existing facilities. Section 2-5(a)(v) of Executive Order 12114—Environmental Effects Abroad of Major Federal Actions—exempts all nucelar activities, with the exception of the export of a nuclear production, utilization or waste management facility and those actions which significantly affect the environment of the global commons, from its mandatory environmental review requirements. The proposed program does not involve any such facility exports, nor does it significantly affect the global commons.

Single copies of the EA are available from: Kenneth L. Mattern, Program Manager, NE-50, Mailstop-B-107 GTN, U.S. Department of Energy, Washington, D.C. 20545 301-353-2965.

For further information contact: Richard P. Smith, NEPA Affairs Division, Office of Assistant Secretary for Environment, Room 4G-064, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585 202-252-4600.

Date issued: May 16, 1980.

Ruth C. Clusen,

Assistant Secretary for Environment.

[FR Doc. 80-16192 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meeting

In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272), notice is hereby provided that a meeting of Subcommittee A of the Industry Advisory Board to the International Energy Agency (IEA) will be held on June 5 and 6, 1980, at the offices of the Bundesamt Fuer Wirtschaftliche Kriegvorsorge (Federal Office of the National Economic Defense), Belpstrasse 53, Berne, Switzerland, beginning at 9:30 a.m. on June 5. The purpose of this meeting is to permit attendance by representatives of Subcommittee A at a meeting of an IEA Standing Group on Emergency Questions (SEQ) Special Subgroup to design the third IEA Allocation Systems Test (AST-3), which is being held at Berne on those dates.

The agenda for the meeting is under the control of the SEQ Special Subgroup. It is expected that the following agenda will be followed:

1. Discussion of minutes of second meeting.
2. Discussion and review of AST-3 Test Guide.
3. Completion of AST-3 Test Guide.
4. ISAG per diem expenses during AST-3.
5. Other business.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Pursuant to section 252(c)(3) of the Energy Policy and Conservation Act, a verbatim transcript of this meeting will be made; the transcript, with such deletions as are determined to be necessary or appropriate pursuant to E.O. 12065 (43 FR 28949, July 3, 1978), E.O. 11932 (43 FR 32691, August 5, 1976) and 22 CFR 9a.1-9a.8, will be available in the Reading Room of the Department of Energy, Room 5B-180, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, between the hours of 8:00 AM and 4:00 PM weekdays, except Federal holidays.

Issued in Washington, D.C., May 20, 1980.

Craig S. Bamberger,

Acting Assistant General Counsel, International Trade & Emergency Preparedness.

[FR Doc. 80-16216 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Bonneville Power Administration

Public Notice of Proposed Flood Plain Action; Disposal of Cottage Grove-Drain Tap Point Substation

The Bonneville Power Administration (BPA) hereby solicits public comment on a BPA proposal to dispose of the Cottage Grove-Drain Tap Point Substation by negotiated sale to the Pacific Power & Light Company (PP&L). The substation is located on a 1-acre site, 3½ miles south of Cottage Grove, Oregon, within the 100-year floodplain of the Coast Fork, Willamette River.

BPA would remove existing transformers, and PP&L intends to continue operating the remaining equipment without expanding development at the substation site. Because use of the land would not change or intensify, the proposed action is consistent with State and local land use plans. The conveyance shall reference those uses that are restricted under identified Federal, State, or local floodplain regulations.

All questions and comments concerning the proposed action are welcome, and should be directed to John E. Kiley, Environmental Manager, Bonneville Power Administration, P.O. Box 3621-SJ, Portland, Oregon 97208. The public comment period will close June 13, 1980.

Dated at Portland, Oregon, this 21st day of May 1980.

Sterling Munro,

Administrator.

[FR Doc. 80-16194 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Quintin Little Co.; Final Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken on a consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy announces final action of a Consent Order.

EFFECTIVE DATE: May 8, 1980.

FOR FUTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager, Southwest District Enforcement, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

SUPPLEMENTARY INFORMATION: On March 7, 1980, the ERA of the DOE executed a proposed Consent Order with Quintin Little Company of Ardmore, Oklahoma. Under 10 CFR § 205.199I(c), a proposed Consent Order becomes effective only after the ERA has published notice of its execution and solicits and considers public comments with respect to its terms. Therefore, the ERA published a Notice of Proposed Consent Order and invited interested persons to comment on the proposed Order. At the conclusion of the thirty-day comment peioid, the ERA had received certain notices of claims against the refund amount of the Consent Order which have been forwarded to the Director, Resource Management Branch, Office of Enforcement, U.S. Department of Energy, attention: Special Refund Coordinator, 2000 M Street NW., (Room 5128), Washington, D.C. 20461. There were not objections received to the Consent Order. Accordingly, the ERA has concluded that the Consent Order as executed between the ERA and Quintin Little Company is an

appropriate resolution of the compliance proceeding which is described and it shall become final and effective as proposed, without modification, upon publication of this Notice. Procedures and requirements for documenting proof of claim are being developed. Refunded overcharges received, if any, will remain in a suitable government escrow account pending the determination of their proper disposition.

Issued in Dallas, Texas on the 15th day of May 1980.

Wayne I. Tucker,

District Manager, Southwest District Enforcement.

[FR Doc. 80-16220 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of Action Taken on Consent Orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed concerning selling prices alleged to be in excess of the maximum lawful selling price for motor gasoline. The Consent Orders do not address or limit any liability with respect to the consenting firm's prior compliance with the Mandatory Petroleum Price and Allocation Regulations. Among other matters, the consenting firms agree to reduce prices for each grade of gasoline to no more than the maximum lawful selling price, make a proper posting as required by law, and otherwise comply with applicable law. For further information regarding these Consent Orders, please contact T. Holleran, Program Manager for Product Retailers, Department of Energy, Economic Regulatory Administration, Enforcement Program Operations, 2000 M Street, NW, Washington, DC 20461, telephone number 202-653-3569.

Issued in Washington, DC on the 19th day of May 1980.

Robert D. Gerring,

Director, Enforcement Program Operations Division, Economic Regulatory Administration.

Washington, D.C. Metro Area

Station Name, Address, Date

St. Barnabas Exxon, 5622 St. Barnabas Rd., Oxon Hill, MD 20021—Mar. 28, 1980
Wheeler Rd. Exxon, 4453 Wheeler Rd., Oxon Hill, MD 20021—Mar. 27, 1980
Oxon Hill Exxon, 6716 Livingston Rd., Oxon Hill, MD 20021—Mar. 27, 1980
Dyson General Store, Route 2, Brandywine, MD 20613—Mar. 27, 1980
Toms Cheltenham Sunoco, Box 52, Cheltenham, MD 20623—Mar. 26, 1980
Freddie's Auto, 15772 Livingston Rd., Accokeek, MD 20607—Mar. 27, 1980
Parkland Service Center, 4801 St. Barnabas Rd., Temple Hill, MD 20021—Mar. 18, 1980
Riverdale Mobil, 5701 Riverdale Rd., Riverdale, MD 20840—Mar. 19, 1980
Anderson Knight Exxon, 5732 Tuxedo Rd., Tuxedo, MD 20781—Mar. 24, 1980
Leo C. Bowie Grocery, Route 2, PisGath, MD 20640—Mar. 18, 1980
Captain John's Crab House Marina, Route 2, Cobb Island, MD 20625—Mar. 19, 1980
Easter's Gulf, Box 1411, Hughesville, MD 20637—Mar. 20, 1980
Joe's Liquor & Groceries, General Delivery, Pomfred, MD 20675—Mar. 20, 1980
Poolesville Motor Co., 19920 Fisher Ave., Poolesville, MD 20837—Mar. 31, 1980
Old Georgetown Gulf, 7754 Old Georgetown Rd., Bethesda, MD 20014—Mar. 28, 1980
NPD Inc., 101 University Blvd. W., Silver Spring, MD 20906—Mar. 12, 1980
Kaplan's Sunoco, 11333 Georgia Ave., Wheaton, MD—Mar. 13, 1980
Sullivan's Bethesda Mobil, 7100 Wisconsin Ave., Bethesda, MD 20014—Mar. 24, 1980
Luksensburg Service Center, 8801 Piney Branch Rd., Silver Spring, MD 20903—Mar. 19, 1980
G E M C A Texaco, 8875 Piney Branch Rd., Silver Spring, MD 20903—Mar. 20, 1980
Lansing's Gulf, 12245 Viers Mill Rd., Silver Spring, MD 20906—Mar. 21, 1980
Westover Exxon, 5885 N. Wash. Blvd., Arlington, VA—Apr. 16, 1980
Old Dominion Exxon, 4035 Old Dominion Drive, Arlington, VA 22207—Apr. 24, 1980
R. Pettaway Amoco, 2830 Sherman Ave., NW., Washington, DC 20011—Apr. 2, 1980
Blair Rd. Shell, 5913 Blair Rd., NW., Washington, DC 20011—Apr. 7, 1980
Dingess Delicatessen, 11500 Old Ft. Rd., Friendly, MD 20027—Apr. 4, 1980
Cobb Island Market, Cobb Island, MD 20625—Apr. 22, 1980
Moore Country Store, Box 3431 Croom Rd., Upper Marlboro, MD 20870—Apr. 21, 1980
Lanham BP Scot, 6815 Annapolis Rd., Landover Hills, MD 20785—Apr. 10, 1980
Wheaton Mobil Ser. Center, 11194 Viers Mill Rd., Wheaton, MD 20902—Apr. 11, 1980
Cornwell Corp., 9404 Marlboro Pike, Upper Marlboro, MD 20870—Apr. 9, 1980
Miles Store, General Delivery, Welcome, MD 20693—Apr. 2, 1980
Dynamotion Tune Up Center, 4017 Silver Hill Rd., Suitland, MD 20023—Apr. 15, 1980
Aquasco Hardware & Supply, Box 213, Aquasco, MD 20608—Apr. 2, 1980
Johnny's Discount Gas, 2319 Varnum St., Mt. Rainer, MD 20822—Apr. 8, 1980

Southeast District

Enfinger's Chevron, 807 W. Main St., Dothan, AL 36301—Feb. 29, 1980
Southside Exxon, 2200 Ross Park Circle, Dothan, AL 36301—Feb. 28, 1980
Troy Exxon, 320 S. Three Notch St., Troy, AL 26081—Feb. 28, 1980
Wilson's Chevron, Route 6, Box 5, Troy, AL 36081—Feb. 27, 1980
Bailey's Smokehouse Bar BQ, Route Box 69A, Eufaula, AL 36027—Mar. 14, 1980
Hwy 431 South Station, Route 4 Box 25, Eufaula, AL 36027—Mar. 13, 1980
May's Gulf, 102 S. Prairie, Union Springs, AL 36089—Mar. 13, 1980
Jim's Standard, Route 1 Box 60A, Pike Road, AL 36064—Mar. 13, 1980
Porter's Exxon, 309 S. Oates, Dothan, AL 36301—Feb. 28, 1980
West Main Union 76, 830 W. Main, Dothan, AL 36301—Feb. 29, 1980
Parkway Estates Exxon, 7920 S. Parkway, Huntsville, AL 35802—Mar. 12, 1980
Thomas 82 Service Station, U.S. Hwy 82 East, Union Springs, AL 36089—Mar. 18, 1980
Stough Chevron, Barbour & Orange, PO Box 376, Eufaula, AL 36027—Mar. 18, 1980
Strickland Chevron, Route 3, Eufaula, AL 36027—Mar. 18, 1980
Baskin St. Standard S/S, 101 S. Baskin Street, Union Springs, AL 36089—Mar. 19, 1980
Jim McConnell Auto Svc. Ctr., 2325 Orange Blossom Tr., Orlando, FL 32807—Mar. 17, 1980
Terry Fountain's Exxon, 679 W. Tennessee, Tallahassee, FL 32304—Mar. 3, 1980
Northwood Exxon, 1875 N. Monroe, Tallahassee, FL 32303—Mar. 3, 1980
Stephens Van Terminal, 9500 NW 27th Ave., Miami, FL 33147—Mar. 5, 1980
Dade County Marina, 234 W. Flagler St., Miami, FL 33130—Feb. 22, 1980
Pete's Standard, 2751 N. Monroe, Tallahassee, FL 32303—Mar. 7, 1980
Orange Avenue Exxon, 2211 S. Orange Ave., Orlando, FL 32809—Mar. 14, 1980
Moore's Gulf, 1816 S. Harbor City Blvd., Melbourne, FL 32901—Mar. 14, 1980
Taylor's Texaco, US 1 & New Haven Ave., Melbourne, FL 32901—Mar. 14, 1980
M&D Service Center, 1350 N. Mill Street, Orlando FL 32803—Mar. 13, 1980
Hood's Shell Service, 2015 Alowa Ave., Winter Park, FL 32792—Mar. 13, 1980
Lee Road Texaco, 610 Lee Road, Orlando, FL 32810—Mar. 17, 1980
Rudy's Exxon Service, 600 Lee Road, Orlando, FL 32810—Mar. 17, 1980
College Park Gulf, 2301 Edgewater Dr., Orlando, FL 32804—Mar. 17, 1980
R.C. Texaco, 1199 NW 42 Avenue, Miami, FL 33126—Feb. 21, 1980
Rubio's Texaco, 5900 SW 8th Street, Miami, FL 33144—Feb. 19, 1980
Carriage Trade Car Wash, 4251 LeJeune Rd., Coral Gables, FL 33134—Feb. 21, 1980
Bray's Texaco, 1745 N. Monroe, Tallahassee, FL 32303—Mar. 3, 1980
Van's Exxon, 1909 W. Atlantic Ave., Delray Beach, FL 33444—Mar. 6, 1980
Skyway Gulf, 2090 SW 67th Ave., Miami, FL 33155—Feb. 19, 1980
Family Auto Service, 7375 SW 57th Ave., Miami, FL 33143—Feb. 20, 1980
J&L Exxon Service, 7424 W. Vine St., Kissiwwee, FL 32741—Mar. 13, 1980
Smith's Chevron, 1970 Howell Mill Rd., Atlanta, GA 30318—Mar. 20, 1980
Georgetown Gulf S/S, Box 55, Georgetown, GA 31754—Mar. 18, 1980
Lewis' Standard, 1311 Versailles Rd., Lexington, KY 40504—Dec. 18, 1979
Dixie-Express Exxon, 4116 Dixie Hwy., Louisville, KY 40216—Feb. 26, 1980
Tommy's Chevron, 302 Main St., Stanford, KY 40484—Jan. 7, 1980

Convenient Standard, South Hwy 27, Somerset, KY 42501—Jan. 8, 1980
Covington's Chevron, I-75 & Barnes Mill Rd., Richmond, KY 40475—Jan. 9, 1980
Hanna's Texaco, P.O. Box 58, Bynalia, MS 38611—Feb. 21, 1980
Providence Road Exxon, 5701 Old Providence, Charlotte, NC 28201—Feb. 14, 1980
Mayberry Mall 66, 455 Frederick St., Mt. Airy, NC 27030—Feb. 18, 1980
Northside Exxon, 351 Acron Dr., Winston-Salem, NC—Feb. 19, 1980
Linville Road Exxon, Route 3, Kernersville, NC 27284—Feb. 21, 1980
Doug's Exxon, Route 2, Smithfield, NC 27577—Feb. 13, 1980
White Horse Exxon, 6101 White Horse Rd., Greenville, SC 29611—Feb. 27, 1980
Best Western Exxon, P.O. Box 638, Summerton, SC 29148—Feb. 27, 1980
B&F Exxon, Route Box 674, Orangeburg, SC 29115—Feb. 21, 1980
Rowland Automotive, Hillcrest Shopping Center, Spartanburg, SC 29302—Feb. 28, 1980
Sheppard's Texaco, 2116 Broad River Rd., Columbia, SC 29210—Feb. 20, 1980
Interstate Fina Service, Hwy 301 N. & I-26, Orangeburg, SC 29115—Feb. 21, 1980
Norman's Shell Service, 1117 Savannah Hwy, Charleston, SC 29407—Feb. 25, 1980
Twin Oaks Exxon, 1497 Greenville Hwy, Spartanburg, SC 29301—Feb. 28, 1980
Stuckey's Inc., I-95 & SC 102, Summerton, SC 29148—Feb. 26, 1980
Cagle's Hazlewood Exxon, 7800 Sumter Hwy, Columbia, SC 29209—Feb. 20, 1980
Scallions Texaco, 3706 North Watkins, Memphis, TN 38127—Mar. 12, 1980
Liles Bros, P.O. Box 185 U.S. 70, Mason, TN 38049—Mar. 11, 1980
Alberson's Grocery, 1198 U.S. 70, Arlington, TN 38002—Mar. 11, 1980
Summer Ave. Amoco, 3608 Summer Ave., Memphis, TN—Feb. 19, 1980
Jefferson Garage, 199 Jefferson, Memphis, TN 38103—Feb. 20, 1980
Thomas St. Gulf, 1414 Thomas St., Memphis, TN 38107—Feb. 20, 1980
AAA Auto Service, 3020 Thomas, Memphis, TN 38127—Feb. 20, 1980
Aubrey's Exxon, 946 S. Parkway, Memphis, TN 38106—Feb. 14, 1980
Harvell's Exxon, Hwy 51, Millington, TN 38053—Mar. 21, 1980
Dorothy Mize Grocery, Route 2, P.O. Box 424, Atoka, TN—Mar. 21, 1980
Pruett's Texaco Service, 5170 Navy Rd., Millington, TN—Mar. 12, 1980
Millington Texaco, 7837 Hwy 51 S., Millington, TN—Mar. 12, 1980
Brawuan's Exxon, 5818 Jefferson, Newport News, VA 23605—Mar. 13, 1980
Verona Interstate Shell, Rt. 1, Box 698D, Verona, VA 24482—Feb. 20, 1980
Cross Roads Grocery, RFD1, Leeds, AL 35094—Apr. 16, 1980
Haulin's Standard, 2206 Dauphin Island Pkwy, Mobile, AL 36605—Mar. 13, 1980
Interstate Standard, P.O. Box 1145, Clautou, AL 35045—Mar. 24, 1980
Pate's Service Station, 1000—5th St., Tuscaloosa, AL 35401—Mar. 30, 1980
Wynn's Standard Service, 300 S. Three Notch St., Troy, AL 36081—Mar. 17, 1980
Par Mobil, 324 E. Par Ave., Orlando, FL 32804—Mar. 18, 1980
Wayne's Standard Svc., 12505 W. Dixie Hwy, North Miami, FL 33161—Apr. 4, 1980
N. Miami Standard, 13475 NE 2nd Ct., N. Miami, FL 33161—Apr. 4, 1980
5-Points Union 76, 1100 W. King St., Cocoa, FL—Mar. 20, 1980
F&F Chevron, 345 N. Federal Hwy., Donia, FL 33004—Apr. 1, 1980
Treasure Bay Shell, 1508—79th St. Causeway, North Bay Village, FL 33141—Apr. 2, 1980
McCall Automotive, 1136 NY Ave., St. Cloud, FL 32769—Mar. 19, 1980
Williams & Son Amoco Svc., 17/92 & Lake Mary Blvd., Sanford, FL 32771—Mar. 18, 1980
Williams Shell Svc., 1449 W. King St., Cocoa, FL 32922—Mar. 20, 1980
Pete's 103rd St. Std., 601 NW 103rd St., Miami, FL 33150—Apr. 3, 1980
Park Service Garage, 2141 N. 60th Ave., Hollywood, FL 33021—Apr. 1, 1980
Spaceport Chevron, 3580 Cheney Hwy, Titusville, FL 32780—Mar. 20, 1980
Cape Union 76, 8100 Astronaut Blvd., Cape Canaveral, FL 32920—Mar. 20, 1980
Al's Chevron, 10 NW 167th St., Miami, FL 33169—Apr. 3, 1980
Alvarez Exxon, 1798 NW 183rd St., Miami, FL 33169—Apr. 3, 1980
Slacks Chevron Svc., 12301 Biscayne Blvd., N. Miami, FL 33161—Mar. 31, 1980
Las Olas Chevron, 1415 E. Las Olas, Ft. Lauderdale, FL 33301—Apr. 1, 1980
Widener Village Standard, 801 E. 25th St., Hialeah, FL 33010—Apr. 2, 1980
Nick's Standard Svc., 11650 Biscayne Blvd., N. Miami, FL 33161—Apr. 2, 1980
Face's Chevron, 11815 NE 2nd Ave., Miami, FL 33161—Apr. 2, 1980
Lenny's Texaco, 1722 N. Federal Hwy., Hollywood, FL 33020—Mar. 29, 1980
North Bay Service Sta., 1501 79st Causeway, Miami, FL 33141—Apr. 2, 1980
H&L Auto Svc., 6 South Cocoa Blvd., Cocoa, FL 32922—Mar. 20, 1980
Deaver Chevron, 2041 W. Broad St., Athens, GA 30601—Mar. 27, 1980
Smith Chevron, 2495 Jefferson Rd, Athens, GA 30601—Mar. 27, 1980
Kesler's Chevron, 290 Alps Rd., Athens, GA 30601—Mar. 27, 1980
Loggins Chevron, 853 W. Broad St., Gainesville, GA 30501—Mar. 26, 1980
Broadway Standard, 639 Morosgo Dr. NE, Atlanta, GA 30324—Apr. 4, 1980
Chapel Hill Standard, 4845 Flat Shoals Rd., Decatur, GA 30034—Mar. 20, 1980
Scott Blvd. Chevron, 1726 Scott Blvd., Decatur, GA 30033—Mar. 31, 1980
Prince Ave. Standard, 990 Prince Ave., Athens, GA—Mar. 26, 1980
Kidd's Chevron, I-85 & US 441, Commerce, GA 30529—Mar. 26, 1980
M&W Standard, I-75 & KY-21, Berea, KY 40403—Mar. 4, 1980
Bates Shell Sta., 1449 Bardstown Rd., Louisville, KY 40204—Mar. 11, 1980
Robway South Main Shell, 1450 S. Main St., Paris, KY—Mar. 7, 1980
Brunfield's Standard, 1817 Delaware Ave., McComb, MS 39648—Mar. 25, 1980
Riley's Holiday Gulf, 1810 Delaware Ave., McComb, MS 39648—Mar. 13, 1980
Steve's Chevron Svc. Sta., I-55 & Union St., Brookhaven, MS 39601—Mar. 14, 1980
Foster's Chevron, 127 E. Monticello St., Brookhaven, MS 39601—Mar. 19, 1980
Doug's Chevron, 305 S. Jackson St., Brookhaven, MS 39601—Mar. 18, 1980
Memphis Yacht Club, P.O. Box 3099, Memphis, TN 38103—Apr. 4, 1980
Ragau's 66 Svc. Ctr., 909 Hollywood, Jackson, TN 38301—Mar. 18, 1980
Union 76 Truck Stop, Rt 10, Box 378A, Lebanon, TN—Mar. 20, 1980
Bell Meade Shell, 5315 Harding, Nashville, TN 37205—Mar. 19, 1980
Dugger's Gulf, 629 Old Hickory Blvd., Nashville, TN 37209—Mar. 19, 1980
Clements Exxon, 9080 Hwy 72, Germantown, TN 38138—Apr. 15, 1980
Poplar Perkins Gulf, 4585 Poplar, Memphis, TN 38117—Apr. 18, 1980
Adams Texaco, 1800 Union, Memphis, TN 38104—Apr. 16, 1980
Barton's Gulf, 694 Riverside, Memphis, TN 38114—Apr. 17, 1980
Mac's Market, Rt 151, Roseland, VA 22967—Mar. 19, 1980
Hosepeu Road Exxon, 6306 Hosepeu Rd, Richmond, VA 23226—Mar. 5, 1980
Owens Exxon, 200 E. Leigh St., Richmond, VA 23219—Mar. 6, 1980
H. Devries Texaco, 16073 S. Park, South Holland, IL 60473—Mar. 1, 1980
Ron's Service & Car Wash Mobil, Route 25 & 34, Oswego, IL 60543—Mar. 1, 1980
Irving Pulaski Mobil Service, 4001 W. Irving Park, Chicago, IL 60641—Mar. 4, 1980
Hans Shell Service, 3159 W. Addison, Chicago, IL 60618—Mar. 5, 1980
Third Street Shell, 233 W. Center Street, Milwaukee, WI 53212—Mar. 5, 1980
Alan H. Goetz Mobil, N98 W17500 County Road, Germantown, WI 53022—Mar. 6, 1980
Sunset Shell, 9746 W. Appleton Ave., Milwaukee, WI 53225—Mar. 6, 1980
F. Soyka Mobil, 9601 W. Higgins, Rosemont, IL 60172—Mar. 6, 1980
400 Texaco Super Service, 900 Dodge Street, Evanston, IL 60202—Mar. 12, 1980
F. Stevens Amoco, 7100 South Cole, Chicago, IL 60649—Mar. 12, 1980
M. Rachman Mobil, 1330 E. 33rd Street, Chicago, IL 60641—Mar. 14, 1980
Buffalo Grove Service Center, 1798 Hintz Road, Wheeling, IL 60090—Mar. 20, 1980
Double "M" Standard East, Mill & Lake Road, Addison, IL 60101—Mar. 24, 1980
Costo Shell Service, 4001 N. Laramie, Chicago, IL 60641—Mar. 25, 1980
North Shell, Route 83 & Elmhurst, Elmhurst, IL 60126—Mar. 25, 1980
Willie Watkins Shell, 3390 W. 15th Street, Gary, IN 46406—Mar. 25, 1980
F. Stevens Amoco, 7034 South Shore Drive, Chicago, IL 60617—Mar. 12, 1980
Fred Roempler Amoco, 12658 S. Ashland Ave., Calumet Park, IL 60643—Mar. 25, 1980
Wally Texaco, Ogden & Route 59, Naperville, IL 60540—Mar. 26, 1980
Lake Avenue Shell, 13900 Lake Avenue, Lakewood, Ohio 44107—Mar. 13, 1980
Belak's Sohio, 2609 East 110th, Cleveland, OH 44104—Mar. 13, 1980
D. Huhn's Texaco, 100 W. Lincolnway, Minerva, OH 44657—Mar. 10, 1980
Forest Park Texaco, 610 Northland Boulevard, Forest Park, OH 43240—Mar. 10, 1980

Deer Park Amoco, 4384 Galbraith Road, Cincinnati, OH 45236—Mar. 6, 1980
J & M Exxon, 2350 Wagoner Ford, Dayton, OH 43414—Mar. 5, 1980
Airfield Shell, 499 Woodmor Drive, Dayton, OH 45431—Mar. 6, 1980
Family Exxon, 7888 Brandt Pike, Dayton, OH 45424—Mar. 6, 1980
Euclid Richmond Shell, 26031 Euclid Avenue, Euclid, OH 44132—Mar. 6, 1980
Siemer's Union 76, 2911 Harrison Street, Cincinnati, OH 43212—Mar. 7, 1980
Brady's Sohio, Jasper, OH 43642—Feb. 25, 1980
Troy Frazie's Deep Rock, 2744 Roosevelt Avenue, Indianapolis, IN 46218—Feb. 26, 1980
Elliott Sohio Service, 480 S. Third, Columbus, OH 43215—Mar. 3, 1980
Main & McNaughton Shell, 5989 E. Main, Columbus, OH 43213—Mar. 4, 1980
Gardful Hendrix Shell, 3002 N. Illinois, Indianapolis, IN 46277—Mar. 4, 1980
Gardful Hendrix Shell, 2104 N. Capitol Avenue, Indianapolis, IN 46277—Mar. 4, 1980
Mac's Super Shell, 2964 S. Keystone Avenue, Indianapolis, IN 46203—Mar. 3, 1980
Andrews 11th & Church Sohio, 349 West Church, Newark, OH 43055—Mar. 18, 1980
Fulton & Franklin Shell, 221 N. Fulton Avenue, Evansville, IN 47710—Mar. 19, 1980
Morgan Weimbach Shell, 1929 E. Morgan, Evansville, IN 47711—Mar. 19, 1980
Bankhead's Shell, 14021 St. Clair Avenue, Cleveland, OH 44110—Feb. 29 1980
Avon Union 76, 36008 Detroit Avenue, Avon, OH 44011—Feb. 29, 1980
Ridge & Memphis Shell, 7210 Memphis Avenue, Cleveland, OH 44104—Mar. 6, 1980
Ralph's Sunoco, US 62 NE, Leesburgh, OH 45135—Mar. 24, 1980
Shower & Shine Car Wash #2-Amoco, 388 Village Shopping Ctr., Chesterfield, MO 63042—Mar. 6, 1980
Shower & Shine Car Wash #3-Amoco, 11988 Westline Industrial Dr., St. Louis, MO 63141—Mar. 6, 1980
Shower & Shine Car Wash #2-Amoco, 388 Village Shopping Ctr., Chesterfield, MO 63042—Mar. 6, 1980
Ted's DX, 214 Business, 60 East Mountain Grove, MO 65711—Mar. 12, 1980
Midway Truck Stop, 815 N. Dirksen Parkway, Springfield, IL 62702—Mar. 27, 1980
Bob's Conoco, 1105 W. Main, Marion, IL 62939—Mar. 27, 1980
S&H Arco, 3801 E. 9th, Kansas City, MO 64127—Mar. 3, 1980
Don's 66 Service, 803 South Broadway, Albert Lea, MN 56007—Mar. 7, 1980
Interstate Mobil, 709 21st NE, Austin, NM 55912—Mar. 10, 1980
Eric Mobil Service, 14-32831 Stephen Highway, Madison Heights, MI 46071—Mar. 25, 1980
Fagnelli Shell Service, 608 28th Street, S.W., Wyoming, MI—Mar. 20, 1980

Central District, Consent Orders

Firm name	Firm address	Audit date	Highest cents per gallon violation
Blessings Shell	34802 Ridge Road, Willoughby, OH 44094	Mar. 27, 1980	.020
Blessings Shell	34750 Chardon Road, Willoughby, OH 44094.	Mar. 27, 1980	.023
Al's Shell	23014 Emery Road, Warrensville, OH 44128.	Mar. 25, 1980	.009
Hurst & Hurst Sunoco Inc	2802 East 62nd Street, Indianapolis, IN 46220.	Mar. 27, 1980	.906
White's Motor Service	4th and Locust, Newark, OH 43055	Apr. 3, 1980	.039
Young's Shell	5300 Warrensville Center, Maple Heights, OH 44137.	Mar. 31, 1980	.058
Deronna Service Texaco	2883 Highland Avenue, Norwood, OH 45219.	Apr. 9, 1980	.071
Euclid 79 Shell	7909 Euclid Avenue, Cleveland, OH 44103	Mar. 27, 1980	.105
Palmer's Gulf	Gross and Broad Street, Gloester, OH 45732.	Apr. 9, 1980	.082
Cole Sohio Service	U.S. Rte 50 East, Athens, OH 45701	Apr. 10, 1980	.019
Bob's 66 Service	430 North Alabama, Indianapolis, IN 46204.	Apr. 8, 1980	.02
1317 W 5th Avenue, Inc	1317 W. 5th Avenue, Columbus, OH 43212.	Apr. 17, 1980	.0894
Gilkey's Service Station	319 East State, Athens, OH 45701	Apr. 17, 1980	.024
Bob Interstate Mobile Service	I70 and Rt. 231, Cloverdale, IN 46120	Apr. 16, 1980	.055
Harvey Smith Shell	Rt. 43 and I 70, Cloverdale, IN 46120	Apr. 17, 1980	.052
Walzer's Shell	105 West State Street, Alliance, OH 44601.	Apr. 18, 1980	.041
Jerry' Shell Service	604 East 200th Street, Euclid, OH 44119	Apr. 11, 1980	.043
Dale's Union 76	50 North Plains Road, The Plains, OH 45780.	Apr. 24, 1980	.047
Robert Gregory Shell	2139 S. Wabash, Chicago, IL 60619	Mar. 31, 1980	.0200
Ferris Shell	4346 N. Western Ave., Chicago, IL 60618	Apr. 1, 1980	.0730
George's 76 Union Service	1835 S. Manheim Road, Westchester, IL 60153.	Apr. 4, 1980	.0940
Casey Zaraza Standard	1334 W. Division Street, Chicago, IL 60622.	Apr. 4, 1980	.0580
Garapole Standard Service	539 Long and Harlem, Riverside, IL 60546	Apr. 9, 1980	.0200
Giannoudakos Arco	6141 N. River Road, Rosemont, IL 60018	Apr. 15, 1980	.0560
Cermak & Harlem Standard	7204 W. Cermak Road, No. Riverside, IL 60546.	Apr. 16, 1980	.0660
Jim Standard Service	920 W. Lincoln Highway, DeKalb, IL 60115	Apr. 21, 1980	.0760
Sam's Towing Service	9500 Franklin Avenue, Franklin Pk., IL 60134.	Apr. 23, 1980	.0740
Earl's Arco Service	3202 W. Cermak Road, Chicago, IL 60648	Apr. 24, 1980	.1010
S & J Shell Service	280 N. Cass Avenue, Westmont, IL 60559.	Apr. 25, 1980	.0260
Pavich Shell	31100 Groesbeck, Fraiser, MI 48026	Apr. 25, 1980	.034
B&J Standard Service	18982 Fort St., Riverview, MI 48192	Apr. 25, 1980	.03
Sunny's Standard Service	30900 Harper, Mount Clemens, MI 48043	Apr. 25, 1980	.022
Broadway Texaco	2802 West Broadway, Sedalia, MO 65301	Mar. 14, 1980	.0295
707 Truck Plaza	M-7 and Interstate 70, Blue Springs, MO 64015.	Jan. 4, 1980	.02

Southwest District

Station Name, Address, and Date

Canyon Lake Marina, Star Route 2, Box 220, New Braunfels, TX 78120—Mar. 17, 1980
Terry Gulf Service, I-30 & Hwy 205, Rockwall, TX 75087—Mar. 27, 1980
A & E Texaco, Hwy 78 & Profit Dr., Garland, TX 75405—Mar. 28, 1980
Crenshaw Exxon, I-30 & FM 547, Royce City, TX 75089—Mar. 28, 1980
Ferguson Exxon, 729 W. Illinois St., Dallas, TX 75224—Mar. 28, 1980
Six Flags Texaco, 900 Hwy 360 N., Arlington, TX 76011—Mar. 28, 1980
Agape Force Inc., P.O. Box 386, Lindale, TX 75771—Mar. 11, 1980
Broadway Exxon, 200 N. Broadway, Ballinger, TX 76821—Mar. 5, 1980
Carolyn Park Shell, 701 Perrin Drive, Arabi, LA 70032—Mar. 10, 1980
Eddie's Texaco, 6241 Westbank Expressway, Marreso, LA 70072—Mar. 11, 1980
Badeaux's Gulf, 519 Hopkins St., New Iberia, LA 70560—Mar. 12, 1980
Eagle Exxon, 8733 South Claiborne, New Orleans, LA 70125—Mar. 19, 1980
Confederate Shell, 1534 Kings Hwy, Shreveport, LA 71104—Mar. 3, 1980
Lambson Investment Corp., P.O. Box 338, Thoreau, NM 87323—Mar. 6, 1980
Jim P. Cox, Jr. Service Station, 2407 N. McKinley, Oklahoma City, OK 73106—Mar. 21, 1980
Morris Exxon, 101 S. Thompson, Springdale, AR 72764—Mar. 4, 1980
Bell McCann's Texaco, 34 Aldine Bender, Houston, TX 77205—Mar. 1, 1980
Hutchison's Exxon, 5415 Kirby Dr., Houston, TX 77005—Mar. 19, 1980
Stella Link Gulf, 9403 Stella Link, Houston, TX 77025—Mar. 31, 1980
River Oaks Texaco Service Center, 2050 W. Gray, Houston, TX 77019—Mar. 12, 1980
George Hristapoulas' Exxon, 3850 W. Airport Blvd., Houston, TX 77035—Mar. 25, 1980

River Oaks Texaco Service Station, 2517 River Oaks Blvd., Houston, TX 77019—Mar. 12, 1980
Van's Gulf Service Center, 3810 Little York Rd., Houston, TX 77093—Mar. 25, 1980
Four Corners Gulf Station, 100 E. Market, Highlands, TX 77562—Apr. 16, 1980
Southmore Motors, 2204 Red Bluff, Pasadena, TX 77563—Apr. 24, 1980
Forrest Glenn Cook's Exxon, 1030 Cheshire, Houston, TX 77018—Apr. 15, 1980
Burley's Gulf Service, 14803 Memorial Dr., Houston, TX 77079—Apr. 25, 1980
L. Duff Gulf Service Center, 3503 Dowling, Houston, TX 77004—Apr. 23, 1980
A. G. Alvites, 201 Crawford Street, Houston, TX 77002—Apr. 27, 1980
J. C. Auto Care Centers, Inc., 3941 Fondren, Houston, TX 77057—Apr. 16, 1980
Houchen Gulf Service Center, 1903 McKinney, Houston, TX 77003—Apr. 29, 1980
Luis Molina's Mobil, 4444 West Fuqua, Houston, TX 77045—Apr. 11, 1980
Pete's Texaco, 3700 Gulfway Dr., Port Arthur, TX 77640—Apr. 23, 1980
Richard's Texaco Service, 1449 Gulfway Dr., Port Arthur, TX 77640—Apr. 24, 1980
Hernandez Texaco, 5001 Procter Street, Port Arthur, TX 77640—Apr. 23, 1980
Roger's Texaco, P.O. Box 191, Port Arthur, TX 77640—Apr. 23, 1980
Ed Benkert's Gulf Service, 3999 Gulfway Dr., Port Arthur, TX 77640—Apr. 23, 1980
Red Herring Exxon, 4200 W. Jefferson, Dallas, TX 75211—Feb. 21, 1980
A-1 Shell Service Center, 6463 E. Northwest Hwy., Dallas, TX 75231—Apr. 16, 1980
Second Avenue Texaco 7505 Hawn Fwy., Dallas, TX 75215—Apr. 28, 1980
Ken Hall Exxon, 710 W. Pleasant Run, Lancaster, TX 75146—Apr. 28, 1980
King's Shell Service, 1601 Hwy 77S., Carrollton, TX 75006—Apr. 16, 1980
Slagle & Rowe Texaco, 1706 W. Randol Mill Rd., Arlington, TX 76012—Apr. 25, 1980
Fred's Texaco, 503 W. Main, Eastland, TX 76448—Apr 23, 1980
Ruben's Gulf, I-20 and Hwy. 6, Eastland, TX 76448—Apr. 23, 1980.
Seeton Exxon, Hwy 67 and Ninth, Midlothian, TX 76065—Apr. 21, 1980
Forbe's Mobil, P.O. Box 88, Venus, TX 76084—Apr. 21, 1980
Jackson Bros. Texaco, Chalk Mountain TX 76401—Apr. 21, 1980
Blanchard Texaco, 19th and Main, Gatesville, TX 76528—Apr. 21, 1980
Lopez Gulf Service, 900 Ave. D, Cisco, TX 76437—Apr. 23, 1980
Yardley ROBO Wash, Hwy 183 & 9th St., Cisco, TX 76437—Apr. 23, 1980
D&Y Gulf Service, 203 Hwy. 190, Killen, TX 76541—Apr. 22, 1980
East 80 Exxon, 601 East Front, Midland, TX 79701—Mar. 27, 1980
William Texaco, 1333 Plank Rd., Baton Rouge, LA 70805—Apr. 1, 1980
College Drive Gulf, 2929 College Drive, Baton Rouge, LA 70805—Apr. 3, 1980
Howell Park Exxon, 3333 North Foster Dr., Baton Rouge, LA 70805—Apr. 24, 1980
Raceland Car Service, Rt. 3, P.O. Box 405, Raceland, LA 70394—Apr. 25, 1980
Winnwood & Riverside Shell, 4403 Johnson, Lafayette, LA 70506—Apr. 7, 1980
Latour's Gulf, 4005 Moss Street, Lafayette, LA 70506—Apr. 16, 1980
Norman's Exxon, Rt. 1, Box 20, Raceland, LA 70394—Apr. 21, 1980
Keating's Texaco, P.O. Box 267, LaPlace, LA 70068—Apr. 18, 1980
V&M Motor Co., P.O. Box 356, Lutcher, LA 70071—Apr. 23, 1980
LaPlace 66, 100 W. Airline Hwy., LaPlace, LA 70068—Apr. 17, 1980
Champagne Shell, Box 545, Rt. 1, LaPlace, LA 70068—Apr. 24, 1980
Aker's Service Station, 700 E. Broadway, Drumright, OK 74030—Apr. 1, 1980
Sills Kerr McGee, 701 E. North Ave., Tonkawa, OK 74653—Apr. 11, 1980
Lepley's Gulf Service, 11316 E. 21st, Tulsa, OK 74129—Apr. 17, 1980
Canfield's 66 Service Station, 2901 N. Peoria, Tulsa, OK 74106—Apr. 17, 1980
Frank's DX, 21 Van Buren, Eureka Springs, AR 72632—Apr. 30, 1980
Paradise Hills Chevron, 9171 Coors Rd., Albuquerque, NM—Apr. 23, 1980
Exxon Service Center, 601 E. Hubbard, Mineral Wells, TX 76067—Apr. 23, 1980

Western District

Gabriel's Mobil, 210 N. Sierra Madre, Pasadena, CA 91107—Feb. 29, 1980
H & M Texaco, 2083 S. Harbor Blvd., Anaheim, CA 92802—Mar. 3, 1980
Sabeh Mobil Product Service, 9522 Chapman Ave., Garden Grove, CA 92641—Mar. 4, 1980
Mario Camara Chevron, 4201 W. Washington Blvd., Los Angeles, CA 90016—Mar. 5, 1980
Pacific Coast Shell, 1402 W. Pacific Coast Hwy., Wilmington, CA 90744—Mar. 5, 1980
Jose Vetasco Union, 5301 W. Olympic Blvd., Los Angeles, CA 90036—Mar. 6, 1980
Gabe H. Issa Union, 11203 Washington Place, Culver City, CA 90230—Mar. 6, 1980
Bill Fulton Chevron Service, 11197 Washington Place, Culver City, CA 90230—Mar. 6, 1980
Seyed Exxon Service, 9800 N. Archibald, Ontario, CA 91764—Mar. 6, 1980
Ed's Texaco Service, 6520 Wilshire Blvd., Los Angeles, CA 90048—Mar. 6, 1980
Larry's Shell Service, 7601 Topanga Cyn. Blvd., Canoga Park, CA 91304—Mar. 7, 1980
Burrough's Union Service, 7560 Topanga Cyn. Blvd., Canoga Park, CA 91304—Mar. 7, 1980
Dale's Union Service, 18524 Ventura Blvd., Tarzana, CA 91356—Mar. 7, 1980
Ellison's Arco, 18473 Ventura Blvd., Tarzana, CA 91356—Mar. 7, 1980
Greg's Union Service, 12909 Magnolia Blvd., Sherman Oaks, CA 91423—Mar. 10, 1980
White Oak Shell, 6748 White Oak Ave., Van Nuys, CA 91406—Mar. 10, 1980
Roscoe Woodley, Shell Service Ctr., 16207 Roscoe Blvd., Sepulveda, CA 91343—Mar. 12, 1980
Romulo Villaroman, 9972 Westminister Ave., Garden Grove, CA 92461—Mar. 14, 1980
Flinn's Shell Service, 15553 Roscoe Blvd., Van Nuys, CA 91406—Mar. 17, 1980
Chuck Hancock Chevron, 801 W. Hutington Drive, Arcadia, CA 91106—Mar. 19, 1980
Wayne's Chevron Service, 16210 Lassen Street, Sepulveda, CA 91343—Mar. 20, 1980
Kims Union 76 Station, Hawaiian Gardens, CA—Mar. 20, 1980
Walter's Union Service Center, 4005 West Third Street, Los Angeles, CA 90020—Mar. 21, 1980
Garo's Union, 301 South Fairfax Ave., Los Angeles, CA 90036—Mar. 21, 1980
Bedos Union, 7751 Beverly Blvd., Los Angeles, CA 90036—Mar. 21, 1980
H. G. Struever, 703 S. Vermont Ave., Los Angeles, CA 90005—Mar 21, 1980
Fred Jakari Union, 1000 S. Vermont Ave., Los Angeles, CA 90006—Mar. 21, 1980
Hamer Bros., 901 S. Hoover Street, Los Angeles, CA 90006—Mar. 21, 1980
George's Service Center, 2202 S. Vermont, Los Angeles, CA 90007—Mar. 21, 1980
Four Brothers, 22406 Ventura Blvd., Woodland Hills, CA 91346—Mar. 24, 1980
Josh's Exxon Service, 307 North La Brea, Los Angeles, CA 90036—Mar. 24, 1980
Peter Echevarria Union, 4006 Wilshire Blvd., Los Angeles, CA 90005—Mar. 24, 1980
Roberto Franco Mobil, 2918 Riverside Drive, Los Angeles, CA 90052—Mar. 24, 1980
Jose Loza Union, 5200 E. Olympic Blvd., Los Angeles, CA 90022—Mar 24, 1980
John's Union Service, 6760 Topanga Canyon Blvd., Canoga Park, 91303—Mar. 19, 1980
Greg's Foreign Auto, 2130 W. Beverly Blvd., Montebello, CA 90640—Mar. 24, 1980
Russ's Mobil, 2500 E. Lincoln, Anaheim, CA 92806—Mar. 25, 1980
Ira Newman Chevron, 2501 E. Lincoln, Anaheim, CA 92806—Mar. 25, 1980
Auedis Manoukian Union, 101 N. Atlantic Blvd., Monterey Park, CA 91754—Mar. 25, 1980
Gagosian Mobil Service, 897 N. Garfield Ave., Montebello, CA 90640—Mar. 25, 1980
Ray's Mobil, 6601 E. Olympic, Los Angeles, CA 90022—Mar. 25, 1980
Gary Webb and Son's Inc., 3020 W. Olive, Burbank, CA 91502—Mar. 26, 1980
Rhys Tilley's Service, 353 N. Pass Ave., Burbank, CA 91505—Mar. 26, 1980
Schaper's Union, 12501 Burbank Blvd., North Hollywood, CA 91607—Mar. 26, 1980
V & J Arco, 7990 Knott Ave., Buena Park, CA 90620—Mar. 26, 1980
Honolulu Exxon Service, 2817 Honolulu Ave., Verdugo City, CA 91046—Mar. 26, 1980
Fred's Union 76, 501 E. Glenoaks Blvd., Glendale, CA 91207—Mar. 26, 1980
George's Union 76, 900 N. Pacific Ave., Glendale, CA 91203—Mar. 26, 1980
H-V Mobil, 5850 W. 3rd Street, Los Angeles, CA 90036—Mar. 27, 1980
Ira Newman Chevron, 1440 N. State College Blvd., Anaheim, CA 92806—Mar. 27, 1980
Moses Exxon, 434 W. Alameda Ave., Burbank, CA 91506—Mar. 27, 1980
Roger's Service Center, 4411 W. Olive Avenue, Burbank, CA—Mar. 27, 1980
Joe's Service Center, 4801 Laurel Canyon Blvd., North Hollywood, CA—Mar. 27, 1980
Hadleys Union 76, 2384 Foothill Blvd., Montrose, CA 91020—Mar. 28, 1980
Phillip's Shell Service, 5600 Woodman Ave., Van Nuys, CA 91401—Mar. 28, 1980
McManus Chevron, 1814 E. First Street, Santa Ana, CA 92705—Mar. 28, 1980
Oliver's Chevron, 4071 Dam Rd., El Sobrante, CA 94803—Mar. 4, 1980
Pinole Valley Arco Car Wash, Inc., 2747 Pinole Valley Rd., Pinole, CA 94564—Mar. 5, 1980
Chris' Texaco, 5001 Cutting Blvd., Richmond, CA 90804—Mar. 10, 1980

Al's Exxon, 550 Randolph Street, San Francisco, CA 94132—Mar. 12, 1980
Roland's Texaco Service, 1701 Ocean Ave., San Francisco, CA 94112—Mar. 20, 1980
Son Dad Texaco, 1600 No. Texas Street, Fairfield, CA 94533—Mar. 20, 1980
Mountain View Shell, 1266 El Camino Real West, Mountain View, CA 94040—Mar. 27, 1980
Bill's Eastgate Union, 15220 S.E. 36th Place, Bellevue, WA 98006—Mar. 20, 1980
Southcenter 76, 115 Andover Park West, Tukwila, WA 98118—Mar. 20, 1980
Six Corner Chevron, 21090 S.W. Pacific Highway, Sherwood, OR 97140—Mar. 21, 1980
Gene's Auto Svc. Ctr., 1700 W. Glenoaks Blvd., Glendale, CA 91201—Mar. 28, 1980
Abe's Freeway Service, 3240 Cahuenga Blvd., Los Angeles, CA 90028—Mar. 28, 1980
Dale Hollick's Arco, 1129 Union Avenue, Bakersfield, CA 93307—Mar. 31, 1980
Hal's Automotive, 520 N. Ventura, Oak View CA 93022—Apr. 1, 1980
Joe's Mobil, 13172 Garden Grove Blvd., Garden Grove CA 92643—Apr. 1, 1980
Mike's Arco, 3704 Cahuenga Blvd., North Hollywood, CA 91604—Apr. 2, 1980
Said El Horr, 530 N. Brookhurst, Anaheim, CA 92801—Apr. 2, 1980
Jerry's Chevron Ser., 3780 Cahuenga Blvd., North Hollywood, CA 91607—Apr. 3, 1980
Albert Grasso, Standard Service, 910 Tustin Ave., Orange, CA 92801—Apr. 3, 1980
Ron's Arco Service, 16751 Yorba Linda Blvd., Yorba Linda CA 92686—Apr. 3, 1980
Yorba Linda Service Center, 17591 Yorba Linda Blvd., Yorba Linda CA 92686—Apr. 3, 1980
Frank's Mobil, 1101 N. Euclid, Anaheim, CA 92801—Apr. 4, 1980
Roscoe Shell Service, 12858 Roscoe Blvd. Sun Valley, CA 91352—Apr. 8, 1980
Crown Valley Shell, 30011 Crown Valley Pkwy., Laguna Niguel, CA 92677—Apr. 8, 1980
Fred Jafari Union, 2215 S. Vermont, Los Angeles, CA 90007—Apr. 9, 1980
Abram's Service Center,4715 Van Nuys Blvd., Sherman Oaks, CA 91403—Apr. 9, 1980
Jack's Texaco Service, 17966 Brookhurst Street, Fountain Valley CA 92708—Apr. 9, 1980
S & S Exxon, 504 De La Estrella, San Clemente, CA 92672—Apr. 10, 1980
Howard's Shell Service, 439 N. El Camino Real, San Clemente, CA 92672—Apr. 10, 1980
Roxy Musser Chevron, 1901 N. Allen Ave., Altadena, CA 91001—Apr. 10, 1980
Frank Domoslai and Sons, 1126 S. Grand Avenue, Santa Ana, CA 92705—Apr. 11, 1980
Harry's Arco 14881 Sand Canyon Avenue, P.O. Box 31, East Irvine, CA 92650—Apr. 11, 1980
Pasadena Shell, 200 N. Fair Oaks, Pasadena, CA 91103—Apr. 11, 1980
Penn's Service, 226 N. Fair Oaks, Pasadena, CA 91103—Apr. 11, 1980
Mark Service, 290 S. Arroyo Pkwy., Pasadena, CA 91105—Apr. 14, 1980
Deane's Chevron Service, 460 Fair Oaks Ave South Pasadena, CA 91030—Apr. 14, 1980
Tom Wong's Union 76, 5744 San Fernando Rd., Glendale, CA 91202—Apr. 14, 1980
Partanna's Texaco, 28681 Marguerite Pkwy., Mission Viejo, CA 92692—Apr. 15, 1980
Jacquline Luteraan, 5170 Sepulveda Blvd., Sherman Oaks, CA 91403—Apr. 15, 1980
Santelli Union 76, 13850 Vanowen Street, Van Nuys, CA 91405—Apr. 15, 1980
Leisure World Mobil, 24632 El Toro Rd., Laguna Hills, CA 92653—Apr. 16, 1980
Irving Edward's 76., 1127 S. Baldwin Ave., Arcadia, CA 91006—Apr. 17, 1980
Claudes Texaco, 1304 S. Baldwin Ave., Arcadia, CA 91006—Apr. 17, 1980
Gorden Moon Chevron Service, 1729 S. El Camino Real, San Clemente, CA 92672—Apr. 17, 1980
Karl Lauer Chevron, 5602 E. Los Angeles Ave., Simi Valley, CA 92672—Apr. 17, 1980
Mike Cook Chevron, 599 W. Olympic, Los Angeles, CA 90015—Apr. 17, 1980
Mundy Chevron Service, 3070 Rubidoux, Rubidoux CA 92509—Apr. 17, 1980
Jerry Benson Shell, 19309 Sherman Way, Reseda, CA 91335—Apr. 18, 1980
Harry's Mikaelian Brothers, 12450 Burbank Blvd., North Hollywood, CA 91607—Apr. 18, 1980
Dana Point Chevron, 34164 Coast Hwy, Dana Point, CA 92629—Apr. 21, 1980
Mike J. Siminuk, 31696 Pacific Coast Hwy, South Laguna, CA 92677—Apr. 21, 1980
Fred's Chevron Service, 3546 Baldwin Ave., El Monte, CA 91731—Apr. 21, 1980
Cooks Mobil, 4550 Baldwin, El Monte, CA 91731—Apr. 21, 1980
Mel's Texaco, 8520 Warner, Fountain Valley, CA 92708—Apr. 21, 1980
Laguna Chevron Service, 604 South Coast Highway, Laguna Beach, CA 92651—Apr 21, 1980
Bob's Exxon, 12493 Beach Blvd., Garden Grove, CA 92641—Apr. 23, 1980
Bill Livermore Chevron Service, 854 E. Huntington Drive, Monrovia, CA 91016—Apr. 23, 1980
Al Rauber Chevron Service, 2442 S. Peck Rd., Whittier, CA 90601—Apr. 24, 1980
Bewley's Auto Service, 6001 S. Rosemead Blvd., Pico Rivera, CA 90660—Apr. 25, 1980
John's Chevron, 1201 So. Anaheim, Anaheim, CA 92804—Apr. 25 1980
Bermudez & Sons Texaco, 1001 N. State College, Anaheim, CA 92806—Apr. 25 1980
Lang's Foreign Car Repair, 1819 Cliff Drive, Santa Barbara, CA—Apr. 21, 1980
La Cumbre Chevron Service, 115 So. La Cumbre Rd., Santa Barbara, CA 93105—Apr. 21, 1980
Rateau's Santa Barbara Mobil, 314 Santa Barbara Street, Santa Barbara, CA 93101—Apr. 21, 1980
Charles A. Respecke Union, 3052 De La Vina, Santa Barbara CA 93105—Apr. 22, 1980
Wolfgang's Texaco, 2036 Cliff Drive, Santa Barbara CA 93105—Apr. 22, 1980
Fairview Shell, 55 No. Fairview, Goleta, CA 93017—Apr. 22, 1980
Pressly Shell, 7020 Calle Real, Goleta, CA 93013—Apr. 22, 1980
Winchester Union, 20 Winchester Canyon Rd., Goleta, CA 93017—Apr. 23, 1980
Turnpike Shell, 175 No. Turnpike, Santa Barbara CA 93111—Apr. 23, 1980
Turnpike Mobil, 4791 Calle Real, Santa Barbara CA 93111—Apr. 23, 1980
Ray's Mobil Service, 311 Castillo Street, Santa Barbara CA 93101—Apr. 23, 1980
Fairview Union 76, 42 North Fairview, Goleta, CA 93107—Apr. 24, 1980
Tom Butera Texaco, 150 So. La Cumbre, Santa Barbara CA —Apr. 24, 1980
Buellton Chevron, Hwy. 101 and Hwy. 246, Buellton, CA 93424—Apr. 24, 1980
Cecil's Chevron, 970 Merchant Street, Vacaville, CA 95688—Apr. 3, 1980
Mario's Service, 699 Columbus Street, San Francisco, CA 94133—Apr. 11, 1980
Lafayette Chevron East, 3363 Mt. Diablo Blvd., Lafayette, CA 94549—Apr. 18, 1980
Stevenson Texaco, U.S. Hwy. 14 and 2nd Avenue, Stevenson, WA 98648—Apr. 22, 1980
Dave's V 76, 1600 S.W. 312th St., Federal Way WA 98003—Apr. 22, 1980
University Village Chevron, 4530 25th Ave. N.E., Seattle, WA 98105—Apr. 28, 1980
Truck Town, P.O. Box 363, North Bend, WA 98045—Apr. 29, 1980
Summit Chevron, P.O. Box 104, Snoqualmie Pass, WA 98068—Apr. 30, 1980
Hal's Chevron, 4221 Wheaton, Bremerton, WA 98310—Apr. 23, 1980
Broadway Cab Co., First & Everett N.W., Portland, OR 97225—Apr. 22, 1980
Lake Grove Shell, 16000 Lower Boones Ferry Rd., Lake Grove, OR 97034—Apr. 22, 1980

Northeast District

Westons Texaco, 63 W. Old Country Rd., Hicksville, NY 11801—Mar. 3, 1980
Gee Gee Garage, 2906 Broadway, New York, NY 10027—Mar. 3, 1980
Krokus Service, 980 E. 233 Street, Bronx, NY 10466—Mar. 3, 1980
PH High-Point Cor., 60-11 Queens Blvd., Woodside, NY 11377—Feb. 22, 1980
Success Service Station, Powerhouse Road and Lakeville Road, Lake Success, NY 11040—Feb. 20, 1980
Stone Ridge Garage, Route 209, Stone Ridge, NY 12484—Feb. 14, 1980
Lake Sunoco Service, 3910 Lake Avenue, Rochester, NY 14612—Mar. 7, 1980
Jack McGee & Sons Auto, 2550 East Main Street, Bridgeport, CO—Mar. 7, 1980
Art's Getty Service, 119 Chandler Street, Worcester, MA—Mar. 5, 1980
Peter's Exxon, 1985 Bruckner Blvd., Bronx, NY 10472—Mar. 7, 1980
John "A" Alignment Serv., Upper Court Street Binghampton, NY 13904—Mar. 10, 1980
Wheeler's Collision Serv., Route 10, Deposit, NY 13754—Mar. 10, 1980
Baisley Service Station, 152-01 Rockaway Blvd., Jamaica, NY 11434—Mar. 10, 1980
Yough Lake Marina, Inc., American Marina Dev., Corp., ARCO, R.D. #1, 155A, Addison, PA 15411—Mar. 10, 1980
Maryland Exxon, 170 Main Street, Maryland, Mass.—Mar 11, 1980.
Lund's Service, 431 So. Main Street, Andover, MA—Mar. 3, 1980
North Street Shell, 111 North Street, Salem, MA—Mar. 12, 1980
Bob Bowles Sunoco, 434-450 McGrath Hwy., Somerville, MA—Mar. 13, 1980
Forte's Sunoco, 251 Lee Burbank Hwy., Revere, MA—Mar. 11, 1980
Pitts Stop Shell, 1 Whalley Avenue, New Haven, CT—Mar. 20, 1980
Aquilla Motors, Inc., 6 Fountain Street, New Haven, CT—Mar. 19, 1980

Allen Tire & Battery, 296 Allen Street, New Britain, CT—Mar. 21, 1980
Exit 8 Mobil, 90 Riverside Street, Portland, ME—Mar. 21, 1980
Tex Getty, 7 Main Street, Topsham, ME—Mar. 20, 1980
D & O Mobil, 2500 Mass. Ave., Cambridge, MA—Mar. 20, 1980
Alewife Mobil, 2615 Mass. Avenue, Cambridge, MA—Mar. 21, 1980
Randy's Texaco Service Station, 312 W. Boylston Street, West Boylston, MA—Mar. 21, 1980
Natale's Foreign Car & Tire Co., Rt. 1 & LA Newport Ave., So. Attleboro, MA—Mar. 19, 1980
Rickey's Getty, Rt. 2 and 2A, Concord, MA—Mar. 16, 1980
Derry Mobil, Rt. 102, Londonderry, NH—Mar. 21, 1980
Bridge Street Gulf, 90 Bridge Street, Manchester, NH—Mar. 21, 1980
City Line Exxon, 1173 Social Street, Woonsocket, RI—Mar. 20, 1980
Central Service Center, 1900 Bellmore Avenue, Bellmore, NY 11710—Feb. 19, 1980
Personal Auto Center, 2660 Jerusalem Avenue, North Bellmore, NY 11710—Mar. 17, 1980
S & R Service Center, 117-20 101 Avenue, Richmond Hill, NY 11419—Mar. 17, 1980
Nanuet Exxon, 286 West Route 59, Nanuet, NY 10954—Mar. 18, 1980
Dan's Allenwood Service, 208 Middle Neck Road, Great Neck, NY 11021—Mar. 10, 1980
Orangeburg Exxon, Route 303 & Palisades, Orangeburg, NY 10962—Feb. 25, 1980
Exit 19 Sunoco, Washington Avenue, Kingston, NY 12401—Mar. 19, 1980
A & A Exxon, 2918 Jersualem Avenue, Wantagh, NY 11793—Mar. 7, 1980
Carl's Hillcrest Exxon, 276 North Main Street, Spring Valley, NY 10977—Mar. 20, 1980
J & J Service Station, 1760 Park Avenue, New York, NY 10035—Mar. 24, 1980
Ghovan's Chevron, 586 Middle Neck Road, Great Neck, NY 11023—Mar. 28, 1980
Center Garage, 1145 Post Road, Darien, CO 06820—Mar. 26, 1980
Chichester Exxon, RFD 10, Concord, NH—Mar. 24, 1980
Barton's Texaco, 52 Cabot Street, Beverly, MA—Mar. 28, 1980
Paul's Mobil, 61 Cabot Street, Beverly, MA—Mar. 25, 1980
Gentile's Exxon, 205 Shrewsbury Street, Worcester, MA—Mar. 27, 1980
George's Texaco, 16 Main Street, Stoneham, MA—Mar. 20, 1980
Miller's Exxon, 602 Main Street, Wakefield, MA—Mar. 28, 1980
Crossroad's Chevron, Route 110, Westford, MA—Mar. 25, 1980
Minots Corner Mobile, Littleton and Boston Rds., Westford, MA—Mar. 24, 1980
Kimy's Exxon, 146 North Main Street, Spring Valley, NY 10977—Mar. 31, 1980
Linden Friendly Service Station, 208-15 Linden Blvd., St. Albans, NY 11411—Mar. 31, 1980
Berdar Auto Service, 114 Saratoga Street, Cohoes, NY 12047—Mar. 20, 1980
H & S Gulf, JFK International Airport, Site #2,, Jamaica, NY—Jan. 10, 1980

[FR Doc. 80-16222 Filed 5-28-80; 8:45 am]
BILLING CODE 6450-01-M

F. L. Roberts & Co., Inc.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of a Consent Order.

EFFECTIVE DATE: April 8, 1980.

FOR FURTHER INFORMATION CONTACT: James J. Dowd, Audit Director, Office of Enforcement, Northeast District, Economic Regulatory Administration, Room 700, 150 Causeway Street, Boston, MA 02114.

SUPPLEMENTARY INFORMATION: On April 8, 1980, the Office of Enforcement of the ERA executed a Consent Order with F. L. Roberts & Co., Inc. (Roberts) of Springfield, Massachusetts. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

I. The Consent Order

Roberts, with its home office located in Springfield, Massachusetts, is a firm engaged in the sale and allocation of Motor Gasoline and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR, Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Roberts, the Office of Enforcement, ERA and Roberts entered into a Consent Order, the significant terms of which are as follows:

1. Roberts was a supplier of motor gasoline as defined in 10 CFR 211.51 during the period March 1, 1979 to October 31, 1979 and its sales of motor gasoline are subject to the Mandatory Petroleum Allocation Regulations at 10 CFR 211.

2. Roberts sold motor gasoline during the period March 1, 1979 to October 31, 1979 both through retail gasoline stations operated by Roberts and non-affiliated wholesale purchaser-resellers.

3. DOE alleges that Roberts, during the months of March 1979 to October 1979, supplied its company-affiliated retail outlets with 1,629,810 gallons in excess of the volumes that should have been supplied in accordance with 10 CFR Part 211 and that it offered to its non-affiliated wholesale customers 1,629,810 gallons below the volume that should have been supplied.

4. Roberts, without admitting that it has violated any DOE regulation, is willing to enter into this Consent Order as a means of settling all of its outstanding disputes with DOE concerning the subject matter of this Consent Order, and thus avoiding further disruption of its orderly business functions and the expense of protracted, complex litigation.

II. Disposition of Matters Covered by This Consent Order

In consideration of DOE and F. L. Roberts entering into this agreement, Roberts agrees to do the following:

1. For each month during the four-month period commencing with March 1980, Roberts shall compute its allocation fraction on a uniform basis for company-affiliated and non-affiliated customers and then reduce the amount allocated to its company-affiliated retail outlets by 407,452 gallons per month for the first two months and 407,453 gallons per month for the second two months.

2. Each non-affiliated customer listed on Schedule A (attached) shall be offered the amounts set forth on the Schedule in addition to its normal allocation. Such offer shall be in the form of a written notice, which notice has been approved by the DOE. Each customer shall be allowed to schedule delivery of the additional product during a five-month period commencing with March 1980, but Roberts may limit each monthly delivery to twenty-five percent (25%) of the total offered to the extent that the aggregate amount requested by all customers in any month exceeds 407,453 gallons.

3. If at the end of the five-month period any product remains unpurchased that product shall be added to Roberts' allocable supply for the following month.

III. Submission of Written Comments

The ERA invites interested persons to comment on the terms, conditions, or procedural aspect of this Consent Order.

You should send your comments to James J. Dowd, Audit Director, Office of Enforcement, Northeast District, Economic Regulatory Administration, Room 700, 150 Causeway Street, Boston, MA 02114. You may obtain a free copy of this Consent Order by writing to the same address or by calling 617-223-3740.

You should identify your comments on the outside of your envelope and on the documents you submit with the designation, "Comments on F. L. Roberts' Consent Order". We will consider all documents we receive by 4:30 p.m., local time on (30 days from publication). You should identify any information or data, which in your

opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Philadelphia, PA, on the 29th day of April 1980.

Edward F. Momorella,

District Manager of Enforcement, Northeast District.

[FR Doc. 80-16218 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Union Texas Petroleum Corp.; Final Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken on a consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy announces final action of a Consent Order.

EFFECTIVE DATE: May 1, 1980.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager, Southwest District Enforcement, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

SUPPLEMENTAL INFORMATION: On March 6, 1980, the ERA of the DOE executed a proposed Consent Order with Union Texas Petroleum Corporation of Houston, Texas. Under 10 CFR 205.199I(c), a proposed Consent Order becomes effective only after the ERA has published notice of its execution and solicits and considers public comments with respect to its terms. Therefore, the ERA published a Notice of Proposed Consent Order and invited interested persons to comment on the proposed Order. At the conclusion of the thirty-day comment period, the ERA had received certain notices of claims against the refund amount of the Consent Order which have been forwarded to the Director, Resource Management Branch, Office of Enforcement, U.S. Department of Energy, attention: Special Refund Coordinator, 2000 M Street NW., (Room 5128), Washington, D.C. 20461. There were no objections received to the Consent Order. Accordingly, the ERA has concluded that the Consent Order as executed between the ERA and Union Texas Petroleum Corporation is an appropriate resolution of the compliance proceeding which it described and it shall become final and effective as proposed, without modification, upon publication of this Notice. Procedures and requirements for documenting proof of claim are being developed. Refunded overcharges received, if any, will remain in a suitable government escrow account pending the determination of their proper disposition.

Issued in Dallas, Texas on the 15th day of May, 1980.

Wayne I. Tucker,

District Manager, Southwest District Enforcement.

[FR Doc. 80-16219 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Vaughn Petroleum, Inc.; Final Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken on a consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy announces final action of a Consent Order.

EFFECTIVE DATE: April 24, 1980.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager, Southwest District Enforcement, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

SUPPLEMENTARY INFORMATION: On February 21, 1980, the ERA of the DOE executed a proposed Consent Order with Vaughn Petroleum, Inc. of Dallas, Texas. Under 10 CFR 205.199I(c), a proposed Consent Order becomes effective only after the ERA has published notice of its execution and solicits and considers public comments with respect to its terms. Therefore, the ERA published a Notice of Proposed Consent Order and invited interested persons to comment on the proposed Order. At the conclusion of the thirty-day comment period, the ERA had received certain notices of claims against the refund amount of the Consent Order which have been forwarded to the Director, Resource Management Branch, Office of Enforcement, U.S. Department of Energy, attention: Special Refund Coordinator, 2000 M Street NW., (Room 5128), Washington, D.C. 20461. There were no objections received to the Consent Order. Accordingly, the ERA has concluded that the Consent Order as executed between the ERA and Vaughn Petroleum, is an appropriate resolution of the compliance proceeding which it described and it shall become final and effective as proposed, without modification, upon publication of this Notice. Procedures and requirements for documenting proof of claim are being developed. Refunded overcharges received, if any, will remain in a suitable government escrow account pending the determination of their proper disposition.

Issued in Dallas, Texas on the 15th day of May 1980.

Wayne I. Tucker,

District Manager, Southwest District Enforcement.

[FR Doc. 80-16221 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. CP80-351]

National Fuel Gas Supply Corp., National Gas Storage Corp.; Application

May 22, 1980.

Take notice that on May 2, 1980, National Fuel Gas Supply Corporation (Supply Corporation), 308 Seneca Street, Oil City, Pennsylvania 16301, and National Gas Storage Corporation (Storage Corporation), 10 Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP80-351 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to exchange, up until October 31, 1984, up to 1,800,000 Mcf of natural gas or until completion of the exchange of said volume, whichever may first occur, all as more fully set forth in the applicaton which is on file with the Commission and open to public inspection.

Applicants propose to exchange up to 1,800,000 Mcf of natural gas for the purpose, it is stated, of permitting Supply Corporaton to retain the base gas at the East Independence Storage Pool in Allegany County, New York, when the balance of that facility is transferred to Storage Corporation, pursuant to Opinion No. 42 issued June 21, 1979, in Docket No. CP76-492, *et al.*

Storage Corporation states that it would cause equivalent volumes to be delivered to Supply Corporation, which volumes would be purchased by Storage Corporation from three of its proposed storage customers wich would cause such volumes to be delivered to Supply Corporation on behalf of Storage Corporation.

The exchange would, it is stated, occur simultaneously with deliveries by the customers during the 1980 and 1981 summer injection seasons as follows (all volumes in Mcf):

Customer	1980	1981	Total
Delmarva Power & Light Company (Delmarva)	207,000	33,959	240,959
Penn Fuel Gas, Inc. (Penn Fuel)	235,000	38,327	273,327
UGI Corporation (UGI)	1,107,000	178,714	1,285,000
Total	1,549,000	251,000	1,800,000

It is stated that (1) UGI would cause Columbia Gas Tranmission Corporation (Columbia) to make gas available for sale to Storage Corporation; (2) Penn Fuel would cause Columbia and/or Transcontinental Gas Pipe Line Corporation (Transco) to make gas available for sale to Storage Corporation; and (3) Delmarva would, during the summer of 1981, cause Transco to make gas available for sale to Storage Corporation.

Applicant state that the periods of delivery may be varied and thus authorization is requested for the proposed exchange to continue until October 31, 1984, or until completion of the exchange of 1,800,000 Mcf of natural gas, whichever occurs first. Applicants state further that there would be no charge for the exchange and no additional construction of facilities required.

Applicants state that the authorization sought herein would permit Supply Corporation to retain the East Independence base gas in compliance with Opinion No. 42 while avoiding the time consuming and fuel wasting process of withdrawing said gas and injecting it elsewhere.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 16, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordances with the Commission's Rules.

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

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

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16323 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RA 79-33]

Robert E. Brain and Cooper and Brain, Inc.; Termination of Proceeding

Issued: May 22, 1980.

Robert E. Brain and Brain and Cooper, Inc. (B&C), the petitioners in this proceeding, filed a notice of withdrawal of their petition for review of a denial of adjustment relief by the Secretary of Energy.

The motion was deemed a notice of withdrawal under § 1.11(d) of the Commission's Rules of Practice and Procedure.[1] Since no hearing had been held or convened in this proceeding, withdrawal of the petition for review became effective 30 days after B&C's motion was filed. Such withdrawal terminated the proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16333 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-407]

The Connecticut Light and Power Co.; Notice of Filing

May 22, 1980.

The filing Company submits the following:

Take notice that on May 19, 1980, The Connecticut Light and Power Company (CP&L) tendered for filing a proposed Fifth Amendment to Purchase Agreement with Respect to Various Gas Turbine Units (II) (Amendment) dated June 1, 1979 respectively between (1) CL&P, The Hartford Electric Light Company (HELCO) and Western Massachusetts Electric Company (WMECO), and (2) Vermont Electric Cooperative, Inc. (VEC).

CL&P states that the Fifth Amendment provides for a change in the Percentages of Capability to be purchased by VEC for the period from March 1, 1980 (the Fifth Capability Period) and extends the term of the Fifth Capability Period.

CLP requests that the Commission waive the sixty-day notice period and permit the rate schedule filed to become effective March 1, 1980.

HELCO and WMECO have filed certificates of concurrence in this docket.

CL&P also states that copies of this rate schedule have been mailed or delivered to HELCO, Hartford, Connecticut, WMECO, West Springfield, Massachusetts and VEC, Johnson, Vermont.

CL&P also states that no facilities are to be installed or modified in order to supply the service to be furnished under the Fifth Amendment.

CL&P further states that the filing is in accordance with Part 35 of the Commission's Regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 16, 1980. 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 petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16335 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-406]

The Connecticut Light & Power Co., et al.; Filing of Amended Rate Schedule

May 22, 1980.

The filing Company submits the following:

Take notice that on May 19, 1980, The Connecticut Light and Power Company (CL&P) tendered for filing as a revised rate schedule an Agreement Amending and Revising Connecticut Yankee Transmission Agreement (the "Amendment") between CL&P, The Hartford Electric Light Company, Western Massachusetts Electric Company, The United Illuminating Company, New England Power Company, Boston Edison Company,

[1] That section is applicable to this proceeding pursuant to § 1.40(a)(2)(vi) of the Commission's Interim Regulations governing review of adjustment request denials.

Central Maine Power Company, Public Service Company of New Hampshire, Montaup Electric Company, Cambridge Electric Light Company, New Bedford Gas and Edison Light Company, Central Vermont Public Service Corporation and Vermont Electric Power Company, Inc. The Amendment, dated as of July 1, 1979, provides for transmission service associated with the delivery of power from the Connecticut Yankee Atomic Power Company to all of the parties except New Bedford Gas and Edison Light Company and Vermont Electric Power Company, Inc., who have no power entitlements in the Connecticut Yankee Atomic Power Company's nuclear generating plant at Haddam, Connecticut, but supply transmission service to others under the Amendment.

The Amendment provides for revision of various appendices to reflect changes in the responsibilities of the parties in regard to transmission of power from the Connecticut Yankee Power Company's generating plant and an updating of the rating of the plant. The Amendment results in a redistribution of the transmission fund created under the Connecticut Yankee Transmission Agreement dated as of October 1, 1964 (the "Agreement") to reflect the present transmission responsibilities, as determined by recent studies made by the New England Power Pool (NEPOOL). The amount of payments made to the transmission fund by all the parties are not affected by the Amendment, except as they are increased by the present rating of the generating plant. The Amendment also provides for reimbursement to those parties providing transmission service and receiving net payments from the transmission fund who made payment of a state gross earnings tax with respect to annual net payments received under the Agreement.

CL&P states that delays in the formulation of the details of the Amendment and in securing its execution by the 13 electric utility parties prevented filing until this time. CL&P requests that the Commission, pursuant to § 35.11 of its Regulations, waive the customary notice period and permit the Amendment to take effect as of July 1, 1979.

Each of the other parties to the Amendment has submitted a certificate of concurrence.

The Amendment has been executed by all of the parties thereto, and CL&P states that copies have been mailed or delivered to each of them.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest before the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 16, 1980. Protests will be considered by the Commission in determining 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 petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16336 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[No. 207]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued May 22, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Colorado Oil and Gas Conservation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Bloc No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32812/80-87
2. 05-001-07452-0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Degenhart Unit #2
6. Spindle Field Sussex Pool
7. Adams CO
8. 4.0 million cubic feet
9. May 9, 1980
10. Northern Natural Gas

1. 80-32813/80-108
2. 05-123-07932-0000
3. 108 000 000
4. Nielson Enterprises Inc
5. Kerbs #1
6. Wattenberg
7. Weld CO
8. 20.0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32814/80-127
2. 05-123-08446-0000
3. 108 000 000
4. Energy Minerals Corp
5. State #1-7
6. Waite Lake
7. Weld CO
8. 19.0 million cubic feet
9. May 9, 1980
10. Crystal Gas Resources

1. 80-32815/80-83
2. 05-087-07454-0000
3. 108 000 000
4. Crystal Oil Co
5. Holbeck #33-9
6. Mosley
7. Morgan CO
8. 20.0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas

1. 80-32816/79-82
2. 05-065-00000-0000
3. 108 000 000
4. Lynco Oil Corp
5. La Posta #2
6. Ignacio Blanco PC
7. La Plata CO
8. 20.0 million cubic feet
9. May 9, 1980
10. Northwest Pipeline Co

1. 80-32817/79-82-B
2. 05-067-06135-0000
3. 108 000 000
4. Lynco Oil Corp
5. La Posta Canyon #2
6. Ignacio Blanco
7. La Plata CO
8. .0 million cubic feet
9. May 9, 1980
10. Northwest Pipeline Corp

1. 80-32818/80-106
2. 05-123-09027-0000
3. 108 000 000
4. Martin Oil Service Inc
5. Teets-Perrin #3
6. Spindle
7. Weld CO
8. .0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas Co

1. 80-32819/80-72
2. 05-013-06017-0000
3. 103 000 000
4. Martin Exploration Mgmt Corp
5. Throndson #1
6. Wildcat
7. Boulder CO
8. .0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipeline Co

1. 80-32820/80-73
2. 05-123-09543-0000
3. 103 000 000
4. Martin Exploration Mgmt Corp
5. Buffalo Gardens #1-S
6. Spindle
7. Weld CO
8. .0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas Co

1. 80-32821/80-82
2. 05-123-09415-0000
3. 108 000 000
4. Crystal Oil Co
5. Crystal State #57-12
6. Waite Lake
7. Weld CO
8. 8.0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas

1. 80-32822/80-107
2. 05-087-07466-0000
3. 103 000 000
4. Crystal Oil Co
5. Printz 11-2
6. Orion
7. Morgan CO
8. 28.8 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas Co

1. 80-32823/80-89
2. 05-001-07451-0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Mark McElwain #8
6. Spindle Field Wattenberg Pool
7. Adams CO
8. 5.0 million cubic feet
9. May 9, 1980
10. Northern Natural Gas Co

1. 80-32824/80-80
2. 05-123-09878-0000
3. 102 000 000
4. Energy Minerals Corp
5. Judy #1
6. Waite Lake
7. Weld CO
8. 294.0 million cubic feet
9. May 9, 1980
10. Crystal Gas Resources

1. 80-32825/80-88
2. 05-001-07486-0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-E Zarlengo #3
6. Spindle Field Wattenberg Pool
7. Adams CO
8. 14.2 million cubic feet
9. May 9, 1980
10. Northern Natural Gas Co

1. 80-32826
2. 05-123-09517-0000
3. 103 000 000
4. Beaver Mesa Exploration Co
5. Klein #24-8
6. Lost Creek 8-2N-62W
7. Weld CO
8. 50.0 million cubic feet
9. May 9, 1980
10. Crystal Gas Resources Inc

1. 80-32827/79-502
2. 05-123-09646-0000
3. 103 000 000
4. Beaver Mesa Exploration Co
5. Klein #21-8
6. Lost Creek 8-2N-62W
7. Weld CO
8. 50.0 million cubic feet
9. May 9, 1980
10. Crystal Gas Resources

1. 80-32828/80-120
2. 05-077-08089-0000
3. 108 000 000
4. Bow Valley Petroleum
5. Wallace Currier 19-3
6. Plateau Creek
7. Mesa CO
8. 14.0 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-32829/80-105
2. 05-063-06071-0000
3. 102 000 000
4. Marshall R Young Oil Co
5. Marshall R Young #1 Ziegler
6. Wildcat
7. Kit Carson County CO
8. 18.0 million cubic feet
9. May 9, 1980
10. Peoples Nat Gas Natural Gas P L Co of Amer

1. 80-32830/80-114
2. 05-123-07212-0000
3. 108 000 000
4. Amoco Production Co
5. UPRR 22 Pan American A #1
6. Wattenberg
7. Weld CO
8. 16.8 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32831/80-81
2. 05-125-06267-0000
3. 103 000 000
4. Kansas-Nebraska Natural Gas Co
5. Tustin 1-29
6. Republican
7. Yuma CO
8. 209.0 million cubic feet
9. May 9, 1980
10.

1. 80-32832/80-117
2. 05-125-06371-0000
3. 103 000 000
4. Kansas Nebraska Natural Gas Co Inc
5. Jesse #1-33
6. Republican
7. Yuma CO
8. 226.0 million cubic feet
9. May 9, 1980
10.

1. 80-32833/80-86
2. 05-123-08263-0000
3. 108 000 000
4. Crystal Oil Co
5. Sargent Farms #2-B
6. Roggen
7. Weld CO
8. 5.0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas

1. 80-32834/80-116
2. 05-009-06245-0000
3. 103 000 000
4. Texas Oil & Gas Corp
5. Schartz #1
6. Walsh
7. Baca CO
8. 150.0 million cubic feet
9. May 9, 1980
10. The Nueces Co

1. 80-32835/80-75
2. 05-001-07417-0000
3. 102 000 000
4. Mesa Petroleum Co
5. Kiowa Frick 1-12
6. Wildcat
7. Adams CO
8. 180.0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas Co

1. 80-32836/80-102
2. 05-123-09738-0000
3. 103 000 000
4. Amoco Production Co
5. Glenda L Schmidt Unit #1
6. Hambert
7. Weld CO
8. 86.0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe LIne Co

1. 80-32837/80-101
2. 05-123-09746-0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 38 Pan Am L Well No. 1
6. Wattenberg
7. Weld CO
8. 183.0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32838/80-100
2. 05-123-09769-0000
3. 103 000 000
4. Amoco Production Co
5. Delbert W Shable Unit Well No. 1
6. Hambert
7. Weld CO
8. 25.0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32839/79-504
2. 05-009-05336-0000
3. 108 000 000
4. Texaco Inc
5. Texaco Anderson State No C-1
6. Greenwood
7. Baca CO
8. 19.0 million cubic feet
9. May 9, 1980
10. Colorado Interstate Gas Co

1. 80-32840/79-849
2. 05-123-08482-0000
3. 108 000 000
4. Amoco Production Co
5. C E Wingo No. 1
6. Spindle
7. Weld CO
8. 13.4 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32841/80-50
2. 05-123-07920-0000
3. 108 000 000
4. Amoco Production Co
5. St Vrain Land Co Unit A No. 1
6. Wattenberg
7. Weld CO
8. 21.1 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32842/79-816
2. 05-123-07050-0000
3. 108 000 000
4. Energy Minerals Corp
5. Ray No. 1
6. Roggen
7. Weld CO
8. 20.0 million cubic feet
9. May 9, 1980
10. Phillips Petroleum Co

1. 80-32843/80-118
2. 05-061-06156-0000
3. 108 000 000
4. Texas Oil Gas Corp
5. Negley No. 1
6. McClave
7. Kiowa CO
8. 20.0 million cubic feet
9. May 9, 1980
10. The Nueces Co

1. 80-32844/80-122
2. 05-077-08110-0000
3. 108 000 000

4. Bow Valley Petroleum
5. Big Creek 9-1
6. Plateau Creek
7. Mesa CO
8. 11.0 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-32845/80-121
2. 05-077-08087-0000
3. 108 000 000
4. Bow Valley Petroleum
5. Wallace Currier 19-1
6. Plateau Creek
7. Mesa CO
8. 20.0 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-32846/80-123
2. 05-077-08098-0000
3. 108 000 000
4. Bow Valley Petroleum
5. Milholland 25-1
6. Plateau Creek
7. Mesa CO
8. 3.9 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-32847/80-78
2. 05-081-06194-0000
3. 108 000 000
4. The Kemmerer Coal Co
5. State 16-2
6. Big Hole
7. Moffat CO
8. 14.0 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas

1. 80-32848/80-77
2. 05-081-06197-0000
3. 108 000 000
4. The Kemmerer Coal Co
5. Monahan 21-1
6. Big Hole
7. Moffat CO
8. 10.9 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas

1. 80-32849/80-76
2. 05-081-06155-0000
3. 108 000 000
4. The Kemmerer Coal Co
5. Federal Land Bank 15-2
6. Big Hole
7. Moffat CO
8. 10.0 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas

1. 80-32850/80-124
2. 05-077-08094-0000
3. 108 000 000
4. Bow Valley Petroleum
5. Currier 30-2
6. Plateau Creek
7. Mesa CO
8. 13.4 million cubic feet
9. May 9, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-32851/80-74
2. 05-123-09820-0000
3. 103 000 000
4. Macey & Mershon Oil Inc
5. Ursula No. 1
6. Spindle
7. Weld County CO
8. 65.0 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32852/80-109
2. 05-123-08162-0000
3. 108 000 000
4. Amoco Production Co
5. UPRR 22 Pan Am K G U No. 1 (2nd filing)
6. Wattenberg
7. Weld CO
8. 17.2 million cubic feet
9. May 9, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-32853/80-126
2. 05-123-09327-0000
3. 103 000 000
4. Amoco Production Co
5. State of Colorado AG Well No. 1
6. Lost Creek
7. Weld CO
8. 130.0 million cubic feet
9. May 9, 1980
10. Crystal Oil Co

1. 80-32854/80-125
2. 05-123-09531-0000
3. 103 000 000
4. Amoco Production Co
5. State of Colorado AJ Well No. 1
6. Lost Creek
7. Weld CO
8. 105.0 million cubic feet
9. May 9, 1980
10. Crystal Oil Co

1. 80-32855/80-104
2. 05-063-06072-0000
3. 102 000 000
4. Marshall R Young Oil Co
5. Marshall R Young No. 1 Devries-State
6. Unnamed T7S-R43W-Sec 36 Nene
7. Kit Carson CO
8. 22.0 million cubic feet
9. May 9, 1980
10. Peoples Nat Gas
Natural Gas P L Co of Amer

Montana Board of Oil and Gas Conservation

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32859/3-79-64
2. 25-005-21012-0000
3. 108 000 000
4. Tricentrol United States Inc
5. Roberts 27-10-31-18
6. Tiger Ridge
7. Blaine MT
8. 18.6 million cubic feet
9. May 12, 1980
10. Northern Natural Gas Co

1. 80-32860/4-80-89
2. 25-005-21939-0000
3. 102 000 000
4. Tricentrol United States Inc
5. Williamson 12-16-26-18
6. Sherard
7. Blaine County MT
8. 190.7 million cubic feet
9. May 12, 1980
10. Northern Natural Gas Co

1. 80-32861/4-80-94
2. 25-071-21490-0000
3. 108 000 000 denied
4. Midlands Gas Corp
5. 1370 1-13 Rex Burwell
6. Bowdoin
7. Phillips MT
8. 21.0 million cubic feet
9. May 12, 1980
10. Kansas-Nebraska Natural Gas Co Inc
Montana Dakota Utilities Co

1. 80-32862/4-80-95
2. 25-071-21326-0000
3. 108 000 000
4. Midlands Gas Corp
5. 1661-1 State
6. Bowdoin
7. Phillips MT
8. 20.0 million cubic feet
9. May 12, 1980
10. Kansas-Nebraska Natural Gas Co Inc
Montana Dakota Utilities Co

1. 80-32863/2-80-54
2. 25-071-21491-0000
3. 108 000 000
4. Midlands Gas Corp
5. 2470 1-24 Brown
6. Bowdoin
7. Phillips MT
8. 21.0 million cubic feet
9. May 12, 1980
10. Kansas-Nebraska Natural Gas Co Inc
Montana Dakota Utilities Co

1. 80-32864/2-80-51
2. 25-071-21567-0000
3. 108 000 000
4. Midlands Gas Corp
5. 2171 1-2171 R Anderson
6. Bowdoin
7. Phillips MT
8. 21.0 million cubic feet
9. May 12, 1980
10. Kansas-Nebraska Natural Gas Co Inc
Montana Dakota Util Co

1. 80-32865/4-80-90.
2. 25-005-22132-0000
3. 102 000 000
4. Tricentrol United States Inc
5. Werk 22-32-18
6. Tiger Ridge
7. Blaine MT
8. .0 million cubic feet
9. May 12, 1980
10. Northern Natural Gas

1. 80-32866/4-80-85
2. 25-041-22103-0000
3. 103 000 000
4. Tricentrol United States Inc
5. State 16-16-T30N-R15E
6. Tiger Ridge-Bullhook Unit
7. Hill MT
8. 150.0 million cubic feet
9. May 12, 1980
10. Northern Natural Gas Co

1. 80-32867/4-80-88
2. 25-005-21596-0000
3. 102 000 000
4. Tricentrol United States Inc
5. Hofeldt 7-13-T30N-R19E
6. Tiger Ridge
7. Blaine MT
8. 18.0 million cubic feet
9. May 12, 1980
10. Northern Natural Gas Co

New Mexico Department of Energy and Minerals Oil Conservation Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32793
2. 30-025-26436-0000
3. 103 000 000
4. Exxon Corp
5. S W Harrison No. 9
6. Custer Devonian Field
7. Lea County NM
8. 329.0 million cubic feet
9. May 7, 1980
10. El Paso Natural Gas Co

1. 80-32794
2. 30-015-22779-0000
3. 102 000 000
4. Amoco Production Co
5. Carter Gas Com No. 1
6. North Loving Atoka
7. Eddy NM
8. 547.0 million cubic feet
9. May 7, 1980
10.

1. 80-32795
2. 30-015-22553-0000
3. 102 000 000
4. Amoco Production Co
5. Teledyne 17 No. 1
6. Loving Morrow
7. Eddy NM
8. 740.0 million cubic feet
9. May 7, 1980
10. El Paso Natural Gas Co

1. 80-32796
2. 30-045-11814-0000
3. 108 000 000
4. El Paso Natural Gas Co
5. Burroughs Com C #5
6. Basin-Dakota Gas
7. San Juan NM
8. 21.0 million cubic feet
9. May 7, 1980
10. El Paso Natural Gas Co

1. 80-32797
2. 30-039-82261-0000
3. 108 000 000
4. El Paso Natural Gas Co
5. Canyon Largo Unit #138
6. Otero-Chacra Gas
7. Rio Arriba NM
8. 18.0 million cubic feet
9. May 7, 1980
10. El Paso Natural Gas Co Northwest P L Corp

1. 80-32798
2. 30-025-00000-0000
3. 108 000 000
4. Warrior Inc
5. State WE G #1
6. Eumont Queen-Gas
7. Lea NM
8. 1.0 million cubic feet
9. May 7, 1980
10. Phillips Petroleum Co

1. 80-32799
2. 30-025-00000-0000
3. 108 000 000
4. Warrior Inc
5. Smith #1
6. Eumont Yates Seven Rivers Queen
7. Lea NM
8. 1.0 million cubic feet
9. May 7, 1980
10. Warren Petroleum Co

1. 80-32800
2. 30-025-00000-0000
3. 108 000 000
4. Warrior Inc
5. State WE B #1
6. Eumont Yates Seven Rivers Queen
7. Lea NM
8. 2.0 million cubic feet
9. May 7, 1980
10. Phillips Petroleum Co

1. 80-32801
2. 30-025-11507-0000
3. 108 000 000
4. Arco Oil & Gas Co
5. F M Burleson WN #2
6. Jalmat Gas
7. Lea NM
8. .0 million cubic feet
9. May 7, 1980
10. El Paso Natural Cas Co

1. 80-32802
2. 30-025-00000-0000
3. 103 000 000
4. Wiser Oil Co
5. McQuatters Com No. 1
6. Undesignated Drinkard
7. Lea NM
8. .0 million cubic feet
9. May 7, 1980
10. Phillips Petroleum Co

Virginia Department of Labor and Industry, Division of Mines and Quarries

1. Control Number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32858
2. 45-027-20330-0000
3. 103 000 000
4. Ashland Exploration Inc
5. Clinchfield-Kroll Unit #1
6. Virginia
7. Buchanan VA
8. 128.0 million cubic feet
9. May 12, 1980
10. Consolidated Gas Supply Corp

U.S. Geologial Survey Metairie, La.

1. Control Number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32857/G0-1266
2. 17-702-40543-0000-0
3. 102 000 000
4. Chevron USA Inc
5. OCS-G-2555 #7
6. West Cameron
7. 551
8. 13.5 million cubic feet
9. May 12, 1980
10. Natural Gas Pipeline Co of America

1. 80-32856/G0-1225
2. 42-711-40453-00S1-0
3. 102 000 000
4. Exxon Corp
5. OCS-G 2741 No A-17
6. High Island
7. A-343
8. 30.0 million cubic feet
9. May 12, 1980
10. Columbia Gas Transmission Corp, Trunkline Gas Co, Natural Gas P L Co, Columbia Gas Trans Corp

U.S. Geological Survey, Casper, Wyo.

1. Control Number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State, Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32809/CC 895-9
2. 05-103-07895-0000-0
3. 108 000 000
4. Lawrence Barker Jr
5. Government #13
6. South Couglas Creek
7. Rio Blanco CO
8. 17.0 million cubic feet
9. May 8, 1980
10. Northwest Pipeline Corp

1. 80-32810/CC 905-9
2. 05-045-61360-0000-0
3. 102 000 000
4. Texas Gas Exploration Corp
5. Federal 22-9
6. Bridle Field
7. Garfield CO
8. 123.0 million cubic feet
9. May 8, 1980
10. Northwest Pipeline Corp

1. 80-32811/CC 927-9
2. 05-081-06313-0000-0
3. 102 000 000
4. Champlin Petroleum Co
5. Shell Creek #4
6. Shell Creek
7. Moffat CO
8. 776.0 million cubic feet
9. May 8, 1980
10. Colo Int Gas Co

1. 80-32808/ND 894-9
2. 33-053-00734-0000-0
3. 102 000 000
4. Shell Oil Co
5. USA 34X-6
6. Mondak
7. McKenzie ND
8. 140.0 million cubic feet
9. May 8, 1980
10. Montana Dakota Utilities Co

1. 80-32803/UC 459-9B
2. 43-047-30404-0000-0

3. 102 000 000
4. Gas Producing Enterprises Inc
5. NBU 34-17B
6. Natural Buttes Unit
7. Uintah UT
8. 10.0 million cubic feet
9. May 8, 1980
10. Colorado Interstate Gas Co
1. 80-32804/UC 462-9B
2. 43-047-30368-0000-0
3. 102 000 000
4. Gas Producing Enterprises Inc
5. NBU 29-5B
6. Natural Buttes Unit
7. Uintah UT
8. 50.0 million cubic feet
9. May 8, 1980
10. Colorado Interstate Gas Co
1. 80-32805/UC 464-9B
2. 43-047-30364-0000-0
3. 102 000 000
4. Gas Producing Enterprises Inc
5. NBU 26-13B
6. Natural Buttes Unit
7. Uintah UT
8. 5.0 million cubic feet
9. May 8, 1980
10. Colorado Interstate Gas Co
1. 80-32806/UC 465-9B
2. 43-047-30381-0000-0
3. 102 000 000
4. Gas Producing Enterprises Inc
5. NBU 27-1B
6. Natural Buttes Unit
7. Uintah UT
8. 2.0 million cubic feet
9. May 8, 1980
10. Colorado Interstate Gas Co
1. 80-32807/UC 468-9B
2. 43-047-30318-0000-0
3. 102 000 000
4. Gas Producing Enterprises Inc
5. NBU 18-26B
6. Natural Buttes Unit
7. Uintah UT
8. 5.0 million cubic feet
9. May 8, 1980
10. Colorado Interstate Gas Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.W., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission, on or before June 13, 1980.

Please reference the FERC control number in all corrrespondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16334 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES80-55]

El Paso Electric Co.; Notice of application

May 22, 1980.

Take notice that on May 14, 1980, El Paso Electric Company (Applicant) filed a request with the Commission, pursuant to Section 204 of the Federal Power Act, requesting authority to negotiate for the placement of up to $25 million of first Mortgage Bonds. The Applicant is a Texas Corporation, with its principal office at El Paso, Texas and is engaged in the electric utility business in Texas and New Mexico.

The net proceeds from the sale of the First Mortgage Bonds will be used to finance Applicant's construction program.

Any person desiring to be heard or to make any protest with reference to the application should on or before June 13, 1980, file with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washingoton, D.C. 20426, petitions or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[Fr Doc. 80-16337 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-408]

Florida Power & Light Co., Notice of Filing

May 22, 1980.

The filing Company submits the following:

Take notice that Florida Power & Light Company (FPL) on May 19, 1980 tendered for filing revised Cost Support Schedules C, F and G which support the revised daily capacity charge for services under Service Schedule B of FPL's interchange contracts with Florida Power Corporation, the City of Gainesville, Florida, Jacksonville Electric Authority, Tampa Electric Company and the Orlando Utilities Commission. FPL states that the revised capacity charge has been calculated in accordance with the provisions of Service Schedule B and represents an updating of the currently effective capacity charge to reflect more current costs. FPL requests an effective date of May 1, 1980 for this revised capacity charge for each of the interchange contracts. According to FPL, a copy of this filing was served upon all of the above named parties.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 16, 1980. 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 petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16338 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 2879]

Green Mountain Power Corp.; Application for License (Major)

May 22, 1980.

Take notice that an application was filed on April 8, 1980, under the Federal Power Act, 16 U.S.C. Section 791(a)-825(r), by Green Mountain Power Corporation for a license for the Bolton Falls Hydroelectric Project. The project is located on the Winooski River in Washington and Chittenden Counties, Vermont. Correspondence with the Applicant on this matter should be addressed to: Raymond C. DeForge, Vice President, Green Mountain Power Corporation, Green Mountain Drive, P.O. Box 486, Montpelier, Vermont 05602.

Project Description—The Bolton Falls Project would consist of: (1) an existing 66-foot high, 190-foot long rock filled timber crib and masonry dam to be raised 9 feet by the addition of a 5-foot high concrete cap and 4-foot high flashboards; (2) a 70-acre reservoir, 215-acre-feet at a maximum normal water surface elevation of 397 feet msl (one-foot below the original operating water surface elevation in use between 1899 and 1937); (3) an existing forebay, trash rack and intake structure; (4) a new 65-foot long, 10-foot diameter steel penstock and a 55-foot long, 8-foot diameter steel penstock; (5) a new powerhouse containing a single turbine generator unit with a total rated capacity of 6.5 NW; (6) a 13.8/34.5-KV step-up transformer; (7) an 800-foot long 34.5-kV transmission line; and (8) appurtenant facilities. The project would generate approximately 28 million kWh

saving the equivalent of 46,100 barrels of oil or 13,000 tons of coal annually. Energy generated by the project would be distributed by Green Mountain Power Corporation to its customers.

Green Mountain Power Corporation intends to improve and to make available a small day-use, recreation area for swimming, fishing, picnicking and boating to be located below the project dam on the eastern shore of the Winooski River. Above the project dam, a new canoe take-out and portage area is planned.

The application was filed during the term of the Applicant's preliminary permit for the Bolton Falls Project, issued Juned 13, 1979.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 25, 1980, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than November 24, 1980. Since this application was filed during the term of a preliminary permit, any party intending to file a competing application should review 18 CFR 4.33(h). A notice of itent must conform with the requirements of 18 CFR 4.33(b) and (c), (as amended 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR, 4.33(a) and (d), (*as amended,* 44 FR 61328, October 25, 1979.)

Comments, Protests, or Petitions to Intervene: Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Comission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR, § 1.8 or § 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in Section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be filed on or before July 25, 1980. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16339 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RA79-9]

H & K Oil Co.; Termination of Proceeding

May 22, 1980.

H & K Oil Company (H & K), the petitioner in this proceeding, filed a notice of withdrawal of its petition for review of a denial of adjustment relief by the Secretary of Energy.

The motion was deemed a notice of withdrawal under 1.11(d) of the Commission's Rules of Practice and Procedures.[1] Since no hearing had been held or convened in this proceeding, withdrawal of the petition for review became effective 30 days after H & K's motion was filed. Such withdrawal terminated the proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16340 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-405]

The Hartford Electric Light Co.; Purchase Agreement

May 22, 1980.

The filing Company submits the following:

Take notice that on May 19, 1980, The Hartford Electric Light Company (HELCO) tendered for filing a proposed Purchase Agreement with Respect to Various Gas Turbine Units dated November 15, 1979 between (1) HELCO and The Connecticut Light and Power Company (CL&P), and (2) The City of Chicopee Municipal Lighting Plant (the City)

HELCO states that the Purchase Agreement provides for a sale to the City of a specified percentage of capacity and energy from five gas turbine generating units during the period from December 1, 1979 to November 30, 1980, together with related transmission service.

HELCO requests that the Commission, pursuant to § 35.11 of its regulations, waive the customary notice period and permit the rate schedule filed to become effective on December 1, 1979.

HELCO states that the Capacity Charge for the proposed service was determined on a cost of service basis. The monthly Transmission Charge is equal to one-twelfth of the annual average cost of transmission service on the Northeast Utilities (NU) system determined in accordance with Section 13.9 of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee. The monthly Transmission Charge is determined by the product of (i) the transmission charge rate ($/KW-month), and (ii) the number of Kilowatts of winter capability which the City is entitled to receive. The Variable Maintenance Charge was derived from historical costs and the Additional Maintenance Charge is twice the Variable Maintenance Charge.

CL&P has filed a certificate of concurrence in this docket.

HELCO states that copies of this rate schedule have been mailed or delivered to CL&P, Hartford, Connecticut, and the City, Chicopee, Massachusetts.

HELCO further states that the filing is in accordance with Part 35 of the Commission's Regulations.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedures (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 16, 1980. 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 petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16341 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-404]

The Hartford Electric Light Co., et al.; Purchase Agreement

May 22, 1980.

The filing Company submits the following:

Take notice that on May 19, 1980, The Hartford Electric Light Company (HELCO) tendered for filing a proposed Purchase Agreement with Respect to Various Gas Turbine Units dated

[1] That section is applicable to this proceeding pursuant to § 1.40(a)(2)(vi) of the Commission's Interim Regulations governing review of adjustment request denials.

November 15, 1979 between (1) HELCO and Western Massachusetts Electric Company (WMECO), and (2) The City of Chicopee Municipal Lighting Plant (the City).

HELCO states that the Purchase Agreement provides for a sale to the City of a specified percentage of capacity and energy from nine gas turbine generating units during the period from December 1, 1979 to November 30, 1980, together with related transmission service.

HELCO requests that the Commission, pursuant to § 35.11 of its regulations, waive the customary notice period and permit the rate schedule filed to become effective on December 1, 1979.

HELCO states that the Capacity Charge for the proposed service was determined on a cost of service basis. The monthly Transmission Charge is equal to one-twelfth of the annual average cost of transmission service on the Northeast Utilities (NU) system determined in accordance with Section 13.9 of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee. The monthly Transmission Charge is determined by the product of (i) the Transmission charge rate ($/KW-month), and (ii) the number of Kilowatts of winter capability which the City is entitled to receive. The Variable Maintenance Charge was derived from historical costs and the Additional Maintenance Charge is twice the Variable Maintenance Charge.

WEMCO has filed a certificate of concurrence in this docket.

HELCO states that copies of this rate schedule have been mailed or delivered to WMECO, Hartford, Connecticut, and the City, Chicopee, Massachusetts.

HELCO further states that the filing is in accordance with Part 35 of the Commission's Regulations.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capital Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedures (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 16, 1980. 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 petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16342 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3070]

Hydroelectric Constructors, Inc.; Application for Preliminary Permit

May 21, 1980.

Take notice that Hydroelectric Constructors, Inc. (Applicant) filed on March 4, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for proposed Project No. 3070 to be known as North Fork Hydroelectric Project located on the North Fork South Platte River in Park County, Colorado. Correspondence with the Applicant should be directed to: Mr. Glen G. Dorman, President, Hydroelectric Constructors, Inc., P.O. Box 8980, Denver, Colorado 80201.

Project Description—The proposed Project would comprise the following eight developments which would utilize flows from the U.S. Department of the Interior Water and Power Resources Service's Dill on Reservoir: (a) the Roberts Tunnel Development consisting of : (1) an existing outlet which is closed off and adjacent to three hollow jet valves (the powerplant would not interfere with the physical arrangement of the hollow jet valves); (2) a 50-foot long penstock; (3) a powerhouse containing two 2,000-kW turbine/generator units; (4) a 150-foot long outlet channel into the North Fork of the South Platte River; (5) an 1,100-foot long, 44-kV transmission line; and (6) appurtenant facilities; (b) the Upper Grant Power Development consisting of: (1) a diversion structure at the U.S. Highway 285 culvert outlet at Roberts Tunnel; (2) a 5,300-foot long conduit conveying water to; (3) a 200-foot long penstock; (4) a powerhouse containing a single 1,100-kW turbine/generator unit and located about 1,000 feet southeast of the town of Grant; (5) a 400-foot long, 44-kV transmission line; and (6) appurtenant facilities; (c) the Lower Grant Power Development, 3,900 feet downstream from the Upper Grant Development, consisting of: (1) a diversion structure; (2) a 4,000-foot long conduit conveying water to; (3) a 400-foot long penstock; (4) a powerhouse containing a single 800-kW turbine/generator unit located about 1,000 feet northwest of the town of Santa Maria; (5) a 500-foot long, 44-kV transmission line; and (6) appurtenant facilities; (d) the Santa Maria Power Development, 1,000 feet downstream from the Lower Grant Development, consisting of: (1) an existing 10-foot high diversion dam with a modified headgate; (2) a pond with a storage capacity of 25 acre-feet; (3) a 7,400-foot long conduit conveying water to; (4) a 300-foot long penstock; (5) a powerhouse located upstream of the existing Singleton dam containing a single 1,600-kW turbine/generator unit; (6) a 500-foot long, 44-kV transmission line; and (7) appurtenant facilities; (e) the Singleton Power Development, 1,500 feet downstream from the Santa Maria Power Development, consisting of: (1) an existing 10-foot high diversion dam; (2) an 11,900-foot long conduit conveying water to; (3) a 200-foot long penstock; (4) a powerhouse located about 200 feet upstream from Gibbs Gulch containing a single 2,300-kW turbine/generator unit; (5) a 1,000-foot long, 44-kV transmission line; and (6) appurtenant facilities; (f) the Shawnee Power Development, 5,000 feet downstream from the Singleton Power Development, consisting of: (1) an existing 10-foot high diversion dam; (2) a 30-acre-foot pond; (3) a 7,600-foot long conduit conveying water to; (4) a 200-foot long penstock; (5) a powerhouse located about 200 feet downstream from MacArthur Gulch containing a single 1,400-kW turbine/generator unit; (6) a 2,000-foot long, 44-kV transmission line; and (7) appurtenant facilities; (g) the Glenisle Power Development, 2,500 feet downstream from the Shawnee Development, consisting of: (1) a new diversion structure located about 4,500 feet west of the town of Glenisle; (2) a 7,500-foot long conduit conveying water to; (3) a 400-foot long penstock; (4) a powerhouse located about 4,000 feet west of the town of Bailey, containing a single 1,800-kW turbine/generator unit; (5) a 1,500-foot long, 44-kV transmission line; and (6) appurtenant facilities; (h) the Insmont Power Development, 9,500 feet downstream from the Glenisle Power Development, consisting of: (1) a new diversion structure near the existing bridge at the Peterson Ranch, about 4,000 feet east of the town of Bailey; (2) a 6,800-foot long conduit conveying water to; (3) a 200-foot long penstock; (4) a powerhouse located about 2,500 feet southeast of the community of Insmont, containing a single 1,300-kW turbine/generator unit; (5) an 11,000-foot long, 44-kV transmission line; and (6) appurtenant facilities.

The project would generate up to 91,600,000 kWh annually saving the equivalent of 150,400 barrels of oil or 42,400 tons of coal.

Purpose of Project—Energy produced at the project would be sold to a public or private utility.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months. The Applicant proposes that it would perform surveys, geotechnical investigations, determine the economic feasibility of the project, perform alternative site studies, hydrologic studies, reach final agreement on the sale of project power, secure financing commitments, consult with Federal, state and local government agencies concerning the potential environmental effects of the project, and prepare an application for FERC license, including an environmental report.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other necessary information for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 28, 1980, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 26, 1980. A notice of intent must conform with the requirments of 18 CFR 4.33(b) and (c), (as amended 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR, 4.33(a) and (d), (as amended, 44 FR 61328, October 25, 1979.)

Comments, Protests, or Petitions to Intervene— Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirments of the Commission's Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in Section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be filed on or before July 28, 1980. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16343 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. SA80-120]

George J. Morgan; Application for Adjustment

May 22, 1980.

Take notice that on April 30, 1980, George J. Morgan (Applicant), 250 W. 57th St., New York, N.Y. 10019 filed with the Federal Energy Regulatory Commission (Commission) an application for adjustment pursuant to section 1.41 of the Commission's Rules of Practice and Procedure.

Applicant seeks relief from section 105(b)(1) of the Natural Gas Policy Act (NGPA) and section 271.502(a) of the regulations thereunder (18 CFR 271.502(a)). Applicant is a seller of natural gas under an existing intrastate contract at a contract price of $.33 per Mcf. Specifically, Applicant requests authorization to charge and collect $1.50 per Mcf of gas sold under that existing intrastate contract. The request is more fully set forth in the application which is on file with the Commission and open to public inspection.

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure, Order No. 24, Docket No. RM79-32, issued March 22, 1979.

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41. All petitions to intervene must be filed on or before June 13, 1980.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16344 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[No. 206]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

May 22, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

New Mexico Department of Energy and Minerals, Oil Conservation Division

1.
1. Control Number (FERC/State)
2. API Well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 79-22337
2. 30-045-23474-0000
3. 103 000 000
4. El Paso Natural Gas Co
5. San Juan 32-9 Unit No 30A
6. Blanco Mesaverde
7. San Juan NM
8. 160.0 million cubic feet
9. September 13, 1979
10. El Paso Natural Gas Co

Oklahoma Corporation Commission

1. Control Number (FERC/State)
2. API Well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32430/03136
2. 35-093-21561-0000
3. 103 000 000
4. Red Eagle Oil Co
5. Hein No 1
6. West Fairview
7. Major County OK
8. 73.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co Oklahoma Natural Gas Gath Corp

1. 80-32431/03578
2. 35-017-21114-0000
3. 103 000 000
4. Viersen & Cochran
5. Spurlin Unit No 1

6. East El Reno
7. Canadian OK
8. 300.0 million cubic feet
9. May 8, 1980
10. Delhi Gas Pipeline Corp

1. 80-32432/03423
2. 35-093-21513-0000
3. 103 000 000
4. Helke Exploration Co
5. Wahl No 1
6. Ringwood
7. Major OK
8. 40.0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum

1. 80-32433/03432
2. 35-093-21529-0000
3. 103 000 000
4. Helke Exploration Co
5. Heffel No 1
6. Ringwood
7. Major OK
8. 75.0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum

1. 80-32434/03591
2. 35-011-20811-0000
3. 103 000 000
4. Rambler Oil Co
5. Stevenson #1-17
6. Watonga Trend
7. Blaine OK
8. 365.0 million cubic feet
9. May 8, 1980
10. Oklahoma Gas & Electric Co

1. 80-32435/03568
2. 35-093-21448-0000
3. 103 000 000
4. J L Thomas Engineering Inc
5. Jantzen #1-13
6. East Ringwood
7. Major County OK
8. 58.0 million cubic feet
9. May 8, 1980
10. Oklahoma Gas and Electric Co

1. 80-32436/03526
2. 35-017-20976-0000
3. 103 000 000
4. Gulf Oil Corp
5. Georgia McCoy 1-19
6. Yukon
7. Canadian OK
8. 159.0 million cubic feet
9. May 8, 1980
10. Phillips Petroleum Co

1. 80-32437/03556
2. 35-093-21418-0000
3. 103 000 000
4. Al McCord Inc
5. Henneke 1-21
6. Meno-Ringwood
7. Major OK
8. 42.0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum Division

1. 80-32438/03559
2. 35-093-21483-0000
3. 103 000 000
4. Al McCord Inc
5. Detrick 1-33
6. Meno-Ringwood
7. Major OK
8. .0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum Division

1. 80-32439/03561
2. 35-093-21444-0000
3. 103 000 000
4. Al McCord Inc
5. Doane 1-21
6. Meno-Ringwood
7. Major OK
8. 50.0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum Division

1. 80-32440/03563
2. 35-093-21481-0000
3. 103 000 000
4. Al McCord Inc
5. B Jantz 1-28
6. Meno-Ringwood
7. Major OK
8. .0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum Division

1. 80-32441/03612
2. 35-011-20481-0000
3. 108 000 000 Denied
4. Universal Resources Corp
5. Rouce #1-4
6. Sooner Trend
7. Blaine OK
8. 12.0 million cubic feet
9. May 8, 1980
10. Phillips Petroleum Co

1. 80-32442/03565
2. 35-093-21532-0000
3. 103 000 000
4. Al McCord Inc
5. Decker 1-20
6. Meno-Ringwood
7. Major OK
8. 35.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co

1. 80-32443/03567
2. 35-093-21480-0000
3. 103 000 000
4. Al McCord Inc
5. Sherman 1-19
6. Meno-Ringwood
7. Major OK
8. 68.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co

1. 80-32444/03616
2. 35-093-20614-0000
3. 108 000 000 Denied
4. Universal Resources Corp
5. Broomfield #1-13
6. Sooner Trend
7. Major OK
8. 12.0 million cubic feet
9. May 8, 1980
10. Phillips Petroleum Co

1. 80-32445/03433
2. 35-093-20880-0000
3. 103 000 000 Denied
4. Helke Exploration Co
5. Becker No 1
6. Ringwood
7. Major OK
8. 155.0 million cubic feet
9. May 8, 1980
10. Union Texas Petroleum

1. 80-32446/03596
2. 35-047-20817-0000
3. 108 000 000 Denied
4. Arco Oil and Gas Co
5. Irma Isbell #2
6. Sooner Trend
7. Garfield OK
8. 15.0 million cubic feet
9. May 8, 1980
10. Exxon Co USA, Oklahoma Natural Gas Co

1. 80-32447/02177
2. 35-083-00000-0000
3. 108 000 000
4. J T Hoke Jr
5. Norris No 6
6. Lovell
7. Logan OK
8. 8.4 million cubic feet
9. May 8, 1980
10. Eason Oil Co

1. 80-32448/00562
2. 35-073-00000-0000
3. 108 000 000
4. Ladd Petroleum Corp
5. Betz Jacob
6. Sooner Trend
7. Kingfisher OK
8. 22.1 million cubic feet
9. May 8, 1980
10. Phillips Petroleum Co

1. 80-32449/03582
2. 35-011-20930-0000
3. 103 000 000
4. Mustang Production Co
5. Pinkerton No 1-6
6. Watonga Trend
7. Blaine, OK
8. 200.0 million cubic feet
9. May 8, 1980
10.

1. 80-32450/03570
2. 35-093-21482-0000
3. 103 000 000
4. Al McCord Inc
5. Koehn 1-13
6. Meno-Ringwood
7. Major, OK
8. 51.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co

1. 80-32451/03569
2. 35-093-21626-0000
3. 103 000 000
4. Al McCord Inc
5. Doll 1-23
6. Meno-Ringwood
7. Major, OK
8. .0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co

1. 80-32452/03566
2. 35-093-21370-0000
3. 103 000 000
4. Al McCord Inc
5. Fuller 1-18
6. Meno-Ringwood
7. Major, OK
8. 92.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co

1. 80-32453/03548
2. 35-073-22182-0000
3. 103 000 000
4. Cummings Oil Co
5. Elling #1-15
6. West Cashion D
7. Kingfisher, OK
8. 7.5 million cubic feet
9. May 8, 1980

10. Continental Oil Co
1. 80-32454/03547
2. 35-073-22183-0000
3. 103 000 000
4. Cummings Oil Co
5. Johnson #1-10
6. West Cashion C
7. Kingfisher, OK
8. 7.5 million cubic feet
9. May 8, 1980
10. Continental Oil Co
1. 80-32455/03520
2. 35-071-03520-0000
3. 103 000 000
4. Rebel Oil Co
5. Vap No 1
6. East Newkirk
7. Kay, OK
8. .0 million cubic feet
9. May 8, 1980
10. Cities Service Gas Co
1. 80-32456/03508
2. 35-139-00000-0000
3. 108 000 000
4. Phillips Petroleum Co
5. Percy No 2
6. Guymon Hugoton
7. Texas, OK
8. 18.0 million cubic feet
9. May 8, 1980
10. Panhandle Eastern Pipeline Co
1. 80-32457/02994
2. 35-017-20936-0000
3. 103 000 000
4. Universal Resources Corp
5. Hill Hodges #1-12
6. Richland N
7. Canadian, OK
8. 10.0 million cubic feet
9. May 8, 1980
10. Phillips Petroleum Co
1. 80-32458/03560
2. 35-093-21404-0000
3. 103 000 000
4. Al McCord Inc
5. Dierkson 1-18
6. Meno-Ringwood
7. Major, OK
8. 48.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co
1. 80-32459/03564
2. 35-093-21264-0000
3. 103 000 000
4. Al McCord Inc
5. Koehn 1-18
6. Meno-Ringwood
7. Major, OK
8. 37.0 million cubic feet
9. May 8, 1980
10. Pioneer Gas Products Co
1. 80-32460/03496
2. 35-007-21581-0000
3. 103 000 000
4. Search Drilling Co
5. Olmstead No 1
6. Mocane-Laverne
7. Beaver, OK
8. 365.0 million cubic feet
9. May 8, 1980
10. Northern Natural Gas Co

Pennsylvania Department of Environmental Resources, Division of Oil and Gas

1. Control Number (FERC/State)
2. API Well Number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block no.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-32461/107
2. 37-051-00000-0000
3. 108 000 000
4. James E Brumage
5. Sarah Gorley
6. Carmichaels Quadrangle
7. Fayette, PA
8. 9.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80-32462/107-A
2. 37-051-00000-0000
3. 108 000 000
4. James E Brumage
5. C W Leighty
6. Carmichaels Quadrangle
7. Fayette, PA
8. 9.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80-32463/355
2. 37-063-23680-0003
3. 103 000 000
4. Castle Gas Co Inc
5. J & S McKee #5 (C-418) Ind-23680
6. White Township
7. Indiana, PA
8. 14.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32464/408
2. 37-063-20031-0003
3. 108 000 000
4. Columbia Gas Transmission Corp
5. De Vinney #1
6. De Vinney
7. Indiana, PA
8. 2.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32465/409
2. 37-063-20036-0003
3. 108 000 000
4. Columbia Gas Transmission Corp
5. De Vinney #2
6. De Vinney
7. Indiana, PA
8. 3.6 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32466/427
2. 37-033-20658-0003
3. 108 000 000
4. Reel Energy Program
5. C H Prescott Jr Farm #1
6. Sandy Township
7. Clearfield, PA
8. 2.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Distribution Corp
1. 80-32467/428
2. 37-065-21210-0003
3. 108 000 000
4. Pennergy 1975 Drilling Program
5. David Small Farm #1
6. Union Township
7. Jefferson, PA
8. 5.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co
1. 80-32468/469
2. 37-065-21298-0003
3. 108 000 000
4. Reeves Lewenthal
5. Reynlow Park Auth #1
6. Winslow Township
7. Jefferson, PA
8. .0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp
1. 80-32469/470
2. 37-065-21310-0003
3. 108 000 000
4. Reeves Lewenthal
5. Reynlow Park Auth #2
6. Winslow Township
7. Jefferson, PA
8. .0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp
1. 80-32470/471
2. 37-065-21322-0003
3. 108 000 000
4. Reeves Lewenthal
5. Reynlow Park Auth No 3
6. Winslow Township
7. Jefferson, PA
8. .0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp
1. 80-32471/489
2. 37-051-00000-0000
3. 108 000 000
4. R Taylor Mosier
5. Mosier No 1
6. Franklin
7. Fayette, PA
8. .0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32472/490
2. 37-051-00000-0000
3. 108 000 000
4. R Taylor Mosier
5. Mosier No 2
6. Franklin
7. Fayette, PA
8. .0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32473/1058
2. 37-033-20654-0003
3. 108 000 000
4. Consolidated Gas Supply Corp
5. Thomas E H Reitz WN-1631
6. Anderson Creek 017412
7. Clearfield PA
8. 20.0 million cubic feet
9. May 8, 1980
10. General System purchasers
1. 80-32474/1641
2. 37-005-22248-0003
3. 103 000 000
4. Doran & Associates Inc
5. A Prugh No 1 KL 156
6. Upper Devonian Sands
7. Armstrong PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Industrial Energy Service Co
1. 80-32475/1733

2. 37-063-24480-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Bonarrigo No 1 KL 148
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32476/1734
2. 37-063-24441-0003
3. 103 000 000
4. Doran & Associates Inc
5. G Michna No 1
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. The Peoples Natural Gas Co

1. 80-32477/1735
2. 37-063-24442-0003
3. 103 000 000
4. Doran & Associates Inc
5. G Michna No 2
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32478/1737
2. 37-063-24489-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Howard No 2
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32479/1738
2. 37-063-24450-0003
3. 103 000 000
4. Doran & Associates Inc
5. J Kwisnek No 3
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32480/1739
2. 37-063-24451-0003
3. 103 000 000
4. Doran & Associates Inc
5. J Kwisnek No 4
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32481/1740
2. 37-129-21357-0003
3. 103 000 000
4. Doran & Associates Inc
5. D Shaw No 3
6. Upper Devonian Sands
7. Westmoreland, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32482/1741
2. 37-129-21376-0003
3. 103 000 000
4. Doran & Associates Inc
5. C Seanor No 1
6. Upper Devonian Sands
7. Westmoreland, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32483/1742
2. 37-063-24577-0003
3. 103 000 000
4. Doran & Associates Inc
5. Delton Stiles No 1
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32484/1743
2. 37-063-24449-0003
3. 103 000 000
4. Doran & Associates Inc
5. O Watson No 1
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32485/1744
2. 37-063-24020-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Reciski No 2
6. White
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32486/1745
2. 37-063-23979-0003
3. 103 000 000
4. Doran & Associates Inc
5. G McJunkin No 2
6. Armstrong
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32487/1746
2. 37-129-21192-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Koontz No 3
6. Loyalhanna
7. Westmoreland PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32488/1747
2. 37-129-21191-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Koontz No 2
6. Loyalhanna
7. Westmoreland PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32489/1748
2. 37-129-21190-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Koontz No 1
6. Loyalhanna
7. Westmoreland, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32490/1749
2. 37-063-24023-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Miller No 3
6. Washington
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32491/1750
2. 37-063-23999-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Philippi No 2
6. East Mahoning
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32492/1751
2. 37-063-23980-0003
3. 103 000 000
4. Doran & Associates Inc
5. G McJunkin No 1
6. Armstrong
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32493/1753
2. 37-005-22150-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Conn No 2
6. Plum Creek
7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32494/1754
2. 37-063-20752-0003
3. 106 000 000
4. Doran & Associates Inc
5. G Kopenhaver No 1
6. Brady
7. Clearfield, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32495/1755
2. 37-005-22153-0003
3. 103 000 000
4. Doran & Associates Inc
5. E Huffman No 1
6. Cowanshannock
7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32496/1757
2. 37-063-24207-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Pollock
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32497/1758
2. 37-005-22155-0003
3. 103 000 000
4. Doran & Associates Inc
5. R Moore No 2
6. Wayne

7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32498/1759
2. 37-005-22160-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Reefer No 2
6. Plum Creek
7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32499/1760
2. 37-005-22145-0003
3. 103 000 000
4. Doran & Associates Inc
5. W Hill No 2
6. Cowanshannock
7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32500/1761
2. 37-063-24342-0003
3. 103 000 000
4. Doran & Associates Inc
5. E Buterbaugh #2
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32501/1762
2. 37-005-22194-0003
3. 103 000 000
4. Doran & Associates Inc
5. E Stockdill #1
6. Upper Devonian Sands
7. Armstrong PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32502/1763
2. 37-005-22195-0003
3. 103 000 000
4. Doran & Associates Inc
5. J Hawkins #1
6. Upper Devonian Sands
7. Armstrong PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32503/1764
2. 37-005-22163-0003
3. 103 000 000
4. Doran & Associates Inc
5. L Hill #1
6. Upper Devonian Sands
7. Armstrong PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32504/1767
2. 37-063-24266-0003
3. 103 000 000
4. Doran & Associates Inc
5. N Streams #2
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32505/1776
2. 37-063-24370-0003
3. 103 000 000
4. Doran & Associates Inc
5. H Steele #2
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32508/1780
2. 37-063-24338-0003
3. 103 000 000
4. Doran & Associates Inc
5. W McCauley #1
6. Upper Devonian Sands
7. Indiana PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32507/1825
2. 37-063-25763-0003
3. 103 000 000
4. Doverspike Gas Venture—1977
5. Wise #1
6. W PA Upper Devonian Sand Section
7. Indiana PA
8. 40.0 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32508/2042
2. 37-063-24069-0003
3. 103 000 000
4. Doverspike/Peacock Joint Venture
5. Stephenson #2
6. W PA Upper Devonian Sand Section
7. Indiana PA
8. 50.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32509/2043
2. 37-063-24152-0003
3. 103 000 000
4. Doverspike/Peacock Joint Venture
5. Stephenson #1
6. W PA Upper Devonian Sand Section
7. Indiana PA
8. 50.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32510/2161
2. 37-063-21850-0003
3. 108 000 000
4. James F Scott
5. Lloyd B Bence
6. Rayne Township
7. Indiana PA
8. 3.8 million cubic feet
9. May 8, 1980
10. Peoples National Gas Co

1. 80-32511/2162
2. 37-063-21929-0003
3. 108 000 000
4. James F Scott
5. Bessie Spence
6. Rayne Township
7. Indiana PA
8. 3.6 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co

1. 80-32512/2180
2. 37-063-24286-0003
3. 103 000 000
4. Phillips Production Co
5. Ellery S Shields Et Ux #1
6. Shields
7. Indiana PA
8. 35.0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Suppy Corp

1. 80-32513/2209
2. 37-031-00000-0000
3. 108 000 000
4. Arnold Elder
5. Elder-Weckerly
6. Beala
7. Clarion PA
8. 3.3 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp

1. 80-32514/2210
2. 37-031-00000-0000
3. 108 000 000
4. Arnold Elder
5. Elder-Stewart
6. Beala
7. Clarion PA
8. 1.4 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp

1. 80-32515/3279
2. 37-049-00345-0003
3. 108 000 000
4. Meridian Exploration Corp
5. J Orschek 1-277
6. Wildcat
7. Erie PA
8. 4.8 million cubic feet
9. May 8, 1980
10. National Fuel Gas Distribution Corp

1. 80-32516/3280
2. 37-049-20366-0003
3. 108 000 000
4. Meridian Exploration Corp
5. Hunt 1-365
6. Bull
7. Erie PA
8. 7.2 million cubic feet
9. May 8, 1980
10. Natioinal Fuel Gas Distribution Corp

1. 80-32517/3297
2. 37-049-00338-0003
3. 108 000 000
4. Meridian Exploration Corp
5. Neil Baxter 1-271
6. Lexington
7. Erie PA
8. 6.5 million cubic feet
9. May 8, 1980
10. National Fuel Gas Distribution Corp

1. 80-32518/3335
2. 37-049-20699-0003
3. 103 000 000
4. Envirogas Inc
5. A Schultz #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32519/3341
2. 37-049-20521-0003
3. 103 000 000
4. Envirogas Inc
5. W Chapman #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Distribution Corp

1. 80-32520/3554

2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Morris #2
6. Morris
7. Fayette PA
8. 2.7 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32521/3555
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Delera
6. Delera
7. Fayette PA
8. 2.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32522/3556
2. 37–129–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Armburst
6. Armburst
7. Westmoreland PA
8. 6.5 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32523/3557
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Morris
6. Morris
7. Fayette PA
8. 7.3 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32524/3558
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Linn
6. Linn
7. Fayette PA
8. 1.4 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32525/3559
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Tassone
6. Tassone
7. Fayette PA
8. 17.4 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32526/3560
2. 37–129–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Armburst (602446X)
6. Armburst
7. Westmoreland PA
8. 1.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32527/3561
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Horak
6. Horak
7. Fayette PA
8. 0.5 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32528/3562
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Kelley
6. Kelley
7. Fayette PA
8. 4.4 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32529/3563
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Bixler
6. Bixler
7. Fayette PA
8. 0.9 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32530/3564
2. 37–051–00000–0000
3. 108 000 000
4. George H Bortz Jr
5. Sumey
6. Sumey
7. Fayette PA
8. .7 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80–32531/3634
2. 37–063–20662–0003
3. 108 000 000
4. James V Spankard Oil Co
5. I H Hogue et al #1
6. Garry
7. Indiana PA
8. 12.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32532/3644
2. 37–065–21662–0003
3. 108 000 000
4. Consolidated Gas Supply Corp
5. R&P Coal Co WN–1700
6. Soldiers Run 664915
7. Jefferson PA
8. 20.0 million cubic feet
9. May 8, 1980
10. General System Purchasers
1. 80–32533/3666
2. 37–083–00000–0000
3. 108 000 000
4. Robert Nelson
5. PGC #474
6. Ludlow (Lots 230 & 231)
7. McKean PA
8. 2.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80–32534/3667
2. 37–083–00000–0000
3. 108 000 000
4. Robert Nelson
5. PGC #213
6. Ludlow (Lots 230 & 231)
7. McKean PA
8. 2.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80–32535/3668
2. 37–123–00000–0000
3. 108 000 000
4. Robert Nelson
5. Wamblade #1
6. Sheffield
7. Warren PA
8. 17.5 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80–32536/3686A
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Myers A 1993
6. Myers 1993
7. Washington PA
8. 2.1 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32537/3686B
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Myers B 1993
6. Myers 1993
7. Washington PA
8. 2.1 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32538/3687A
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Lusk A 1993
6. Lusk A 1993
7. Washington PA
8. 2.3 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32539/3687B
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Lusk B 1993
6. Lusk B 1993
7. Washington PA
8. 2.3 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32540/3687C
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Lusk C 1993
6. Lusk C 1993
7. Washington PA
8. 2.3 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32541/3687D
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. Lusk D 1993
6. Lusk D 1993
7. Washington PA
8. 2.3 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80–32542/3688
2. 37–125–00000–0000
3. 108 000 000
4. E J Brumage
5. McNary
6. McNary 1993

7. Washington PA
8. 3.6 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32543/3697
2. 37-059-00000-0000
3. 108 000 000
4. E J Brumage
5. Addleman
6. Addleman 5919
7. Greene PA
8. 3.4 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32544/3698A
2. 37-125-00000-0000
3. 108 000 000
4. E J Brumage
5. McGowan A
6. McGowan #5921
7. Washington PA
8. 4.6 million cubic feet
9. May 8, 1980
10. Equitable Gas CO

1. 80-32545/3698B
2. 37-125-00000-0000
3. 108 000 000
4. E J Brumage
5. McGowan B
6. McGowan B #5921
7. Washington PA
8. 4.6 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32546/3701
2. 37-059-00000-0000
3. 108 000 000
4. E J Brumage
5. Hoover
6. Hoover 4860
7. Greene PA
8. 4.4 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32547/3702
2. 37-003-00000-0000
3. 108 000 000
4. E J Brumage
5. Grundy
6. Grundy 1540
7. Allegheny PA
8. 3.5 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32548/3732
2. 37-059-00000-0000
3. 108 000 000
4. Morris & Irene Burns
5. Burns A Wiley
6. A Wiley Lease
7. Greene PA
8. 2.8 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission

1. 80-32549/3770
2. 37-049-20706-0003
3. 103 000 000
4. Envirogas Inc
5. R Lyons #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32550/3777
2. 37-059-00000-0000
3. 108 000 000
4. Richard A Pultorak
5. Sayers #1
6. Sayers
7. Greene PA
8. 14.6 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32551/3778
2. 37-059-00000-0000
3. 108 000 000
4. Richard A Pultorak
5. Pratt #1
6. Pratt
7. Greene PA
8. 14.6 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32552/3779
2. 37-059-00000-0000
3. 108 000 000
4. Richard A Pultorak
5. Cosgray #1
6. Cosgray
7. Greene PA
8. 14.6 million cubic feet
9. May 8, 1980
10. Equitable Gas Co

1. 80-32554/3797
2. 37-049-20793-0003
3. 103 000 000
4. Envirogas Inc
5. C Bemis #2
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32555/3798
2. 37-049-20778-0003
3. 103 000 000
4. Envirogas Inc
5. D Fuller #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32556/3989
2. 37-065-21768-0000
3. 103 000 000
4. S T Joint Venture-1978A
5. John B Brandon #2
6. Brandon
7. Jefferson County PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32557/3990
2. 37-065-21779-0003
3. 103 000 000
4. St Joint Venture-1978A
5. John B Brandon #1
6. Brandon
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32558/3991
2. 37-065-21808-0003
3. 103 000 000
4. St Joint Venture-1978A
5. Byron Moore #1
6. Moore
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Gas Supply Corp

1. 80-32559/3992
2. 37-065-21807-0003
3. 103 000 000
4. St Joint Venture-1978A
5. Bodorff #1
6.
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32560/3993
2. 37-065-21814-0003
3. 103 000 000
4. St Joint Venture 1978B
5. Kirkman #1
6.
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80-32561/3994
2. 37-065-21811-0003
3. 103 000 000
4. St Joint Venture-1978-B
5. Katzen #3
6.
7. Jefferson, PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Distribution Corp.

1. 80-32562/3995
2. 37-065-21839-0003
3. 103 000 000
4. 1979-A-St Joint Venture
5. Krajewski #1
6.
7. Jefferson, PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32563/3996
2. 37-065-21840-0003
3. 103 000 000
4. 1979A-St Joint Venture
5. Krajewski #2
6.
7. Jefferson, PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32564/3997
2. 37-065-21838-0003
3. 103 000 000
4. 1979A-St Joint Venture
5. Benedek #1
6.
7. Jefferson, PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32565/4028
2. 37-063-21851-0003
3. 108 000 000
4. James F Scott
5. Fred Musser (S172)
6. Rayne Township
7. Indiana, PA
8. 3.8 million cubic feet
9. May 8, 1980
10. Peoples National Gas Co.

1. 80-32566/4138

2. 37-049-20832-0003
3. 103 000 000
4. Taurus Oil Corp
5. Parknow #1
6. Conneaut
7. Erie, PA
8. 36.5 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32567/4140
2. 37-049-20824-0003
3. 103 000 000
4. Taurus Oil Corp
5. Lawrence #1
6. Conneaut
7. Conneaut, PA
8. 36.5 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32568/4155
2. 37-049-20763-0003
3. 102 000 000
4. Doran & Associates Inc
5. W W Waterhouse (Tract18)
6. Upper Devonian Sands
7. Erie, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32569/4227
2. 37-049-20912-003
3. 103 000 000
4. Envirogas Inc
5. W Seymour #1
6. North East Deep
7. Erie, PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32570/4234
2. 37-049-20906-0003
3. 103 000 000
4. Envirogas Inc
5. N Bartlett #1
6. North East Deep
7. Erie, PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32571/4314
2. 37-063-25194-0003
3. 103 000 000
4. Phillips Production Co
5. Anna Mary Hamilton Agent #1
6.
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10.

1. 80-32572/4315
2. 37-063-25183-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs Et Al #2
6.
7. Indiana, PA
8. 25.0 million cubic feet
9. May 8, 1980
10.

1. 80-32573/4316
2. 37-063-25116-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs et al #4
6.
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10.

1. 80-32574/4322
2. 37-005-22381-0003
3. 103 000 000
4. Doran & Associates Inc
5. F Baker #1
6. Upper Devonian Sands
7. Armstrong, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co.

1. 80-32575/4323
2. 37-033-20870-0003
3. 103 000 000
4. Doran & Associates Inc
5. Joseph M Wells #1
6. Upper Devonian Sands
7. Clearfield, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp.

1. 80-32576/4324
2. 37-065-21890-0003
3. 103 000 000
4. Watson & Swanson Inc/Doran & Assoc
5. Louis Notto #1
6. Upper Devonian Sands
7. Jefferson, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32577/4325
2. 37-063-24933-0003
3. 103 000 000
4. Doran & Associates Inc
5. D Orr #1
6. Upper Devonian Sands
7. Indiana, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Industrial Energy Service Co.

1. 80-32578/4326
2. 37-033-20860-0003
3. 103 000 000
4. Doran & Associates Inc
5. J Bracken #3
6. Upper Devonian Sands
7. Clearfield, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co.

1. 80-32579/4327
2. 37-065-21914-0003
3. 103 000 000
4. Doran & Associates Inc
5. N Smith #3
6. Upper Devonian Sands
7. Jefferson, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. T W Phillips Gas & Oil Co.

1. 80-32580/4328
2. 37-065-21755-0003
3. 103 000 000
4. Doran & Associates Inc
5. N Zimmerman #1
6. Upper Devonian Sands
7. Jefferson, PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp.

1. 80-32581/4374
2. 37-063-24291-0003
3. 103 000 000
4. Castle Gas Company Inc
5. V McCullough #2 (C-286)
6. Young Township
7. Indiana, PA
8. 70.0 million cubic feet
9. May 8, 1980
10. People Natural Gas Company.

1. 80-32582/4375
2. 37-063-24291-0003
3. 103 000 000
4. Castle Gas Company Inc
5. V McCollough #3
6. Young Township
7. Indiana, PA
8. 70.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Company.

1. 80-32583/113
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Altman #1
6. Beaver Township
7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32584/2874
2. 37-053-21536-0003
3. 108 000 000
4. UGI Development Co
5. Collins-Pine Co #1
6. Deadman Corners
7. Forest, PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp.

1. 80-32585/2848
2. 37-053-21596-0003
3. 108 000 000
4. UGI Development Co
5. Collins Pine Co #6
6. Deadman Corners
7. Forest, PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp.

1. 80-32586/114
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Brewster #1
6. Beaver Township
7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32587/115
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas co
5. Brewster #2
6. Beaver Township
7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32588/116
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Corbett #1
6. Beaver Township

7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32589/117
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Corbett #2
6. Beaver Township
7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32590/118
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Corbett #3
6. Beaver Township
7. Clarion, PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp.

1. 80-32591/119
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Corbett #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32592/120
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32593/121
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32594/122
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32595/123
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #5
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co.

1. 80-32596/124
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #7
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32597/125
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #8
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32598/126
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #9
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32599/127
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #10
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32600/128
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #12
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32601/129
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #13
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32602
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Crick #14
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32603
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dietz #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32604
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dietz #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32605
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32606
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32607
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32608
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #5
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32609
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #6
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32610
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #8
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80-32611

2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #9
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32612
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #11
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32613
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #12
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32614
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #13
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32615
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #14
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32616
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Dovenspike #15
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32617/145
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Eichner #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32618/146
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Eichner #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32619/147
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Eichner #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32620/148
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Eichner #5
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32621/149
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Eichner #6
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32622/150
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Graham #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32623/151
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Hahn R H #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32624/152
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Hahn J B #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32625/153
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Hanst J E #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32626/154
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Hanst R B #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32627/155
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Mays R L #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32628/156
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Mays R L #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32629/157
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Mays R L #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32630/158
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Mays W H #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32631/159
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Mays W H #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32632/160
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. McCoy Anna #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co

1. 80–32633/161
2. 37–031–00000–0000
3. 108 000 000
4. McCoy Natural Gas Co
5. McCoy-Crick #1
6. Beaver Township

7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32634/162
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. McCoy R L #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32635/163
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. McCoy R L/MFGR Light #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32636/164
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Over C C #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32637/165
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Over C C #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32638/166
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Servey G F #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32639/167
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Servey G F #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32640/168
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Swarm #1
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32641/169
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Swarm #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32642/170
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Swarm #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32643/171
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Swarm #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32644/172
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Swarm #5
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32645/173
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Vogus #2
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32646/174
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Vogus #3
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32647/175
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Vogus #4
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32648/176
2. 37-031-00000-0000
3. 108 000 000
4. McCoy Natural Gas Co
5. Vogus #5
6. Beaver Township
7. Clarion PA
8. .7 million cubic feet
9. May 8, 1980
10. National Fuel Gas Co
1. 80-32649/735
2. 37-063-23235-0003
3. 108 000 000
4. Castle Gas Co Inc
5. W Smith #2
6. East Mahoning Township
7. Indiana PA
8. 16.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80-32650/737
2. 37-063-23097-0003
3. 108 000 000
4. Castle Gas Co Inc
5. W R Smith #4
6. East Mahoning Township
7. Indiana PA
8. 16.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80-32651/738
2. 37-063-23098-0003
3. 108 000 000
4. Castle Gas Co Inc
5. W R Smith #5
6. East Mahoning Township
7. Indiana PA
8. 16.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co
1. 80-32652/814
2. 37-063-23623-0003
3. 108 000 000
4. Castle Gas Co Inc
5. P F Rhoads #3
6. Rayne Township
7. Indiana PA
8. 14.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Trans Corp
1. 80-32653/1802
2. 37-051-20035-0003
3. 108 000 000
4. Zenith Exploration Co
5. Grimes Unit #1
6.
7. Fayette PA
8. 2.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32654/1803
2. 37-051-20094-0003
3. 108 000 000
4. Zenith Exploration Co
5. D Ryan Unit #2
6.
7. Fayette PA
8. 10.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32655/1804
2. 37-051-20098-0003
3. 108 000 000
4. Zenith Exploration Co
5. Armstrong Heirs #2
6.
7. Fayette PA
8. 17.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32656/1805

2. 37-051-20115-0003
3. 108 000 000
4. Zenith Exploration Co
5. Savage #1
6.
7. Fayette PA
8. 11.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp

1. 80-32657/1971
2. 37-063-23749-0000
3. 103 000 000
4. Union Drilling Inc
5. Pearl Bence Heirs 572
6. Rayne Township
7. Indiana PA
8. 26.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32658/1972
2. 37-063-23502-0000
3. 108 000 000
4. Union Drilling Inc
5. Earl C Bence
6. Rayne Township
7. Indiana PA
8. 15.0 million cubic feet
9. May 8, 1980
10. Peoples Natural Gas Co

1. 80-32659/2137
2. 37-049-20246-0003
3. 108 000 000
4. Darrell Goe
5. W & A Brewster
6. Albion
7. Erie PA
8. 84.1 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32660/2138
2. 37-049-20282-0003
3. 108 000 000
4. Darrell Goe
5. D Fobes #2
6. Albion
7. Erie PA
8. 51.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32661/2139
2. 37-049-20231-0003
3. 108 000 000
4. Darrell Goe
5. Bish #2
6. Albion
7. Erie PA
8. 28.3 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32662/2140
2. 37-049—20229-0003
3. 108 000 000
4. Darrell Goe
5. M Cherry
6. Albion
7. Erie PA
8. 22.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32663/2141
2. 37-049-00000-0000
3. 108 000 000
4. Darrell Goe
5. F Delong #2
6. Albion
7. Erie PA
8. 33.6 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32664/2142
2. 37-049-20112-0003
3. 108 000 000
4. Darrell Goe
5. J&D Case
6. Albion
7. Erie PA
8. 64.3 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32665/2143
2. 37-049-20281-0003
3. 108 000 000
4. Darrell Goe
5. A Bainbridge
6. Albion
7. Erie PA
8. 73.3 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32666/2144
2. 37-049-20152-0003
3. 108 000 000
4. Darrell Goe
5. Crist-Hartman
6. Albion
7. Erie PA
8. 31.0 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32667/2145
2. 37-049-20274-0003
3. 108 000 000
4. Darrell Goe
5. A&M Fahlen
6. Albion
7. Erie PA
8. 53.3 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32668/2147
2. 37-049-20170-0003
3. 108 000 000
4. Darrell Goe
5. Oravetz
6. Albion
7. Erie PA
8. 19.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32669/2148
2. 37-049-20227-0003
3. 108 000 000
4. Darrell Goe
5. C & M Kreig
6. Albion
7. Erie PA
8. 30.1 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32670/2149
2. 37-049-20179-0003
3. 108 000 000
4. Darrell Goe
5. M Stoner
6. Albion
7. Erie PA
8. 62.8 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32671/2150
2. 37-049-20254-0003
3. 108 000 000
4. Darrell Goe
5. S Ulan #1
6. Albion
7. Erie PA
8. 26.1 million cubic feet
9. May 8, 1980
10. National Fuel Gas

1. 80-32672/2178
2. 37-051-20092-0003
3. 108 000 000
4. Zenith Exploration Co
5. Armstrong-White #1
6.
7. Fayette PA
8. 10.5 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp

1. 80-32673/2229
2. 37-049-20147-0003
3. 108 000 000
4. Dodds et al/Darrelll Goe Agent
5. R D Beckman
6. Albion
7. Erie PA
8. 28.1 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32674/2231
2. 37-049—20243-0003
3. 108 000 000
4. Dodds et al/Darrell Goe Agent
5. J Carmen-Betz
6. Albion
7. Erie PA
8. 31.6 million cubic feet
9. May 8, 1980
10. Consolidated Gas Supply Corp

1. 80-32675/2823
2. 37-053-21645-0003
3. 108 000 000
4. UGI Development
5. 3188 A-6
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32676/2824
2. 37-053-21647-0003
3. 108 000 000
4. UGI Development
5. National Fuel Gas A-8
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32677/2825
2. 37-053-21646-0003
3. 108 000 000
4. UGI Development
5. 3188A-7 National Fuel Gas #7
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32678/2826
2. 37-053-21651-0003
3. 108 000 000
4. UGI Development
5. 3188A-12 National Fuel Gas #7
6. Deadman Corners

7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32679/2827
2. 37-053-21650-0003
3. 108 000 000
4. UGI Development
5. 3188A-11
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32680/2829
2. 37-053-21653-0003
3. 108 000 000
4. UGI Development
5. 3188A-14
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32681/2830
2. 37-053-20335-0003
3. 108 000 000
4. UGI Development
5. 3188 A-C2
6. Deadman Corners
7. Forest PA
8. 1.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32682/2835
2. 37-053-21330-0003
3. 108 000 000
4. UGI Development Co
5. 3188-1
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32683/2836
2. 37-053-21331-0003
3. 108 000 000
4. UGI Development Co
5. 3188 A-2 Collins Farm
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32684/2837
2. 37-053-21334-0003
3. 108 000 000
4. UGI Development Co
5. Collins Farm #3
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32685/2838
2. 37-053-21333-0003
3. 108 000 000
4. UGI Development Co
5. 3188-4 Collins Farm
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32686/2839
2. 37-053-21556-0003
3. 108 000 000
4. UGI Development Co
5. 3188-5 Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32687/2840
2. 37-053-21095-0003
3. 108 000 000
4. UGI Development Co
5. 3188-FPI-Clincer/Crary
6. Deadman Corners
7. Forest PA
8. 1.6 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32688/2843
2. 37-053-21687-0003
3. 108 000 000
4. UGI Development Co
5. 3186 #1 Amoco/Dietz
6. Deadman Corners
7. Forest PA
8. 4.4 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32689/2844
2. 37-053-21537-0003
3. 108 000 000
4. UGI Development
5. 5103A-2 Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 4.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32690/2845
2. 37-053-21595-0003
3. 108 000 000
4. UGI Development
5. 5103A-5-Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 4.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32691/2846
2. 37-053-21601-0003
3. 108 000 000
4. UGI Development
5. 5103A-11
6. Deadman Corners
7. Forest PA
8. 4.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32692/2849
2. 37-053-21597-0003
3. 108 000 000
4. UGI Development Co
5. 5103-7
6. Deadman Corners
7. Forest PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32693/2850
2. 37-053-21598-0003
3. 108 000 000
4. UGI Development Co
5. 5103-8 Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32694/2851
2. 37-053-21559-0003
3. 108 000 000
4. UGI Development Co
5. 5103-9 Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32695/2852
2. 37-053-21600-0003
3. 108 000 000
4. UGI Development Co
5. 5103-10 Collins-Pine Co
6. Deadman Corners
7. Forest PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32696/2853
2. 37-053-21801-0003
3. 108 000 000
4. UGI Development Co
5. 5103-18 Collins Pine Co Farm
6. Deadman Corners
7. Forest PA
8. 2.3 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32697/2854
2. 37-053-21623-0003
3. 108 000 000
4. UGI Development Co
5. 5102-1
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32698/2855
2. 37-053-21836-0003
3. 108 000 000
4. UGI Development Co
5. 5102-5 Pennzoil Farm
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32699/2856
2. 37-053-21838-0003
3. 108 000 000
4. UGI Development Co
5. 5102-7 Pennzoil Farm
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32700/2857
2. 37-053-21840-0003
3. 108 000 000
4. UGI Development Co
5. 5102-9 Pennzoil Farm
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32701/2859

2. 37–053–20841–0003
3. 108 000 000
4. UGI Development Co
5. 5102–C9 Pennzoil Farm
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32702/2860
2. 37–053–00000–0000
3. 108 000 000
4. UGI Development Co
5. 5102–C10 Pennzoil
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32703/2861
2. 37–053–00000–0000
3. 108 000 000
4. UGI Development Co
5. 5102–C11 Pennzoil
6. Deadman Corners
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32704/2863
2. 37–053–21096–0003
3. 108 000 000
4. UGI Development Co
5. 3192–1 Trussell-Oakes
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32705/2864
2. 37–053–21280–0003
3. 108 000 000
4. UGI Development Co
5. 3192–2 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32706/2865
2. 37–053–21281–0003
3. 108 000 000
4. UGI Development Co
5. 3192–3 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32707/2866
2. 37–053–21328–0003
3. 108 000 000
4. UGI Development Co
5. 3192–5 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32708/2867
2. 37–053–21329–0003
3. 108 000 000
4. UGI Development Co
5. 3192–6 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32709/2868
2. 37–053–21474–0003
3. 108 000 000
4. UGI Development Co
5. 3192–9 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32710/2869
2. 37–053–22162–0003
3. 108 000 000
4. UGI Development Co
5. 3192–9A
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32711/2870
2. 37–053–21475–0003
3. 108 000 000
4. UGI Development Co
5. 3192–10 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32712/2871
2. 37–053–21476–0003
3. 108 000 000
4. UGI Development Co
5. 3192–11 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32713/2872
2. 37–053–21477–0003
3. 108 000 000
4. UGI Development Co
5. 3192–12 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32714/2873
2. 37–053–21492–0003
3. 108 000 000
4. UGI Development Co
5. 3192–13 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32715/2874
2. 37–053–21496–0003
3. 108 000 000
4. UGI Development Co
5. 3192–14
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32716/2875
2. 37–053–21497–0003
3. 108 000 000
4. UGI Development Co
5. 3192–15
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32717/2876
2. 37–053–21517–0003
3. 108 000 000
4. UGI Development Co
5. 3192–18
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32718/2877
2. 37–053–21518–0003
3. 108 000 000
4. UGI Development Co
5. 3192–19
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32719/2878
2. 37–053–21519–0003
3. 108 000 000
4. UGI Development Co
5. 3192–20 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32720/2879
2. 37–053–21876–0003
3. 108 000 000
4. UGI Development Co
5. 3192–21 Trussell Farm
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32721/2880
2. 37–053–21521–0003
3. 108 000 000
4. UGI Development Co
5. 3192–22
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32722/2881
2. 37–053–21522–0003
3. 108 000 000
4. UGI Development Co
5. 3192 23 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32723/2882
2. 37–053–21523–0003
3. 108 000 000
4. UGI Development Co
5. 3192 24 Trussell
6. Deadman Corners

7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32724/2883
2. 37-053-21524-0003
3. 108 000 000
4. UGI Development Co
5. 3192 25 Trussell
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32725/2884
2. 37-053-00000-0000
3. 108 000 000
4. UGI Development Co
5. 3192 R.31
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32726/2885
2. 37-053-21273-0003
3. 108 000 000
4. UGI Development Co
5. 4790-1—National Fuel Gas
6. Deadman Corners
7. Forest PA
8. 1.9 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32727/2886
2. 37-053-21274-0003
3. 108 000 000
4. UGI Development Co
5. 4790-2
6. Deadman Corners
7. Forest PA
8. 1.9 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32728/2887
2. 37-053-21473-0003
3. 108 000 000
4. UGI Development Co
5. 4790-3—National Fuel Gas
6. Deadman Corners
7. Forest PA
8. 1.5 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32729/2889
2. 37-053-21127-0003
3. 108 000 000
4. UGI Development Co
5. 5107-1
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32730/2890
2. 37-053-21345-0003
3. 108 000 000
4. UGI Development Co
5. 5107-2
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32731/2891
2. 37-053-21346-0003
3. 108 000 000
4. UGI Development Co
5. 5107-3
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32732/2892
2. 37-053-21602-0003
3. 108 000 000
4. UGI Development Co
5. 5107-6
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32733/2893
2. 37-053-21603-0003
3. 108 000 000
4. UGI Development Co
5. 5107-7
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32734/2894
2. 37-053-21604-0003
3. 108 000 000
4. UGI Development Co
5. 5107-8
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32735/2895
2. 37-053-21605-0003
3. 108 000 000
4. UGI Development Co
5. 5107-9—Collins-Pine Co
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32736/2896
2. 37-053-21690-0003
3. 108 000 000
4. UGI Development Co
5. 5107-10
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32737/2897
2. 37-053-21700-0003
3. 108 000 000
4. UGI Development Co
5. 5107-20
6. Clough-Salmon Creek
7. Forest PA
8. 1.0 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32738/2898
2. 37-053-21540-0003
3. 108 000 000
4. UGI Development Co
5. 5106-1
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32739/2899
2. 37-053-21541-0003
3. 108 000 000
4. UGI Development Co
5. 5106-2
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32740/2900
2. 37-053-21542-0003
3. 108 000 000
4. UGI Development Co
5. 5106-3
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32741/2901
2. 37-053-21633-0003
3. 108 000 000
4. UGI Development Co
5. 5106—6
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32742/2902
2. 37-053-21634-0003
3. 108 000 000
4. UGI Development Co
5. 5106—7
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32743/2903
2. 37-053-21635-0003
3. 108 000 000
4. UGI Development Co
5. 5106—8
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32744/2904
2. 37-053-21636-0003
3. 108 000 000
4. UGI Development Co
5. 5106—9 Collins Pine
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32745/2905
2. 37-053-21637-0003
3. 108 000 000
4. UGI Development Co
5. 5106—10 Collins Pine
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80-32746/2906

2. 37–053–21638–0003
3. 108 000 000
4. UGI Development Co
5. 5106—11 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32747/2907
2. 37–053–21674–0003
3. 108 000 000
4. UGI Development Co
5. 5106—16 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32748/2908
2. 37–053–21676–0003
3. 108 000 000
4. UGI Development Co
5. 5106—18 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32749/2909
2. 37–053–21677–0003
3. 108 000 000
4. UGI Development Co
5. 5106—19 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32750/2910
2. 37–053–21679–0003
3. 108 000 000
4. UGI Development Co
5. 5106—21 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32751/2911
2. 37–053–21681–0003
3. 108 000 000
4. UGI Development Co
5. 5106—23 Collins Pine Farm
6. Clough-Salmon Creek
7. Forest PA
8. 1.8 million cubic feet
9. May 8, 1980
10. UGI Corp

1. 80–32752/3384
2. 37–065–21743–0000
3. 103 000 000
4. Catherine A Wall
5. Joseph Zufall #1
6. Cloe
7. Jefferson PA
8. 2.4 million cubic feet
9. May 8, 1980
10. T W Phillips Gas Co

1. 80–32753/4038
2. 37–033–20917–0003
3. 103 000 000
4. Texaco Inc
5. Rachel Garland No 1A
6. West Decatur
7. Clearfield PA
8. 36.0 million cubic feet
9. May 8, 1980
10. Penn Fuel Gas Inc

1. 80–32754/4156
2. 37–049–20751–0000
3. 102 000 000
4. Doran & Associates Inc
5. Cubbon Lumber #1
6. Upper Devonian Sands
7. Erie PA
8. 30.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32755/4317
2. 37–065–21894–0003
3. 103 000 000
4. S T Joint Venture—1978 B
5. Katzen #1
6. Harry Katzen
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32756/4318
2. 37–065–21945–0003
3. 103 000 000
4. S T Joint Venture—1978 B
5. Katzen #2
6. Harry Katzen
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32757/4319
2. 37–065–21946–0003
3. 103 000 000
4. S T Joint Venture—1978 B
5. Katzen #5
6. Harry Katzen
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32758/4320
2. 37–065–21947–0003
3. 103 000 000
4. S T Joint Venture—1978 B
5. Katzen #6
6. Harry Katzen
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32759/4321
2. 37–065–21973–0003
3. 103 000 000
4. S T Joint Venture—1978 B
5. Bullers #1
6. Malcom Bullers
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

1. 80–32760/4337
2. 37–005–00000–0003
3. 108 000 000
4. Louden Properties Co
5. P George
6. Girty
7. Armstrong PA
8. 8.2 million cubic feet
9. May 8, 1980
10. Crucible Inc

1. 80–32761/4391
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. Jos Blair Est #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32762/4392
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. E A Crick #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32763/4393
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. Allen Rankin #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32764/4394
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. E P Walls #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32765/4395
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. Ramsey Heirs #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32766/4396
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. Roy Culbertson #4
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32767/4397
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. Allen Rankin #3
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80–32768/4398
2. 37–031–00000–0000
3. 108 000 000
4. Hanley & Bird
5. A E Bonnett #1
6. Rimersburg

7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32769/4399
2. 37-031-20147-0003
3. 108 000 000
4. Hanley & Bird
5. Roy Culbertson #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32770/4400
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. C T Polliard #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32771/4401
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. J H Lerch #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32772/4402
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. N C Cook #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32773/4403
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. WM Duncan #3
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32774/4404
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. Sam Hawk #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32775/4405
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. David Lawson Heirs #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32776/4406
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. J D Mortimer #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32777/4407
2. 37-049-20817-0003
3. 102 000 000
4. Applachian Energy Inc
5. J Merry #1
6. Silurian Sands
7. Erie PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32778/4408
2. 37-049-20815-0003
3. 102 000 000
4. Applachian Energy Inc
5. H Bennink #1
6. Silurian Sands
7. Erie PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32779/4409
2. 37-049-20814-0003
3. 102 000 000
4. Appalachian Energy Inc
5. Adrian Sorenson #1
6. Upper Devonian Sands
7. Erie PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32780/4410
2. 37-049-20816-0003
3. 102 000 000
4. Appalachian Energy Inc
5. Royal Nickerson #1
6. Upper Devonian Sands
7. Erie PA
8. 30.0 million cubic feet
9. May 8, 1980
10. Columbia Gas Transmission Corp
1. 80-32781/4411
2. 37-063-25001-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs Et Al #1
6.
7. Indiana PA
8. 25.0 million cubic feet
9. May 8, 1980
10.
1. 80-32782/4412
2. 37-065-22017-0003
3. 103 000 000
4. Phillips Production Co
5. George W Lyle Et Ux #1
6.
7. Jefferson PA
8. 25.0 million cubic feet
9. May 8, 1980
10.
1. 80-32783/4436
2. 37-031-20125-0003
3. 108 000 000
4. Hanley & Bird
5. H L McHenry #1 SN215
6. Rimersburg
7. Clairion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32784/4437
2. 37-031-20149-0003
3. 108 000 000
4. Hanley & Bird
5. Allen Rankin #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32785/4438
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. E P Walls #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32786/4439
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. E P Walls #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32787/4440
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. Hamler Coal #2
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32788/4441
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. Hamler Coal #3
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32789/4442
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. Earl Culbertson #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32790/4443
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. D C Martin #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co
1. 80-32791/4444

2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. W E Chandler #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80-32792/4445
2. 37-031-00000-0000
3. 108 000 000
4. Hanley & Bird
5. A J Mortimer #1
6. Rimersburg
7. Clarion PA
8. .9 million cubic feet
9. May 8, 1980
10. Hanley Brick Co

1. 80-32553/3796
2. 37-049-20819-0003
3. 103 000 000
4. Envirogas Inc
5. C Bemis #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. May 8, 1980
10. National Fuel Gas Supply Corp

West Virginia Department of Mines, Oil and Gas Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-32383
2. 47-013-02859-0000
3. 103 000 000
4. Harry C Boggs
5. R F Stalnaker No. 9
6. Nicut
7. Calhoun, WV
8. .0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-26872
2. 47-007-01248-0000
3. 108 000 000
4. Royal Resources Corp
5. Eva Williams No. 2
6. Rollyson Field
7. Braxton, WV
8. 17.5 million cubic feet
9. April 15, 1980
10. Equitable Gas Co

1. 80-32260
2. 47-019-00319-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. O L Massey Gas Unit No. 1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32261
2. 47-019-00326-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. L Minter No. 1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32262
2. 47-019-00330-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. W W Champe No. 1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32263
2. 47-019-00332-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. M D Steele No. 3
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32264
2. 47-019-00305-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. M Atkins No. 1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32265
2. 47-007-20868-0000
3. 108 000 000
4. Petro-Lewis Corp
5. Singleton No. 1
6. Salt Lick District
7. Braxton WV
8. 3.7 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32266
2. 47-019-00306-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. C Shumway No. 1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32267
2. 47-019-00310-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Ames Timber & Lumber Company No. 1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32268
2. 47-019-00311-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. S Fox No. 1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32269
2. 47-019-00314-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. C Shumway No. 2
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32270
2. 47-015-01316-0000
3. 103 000 000
4. Gordon C Morton
5. B C Eakle No. 1
6. Buffalo District
7. Clay County, WV
8. 8.6 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32271
2. 47-015-01288-0000
3. 000 000 000
4. Gordon C Morton
5. Ira Jackson No. 2
6. Buffalo District
7. Clay County WV
8. 6.3 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32272
2. 47-015-01287-0000
3. 103 000 000
4. Gordon C Morton Co Inc
5. Alidene Jackson No. 2
6. Buffalo District
7. Clay County, WV
8. 16.2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32273
2. 47-015-01286-0000
3. 103 000 000
4. Gordon C Morton
5. Alidene Jackson No. 1 SN-4
6. Buffalo District
7. Clay County, WV
8. 8.1 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32274
2. 47-015-01284-0000
3. 103 000 000
4. Gordon C Morton Co Inc
5. Sarah Bragg No. 3
6. Buffalo District
7. Clay County, WV
8. 7.2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32275
2. 47-015-01283-0000
3. 103 000 000
4. Gordon C Morton
5. Sarah Bragg No. 2
6. Buffalo District
7. Clay County, WV
8. 1980.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32276
2. 47-015-01282-0000

3. 103 000 000
4. Gordon C Morton
5. Sarah Bragg No. 1
6. Buffalo District
7. Clay County WV
8. 9.5 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32277
2. 47-015-01280-0000
3. 103 000 000
4. Gordon C Morton
5. Erie Bragg No. 1 SN-38
6. Buffalo District
7. Clay County WV
8. 39.2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32278
2. 47-015-01609-0000
3. 103 000 000
4. Sterling Drilling & Prod Co
5. Aloi No. 6
6. Buffalo District
7. Clay, WV
8. 2.9 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32279
2. 47-015-01607-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. Aloi No. 4
6. Buffalo District
7. Clay, WV
8. 5.1 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32280
2. 47-015-01590-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. Litton No. 4
6. Buffalo District
7. Clay, WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32281
2. 47-015-01558-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. Morris No. 3
6. Buffalo District
7. Clay, WV
8. 7.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32282
2. 47-015-01557-0000
3. 103 000 000
4. Sterling Drilling & Production
5. Morris No. 2
6. Buffalo District
7. Clay, WV
8. 9.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32283
2. 47-015-01549-0000
3. 103 000 000
4. Sterling Drilling & Production
5. Summers No. 17
6. Buffalo District
7. Clay, WV
8. 9.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32284
2. 47-015-01525-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. Litton No. 2
6. Buffalo District
7. Clay, WV
8. .2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32285
2. 47-015-01516-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. S Nottingham No. 2
6. Otter District
7. Clay, WV
8. 17.5 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32286
2. 47-015-01514-0000
3. 103 000 000
4. Sterling Drilling & Production Co I
5. Summers No. 12
6. Buffalo District
7. Clay, WV
8. 16.9 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32287
2. 47-015-01508-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Smith No 1
6. Buffalo District
7. Clay WV
8. 19.8 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32288
2. 47-007-01378-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Fear No 4
6. Birch District
7. Braxton WV
8. 1.8 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32289
2. 47-007-01377-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Fear #3
6. Birch District
7. Braxton WV
8. 10.8 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32290
2. 47-007-01371-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. N Nottingham No 1
6. Birch District
7. Braxton WV
8. 1.8 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32291
2. 47-007-01368-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Jarvis #2
6. Birch District
7. Braxton WV
8. 18.9 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32292
2. 47-007-01366-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Fleming #2
6. Birch District
7. Braxton WV
8. 16.5 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32293
2. 47-007-01341-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Given #4
6. Birch District
7. Braxton WV
8. 10.8 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32294
2. 47-007-01330-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Given #3
6. Birch District
7. Braxton WV
8. 2.2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32295
2. 47-049-00499-0000
3. 108 000 000
4. Pennzoil Co
5. Brumage Jacob #7
6. Mannington
7. Marion WV
8. .3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32296
2. 47-007-01340-0000
3. 103 000 000
4. Sterling Drilling & Prod Co Inc
5. Fleming #1
6. Birch District
7. Braxton WV
8. 1.2 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32297
2. 47-049-00105-0000
3. 108 000 000
4. Pennzoil Co
5. Cunningham WN # 9
6. Mannington
7. Marion WV
8. 2.4 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32298
2. 47-049-00094-0000
3. 108 000 000
4. Pennzoil Co
5. Cunningham Jacob #13
6. Mannington

7. Marion WV
8. .3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32299
2. 47-041-02088-0000
3. 108 000 000
4. Consolidated Gas Supply Corp
5. F L Hacker 12082
6. West Virginia Other A-85772
7. Lewis WV
8. 20.0 million cubic feet
9. May 7, 1980
10. General System Purchasers

1. 80-32300
2. 47-041-00476-0000
3. 108 000 000
4. Consolidated Gas Supply Corp
5. Alonzo A Teter 11116
6. West Virginia Other A-85772
7. Lewis WV
8. 1.0 million cubic feet
9. May 7, 1980
10. General System Purchasers

1. 80-32301
2. 47-033-00919-0000
3. 108 000 000
4. Consolidated Gas Supply Corp
5. R J Bennett 12042
6. West Virginia Other A-85772
7. Harrison WV
8. 10.0 million cubic feet
9. May 7, 1980
10. General System Purchasers

1. 80-32302
2. 47-021-01207-0000
3. 108 000 000
4. Consolidated Gas Supply Corp
5. W B Maxwell 11112
6. West Virginia Other A-85772
7. Gilmer WV
8. 3.0 million cubic feet
9. May 7, 1980
10. General System Purchasers

1. 80-32303
2. 47-099-20585-0000
3. 108 000 000
4. Ethel Gas Company
5. Frank Yates #1
6. Lincoln
7. Wayne WV
8. 7.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp

1. 80-32304
2. 47-001-01165-0000
3. 103 000 000
4. Chesterfield Corp
5. Carr #2 Bar 1165
6. Barbour County
7. Barbour WV
8. .0 million cubic feet
9. May 7, 1980
10. Columbia Gas Corp

1. 80-32305
2. 47-013-01870-0000
3. 108 000 000
4. Victor Brannon
5. Smith-Ayers Gas Com.(A W Siers #1)
6.
7. Calhoun WV
8. 6.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32306
2. 47-041-22551-0000
3. 103 000 000
4. Appalachian Energy Inc DBA LDR
5. Glen Rohr A-E-44
6. Hackers Creek
7. Lewis WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-32307
2. 47-035-01509-0000
3. 103 000 000
4. Allegheny & Western Energy Corp
5. Robert L Parsons Farm #2
6. Ripley
7. Jackson WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-32308
2. 47-035-01508-0000
3. 103 000 000
4. Allegheny & Western Energy Corp
5. Robert L Parsons Farm #1
6. Ripley
7. Jackson WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-32309
2. 47-041-02528-0000
3. 108 000 000
4. James F Scott
5. A P White
6. Freemans Creek District
7. Lewis WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32310
2. 47-033-01687-0000
3. 108 000 000
4. James F Scott
5. Frances Coffman
6. Eagle District
7. Harrison WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32311
2. 47-103-01129-0000
3. 108 000 000
4. Pennzoil Co
5. John Stevens No 15
6. Grant
7. Wetzel WV
8. 2.2 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32312
2. 47-103-01047-0000
3. 108 000 000
4. Pennzoil Co
5. McIntyre-Peterson #4
6. Grant
7. Wetzel WV
8. .3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32313
2. 47-103-00932-0000
3. 108 000 000
4. Pennzoil Co
5. B Wells & Co No 17
6. Grant
7. Wetzel WV
8. 1.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32314
2. 47-049-00561-0000
3. 108 000 000
4. Pennzoil Co
5. Peterson N M #1
6. Mannington
7. Marion WV
8. .3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32315
2. 47-011-20270-0000
3. 108 000 000
4. Swann Gas Co
5. A J Nicely Heirs #1
6. McComas
7. Cabell WV
8. 4.7 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32316
2. 47-043-20628-0000
3. 108 000 000
4. Elkins Branch Gas Co
5. Clarborn Adkins #1
6. Jefferson District
7. Lincoln WV
8. 890.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32317
2. 47-043-20285-0000
3. 108 000 000
4. Elkins Branch Gas Co
5. James Cooper No 4
6. Jefferson District
7. Lincoln, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Pennzoil Company

1. 80-32318
2. 47-043-20284-0000
3. 108 000 000
4. Elkins Branch Gas Co
5. James Cooper No 1
6. Jefferson District
7. Lincoln, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32319
2. 47-043-20282-0000
3. 108 000 000
4. Elkins Branch Gas Co
5. James Cooper No 3
6. Jefferson District
7. Lincoln, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32320
2. 47-079-20262-0000
3. 108 000 000
4. Cooper Gas Company
5. R V Dorsey No 1
6. Curry District
7. Putnam, WV
8. 5.1 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32321

2. 47-079-20256-0000
3. 108 000 000
4. Cooper Gas Co
5. Alan Estep No 1
6. Curry District
7. Putnam, WV
8. 3.5 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32322
2. 47-079-20213-0000
3. 108 000 000
4. Cooper Gas Co
5. N M Beckett No 1
6. Curry District
7. Putnam, WV
8. 3.7 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32323
2. 47-079-20187-0000
3. 108 000 000
4. Cooper Gas Co
5. Enoch Harper Heirs No 2
6. Curry District
7. Putnam, WV
8. 1.4 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32324
2. 47-079-20186-0000
3. 108 000 000
4. Cooper Gas Co
5. Enoch Harper Heirs No 1
6. Curry District
7. Putnam, WV
8. 1.4 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32325
2. 47-079-20173-0000
3. 108 000 000
4. Cooper Gas Co
5. Floyd Mabe No 1
6. Curry District
7. Putnam, WV
8. 3.3 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32326
2. 47-011-20231-0000
3. 108 000 000
4. Swann Gas Company
5. Swann No 1
6. McComas
7. Cabell, WV
8. 1.1 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32327
2. 47-011-20324-0000
3. 108 000 000
4. Swann Gas Co
5. Swann No 2
6. McComas
7. Cabell, WV
8. 110,0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32328
2. 47-043-00684-0000
3. 108 000 000
4. Latin Gas Company
5. A F Morris No 5
6. Laurel Hill
7. Lincoln, WV
8. 11.0 million cubic feet
9. May 7, 1980
10. Industrial Gas Corp

1. 80-32329
2. 47-043-00635-0000
3. 108 000 000
4. Latin Gas Company
5. A F Morris No 4
6. Laurel Hill
7. Lincoln, WV
8. 11.0 million cubic feet
9. May 7, 1980
10. Industrial Gas Corp

1. 80-32330
2. 47-043-00071-0000
3. 108 000 000
4. A F Morris Factor
5. Elkins Lovejoy No 1
6. L H Fork of Mud River
7. Lincoln, WV
8. 7.6 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32331
2. 47-043-00034-0000
3. 108 000 000
4. A F Morris Factor
5. Stump Heirs No 8
6. Big Laurel Creek
7. Lincoln, WV
8. 4.5 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32332
2. 47-043-00033-0000
3. 108 000 000
4. A F Morris Factor
5. Stump Heirs No 9
6. Big Laurel Creek
7. Lincoln, WV
8. 4.5 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32333
2. 47-043-00024-0000
3. 108 000 000
4. A F Morris Factor
5. Stump Heirs No 7
6. Big Laurel Creek
7. Lincoln, WV
8. 4.5 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32334
2. 47-013-02260-0000
3. 108 000 000
4. J B Dale dba Dale Drilling
5. Minnie Kelly Well No 3
6. Nicut
7. Calhoun, WV
8. 2.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32335
2. 47-013-02250-0000
3. 108 000 000
4. J B Dale
5. W R Cottrell No 1
6. Nicut
7. Calhoun, WV
8. 2.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32336
2. 47-013-02231-0000
3. 108 000 000
4. J B Dale dba Dale Drilling
5. Minnie Kelly Well No 1
6. Nicut
7. Calhoun, WV
8. 3.1 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32337
2. 47-013-02206-0000
3. 108 000 000
4. J B Dale dba Dale Drilling
5. J Wesley Chenoweth No 1
6. Nicut
7. Calhoun, WV
8. 1.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32338
2. 47-013-02137-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. F M Mets Well No 1
6. Nicut
7. Calhoun, WV
8. 10.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32339
2. 47-013-02125-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Shimer Well No 5
6. Nicut
7. Calhoun, WV
8. 863.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32340
2. 47-007-00358-0000
3. 108 000 000
4. TWM Petroleum Inc
5. C B Evans No 1
6. Salt Lick District
7. Braxton, WV
8. 1.3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32341
2. 47-021-02112-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Fisher No 2
6. Sheridan
7. Gilmer, WV
8. 4.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32342
2. 47-021-02110-0000
3. 108 000 000
4. Grace Petroleum Corp
5. McDaniel No 2
6. Sheridan
7. Gilmer, WV
8. 3.7 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32343
2. 47-021-02109-0000
3. 108 000 000
4. Grace Petroleum Corp
5. McDaniel No 1
6. Sheridan

7. Gilmer, WV
8. 3.6 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32344
2. 47-021-02099-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Morris No 2
6. Sheridan
7. Gilmer, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32345
2. 47-021-02095-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Morris No 1
6. Sheridan
7. Gilmer, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32346
2. 47-021-02027-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Kidd No 2
6. Sheridan
7. Gilmer, WV
8. 5.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32347
2. 47-021-02013-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Kidd No. 1
6. Sheridan
7. Gilmer WV
8. 5.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32348
2. 47-013-02459-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Knight No. 4
6. Sheridan
7. Calhoun WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32349
2. 47-013-02411-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Elliott No. 1
6. Sheridan
7. Calhoun WV
8. 4.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32350
2. 47-013-02402-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Elliott No. 2
6. Sheridan
7. Calhoun WV
8. 5.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32351
2. 47-013-01102-0000
3. 108 000 000
4. Grace Petroleum Corp
5. Knight #3
6. Sheridan
7. Calhoun WV
8. 2.3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32352
2. 47-085-02997-0000
3. 108 000 000
4. Philip Lemon
5. Mary Welch Well No. 2
6. Murphy
7. Ritchie WV
8. 1.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32353
2. 47-043-21835-0000
3. 108 000 000
4. Franklin Adkins
5. 1-C
6. Sheridan District
7. Lincoln WV
8. 11.5 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp

1. 80-32354
2. 47-043-21834-0000
3. 108 000 000
4. Franklin Adkins
5. 1-D
6. Sheridan District
7. Lincoln WV
8. 14.6 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp

1. 80-32355
2. 47-033-00471-0000
3. 108 000 000
4. TWM Petroleum Inc
5. C S Trimble No. 2
6. Simpson Dist
7. Harrison WV
8. 14.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32356
2. 47-021-03502-0000
3. 107 000 000
4. Waco Oil & Gas Company
5. Ervin Lowther #2A
6.
7. Gilmer WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Carnegie Natural Gas Co

1. 80-32357
2. 47-021-03505-0000
3. 107 000 000
4. Waco Oil & Gas Company
5. Jones Heirs 3A
6. Ellis
7. Gilmer WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Carnegie Natural Gas Co

1. 80-32358
2. 47-021-03458-0000
3. 107 000 000
4. Waco Oil & Gas Company
5. Jones Heirs 2A
6.
7. Gilmer WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Carnegie Natural Gas Co

1. 80-32359
2. 47-021-03457-0000
3. 107 000 000
4. Waco Oil & Gas Company
5. Ervin Lowther #1A
6. Ellis
7. Gilmer WV
8. 30.0 million cubic feet
9. May 7, 1980
10. Carnegie Natural Gas Co

1. 80-32360
2. 47-079-20229-0000
3. 108 000 000
4. Caldwell Gas Co
5. Virgil Caldwell #2
6. Curry District
7. Putnam WV
8. 1.7 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32361
2. 47-079-20185-0000
3. 108 000 000
4. Caldwell Gas Co
5. Virgil Caldwell #1
6. Curry District
7. Putnam WV
8. 1.7 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32362
2. 47-049-20691-0000
3. 108 000 000
4. Joyce Gas Company
5. Chew Feamster & Johnson #2
6. Tridelphia
7. Logan WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32363
2. 47-045-20614-0000
3. 108 000 000
4. Joyce Gas Co
5. E N White ET AL #2
6. Tridelphia
7. Logan WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32364
2. 47-045-20615-0000
3. 108 000 000
4. Joyce Gas Company
5. R Z Joyce #1
6. Tridelphia
7. Logan WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32365
2. 47-097-01931-0000
3. 103 000 000
4. Union Drilling Inc
5. Edna Gillum ET AL #1
6. Meade District
7. Upshur WV
8. .0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-32366

2. 47-097-00000-0000
3. 108 000 000
4. Bogert Coal & Gas
5. Hinkle No. 2
6. Applachian
7. Upshur WV
8. 850.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp

1. 80-32367
2. 47-043-20134-0000
3. 108 000 000
4. R H Adkins Trustee for McComas
5. S A Egnor #1
6. Jefferson
7. Lincoln WV
8. 2.8 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32368
2. 47-043-20248-0000
3. 108 000 000
4. Templeton Gas Company
5. J T Morrison #1
6. Sheridan
7. Lincoln WV
8. 1.4 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32369
2. 47-043-20140-0000
3. 108 000 000
4. Wolf Pen Gas Company
5. H C Osborne #1
6. Jefferson
7. Lincoln WV
8. 1.4 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32370
2. 47-039-21624-0000
3. 108 000 000
4. Courtland Gas Co
5. Brown & Courtney #5
6. Washington
7. Kanawha WV
8. 4.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32371
2. 47-011-20310-0000
3. 108 000 000
4. Templeton Gas Co
5. Otto Browning #1
6. McComas
7. Cabell WV
8. 1.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32372
2. 47-011-20135-0000
3. 108 000 000
4. Enery Gas Co
5. F F Starcher #1
6. McComas
7. Cabell WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32373
2. 47-021-02836-0000
3. 108 000 000
4. Braxton Oil and Gas Corp
5. Woodford No. 1
6. Sand Fork
7. Gilmer WV
8. 27.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32374
2. 47-043-20138-0000
3. 108 000 000
4. R H Adkins Trustee for McComas
5. H C Chandler #1
6. Jefferson
7. Lincoln WV
8. 5.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co

1. 80-32375
2. 47-045-20585-0000
3. 108 000 000
4. Joyce Gas Co
5. E N & C E White #1
6. Tridelphia
7. Logan WV
8. .0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32376
2. 47-045-20656-0000
3. 108 000 000
4. Lamb Gas Co
5. E N White et al #4
6. Tridelphia
7. Logan WV
8. 8.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32377
2. 47-043-20119-0000
3. 108 000 000
4. Vernon Gas Co
5. Roy & Hal Adkins No. 2
6. Union
7. Lincoln, WV
8. 1.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32378
2. 47-043-20114-0000
3. 108 000 000
4. Vernon Gas Co
5. Roy & Hal Adkins No. 1
6. Union
7. Lincoln, WV
8. 1.0 million cubic feet
9. May 7, 1980
10. Pennzoil Co..

1. 80-32379
2. 47-021-02579-0000
3. 108 000 000
4. Braxton Oil and Gas Corp
5. Jackson No. 1
6. Aspinall-Finster
7. Gilmer, WV
8. .0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32380
2. 47-013-00000-0000
3. 108 000 000
4. McGeorge Oil & Gas Co
5. McGeorge Oil & Gas Co No. 1
6. Nancy McGeorge Lease
7. Calhoun, WV
8. 2.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32381
2. 47-013-00000-0000
3. 108 000 000
4. Mary Duffield Oil & Gas Co
5. Mary Duffield Oil & Gas Co No 4
6. Mary Duffield Lease
7. Calhoun, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32382
2. 47-047-05790-0000
3. 108 000 000
4. Lu Ray Land Inc
5. Harmon No 1
6. Big Creek District
7. McDowell, WV
8. 18.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Transmission Corp.

1. 80-32384
2. 47-013-00000-0000
3. 108 000 000
4. Mary Duffield Oil & Gas Co
5. Mary Duffield Oil & Gas Co No 3
6. Mary Duffield Lease
7. Calhoun, WV
8. 3.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32385
2. 47-415-88000-0000
3. 108 000 000
4. RO-JO Industries Inc
5. Snyder #1
6. Polk Creek
7. Lewis, WV
8. 9.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32386
2. 47-001-29490-0000
3. 103 000 000
4. J & J Enterprises Inc
5. B-130 BAR-949
6. Philippi
7. Barbour, WV
8. 2.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32387
2. 47-013-02124-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Dovie Knotts #2
6. Nicut
7. Calhoun, WV
8. 1.8 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32388
2. 47-013-02099-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Roy Arnold No. 4
6. Nicut
7. Calhoun, WV
8. 1.2 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32389
2. 47-013-02081-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Clay Sears No. 2
6. Nicut

7. Calhoun, WV
8. 2.8 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32390
2. 47-013-02065-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Clay Sears No. 1
6. Nicut
7. Calhoun, WV
8. 9.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32391
2. 47-013-02027-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Allie Bennett #1
6. Nicut
7. Calhoun, WV
8. 2.1 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32392
2. 47-013-00534-0000
3. 108 000 000
4. J B Dale dba Dale Drilling Co
5. Shimer #1
6. Nicut
7. Calhoun, WV
8. 1.3 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32393
2. 47-043-20147-0000
3. 108 000 000
4. Huffman Gas Co
5. Sullivan Sias #1
6. Carroll District
7. Lincoln, WV
8. 1.4 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32394
2. 47-011-20291-0000
3. 108 000 000
4. Sue Gas Co
5. H S Fraley #6
6. McComas
7. Cabell, WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32395
2. 47-011-20240-0000
3. 108 000 000
4. Sue Gas Co
5. Joseph O Gill
6. McComas
7. Cabell
8. 1.9 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32396
2. 47-011-20167-0000
3. 108 000 000
4. Sue Gas Co
5. H S Fraley #5
6. McComas
7. Cabell, WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32397
2. 47-011-20145-0000
3. 108 000 000
4. Sue Gas Co
5. H S Fraley #4
6. McComas
7. Cabell, WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Pennzoil Co.

1. 80-32398
2. 47-099-20842-0000
3. 108 000 000
4. Ethel Gas Co
5. Malinda Williamson No. 1
6. Grant
7. Wayne, WV
8. 7.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp.

1. 80-32399
2. 47-099-20648-0000
3. 108 000 000
4. Ethel Gas Co
5. Frank Yates No. 2
6. Lincoln
7. Wayne, WV
8. 7.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp.

1. 80-32400
2. 47-059-20185-0000
3. 108 000 000
4. Ethel Gas Co
5. Vance Farm No 1
6. Harvey
7. Mingo, WV
8. 7.6 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp.

1. 80-32401
2. 47-059-20129-0000
3. 108 000 000
4. Ethel Gas Co.
5. Georgia Workman #1
6. Harvey
7. Mingo, WV
8. 7.0 million cubic feet
9. May 7, 1980
10. Columbia Gas Trans Corp.

1. 80-32402
2. 47-039-00075-0000
3. 108 000 000
4. Jackson Development Co Inc
5. H C Dickinson #14
6. Malden
7. Kanawha, WV
8. 3.4 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp.

1. 80-32403
2. 47-019-00304-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc.
5. D Jones Unit #1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32404
2. 47-019-00343-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. M D Steele #1
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32405
2. 47-019-00335-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Western Pocahontas Corp Gas Unit
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32406
2. 47-019-00344-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Goad Gas Unit #2
6. Mt Cove
7. Fayette, WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32407
2. 47-019-00345-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. M D Steele #2
6. Mt. Cove
7. Fayette, MV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co.

1. 80-32408
2. 47-019-00346-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Faye Farr #3
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32409
2. 47-019-00353-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Hofmier Gas Unit #3-S
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32410
2. 47-019-00350-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Virginia Echols #1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32411
2. 47-019-00347-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. A B Conley #1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32412

2. 47-019-00390-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. A B Conley #2
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32413
2. 47-019-00388-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. W G Shackleford #1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32414
2. 47-019-00367-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Eva Claiborne #1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32415
2. 47-019-00361-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Nuttall Heirs #1
6. Mt Cove
7. Fayette WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32416
2. 47-067-00502-0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. V Bailes Gas Unit #1
6. Jefferson
7. Nicholas WV
8. 52.0 million cubic feet
9. May 7, 1980
10. Equitable Gas Co

1. 80-32417
2. 47-033-00468-0000
3. 108 000 000
4. TWM Petroleum Inc
5. C S Trimble No 1
6. Simpson Dist
7. Harrison WV
8. 14.5 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32418
2. 47-017-01375-0000
3. 108 000 000
4. TWM Petroleum Inc
5. W L Cottrill No 1
6. McClellan Dist
7. Doddridge Co WV
8. 3.8 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32419
2. 47-015-00951-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber No 9
6. Pleasants District
7. Clay WV
8. 5.2 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32420
2. 47-015-00950-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber No 8
6. Pleasants District
7. Clay WV
8. 5.2 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32421
2. 47-015-00949-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber No 7
6. Pleasants District
7. Clay WV
8. 2.8 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32422
2. 47-015-00942-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber No 6
6. Pleasants District
7. Clay WV
8. 9.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32423
2. 47-025-00941-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber Co No 5
6. Pleasants District
7. Clay WV
8. 9.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32424
2. 47-015-00940-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber Co No 4
6. Pleasants District
7. Clay WV
8. 9.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32425
2. 47-015-00939-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber Co No 3
6. Pleasants District
7. Clay WV
8. 9.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32426
2. 47-015-00925-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Elk River Lumber Co No 1
6. Pleasants District
7. Clay WV
8. 15.0 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32427
2. 47-015-00797-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Laura E Price No 2
6. Pleasants District
7. Clay WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32428
2. 47-015-00748-0000
3. 108 000 000
4. TWM Petroleum Inc
5. Laura E Price No 1
6. Pleasants District
7. Clay WV
8. 1.9 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

1. 80-32429
2. 47-015-00725-0000
3. 108 000 000
4. TWM Petroleum Inc
5. J G Morton No 1
6. Pleasants Dist
7. Clay WV
8. .8 million cubic feet
9. May 7, 1980
10. Consolidated Gas Supply Corp

U.S. Geological Survey, Metairie, La.

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-31396/GO-1271
2. 17-720-40064-0000-0
3. 107 000 000
4. Anadarko Production Co
5. West Delta 137 A-2
6. West Delta
7. 137
8. .0 million cubic feet
9. May 6, 1980
10. Northern Natural Gas Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before June 13, 1980.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16324 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. EL79-19]

Northeast Oklahoma Electric Cooperative, Inc.; Complaint

May 21, 1980.

Take notice that on June 7, 1979, Northeast Oklahoma Electric Cooperative, Inc. (Coop), filed a complaint pursuant to Section 19 of the Federal Power Act (16 U.S.C. 812); § 35.21 of the Commission's regulations; and, § 1.6 of the Commission's rules of practice and procedure, petitioning the Commission to assume rate jurisdiction over Respondent Grand River Dam Authority (Authority).

Complainant Coop, an Authority customer, asserts that the State of Oklahoma makes no provision for the regulation of Authority's rates and that, therefore, assumption of such jurisdiction by the Commission is both proper and necessary under Section 19 of the Federal Power Act.

Any person desiring to be heard or protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before June 30, 1980. Protests will be considered by the Commission 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 must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16325 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. G-280, etc.]

Northern Natural Gas Co., Division of InterNorth, Inc.; Petition To Amend

May 22, 1980.

Take notice that on April 25, 1980, Northern Natural Gas Company, Division of InterNorth, Inc. (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. G-280, *et al.*, a petition pursuant to Section 7 of the Natural Gas Act to amend certain orders of the Commission so as to change the name on such orders from Northern Natural Gas Company to Northern Natural Gas Company, Division of InterNorth, Inc., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the stockholders at their regular annual meeting on March 27, 1980, approved the subject name change. Petitioner further states that on March 28, 1980, it filed an amendment to its corporate charter with the Secretary of the State of Delaware effectuating the name change which amendment is self executing. It is asserted that no order or authorization or other action by the Secretary of State is necessary for the corporate name change to become effective, nor were any of the corporation's rights or obligations affected by the name change.

Petitioner, therefore, proposes that such change be made in the authorizations appended hereto.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 12, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

Appendix

Certificate Applications By Docket Number

Docket No	Date of Commission Order
G-280	4-06-43
G-428	10-05-45
G-465	10-26-43
G-476	4-06-43
G-480	1-06-44
G-497	10-05-45
G-500	5-13-47
G-533	11-06-45
G-535	10-05-45
G-623	6-29-45
G-667	1-22-46
G-668	1-22-46
G-672	1-22-46
G-673	5-28-46

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G-747	6-09-47
G-750	9-06-46
G-753	9-06-46
G-754	9-25-46
G-763	4-10-47
G-765	1-28-48
G-767	10-29-46
G-777	5-21-47
G-796	10-18-46
G-936	11-04-47
G-949	11-17-47
G-953	11-04-47
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G-1128	12-09-48
G-1129	12-09-48
G-1131	11-30-48
G-1173	4-28-49
G-1183	1-19-50
G-1194	6-22-49
G-1221	8-03-49
G-1331	5-02-50
G-1337	5-19-50
G-1367	8-19-53
G-1396	8-15-50
G-1442	10-01-51
G-1511	10-01-51
G-1618	6-24-52
G-1640	9-19-52
G-1928	5-01-53
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G-2063	3-11-54
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G-2125	9-17-53
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G-2334	3-18-54
G-2409	6-30-56
G-2430	7-15-54
G-2458	9-07-56
G-2460	8-27-54
G-2465	9-07-56
G-2491	7-28-55
G-2670	11-08-54
G-6867	3-25-55
G-8654	7-28-56
G-8678	6-24-55
G-8792	12-13-57
G-9120	11-02-56
G-9124	2-07-57
G-9156	2-07-57
G-9196	2-07-57
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G-10636	11-20-56
G-10707	10-01-56
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G-11032	11-20-56
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G-12231	6-28-57
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G-13116	1-03-58
G-13358	2-11-58
G-13359	1-31-58
G-13551	2-11-58
G-13563	3-17-58
G-13630	1-27-58
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G-14779	4-23-59
G-14918	7-14-58
G-14982	11-06-58
G-15261	9-24-58
G-15717	2-03-59
G-15911	10-23-58
G-16131	12-08-58
G-16168	12-01-58
G-16447	5-19-59
G-17485	7-31-59
G-17486	7-31-59
G-17874	7-31-59
G-18110	6-19-63
G-18606	10-20-59
G-18633	12-01-59
G-18756	6-28-61
G-18757	10-05-59
G-19287	11-20-59
G-19312	11-17-59
G-19671	6-06-60
G-20570	6-28-61
G-20571	6-28-61
CP60-21	3-23-61
CP60-39	8-21-61
CP60-99	4-18-68
CP61-1	3-17-61
CP61-33	11-22-60
CP61-34	11-07-60
CP61-75	12-19-60
CP61-76	3-23-61
CP61-99	2-01-61
CP61-101	12-29-60
CP61-132	12-28-62
CP61-139	1-11-65, 2-28-77
CP61-186	3-26-62
CP61-190	10-05-61
CP61-213	11-06-61, 5-06-62
CP61-303	8-13-63
CP61-332	1-19-62
CP62-37	2-06-62
CP62-47	11-08-61
CP62-66	3-19-62, 3-21-63
CP62-78	1-19-62
CP62-85	9-30-63
CP62-128	2-06-62
CP62-178	9-30-63
CP62-180	11-08-63
CP62-181	10-28-68
CP62-207	6-08-62
CP62-210	6-08-62
CP62-223	12-17-62
CP62-270	10-08-62
CP62-277	8-15-62
CP62-284	9-21-62
CP62-299	10-01-62
CP62-307	3-18-63
CP63-4	3-11-63
CP63-7	2-05-63
CP63-42	1-24-63
CP63-43	1-29-63
CP63-102	5-14-63
CP63-121	6-03-63
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CP63-200	5-17-63
CP63-219	2-26-64
CP63-235	12-23-63
CP63-261	7-03-63
CP63-262	7-03-63
CP63-267	7-02-63
CP63-291	10-10-63
CP64-17	10-29-63
CP64-47	12-11-63
CP64-54	12-03-63
CP64-58	12-18-63
CP64-101	4-06-64
CP64-112	2-10-64
CP64-122	5-25-64
CP64-153	4-28-64
CP64-188	5-05-64
CP64-228	3-09-65
CP64-241	7-13-64
CP64-255	12-21-64(Phase I) 6-02-65(Phase II)
CP64-275	9-28-64

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CP65-17	11-20-64
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CP65-219	3-24-65
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CP65-221	5-25-65
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CP65-304	5-13-65
CP65-332	6-11-65
CP65-338	3-30-67
CP65-344	7-07-65
CP65-363	7-06-65
CP65-389	8-15-67, 7-25-69
CP65-399	8-24-65
CP65-414	9-07-65
CP65-415	9-03-65
CP66-44	11-15-65
CP66-71	10-21-65
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CP66-405	9-26-66
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CP67-3	8-30-66
CP67-10	5-19-67
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CP67-49	1-25-67
CP67-65	11-01-66
CP67-79	12-19-66
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CP67-126	1-04-67
CP67-138	6-03-68
CP67-139	2-06-67
CP67-140	1-25-67
CP67-148	3-24-67 (Phase I) 2-05-68 (Phase II)
CP67-162	1-16-67
CP67-193	3-01-67
CP67-194	5-19-67 (Phase I) 2-05-68 (Phase II)
CP67-215	5-16-67 (Phase I) 2-05-68 (Phase II)
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CP67-260	4-16-68, 3-23-72
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CP67-344	9-21-67
CP67-377	11-16-67
CP67-383	8-04-67
CP68-5	12-11-67
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CP68-117	12-28-67

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CP68-151	2-21-68
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CP69-83	11-19-68
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CP69-119	12-09-68
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CP69-133	12-03-68
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CP69-205	3-12-69
CP69-223	5-08-69
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CP70-85	12-03-69
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CP70-105	1-20-70
CP70-111	1-20-70
CP70-131	2-04-70
CP70-132	2-24-70
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CP70-181	6-09-70
CP70-201	6-15-70
CP70-202	6-26-70
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CP71-57	11-09-70
CP71-62	1-15-71
CP71-63	12-30-70
CP71-107	4-19-71
CP71-110	1-18-71
CP71-122	2-01-71
CP71-160	4-06-71
CP71-179	6-02-71
CP71-183	6-29-71
CP71-188	6-07-71
CP71-218	8-23-71
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CP71-298	12-13-71
CP72-4	12-16-71
CP72-24	11-09-71
CP72-41	11-29-71
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CP72-61	1-06-72
CP72-123	9-28-72
CP72-124	2-14-72
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CP73-7	11-20-72
CP73-28	12-07-72
CP73-29	12-13-72
CP73-37	3-01-73
CP73-93	1-29-73
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CP73-134	11-19-73
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CP73-287	2-05-74
CP73-319	7-31-73
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CP74-16	11-30-73
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CP74-30	10-29-73, 1-04-74
CP74-31	10-05-73
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CP74-51	12-27-73
CP74-53	9-28-73
CP74-74	9-06-74
CP74-107	1-10-74
CP74-111	4-15-74
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CP74-223	5-20-74
CP74-236	3-10-75
CP74-237	6-04-74
CP74-264	3-15-76
CP74-294	7-03-74
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CP75-126	1-17-75, 5-24-77
CP75-178	4-07-75
CP75-217	1-08-76
CP75-229	7-02-75
CP75-237	4-28-76, 4-15-77, 7-07-77
CP75-280	7-07-75
CP75-285	9-15-75
CP75-298	2-06-77
CP75-304	9-03-76, 2-08-77
CP75-305	2-08-77
CP75-311	7-03-75
CP75-333	8-13-76
CP75-336	9-30-75
RP75-12-3	8-04-75
CP75-361	4-23-76
CP75-365	1-08-76
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CP76-12	6-08-76

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CP76-148	2-18-76
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CP76-191	1-04-78
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CP76-216	6-11-76
CP76-229	10-06-76
CP76-230	1-12-77
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CP76-505	12-06-76
CP76-515	12-22-76
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Appendix—Continued

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CP80-259	4-09-80

[FR Doc. 80-16326 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. EL80-7]

Southeastern Power Administration v. Kentucky Utilities Co.; Order Denying Motion to Dismiss, Convening Hearing, Granting Interventions, and Establishing Procedures

May 22, 1980.

On December 11, 1979, the Southeastern Power Administration (SEPA) submitted an application.

pursuant to section 211(a) of the Federal Power Act, for an order under sections 211 and 212 directing Kentucky Utilities Company (KU) to provide certain wheeling services on reasonable terms and conditions.

SEPA, a Federal power marketing agency and a "separate and distinct organizational entity" within the Department of Energy, is responsible for marketing wholesale power from 21 hydroelectric projects. Because SEPA owns no transmission facilities, it has negotiated necessary transmission or wheeling arrangements with a number of electric utilities. Nine of the SEPA projects are located in the Cumberland River Basin area of Tennessee and Kentucky; of these nine projects, all but one (the Laurel project) are situated within the service territory of the Tennessee Valley Authority (TVA) and are connected to TVA's transmission system. KU's transmission facilities, in turn, are interconnected with those of TVA at several points.

In its present application, SEPA expresses its desire to furnish approximately 25 megawatts of available peaking capacity and associated energy to eight Kentucky municipalities (Cities) currently being served by KU.[1] According to SEPA, negotiations for a voluntary wheeling arrangement with KU have continued since 1974, but have proven unsuccessful.

SEPA states that under an earlier marketing plan, one-half of the capacity and energy from the Laurel hydroelectric project was to be supplied to cities through KU's transmission system. However, when the Laurel project began commercial operations in 1977, a satisfactory wheeling arrangement had yet to be agreed upon. Accordingly, the entire Laurel project output was sold, instead, to East Kentucky Power Cooperative (East Kentucky) on condition that East Kentucky later relinquish its rights to 25 megawatts of capacity and related energy from other Cumberland River Basin projects to be made available to Cities.[2] SEPA alleges that KU's refusal to provide transmission services is contrary to antitrust law and policy and that an order requiring KU to wheel this reserved SEPA power on reasonable terms and conditions would satisfy the requirements enumerated in sections 211 and 212 of the Act.

On January 21, 1980, the Kentucky Cities of Barbourville, Bardstown, Corbin, Falmouth and Frankfort filed a petition to intervene which supported SEPA's application and requested that the Commission establish expedited procedures for resolving this controversy.[3] The City of Paris, Kentucky also stated its support for the SEPA application in an untimely petition to intervene filed on January 22, 1980. The Commission finds that participation in this proceeding by each of the foregoing petitioners may be in the public interest and that good cause exists to permit the late intervention of the City of Paris.

On January 21, 1980, KU submitted an answer to SEPA's application and moved to dismiss it. Initially, KU relates a series of events commencing in 1954, by which East Kentucky, TVA, and Big Rivers Electric Cooperative have succeeded KU as wholesale power suppliers in various portions of KU's former service territory. KU characterizes this transition as one of harmful fragmentation and urges that an order such as that requested by SEPA would exacerbate this fragmentation process. KU further contends that SEPA's application is premature since necessary arrangements between SEPA and TVA for dispatching and transmitting power into KU's system remain speculative. Among other arguments, KU states: that SEPA has acted in a discriminatory manner in selecting only KU's customers as recipients of the power in question; that the peaking power available from SEPA is not suitable for use by Cities; that SEPA, in reality, intends to transfer the peaking power to TVA and to convert TVA to a power supply source for Cities, allegedly in contravention of the TVA Act of 1959, 16 U.S.C. 831n–4; that the preference provisions of the Flood Control Act of 1944, 16 U.S.C. 825(s), violate the Fifth Amendment to the United States Constitution; that a Commission order requiring KU to wheel only to those of its customers which constitute public bodies or cooperatives would violate the Fifth Amendment as well as the provisions of the Federal Power Act; and that SEPA's rates are unreasonably low, thereby impairing the ability of KU to compete with SEPA.

Two additional contentions advanced by KU involve the ability of this Commission to commence a hearing under Sections 211 and 212, and the ability of Cities, under existing contractual arrangements, to obtain all or part of their service from a power supplier other than KU. Concerning the first of these matters, KU notes the complexity of the requirements set forth in Sections 211 and 212, and objects to the initiation of hearing procedures prior to the promulgation of Commission regulations governing such hearings.

Contrary to KU's suggestions, the Commission is of the opinion that a hearing can and should be convened for purposes of considering SEPA's application. Congress has clearly enunciated the findings that must be made in order for the Commission to direct a utility to provide wheeling services. The Commission's existing rules of practice and procedure, while not specifically tailored to proceedings initiated under Sections 211 and 212, provide ample flexibility for the receipt of all necessary evidence as well as for any of the post-hearing procedures envisioned by Congress. Thus, both the procedural and substantive standards are sufficiently clear for the Commission to exercise its statutory responsibility.

With regard to the question of contractual obligations, KU states that all of the Cities, with the exception of Paris, are subject to fixed-rate, full requirements contracts with KU that are not terminable until May 31, 1981. A partial requirements contract between KU and Paris provides for certain minimum commitments and a three-year notification of termination. According to KU, Cities cannot lawfully abrogate their contracts by obtaining SEPA power while those contracts remain effective.[4]

KU is not suggesting that the existing contracts bar Cities from securing alternative power supplies in perpetuity. Rather, KU's argument involves, at most, the *time* at which a wheeling order could become effective. As with other matters raised by KU and alluded to above, the nature, scope and effect of pre-existing contractual commitments, particularly insofar as they relate to the

[1] The eight cities are: Barbourville, Bardstown, Benham, Corbin, Falmouth, Frankfort, Nicholasville and Paris. With the exception of Paris, each of these municipalities currently purchases its full requirements from KU.

[2] By order issued October 25, 1979, in Docket No. EF79–3052, the Commission confirmed and approved long-term rates, effective through June 30, 1983, for the sale of Laurel project power and energy to East Kentucky. That order also discussed the continuing negotiations between SEPA and KU for an agreement to wheel SEPA power to Cities.

[3] Public notice of SEPA's submittal was issued on December 21, 1979, with comments required to be filed on or before January 21, 1980. On February 28, 1980, KU filed a motion for extension of time in which to respond to the municipalities' petition to intervene. The motion was granted by notice issued March 7, 1980. In its March 7, 1980 answer to the petition, KU raises no contentions that would suggest a course of action other than that specified in this order.

[4] With respect to Paris, KU submits that a Commission order could not require KU to wheel SEPA power to the extent that it would replace any amounts which Paris is committed to receive from KU during the term of the existing contract. Apart from contractual considerations, KU avers that a period of some five years would be necessary in order for KU to adjust its system resources and facilities to accommodate the contemplated loss of load to SEPA.

timing of any wheeling order which might be issued, should be evaluated more fully on the basis of an evidentiary record.

Our review of SEPA's application indicates that an evidentiary hearing is warranted under sections 211 and 212. In order to provide for an expeditious resolution of this controversy, the hearing shall be designed to allow consideration of the threshold question involving the appropriateness of a mandatory wheeling order as well as the ancillary issue of suitable rates, terms and conditions to be incorporated in any such order. This procedure is designed to facilitate the post-hearing phase of this case if a wheeling order is found to be warranted. The development of a comprehensive record on the issues of rates, terms and conditions of service should assist the parties in the negotiations contemplated by Section 212(c) following the issuance of a proposed order and, furthermore, should provide a basis for the establishment of rates, terms and conditions by final Commission order in the event that such negotiations fail.[5]

Concerning the scope of this investigation, we caution the parties that the issues considered at hearing should be framed so as to address the specific evidentiary requirements of sections 211 and 212. For purposes of designating the matters at issue and identifying the evidence that will be sponsored by the parties in support of their respective claims, we shall require that a prehearing conference be held within fifteen days after the issuance of this order. Extraneous issues such as the propriety of previously approved rate levels for other transactions, or questions of statutory constitutionality that are better suited for an alternative forum, should be excluded from consideration. SEPA, followed by the remaining parties, shall file all testimony and supporting exhibits as promptly after the prehearing conference as the presiding administrative law judge considers reasonable under the circumstances.

The Commission orders:

(A) KU's motion to dismiss the application filed in this docket is hereby denied.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 402(a) of the DOE Act and by the Federal Power Act, and pursuant to the Commission's rules of practice and procedure and the Regulations under the Federal Power Act (18 CFR Ch. I), a public hearing shall be held concerning the application of SEPA for an order requiring wheeling service under sections 211 and 212 of the Federal Power Act.

(C) The Kentucky Cities of Barbourville, Bardstown, Corbin, Falmouth, Frankfort and Paris are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* that participation by such intervenors shall be limited to the matters set forth in their petitions to intervene: *And provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(D) A presiding administrative law judge to be designated by the Chief Administrative Law Judge for that purpose, shall convene a prehearing conference to be held within fifteen (15) days from the issuance of this order, in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding administrative law judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss) as provided for in the Commission's rules of practice and procedure. The conference shall be convened for purposes of delineating the issues, identifying the evidence that the parties will seek to introduce, establishing a discovery schedule and otherwise aiding to expedite the orderly conduct and disposition of this proceeding.

(E) The Secretary shall promptly publish this order in the Federal Register.

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16327 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[5] We note that the procedures specified in this order may not be suitable for all such cases. However, in view of the protracted nature of prior negotiations between KU and SEPA, a significant likelihood exists that, following a finding requiring wheeling, the Commission would be called upon to prescribe appropriate rates, terms and conditions. Furthermore, the intervenors in this proceeding have expressly requested that we consolidate the question of appropriate terms and conditions with our evaluation of the application itself. Absent such a request, we would consider initiating a phased proceeding that would initially reserve inquiries concerning rates, terms and conditions pending a determination on the underlying wheeling question and the opportunity for negotiations.

[Docket No. GP80-88]

Texas Oil & Gas Corp.; Petition for Declaratory Order

May 22, 1980.

Take notice that on April 7, 1980, Texas Oil & Gas Corporation (TXO), Fidelity Union Tower, Dallas, Texas 75201, filed with the Federal Energy Regulatory Commission (Commission) a petition for declaratory order under § 1.7(c) of the Commission's rules of practice and procedure, 18 CFR 1.7(c). The petition requests that the Commission declare certain potential gas production from TXO's proposed re-entry of the Alamo National Bank No. 1-A Well (Alamo Well) in McCullen County, Texas, to qualify as high-cost natural gas under either section 107(c)(1) or section 107(c)(5) of the Natural Gas Policy Act of 1978 (NGPA).

TXO states that it is considering plans to re-enter the Alamo Well which was spudded in 1964 and drilled to the depth of 20,800 feet by the Pan American Petroleum Corporation. The Alamo Well failed to produce gas and was abandoned on May 19, 1965. TXO further states that under the proposed re-entry the company plans to expend in excess of $2,500,000 and that a re-entry to the 20,800 feet depth involves extraordinary risks which, accordingly, require the receipt of the high-cost gas incentive price to justify TXO's investment.

If the surface drilling of a well began on or after February 19, 1977, then section 107(c)(1) of the NGPA provides high-cost gas treatment for any production from a completion location below 15,000 feet. TXO argues that since the NGPA does not specifically define "surface drilling" the Commission should, in light of the extraordinary risks and investment required by the proposed project, declare the date of re-entry to be the commencement of "surface drilling." Thus, the re-entry of the Alamo Well would qualify for high-cost gas treatment under section 107(c)(1) and accordingly would be price deregulated under section 121(b) of the NGPA.

In the alternative, TXO asserts that the proposed re-entry should be granted high-cost gas treatment under section 107(c)(5) of the NGPA. TXO believes that the risks and costs associated with the Alamo Well are extraordinary. Section 107(c)(5) authorizes the Commission to designate gas production which present extraordinary risks or costs as high-cost gas. Furthermore, if the Commission finds that such increase in the maximum lawful price is necessary to provide reasonable

production incentives, section 107(b) authorizes the Commission to prescribe a maximum lawful price for high-cost gas which exceeds the otherwise applicable maximum lawful price. TXO suggests that, if the Commission declares such natural gas production to qualify for section 107(c)(5), the appropriate incentive price under section 107(b) is price deregulation.

Any person desiring to be heard or to protest such filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capital Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petition or protests should be filed on or before June 23, 1980. 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 petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16328 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-403]

Virginia Electric and Power Co.; Filing

May 22, 1980.

The filing Company submits the following:

Take notice that on May 16, 1980, Virginia Electric and Power Company (VEPCO) submitted for filing a letter agreement, dated February 8, 1980, with Shenandoah Valley Electric Cooperative (SVEC). Pursuant to the agreement, VEPCO will own and maintain certain facilities for the purpose of providing SVEC with kWh and kQh data pulses to its equipment at Dayton Delivery Point. This service has been requested by SVEC.

The estimated installed cost for the facilities is $413.40.

VEPCO requests waiver of the timely filing requirements and further requests waiver of the required billing data. Finally, VEPCO requests that the letter agreement become effective as of April 1, 1980, the date of connection of the facilities.

A copy of this filing has been served upon the Virginia State Corporation Commission, the Shenandoah Valley Electric Cooperative, and the Southeastern Power Administrative.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before June 13, 1980. 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 petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16329 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3132]

John N. Webster and Lawrence Gleeson; Application for Short-Form License (Minor)

May 21, 1980.

Take notice that John N. Webster and Lawrence Gleeson (Applicants) filed on April 7, 1980, an application for license [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for construction and operation of a water power project to be known as Rollinsford Project No. 3132. The project would be located on the Salmon Falls River in the Town of Rollinsford, Strafford County, New Hampshire and in York County, Maine. Correspondence with the Applicant should be directed to: John Webster P.O. Box 1073, Dover New Hampshire 03820.

Project Description—The (proposed) project would consist of: (1) An existing 15-foot high, 350-foot long masonry and concrete gravity dam; (2) an existing reservoir with negligible storage capacity; (3) and 8-foot diameter, 600-foot long penstock; (4) an existing powerhouse, the exterior of which would be restored to its original condition, containing a new generator turbine unit with a total rated capacity of 1,300-kW; (5) a 500-foot long transmission line; and (6) appurtenant facilities. The proposed project would generate approximately 6,500,000 kWh annually saving the equivalent of 10,700 barrels of oil or 3,000 tons of coal.

Purpose of Project—Energy produced at the project would be sold to the Public Service Company of New Hampshire for distribution to it's customers.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 25, 1980, either the competing application itself or a notice of intent to file a competing application Submission of a timely notice of intent allows an interested person to file the competing application no later than November 24, 1980. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c), (*as amended* 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d), (*as amended,* 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR, 1.8 or 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be filed on or before July 25, 1980. The Commission's address is: 825 North Capitol Street, NE., Washington, D.C. 20426. The application

is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16330 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP80-350]

West Lake Arthur Distribution Co.; Application for Exemption

May 22, 1980.

Take notice that on May 2, 1980, West Lake Arthur Distribution Company (WLADC), Suite 3310, 1200 Milam, Houston, Texas 77002, filed in Docket No. CP80-350 an application pursuant to Section 1(c) of the Natural Gas Act for an order declaring WLADC exempt from the provisions of the Natural Gas Act and the rules and regulations issued thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

WLADC states that on April 28, 1980, pursuant to a corporate reorganization, Sugar Bowl Gas Corporation (Sugar Bowl) transferred to its affiliate, WLADC, a six-inch natural gas pipeline previously owned and operated by it, the transferred pipeline commencing at the Chico B delivery point on the pipeline of Michigan Wisconsin Pipe Line Company (Mich-Wisc), St. Mary Parish, Louisiana, and extending to the Teche Station generating plant of Central Louisiana Electric Company (CLECO), which plant is located at Baldwin, also in St. Mary Parish, Louisiana, where the gas is wholly consumed. Thus, it is asserted, none of the gas received by WLADC moves out of the State of Louisiana. WLADC states that the operation by Sugar Bowl of the pipeline segment here involved had been exempted from Commission jurisdiction pursuant to Section 1(c) of the Natural Gas Act in Docket Nos. CP68-203 and CP68-204.

On April 28, 1980, the Department of Natural Resources, Office of Conservation, for the State of Louisiana certified, it is asserted, that the natural gas rates, service, and facilities of WLADC are subject to its regulatory jurisdiction, and that it is exercising that jurisdiction.

WLADC asserts that the requirements of Section 1(c) have been fully satisfied here and, therefore, requests that the Commission grant its application for exemption pursuant to Section 1(c) of the Natural Gas Act.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 16, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16331 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ID-1598]

Willis S. White; Filing

May 22, 1980.

The filing Company submits the following:

Take notice on March 20, 1980, Willis S. White (Applicant) filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Chairman of the Board and Director, Appalachian Power Company, Electric Utility.
President and Director, Beech Bottom Power Company, Electric Utility.
President and Director, Cardinal Operating Company, Electric Utility.
President and Director, Indiana-Kentucky Electric Corporation, Electric Utility.
Chairman of the Board and Director, Indiana and Michigan Electric Company, Electric Utility.
President and Director, Kanawha Valley Power Company, Electric Utility.
Chairman of the Board and Director, Kentucky Power Company, Electric Utility.
Chairman of the Board and Director, Kingsport Power Company, Electric Utility.
Chairman of the Board and Director, Michigan Power Company, Electric Utility.
Chairman of the Board and Director, Ohio Power Company, Electric Utility.
President and Director, Ohio-Valley Electric Company, Electric Utility.
Chairman of the Board and Director, Wheeling Electric Company, Electric Utility.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 20, 1980. 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 petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-16332 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-85-M

Office of Assistant Secretary for International Affairs

Proposed Subsequent Arrangement

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between the Governments of the United States of America and Sweden and the Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community.

The subsequent arrangement to be carried out under the above mentioned agreements involves approval of the following retransfer from Sweden to the United Kingdom (Windscale) for reprocessing:

RTD/EU(SW)-52, from Oskarshamn units 1 and 2, 272 fuel elements, containing 48,790 kilograms of uranium enriched to 0.931 percent U-235, and 395 kilograms of plutonium.

The Department of Energy has received a letter of assurance from the Government of Sweden that the recovered uranium and plutonium will not be transferred from the United Kingdom without the prior consent of the United States Government.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of the nuclear material will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice and after fifteen days of continuous session of the Congress, beginning the day after the date on which the reports required by Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), are submitted to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. The two time periods referred to above shall run concurrently.

Dated: May 23, 1980.

For the Department of Energy.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 80-16468 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Office of Hearings and Appeals

Notice of Cases Filed; Week of May 2, 1980 Through May 9, 1980

Notice is hereby given that during the week of May 2, 1980 through May 9, 1980 the appeals and applications for exception or other relief listed in the appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

May 19, 1980.

Date	Name and location of applicant	Case No.	Type of submission
May 2, 1980	A. O. Smith Oil Corp., Milwaukee, Wisconsin	BEE-1128 and BEL-1128.	Exception and Temporary Exception to Test Procedures. If granted: A. O. Smith Oil Corp. would receive an exception and a temporary exception from the provisions of 10 CFR 430 which would modify its test procedures requirements.
May 2, 1980	Ashland Oil, Inc., Ashland, Kentucky	BED-0052	Motion for Discovery. If granted: Discovery would be granted to Ashland Oil, Inc. in connection with the Statement of Objections submitted in response to the Proposed Decision and Order issued to the firm (Case No. BEE-0373).
May 2, 1980	Bloomingdale Service (Busley), Bloomingdale, Illinois.	BRW-0049	Proposed Remedial Order Finalization. If granted: The March 19, 1980 Proposed Remedial Order issued to Dave Busley, d/b/a Bloomingdale Service by the Central District of the Economic Regulatory Administration would be issued as a final Remedial Order.
May 2, 1980	Energy Cooperative, Inc., Rosemont, Illinois	BEE-1127; BEL-1127 and BES-1127.	Exception, Temporary Exception, and Stay from the Entitlements Program. If granted: Energy Cooperative, Inc. would receive an exception, and a temporary exception or a stay from the provisions of 10 CFR 211.67 which would modify its entitlements purchase obligations pending a final determination on its Application for Exception.
May 2, 1980	L. S. Riggins Oil Company, Washington, D.C.	BEE-1131	Allocation Exception. If granted: L. S. Riggins Oil Company would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
May 2, 1980	Ohio Independents for Survival, State of Ohio	BEX-0055	Supplemental Order. If granted: A Supplemental order would be issued to Ohio Independents for Survival which would rescind the May 1, 1980 Decision and Order issued to the firm by the Office of Hearings and Appeals (Case No. BEL-1075).
May 2, 1980	R. R. Morrison & Son, Inc., Vicksburg, Mississippi	BEA-0346	Appeal of an Assignment Order. If granted: The February 8, 1980 Assignment Order issued by the Office of Petroleum Operations, Economic Regulatory Administration, Region IV, regarding an Assignment of base period volume and supplier for an R. R. Morrison & Son., Inc. outlet, would be rescinded.
May 5, 1980	Marathon Oil Company, Washington, D.C.	BMR-0042	Modification and Rescission. If granted: The March 6, 1980, Decision and Order issued to Delta Petroleum Corporation (Case No. DEE-2369) would be modified regarding Marathon Oil Company's supply obligations to the firm for the period of November, 1979 through October, 1980.
May 5, 1980	Southern Bell Telephone and Telegraph, Ft. Lauderdale, Florida.	BEN-0036	Interim Order. If Granted: Southern Bell Telephone and Telegraph would receive exception relief on an interim basis pending a final determination on its Applications for Exception (Case Nos. DEE-8328 and DEL-0002).
May 6, 1980	Combo Furnace Company, Grand Rapids, Minnesota.	BEE-1113	Exception from Test Procedures. If Granted: Combo Furnace Company would receive an exception from the provisions of 10 CFR 430 which would modify the firm's test procedures requirements.
May 6, 1980	Gladieux Refinery, Inc., Washington, D.C.	BEE-1133 and BEL-1133.	Exception to the Buy/Sell Program. If Granted: Gladieux Refinery, Inc. would receive an exception and temporary exception from the provisions of 10 CFR 211.65, 10 CFR 212.94, and the "Special Rule No. 2 which would modify its Buy/Sell obligations for the months of April, May and June 1980 and would allow the firm to receive the crude oil at a price not exceeding the refiner-seller's weighted average per barrel cost of all crude oil, imported and domestic.
May 6, 1980	Mobile Oil Corporation, Scarsdale, New York	BEA-0345	Appeal of Assignment Order. If Granted: The March 13, 1980, Assignment Order would be rescinded, and Mobil Oil Corporation's supply obligations to Cantro Petroleum Corporation would be modified.
May 7, 1980	General Energy Company, Inc., Washington, D.C.	BFA-0349	Appeal of Freedom of Information Request Denial. If granted: The April 9, 1980, Information Request Denial issued by the Southwest District Enforcement Office would be rescinded and General Energy Company, Inc. would receive access to the workpapers of the Department of Energy Auditors.
May 7, 1980	Marathon Oil Company, Findlay, Ohio	BEA-0347	Appeal of an Assignment Order. If granted: The December 6, 1980 Assignment Order (amended April 12, 1980) issued by the Economic Regulatory Administration, Region IV, regarding Marathon Oil Company's supply obligations to Delta Petroleum Corp. would be rescinded.
May 7, 1980	Seaview Petroleum, Inc., Blue Bell, Pennsylvania	BEA-0348	Appeal of the Entitlements Notice. If granted: The January 1980 Entitlements Notice would be modified with respect to Seaview Petroleum, Inc.'s entitlements purchase obligations.
May 7, 1980	Texas City Refining, Inc., Texas City, Texas	BEA-0350	Appeal of the Entitlements Notice. If granted: The January 1980 Entitlements Notice would be modified with respect to Texas City Refining, Inc.'s entitlement purchase obligations.
May 7, 1980	Tucson Electric Power Company, Tucson, Arizona	BED-0852	Motion for Discovery. If granted: Discovery would be granted to Tucson Electric Power Company in connection with the Statement of Obligations submitted in response to the Proposed Decision and Order issued to Tucson Electric Power Company (Case No. BEO-0852).
May 8, 1980	Huntway Refining Company, Encino, California	BEX-0057	Supplemental Order. If granted: The May 1980 Entitlements Notice would be stayed with respect to Huntway Refining Company's entitlements purchase obligations.
May 8, 1980	J & J Enterprises, Pittsburgh, Pennsylvania	BEE-1134	Exception to the Reporting Requirements. If granted: J & J Enterprises would not be required to file Form EIA-23 Part 2, Item 6.0 ("the net successful gas well footage").
May 8, 1980	Ohio Independents for Survival, Cleveland, Ohio	BED-0055 and BEJ-0086.	Motion for Discovery, Motion for Protective Order. If granted: Discovery would be granted to Ohio Independents for Survival (OIS) and OIS would enter into a Protective Order with Standard Oil Company of Ohio (Sohio) regarding the release of propriety information to OIS from Sohio in connection with the Application for Exception filed by OIS (Case No. BEE-1075).

Date	Name and location of applicant	Case No.	Type of submission
May 9, 1980	Chevron, U.S.A., Inc., Washington, D.C	BED-0056	Motion for Discovery. If granted: Discovery would be granted to Chevron U.S.A., Inc. in connection with the Application for Exception by Phillips Petroleum Company (Case No. DEE-5113).
May 9, 1980	SSM Oil & Gas Producers, Monroe, California	BEE-1137	Price Exception. If granted: SSM Oil & Gas Producers would be permitted to sell, retroactive through October 1, 1979, the crude oil produced from the Myrtle Hubbard Lease located in Richland Parish, Louisiana at stripper well prices.

List of Cases Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline

Week of May 2, 1980 Through May 9, 1980

If granted: The following firms would be granted relief which would increase their base period allocation of motor gasoline:

Name, Case Number, Date, and State

Harry Murray, BEE-1132, 5/6/80, Georgia.
Brown's Interstate Service, BEE-1129, 5/2/80, Ohio.
Granite State Nurseneo, BEE-1135, 5/7/80, New Hampshire.
Withrow Tractor Co., BEE-1136, 5/6/80, Washington.

Notices of Objection Received

[Week of May 2, 1980 to May 9, 1980]

Date	Name and location of applicant	Case number
5/6/80	Carlos Chevron Service, Glendale, California.	DEE-7676
5/6/80	John B. Walker Texaco, Inc., Jackson, Mississippi.	BEE-0388
5/7/80	Chevy Chase Exxon, Chevy Chase, Maryland.	BEE-0346
5/5/80	Schaeffer Oil Company, Winner, South Dakota.	BEE-0326
5/7/80	Amendt Oil Company, Newport Beach, California.	DEE-3699
5/7/80	Adler, Ledoux Tire and Supply, Opelousas, Louisiana.	DEE-5964
5/7/80	Miley's Texaco Service, Oklahoma City, Oklahoma.	DEE-6791
5/8/80	JSL, Inc., Washington, D.C	DEE-4063
5/7/80	Ashland Oil, Inc., Ashland, Kentucky	BEO-1180
5/8/80	Cedar Stock Resort, Lewiston, California.	DEE-7189
5/6/80	Main Street Automotive, Boston, Massachusetts.	DEE-6828

[FR Doc. 80-16196 Filed 5-28-80; 8:45 am]
BILLING CODE 6450-01-M

Issuance of Proposed Decisions and Orders; April 21 Through April 25, 1980

Notice is hereby given that during the period April 21 through April 25, 1980, the Proposed Decisions and Orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to Applications for Exception.

Under the procedures governing the filing and consideration of exception applications (10 CFR, Part 205, Subpart D), any person who will be aggrieved by the issuance of a Proposed Decision and Order in final form may file a written Notice of Objection within ten days of service. For purposes of those procedural regulations, the date of service of notice will be deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. The procedural regulations also specify that if a Notice of Objection is not received from an aggrieved party within the time period specified in the regulations, the party will be deemed to consent to the issuance of the Proposed Decision and Order in final form. Any aggrieved party that wishes to contest any finding of conclusion contained in a Proposed Decision and Order must also file a detailed Statement of Objections within 30 days of the date of service of the Proposed Decision and Order. In that Statement of Objections an aggrieved party must specify each issue of fact or law contained in the Proposed Decision and Order that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these Proposed Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

May 19, 1980.

Proposed Decision and Order

Kansas Marine Dealers Association, Beverly, Kansas; DEE-7849, motor gasoline

Kansas Marine Dealers Association (KMDA) filed an Application for Exception from the provisions of 10 CFR Part 212. The exception request, if granted, would permit members of the KMDA to increase their margins on the sale of motor gasoline above the 16.1 cent margin currently allowed by the regulations. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order that would deny the exception request.

Putnam Fuels, Incorporated, North Bergen, New Jersey; BEE-0569, gasohol

Putnam Fuels, Inc. filed an Application for Exception from the provisions of 10 CFR Part 211. The exception, if granted, would permit Putnam to purchase quantities of unleaded gasoline in excess of its base period allocation in order to expand its gasohol marketing operations. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order that would deny the exception request.

San Joaquin Refining Company, Newport Beach, California; DEX-0101, crude oil

In accordance with previous Orders issued to San Joaquin Refining Company granting the firm exception relief from the provisions of 10 CFR 211.67 (the Entitlements Program), the firm submitted actual financial data for its 1978 fiscal year. On April 23, 1980, after reviewing the level of exception relief granted to San Joaquin under the applicable standards, the DOE issued a Proposed Decision and Order in which it ordered that San Joaquin purchase $1,802,552 of entitlements.

Schaeffer Oil Company, Winner, South Dakota; BEE-0326, gasohol

The Schaeffer Oil Company filed an Application for Exception from the provisions of 10 CFR Part 211. The exception, if granted, would increase the firm's allocation of unleaded motor gasoline so that it could blend and sell gasohol. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order that would deny the exception request.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders that would grant the exception requests.

Company Name, Case Number, and Location

Auto Row Texaco, DXE-8233, San Jose, CA.
Estrellita Estates Co., DEE-7389, Weaverville, CA.
Recreation Plus, Inc., DEE-7164, Trinity Center, CA.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders that would deny the exception requests.

Company Name, Case Number, and Location

Adler Ledoux Tire & Supply, Inc., DEE-5964, Opelousas, LA.
Amendt Oil Co., DEE-3699, San Bernadino, CA.
Carlos Chevron Service, DEE-7676, Glendale, CA.
Cedar Stock Resort, DEE-7189, Lewiston, CA.

Chevy Chase Exxon, BEE–0346, Chevy Chase, MD.
Fairview Marina, DEE–7384, Lewiston, CA.
John B. Walker Texaco, BEE–0388, Jackson, MS.
L. M. Petroleum Co., BEE–0374, Trumbull, CT.
Los Osos Petroleum Products, DEE–6376, Los Osos, CA
Miley's Texaco Service, DEE–6791, Oklahoma, City, OK.
Montgomery Oil Co., DEE–4299, Santa Monica, CA.
Tyler Texaco Station, DEE–5826, Hollister, CA.
Walker Oil Co., Inc., DEE–6090, Kansas City, KS.

[FR Doc. 80-16195 Filed 5-28-80; 8:45 am]
BILLING CODE 6450-01-M

Cases Filed; Week of April 25 Through May 2, 1980

Notice is hereby given that during the week of April 25, 1980 through May 2, 1980 the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Melvin Goldstein,
Director, Office of Hearings and Appeals.
May 22, 1980.

List of Cases Received by the Office of Hearings and Appeals

[Week of Apr. 25 through May 2, 1980]

Date	Name and location of applicant	Case No.	Type of submission
Apr. 25, 1980	Highway Oil Company, Topeka, KS	BEX-0052	Order to Show Cause. If granted: A supplemental order would be issued to Highway Oil Company which would revoke the relief granted to the firm in the decision and order issued on December 10, 1979 (Case No. DEE-6872).
Apr. 28, 1980	American Gas Association, Arlington, VA	BFA-0339	Appeal of an Information Request Denial. If granted: The April 7, 1980, Information Request Denial issued by the Energy Information Administration would be rescinded and American Gas Association would receive access to price and volume data collected from the EIA-194 "Monthly Alternate Fuel/Incremental Price Monitoring Report" for the months of October, November, and December 1979.
Apr. 28, 1980	Atlantic Richfield, *et al.*, Washington, DC	BRR-0036 thru BRR-0041.	Request for Modification/Rescission. If granted: The January 25, 1980, Decision and Order (Case No. BRZ-0015 thru BRZ-0021) issued to Atlantic Richfield, Gulf Oil Co., and Gulf Exploration and Production Co., Marathon Oil Company, Standard Oil Co. of California and Chevron USA Inc., Standard Oil Co. of Ohio, and Texaco Inc., would be modified or rescinded.
Apr. 28, 1980	Belvia Stokely, Chantilly, VA	BRW-0048	Proposed Remedial Order Finalization. If granted: The November 15, 1979, Proposed Remedial Order issued to Belvia Stokely by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Benson-Montin-Greer Drilling Corp., Farmington, NM.	BEE-1118	Price Exception (Section 212.73). If granted: Benson-Montin-Greer Drilling Corporation would be permitted to sell the crude oil produced from the East Puerto Chiquito Mancos Unit located in Rio Arriba County, New Mexico, at stripper well prices.
Apr. 28, 1980	Bracewell & Patterson, Washington, DC	BFA-0340	Appeal of an Information Request Denial. If granted: The March 31, 1980, Information Request Denial issued by the Department of Energy would be rescinded and Bracewell & Patterson would receive access to certain DOE information.
Apr. 28, 1980	Byrd & Richardson Corp., Hampton, VA	BRW-0042	Proposed Remedial Order. If granted: The November 20, 1979, Proposed Remedial Order issued to Byrd & Richardson, Corp. by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Delbert Frye, Winchester, VA	BRW-0043	Proposed Remedial Order. If granted: The November 20, 1979, Proposed Remedial Order issued to Delbert Frye by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Dr. Hooper Oil & Royalty Company, Conroe, TX	BEE-1116	Price Exception (Section 212.73). If granted: Dr. Hooper Oil & Royalty Company would be permitted to sell the crude oil produced from the W. P. McComb Lease located in Montgomery County, Texas, at market prices.
Apr. 28, 1980	Harrison's Union 76, Hampton, Va	BRW-0044	Proposed Remedial Order. If granted: The November 18, 1979, Proposed Remedial Order issued to Harrison's Union 76 by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Hillcrest Exxon, Johnson City, TN	BRW-0045	Proposed Remedial Order. If granted: The November 5, 1979, Proposed Remedial Order issued to Hillcrest Exxon by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Mobil Oil Corporation, Washington, DC	BED-0294	Motion for Discovery. If granted: Discovery would be granted to Mobil Oil Corp. in connection with the Application for Exception (Case No. BEE-0294) filed by Automatic Comfort Corporation.
Apr. 28, 1980	Pioneer Exxon, Johnson City, TN	BRW-0046	Proposed Remedial Order. If granted: The November 5, 1979, Proposed Remedial Order issued to Pioneer Exxon by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Rural Legal Services of Tennessee, Incorporated, Oak Ridge, TN.	BFA-0338	Appeal of an Information Request Denial. If granted: The April 1, 1980, Information Request Denial issued by the Department of Energy would be rescinded and Rural Legal Services of Tennessee, Inc., would receive access to certain DOE information.
Apr. 28,1980	State Line Exxon, Gate City, VA	BRW-0047	Proposed Remedial Order Finalization. If granted: The December 5, 1979, Proposed Remedial Order issued to State Line Exxon by the Southeast District of the Economic Regulatory Administration would be issued as a final Remedial Order.
Apr. 28, 1980	Mid-America Refining Company	BEE-1117, BEL-1117.	Exception from the Entitlements Program. If granted: Mid-America Refining Company would receive an exception and a temporary exception from the provisions of 10 CFR 211.67, which would modify its entitlements purchase obligations.
Apr. 29, 1980	Cities Service Company, Tulsa, OK	BEA-0342	Appeal of an Assignment Order. If granted: The March 21, 1980, Assignment Order issued to Cities Service Company by the Economic Regulatory Administration, Region IVC, regarding Cities' supply obligation to Sexton Oil Company, Inc., would be rescinded.
Apr. 29, 1980	Farmer's Cooperative Oil Company, Hixton, MI	BEE-1119	Allocation Exception. If granted: The Farmer's Cooperative Oil Company would receive an exception from the provisions of 10 CFR Part 211, which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Apr. 29, 1980	Getty Refining and Marketing Co., Tulsa, OK	BEN-0028 thru BEN-0033.	Interim Order. If granted: The Getty Refining and Marketing Company would receive exception relief on an interim basis pending the final determination on its Applications for Exception (Case No. BEE-0621 thru 0626).

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Apr. 25 through May 2, 1980]

Date	Name and location of applicant	Case No.	Type of submission
Apr. 29, 1980	Hogan & Hartson, Washington, DC	BFA-0341	Appeal of an Information Request Denial. If granted: The March 31, 1980, Information Request Denial issued by the Office of General Counsel would be rescinded and Hogan & Hartson would receive access to DOE information concerning selling prices by crude oil resellers.
Apr. 30, 1980	Gary Energy Corporation, Englewood, CO	BEA-0343, BES-0343.	Request for Stay Appeal of Entitlements Notice. If granted: The February 1980 Entitlements Notice would be modified with respect to Gary Energy Corporation's entitlements purchase obligations. The firm would receive a stay pending a final determination on its Appeal.
Apr. 30, 1980	Hillcrest Beverly Oil Co., Los Angeles County, CA	BEE-1122, BEE-1125.	Price Exception. If granted: Hillcrest Beverly Oil Company would be permitted to sell the crude oil produced from the Olympic and Beverly Hills Leases located in Los Angeles County, CA, at the upper tier ceiling prices.
Apr. 30, 1980	Sexton Oil Company, Wartburg, TN	BEN-0035	Interim Order. If granted: Sexton Oil would receive exception relief on an interim basis pending a final determination on its Application for Exception (Case No. BEE-1068).
Apr. 30, 1980	Standard Oil Company of Ohio, Cleveland, OH	BEE-1123	Price Exception If granted: Standard Oil Company of Ohio would receive an exception from the provisions of 10 CFR 212.83 that would permit the firm to exclude the volume of CO_2 that it sells from its calculations of increased costs allocable to covered products.
May 1, 1980	Derby Refining/Coastal Corporation, Houston, TX	BEE-1130	Price Exception (212.83). If granted: Derby Refining/Coastal Corporation would receive an exception from the provisions of 10 CFR 212.83 which would permit the firm to pass through incremental expenses relating to the blending, storage, distribution and marketing of gasohol.
May 1, 1980	Hobart Corporation, Troy, OH	BES-0039	Request for Stay If granted: Hobart Corp. would receive a Stay of the provisions of 10 CFR Part 430 pending a final determination on its Application for Exception (Case No. DEE-4459).
May 1, 1980	Mobil Oil Corporation, Washington, DC	BEA-0344, BES-0344.	Appeal of Allocation Notices. If granted: The Economic Regulatory Administration's March 31 and April 18, 1980, Allocation Notices would be modified with respect to the requirements applying to Ashland Oil, Inc., and Koch Refining Company. Mobil would receive a stay of the Allocation Notices pending a final determination on the Appeal.
May 2, 1980	Buccaneer Boats, St. James City, FL	BEX-0053	Supplemental Order If granted: A supplemental order would be issued to Buccaneer Boats which would modify the Decision and Order issued to the firm (BEO-0254).
May 2, 1980	Marathon Oil Company, Morristown, TN	BEX-0054	Supplemental Order. If granted: The April 17, 1980, Decision and Order (Case No. BEA-0299), issued to Marathon Oil Company, would be rescinded and the February 19, 1980, Order issued by the Economic Regulatory Administration, Region IV, would be reinstated.
May 2, 1980	McBay Oil and Gas Co., Dallas, TX	BEE-1126, BEL-1126.	Price Exception and Temporary Exception. If granted: McBay Oil and Gas Company would be permitted to sell the crude oil produced from the well located in Lake County, California, at market prices. The firm would receive a temporary exception pending a final determination on its application for exception.

List of Cases Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline

If granted: The following firms would be granted relief which would increase their base period allocation of motor gasoline.

[Week of 4/25/80 through 5/2/80]

Name	Case No. and date	State
Parkway Mobil Service	BEE-1115, Apr. 28, 1980.	New Jersey.
Energy Development Board of Mercer Co.	BEE-1121, Apr. 29, 1980.	North Dakota.
Hollypark Car Wash	BEE-1120, Apr. 29, 1980.	California.
David Douglas Public Schools.	BEE-1124, Apr. 29, 1980.	Oregon.

Notices of Objection Received

[Week of 4/25/80 to 5/2/80]

Date	Name and location of applicant	Case No.
4/28/80	Cities Service Co. Tulsa, OK	DEE-7788
4/29/80	Getty Refining and Marketing Tulsa, OK	DEE-2098
4/29/80	John Lynn (Texaco Super Service) Lexington, VA	DEE-5778
4/28/80	R. L. Jordan Oil Co., Inc. Spartanburg, S.C	DEE-8133
4/30/80	Army & Air Force Exchange Dallas, TX	DEE-4771
4/25/80	Bi-Rite Petroleum, Limited St. Louis, Mo	BEO-1174
5/1/80	San Joaquin Refining Co. Newport Beach, CA	DEX-0101

[FR Doc. 80-16349 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Issuance of Proposed Decisions and Orders; April 21 Through April 25, 1980

Notice is hereby given that during the period April 21 through April 25, 1980, the Proposed Decisions and Orders which are summarizd below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to Applications for Exception which had been filed with that Office.

Under the procedures which govern the filing and consideration of exception applications (10 CFR, Part 205, Subpart D), any person who will be aggrieved by the issuance of the Proposed Decision and Order in final form may file a written Notice of Objection within ten days of service. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this Notice (May 29, 1980) or the date of receipt by an aggrieved person of actual notice, whichever occurs first. The applicable procedures also specify that if a Notice of Objection is not received from any aggrieved party within the time period specified in the regulations, the party will be deemed to consent to the issuance of the Proposed Decision and Order in final form. Any aggrieved party that wishes to contest any finding or conclusion contained in the a Proposed Decision and Order must also file a detailed Statement of Objections within 30 days of the date of service of the Proposed Decision and Order. In that Statement of Objections an aggrieved party must specify each issue of fact or law contained in the Proposed Decision and Order which it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these Proposed Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, NW, Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

May 22, 1980.

Proposed Decision and Order

Kansas Marine Dealers Association, Beverly, Kans., DEE-7849, motor gasoline

Kansas Marine Dealers Association (KMDA) filed an Application for Exception from the provisions of 10 CFR Part 212. The

exception request, if granted, would permit members of KMDA to increase their margins on the sale of motor gasoline above the 16.1 cent margin currently allowed by the Regulations. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order in which it determined that the exception request be denied.

Putnam Fuels Inc., North Bergen, N.J., BEE–0569, gasohol.

Putnam Fuels, Inc. filed an Application for exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit Putanm to purchase additional unleaded gasoline in excess of its base period allocation in order to expand its gasohol marketing operations. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order in which it determined that the exception request be denied.

San Joaquin Refining Co., Newport-Beach, Calif., DEX–0101, crude oil.

In accordance with Decisions and Orders issued to San Joaquin Refining Company which granted the firm exception relief from the provisions of 10 CFR 211.67 (the Entitlements Program), the firm submitted actual financial data for its 1978 fiscal year. After reviewing the level of exception relief granted to San Joaquin under the applicable standards, the DOE issued a Proposed Decision and Order in which it determined that San Joaquin should purchase $1,802,552 of entitlements.

Schaeffer Oil Co., Winner, S. Dak., BEE–0326, gasohol.

The Schaeffer Oil Company filed an Application for exception from the provisions of 10 CFR Part 211. The exception request, if granted, would increase the firm's allocation of unleaded motor gasoline so that it could blend and sell gasohol. On April 23, 1980, the Department of Energy issued a Proposed Decision and Order in which it determined that the exception request be denied.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be granted.

Company Name, Case Number, and Location

Auto Row Texaco, DXE–8233, San Jose, CA
Estrellita Estates Co., DEE–7398, Weaverville, CA
Recreation Plus, Inc., DEE–7164, Trinity Center, CA

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be denied.

Company Name, Case Number, and Location

Adler Ledoux Tire & Supply, Inc., DEE–5964, Opelousas, LA
Amendt Oil Co., DEE–3699, San Bernadino, CA
Carlos Chevron Service, DEE–7676, Glendale, CA
Cedar Stock Resort, DEE–7189, Lewiston, CA
Chevy Chase Exxon, BEE–0346, Chevy Chase, MD
Fairview Marina, DEE–7384, Lewiston, CA
John B. Walker Texaco, BEE–0388, Jackson, MS
L. M. Petroleum Co., BEE–0374, Trumbull, CT
Los Osos Petroleum Products, DEE–6376, Los Osos, CA
Miley's Texaco Service, DEE–6791, Okla City, OK
Montgomery Oil Co., DEE–4299, Santa Monica, CA
Tyler Texaco Station, DEE–5826, Hollister, CA
Walker Oil Co., Inc., DEE–6090, Kansas City, KS

[FR Doc. 80–16348 Filed 5–28–80; 8:45 am]
BILLING CODE 6450–01–M

Issuance of Proposed Decisions and Orders; April 28 through May 2, 1980

Notice is hereby given that during the period April 28 through May 2, 1980, the Proposed Decisions and Orders which are summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to Applications for Exception which has been filed with that Office.

Under the procedures which govern the filing and consideration of exception applications (10 CFR, Part 205, Subpart D), any person who will be aggrieved by the issuance of the Proposed Decision and Order in final form may file a written Notice of Objection within ten days of service. For purposes of those regulations with the date of service of notice shall be deemed to be the date of publication of this Notice (May 29, 1980) or the date of receipt by an aggrieved person of actual notice, whichever occurs first. The applicable procedures also specify that if a Notice of Objection is not received from any aggrieved party within the time period specified in the regulations, the party will be deemed to consent to the issuance of the Proposed Decision and Order in final form. Any aggrieved party that wishes to contest any finding or conclusion contained in a Proposed Decision and Order must also file a detailed Statement of Objections within 30 days of the date of service of the proposed Decision and Order. In that Statement of Objections an aggrieved party must specify each issue of fact or law contained in the Proposed Decision and Order which it intends to contest in any futher proceeding involving the exception matter.

Copies of the full text of these Proposed Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B–120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.d.t., except federal holidays.

May 22, 1980

Melvin Goldstein,

Director, Office of Hearings and Appeals.

Proposed Decision and Order

Cia. Petrolera Del Caribe, Incorporated, San Sebastian, Puerto Rico, Dee–4214, Motor gasoline

Cia. Petrolera del Caribe, Inc. (Caribe) filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit caribe to receive its base period allocation of motor gasoline from a lower-priced supplier. On April 29, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted in part.

Capital Energy Corporation, Denver, Colo., BEE–0833, crude oil

Capital Energy Corporaiton filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart C. The exception request, if granted, would permit the firm to classify the crude oil produced from its A. M. Bogart Lease located in Harris County, Texas, as "heavy crude oil" which would in turn be eligible for sale at market price levels. On April 29, 1980, the DOE issued a Proposed Decision and Order and tentatively determined that exception relief should be denied.

Dearborn Stove Company, Dallas, Tex., BEE–0883, test procedures

Dearborn Stove Company filed an Application for Exception from the provisions of 10 CFR Part 430. The exception request, if granted would relieve Dearborn of the requirement that it test, its vented, gas-fired space heaters equipped with manual and modulating controls in accordance with the procedures specified in Part 430, Appendix O. On April 30, 1980, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that the Dearborn Application for Exception be granted.

Texas Gas Exploration Corporation, Houston, Tex., DEE–2118, natural gas liquids, propane

Texas Gas Exploration Corporation (Exploration) filed an Application for Exception from the provisions of 10 CFR § 212.167(b). The firm's request, if granted, would permit Exploration to impute a May 1973 cost of propane purchased for resale and a May 1973 cost of the propane content of natural gas liquids. On April 28, 1980, the Department of Energy issued a Proposed Decision and Order in which it tentatively

determined that Exploration's exception request should be granted in part.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be granted.

Company Name, Case Number, and Location

Passport Marina, DEE–5885, Panama City Beach, Fl

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocations of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be denied.

Company Name, Case Number, and Location

JSL, Inc., DEE–4063, Silver Spring, MD
McDowell Oil Co., DEE–7080, Spruce Pine, NC
Mt. Vernon Sunoco, DEE–5206, Alexandria, VA
Nat'l Car Rental Syst., DEE–7848, Warren, PA
Petrolics, Inc., BEE–0266, Austin, TX
Red Bluff Mobil, BXE–0283, Pasadena, TX
Seaway Arco, DEE–8100, Cleveland, OH
Summer Avenue 66 Station, DEE–6976, Memphis, TN
Super Truck Rental Corp., DEE–6800, Jericho, L.I., NY
The W. Gordon Smith Co., DEE–6658, Eden Prairie, MN

[FR Doc. 80–16347 Filed 5–28–80; 8:45 am]
BILLING CODE 6450–01–M

Issuance of Proposed Decisions and Orders; May 12 Through May 16, 1980

Notice is hereby given that during the period May 12 through May 16, 1980, the Proposed Decisions and Orders which are summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to Applications for Exception which had been filed with that Office.

Under the procedures which govern the filing and consideration of exception applications (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of the Proposed Decision and Order in final form may file a written Notice of Objection within ten days of service. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publications of this Notice May 29, 1980 or the date of receipt by an aggrieved person of actual notice, whichever occurs first. The applicable procedures also specify that if a Notice of Objection is not received from any aggrieved party within the time period specified in the regulations, the party will be deemed to consent to the issuance of the Proposed Decision and Order in final form. Any aggrieved party that wishes to contest any finding or conclusion contained in a Proposed Decision and Order must also file a detailed Statement of Objections within 30 days of the date of service of the Proposed Decision and Order. In that Statement of Objections an aggrieved party must specify each issue of fact or law contained in the Proposed Decision and Order which it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these Proposed Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B–120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.d.t., except federal holidays.

Dated: May 22, 1980.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

Chalfant Oil Company, Aurora, Missouri, Gasohol, BEE–0458

Chalfant Oil Company filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit Chalfant to purchase 40,000 gallons of unleaded gasoline per month in addition to its base period allocation in order to expand its gasohol marketing program. On May 15, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted in part, and that Chalfant's base period allocation of unleaded gasoline be increased by 4,000 gallons per month.

City of Long Beach, California, Long Beach, California, crude oil, BXE–0980

The City of Long Beach, California filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D. The exception request, if granted, would result in an extension of exception relief previously granted and would permit the firm to sell a certain portion of the crude oil which it produces from the Fault Block III Unit for the benefit of the working interest owners at upper tier ceiling prices. On May 15, 1980, the DOE issued a Proposed Decision and Order and tentatively determined that an extension of exception relief should be granted.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be denied.

Company Name, Case Number, and Location

Dunston Enterprises, Inc., DEE–7236, Falls Church, VA
Embry Hills Chevron, DEE–3240, Chamblee, GA
Louk Oil Co., DEE–3514, Topeka, KS
Manor 66, DEE–6664, Rockville, MD
Montclair Service Station, DEE–3965, North Quincy, MA
Ramrod Auto Clinic, DEE–3613, Summerland Key, FL
RPN, Inc., DEE–4063, Rockville, MD
Town Line Service, DEE–7116, North Andover, MA
Whitie's Alliance Serv., DEE–3754, Sebastopol, CA

[FR Doc. 80–16352 Filed 5–28–80; 8:45 am]
BILLING CODE 6450–01–M

Objection To Proposed Remedial Orders Filed; Week of March 31 Through April 4, 1980

Notice is hereby given that during the week of March 31 through April 4, 1980, the Notices of Objection to Proposed Remedial Orders listed in the Appendix to this notice were filed with the Office of Hearings and Appeals of the Department of Energy.

On or before June 18, 1980, any person who wishes to participate in the proceeding which the Department of Energy will conduct concerning the Proposed Remedial Orders described in the Appendix to this notice must file a request to participate pursuant to 10 CFR 205.194 (44 FR 7926, February 7, 1979). Within 30 days of the publication of this notice, the Office of Hearings and Appeals will determine those persons who may participate on an active basis in this proceeding, and will prepare an official service list which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown. All requests regarding this proceeding shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Issued in Washington, D.C.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

May 22, 1980.

Conoco, Inc., Stamford, CT, BRO–1153

On March 31, 1980, Conoco, Inc., which is headquartered at High Ridge Park, Stamford, Connecticut 06904, filed a Notice of Objection to a Proposed Order of Disallowance which the DOE Special Counsel for Compliance issued to the firm on February 20, 1980. In the

POD the Special Counsel for Compliance found that during October 1973 through May 1975, Conoco overstated its costs with respect to interaffiliate imported Libyan, Venezuelan and Iranian crude oil transactions by approximately $4.1 million.

According to the POD the Conoco violation resulted in $4,153,114.90 of overcharges.

Dave Clark Chevron, Flagstaff, AZ, BRO–1155

On April 2, 1980, Dave Clark Chevron, 1600 E. Santa Fe, Flagstaff, Arizona 86011, filed a Notice of Objection to a proposed Remedial Order which the DOE Western District of Enforcement issued to the firm on March 14, 1980. In the PRO the Western District found that during August 1, 1979 to January 31, 1980, Dave Clark Chevron overcharged retail purchasers of motor gasoline.

According to the PRO the Dave Clark Chevron violation resulted in $3,855.64 of overcharges.

Mobil Oil Corp., New York, N.Y., BRO–1148

On March 31, 1980, Mobil Oil Corporation, 150 East 42nd Street, New York, New York, filed a notice of Objection to a Proposed Order of Disallowance which the DOE Office of Special Counsel issued to the firm on February 20, 1980. In the Proposed Order of Disallowance the Office of Special Counsel found that during the period October 1973 through May 1975, Mobil had overstated its costs with respect to interaffiliate imported Libyan, Venezuelan and Nigerian crude oil transactions in violation of 10 CFR 212.83(b) and 212.84.

According to the proposed Order of Disallowance the Mobil violation resulted in $14,085,000.61 of overcharges.

Noel T. Ouellette d.b.a. Spofford's Chevron, Lewistown, ME, BRO–1149

On April 1, 1980, Noel T. Quellette d.b.a. Spofford's Chevron, 210 Bartlett St., Lewistown, Maine 04240, filed a Notice of Objection to a proposed Remedial Order which the DOE Northeast District Office of Enforcement issued to the firm on March 19, 1980. In the PRO the Northesast District found that during the period August 1, 1979 to January 15, 1980, the firm charged more than the maximum lawful selling price for one or more grades of gasoline in violation of 10 CFR 212.93 and failed to properly post the maximum lawful selling price or a proper certification in violation of 10 CFR 212.129.

According to the PRO the Spofford's violation resulted in $2,864.34 of overcharges.

Sunset Boulevard Car Wash, Los Angeles, CA, BRO–1150

On April 1, 1980, Sunset Boulevard Car Wash, 7935 Sunset Boulevard, Los Angeles, California 90046, filed a Notice of Objection to a Proposed Remedial Order which the Los Angeles Audit Office of the DOE Western District of Enforcement issued to it on March 18, 1980. In the Proposed Remedial Order, the Los Angeles Audit Office found that during the audit period of August 1, 1979 through January 27, 1980, Sunset Boulevard Car Wash made retail sales of motor gasoline at prices which exceeded its maximum lawful selling prices (MLSPs) for those grades of gasoline, in violation of the price regulations contained in 10 CFR Part 212. According to the Proposed Remedial Order, these violations resulted in overcharges to the consuming public of $20,207.04.

[FR Doc. 80-16350 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

Objection to Proposed Remedial Orders Filed; Week of May 5 through May 9, 1980

Notice is hereby given that during the week of May 5 through May 9, 1980, the Notices of Objection to Proposed Remedial Orders listed in the Appendix to this Notice were filed with the Office of hearings and Appeals of the Department of Energy.

On or before June 18, 1980, any person who wishes to participate in the proceeding which the Department of Energy will conduct concerning the Proposed Remedial Orders described in the Appendix to this notice must file a request to participate pursuant to 10 CFR 205.194 (44 FR 7926, February 7, 1979). On or before June 30, 1980, the Office of Hearings and Appeals will determine those persons who may participate on an active basis in this proceeding, and will prepare an official service list which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown. All requests regarding this proceeding shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Issued in Washington, D.C. on May 22, 1980.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

Ayers Oil, Inc., Canton, Mo., Refined Produce, BRO–1176

On May 6, 1980, Ayers Oil Company, Inc., P.O. Box 229, Canton, Missouri 63435, filed a Notice of Objection to a Proposed Remedial Order which the Central Enforcement District of the DOE's Economic Regulatory Administration issued to it on April 8, 1980. In the Proposed Remedial Order, the Central Enforcement District found that during the audit period of November 1, 1973 through April 30, 1974, Ayers Oil Company sold motor gasoline, fuel oil, and diesel fuel at prices which exceeded its maximum lawful selling prices for those products in violation of 6 CFR 150.359 and 10 CFR 212.93(a). According to the Proposed Remedial Order, these violations resulted in overcharges to Ayers Oil Company customers totalling $253,856.55.

Bill Freer, d.b.a. B&M Texaco & Towing, Manteca, Calif., Motor Gasoline, BRO–1178

On May 6, 1980, Bill Breer d.b.a. B&M Texaco & Towing (Freer), Lathrop Road and Highway 99, Manteca, California 95336 filed a Notice of Objection to a Proposed Remedial Order which the DOE Western District Office of Enforcement issued to the firm on april 10, 1980.

In the PRO the Western District found that during ther period August 1, 1979 to September 30, 1979, Freer charged more than the maximum lawful selling price for motor gasoline in violation of § 212.93 of the DOE Mandatory Petroleum Price Regulations.

According to the PRO the Freer violation resulted in $2,966.68 of overcharges.

Windsor Gas Corp., Houston, Tex., BRO–1177

On May 6, 1980, the Windsor Gas Corporation located at 2300 Nells Esperson, Houston, Texas 77002, filed a Notice of Objection to a Proposed Remedial Order which the DOE Southwest District Office of Enforcement issued to the firm on March 25, 1980.

In the PRO the Southwest District found that during February 1, 1975 to December 31, 1977, Windsor sold gas well condensate at prices in excess of the upper tier ceiling price set forth in 10 CFR 212.74 and 212.77 and, in addition, sold crude oil at prices in excess of the ceiling price set forth in 10 CFR 212.73.

According to the PRO, the Windsor Gas Corporation violation resulted in $77,548.54 of overcharges.

Atlantic Richfield Co., Los Angeles, Calif. BRO–1179

On May 6, 1980, Atlantic Richfield Company, 515 S. Flower Street, AP 3077, Los Angeles, California 90071 filed a Notice of Objection to a Proposed Remedial Order which the DOE Pacific District Office of Special Counsel issued to the firm on April 25, 1980.

In the PRO the Pacific District found that since May 24, 1979, Atlantic Richfield Company has refused to supply all of the base period volume of Carl King Inc., in violation of 10 CFR 211.105(d).

[FR Doc. 80-16351 Filed 5-28-80; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1502-2]

Approval of Alternate Water Pollutant Testing Procedures; Total and Dissolved Zinc and Copper

In accordance with § 136.5, 40 CFR Part 136, "Guidelines for Test Procedures for the Analysis of Pollutants," the Hach Chemical Company applied for approval of alternate test procedures for the measurement of total and dissolved zinc and copper.

After a thorough review and evaluation by the United States Environmental Protection Agency (EPA) of the results of comparability testing studies and other information submitted by the applicant in accordance with § 136.5, the EPA has designated the Hach procedures as approved alternate test procedures for nationwide use. All information submitted by the applicant

is on file and available for public inspection, to the extent consistent with 40 CFR Part 2 (EPA's regulation implementing the Freedom of Information Act), at the Environmental Monitoring and Support Laboratory, 26 West St. Clair Street, Cincinnati, Ohio 45268.

As approved alternate test procedures, the Hach procedures are acceptable for use by any person required to use approved procedures under § 304(h) of the Clean Water Act Amendments of 1977. For such use, the procedures must be used in strict accordance with the method descriptions for copper: Bicinchoninate Method, Method 8506; and for zinc: Zincon Method, Method 8009. In making this approval, the EPA disassociates itself from any statements in the approved Hach Chemical Company procedures which do not specifically pertain to the determination of analytical equivalency.

The approved methods descriptions and prepackaged reagents are available from the Hach Chemical Company, Post Office Box 389, Loveland, Colorado 80537.

Dated: May 21, 1980.

Stephen J. Gage,

Assistant Administrator for Research and Development.

[FR Doc. 80-16224 Filed 5-28-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL MARITIME COMMISSION

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for review and approval, if required, pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Stret, NW., Room 10423; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before June 9, 1980. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Agreement No. 10386-2.

Filing party: Jorge Luis Wachter, Executive Administrator, Conferencia Interamericana de Fletes—Seccion "B", Lavalle 381-8° Piso (1047), Buenos Aires, Argentina.

Summary: Agreement No. 10386-2 is a proposal by the parties to the Argentina/U.S. Atlantic Northbound Pooling Agreement to redefine the specific shares allotted to each party, through December 31, 1983. A/S Ivarans Rederi (Ivarans) was not a signatory to proposed Agreement No. 10386, and its pool share was reserved for it but temporarily allocated to the national and non-national lines on a *pro-rata* basis under proposed Agreement No. 10386-1. Ivarans is a signatory to Agreement No. 10386-2 and has been allotted a specific pool share. It is anticipated that Agreement No. 10386-1 will be withdrawn.

Dated: May 23, 1980.

By Order of the Federal Maritime Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-16258 Filed 5-28-80; 8:45 am]

BILLING CODE 6730-01-M

Security for the Protection of the Public Indemnification of Passengers for Nonperformance of Transportation; Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of Section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 C.F.R. Part 540):

Alaska Tour & Marketing Services, Inc., d.b.a. Explorer Cruise Lines, Suite 312, Park Place Building, Sixth and University Street, Seattle, Washington 98101.

Dated: May 22, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-16256 Filed 5-28-80; 8:45 am]

BILLING CODE 6730-01-M

Security for the Protection of the Public Indemnification of Passengers for Nonperformance of Transportation; Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of Section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 C.F.R. Part 540):

Eastern Steamship Lines, Inc. d.b.a. Western Cruise Lines, Pacific Cruise Lines, Inc., and Gotaas-Larsen Shipping Corporation, c/o Eastern Steamship Lines, Inc., 1220 Biscayne Boulevard, P.O. Box 010682, Miami, Florida 33101.

Dated: May 22, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-16257 Filed 5-28-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de nova* (or continue to engage in an activity earlier commenced *de nova*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or

at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than June 20, 1980.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President), 33 Liberty Street, New York, New York 10045:

The Chase Manhattan Corporation, New York, New York (commercial finance, factoring; Illinois, California): to engage through its wholly-owned subsidiary known as CCC Holding Inc., Newark, Delaware, in the following activities: making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance, equipment finance or factoring company, including factoring accounts receivable, making advances and over-advances on receivables and inventory and business installment lending as well as unsecured commercial loans; servicing loans and other extensions of credit; leasing on a full payout basis personal property or acting as agent, broker or adviser in leasing such property, including the leasing of motor vehicles. Such activities will be conducted by a wholly-owned subsidiary of CCC Holding Inc., Chase Commercial Corporation (CCC), a Delaware Corporation with its principal office located at 560 Sylvan Avenue, Englewood Cliffs, New Jersey 07632, through two *de novo* offices at the following locations: 1. Illinois: 9500 Sears Tower, Chicago, Illinois 60690; 2. California: 560 Mission, San Francisco, California 94105.

The activities of these offices will be coordinated with those of CCC and The Chase Manhattan Corporation as a whole in such a way as to support Chase's commitment to fulfill its obligations under the present program of voluntary credit restraint. Comments on this application must be received by June 16, 1980.

B. *Federal Reserve Bank of Richmond* (Lloyd W. Bostian, Jr., Vice President), 701 East Byrd Street, Richmond, Virginia 23261:

Maryland National Copporation, Baltimore, Maryland (insurance activities; Ohio and Pennsylvania): to engage through its subsidiary, Mid-Atlantic Life Insurance Company, in underwriting as a reinsurer credit life and credit accident and health insurance directly related to extensions of credit by subsidiaries of the Applicant located in Ohio and Pennsylvania. These activities would be conducted from an office in Baltimore, Maryland; and Phoenix, Arizona, serving Ohio and Pennsylvania.

C. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, May 22, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16229 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

Cross Financial Corp.; Proposed Retention of Medlin Insurance Agency

Cross Financial Corporation, Oberlin, Kansas, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to retain its general insurance agency.

Applicant states that the proposed subsidiary would engage in general insurance agency activities in a town of less than 5,000 persons. These activities would be performed from offices of Applicant's subsidiary in Oakley, Kansas, and the geographic area to be served is Oakley, Kansas and surrounding area. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 23, 1980.

Board of Governors of the Federal Reserve System, May 22, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16230 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

Las Vegas Bancorp.; Formation of Bank Holding Company

Las Vegas Bancorporation, Las Vegas, New Mexico, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Las Vegas Bank, Las Vegas, New Mexico, which is the successor by merger to The Bank of Las Vegas, Las Vegas, New Mexico. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S. C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 23, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, May 21, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16227 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

Marine Corp.; Acquisition of Bank

Marine Corporation, Milwaukee, Wisconsin, requested reconsideration of the Board's Order of March 26, 1980, whereby the Board of Governors denied the application of the Marine Corporation, Milwaukee, Wisconsin for prior approval to acquire 100 percent of the voting shares (less directors' qualifying shares) of First National Bank and Trust Company of Racine, Racine, Wisconsin ("Bank"), pursuant to section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)).

In accordance with the provisions of § 265.3 of the Board's Rules Regarding Delegation of Authority the Board considered the material submitted in Applicant's request for reconsideration and determined that reconsideration would be appropriate.

In connection with the Board's reconsideration of the proposed acquisition comments and views may be filed with the Board not later than June 13, 1980 and should be addressed to the Secretary, Board of Governors of the Federal reserve System, Washington, D.C. 20551. The application, as supplemented by Applicant's request for reconsideration, may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago.

Board of Governors of the Federal Reserve System, May 21, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16226 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

Roger Billings, Inc.; Proposed Acquisition of General Insurance Agency Assets

Roger Billings, Incorporated, Delphos, Kansas, has applied, pursuant to section 4(c)(8) of the Bank Holding company Act (12 U.S.C. 1843(c)(8)) and 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire the assets of The Billings Insurance Agency, Delphos, Kansas.

Applicant states that the proposed subsidiary would engage in the activities of selling insurance, with the exception of credit life, accident, and health insurance, to customers of Applicant's subsidiary, The State Bank of Delphos, Delphos, Kansas. These activities would be performed from offices of Applicant's subsidiary in Delphos, Kansas, and the geographic area to be served is a 10-mile radius from the city of Delphos, Kansas. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 18, 1980.

Board of Governors of the Federal Reserve System, May 22, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16340 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

United Whitley Corp.; Formation of Bank Holding Company

United Whitley Corp., Williamsburg, Kentucky, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 85.3 percent or more of the voting shares of Bank of Williamsburg, Williamsburg, Kentucky. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 23, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, May 21, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[FR Doc. 80-16228 Filed 5-28-80; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

White House Conference on Families

The White House Conference on Families was called by President Carter to, "examine the strengths of American families, the difficulties they face, and the ways in which family life is affected by public policies."

To fulfill the President's mandate, the Conference adopted a process that included seven national hearings attended by more than 4,000 persons; activities in virtually all the states and territories, participated in by more than 100,000 Americans; significant involvement of national organizations; and a National Research Forum.

The White House Conferences will be held in Baltimore, June 5–7; Minneapolis, June 19–21; and Los Angeles, July 10–12. Approximately 650 delegates will participate in each of the three Conferences to refine, discuss, and vote on Conference recommendations. They will include delegates elected/selected at the state level; at-large delegates; state coordinators; and members of the National Advisory Committee on the White House Conference on Families.

All delegates will have the same status at the Conferences, will be entitled to participate in the work of the Conference, and will be invited to all official Conference sessions.

Provision has been made for both invited official observers and observers from the general public to be part of the White House Conferences. Observers will be welcome at the sessions indicated below, will have no voice or voting privileges, and will be seated in designated areas. Due to severe space limitations in the Conference facilities, the number of observers at each session will be very limited.

All observers must receive credentials at the Registration Desk prior to attending any Conference sessions. Official observers may attend any session open to observers. Observers from the general public will be admitted to sessions on a rotation basis, with preference being given to those who have not yet observed a session. Admission tickets for public observers will be available at the Conference Registration Desk on a first-come, first-serve basis beginning one hour before the session is scheduled to start. (Registration for the opening session will begin at 12:00 Noon). Luncheon tickets may be purchased in the registration area.

The preliminary conference agenda is shown below. All sessions will be open to the public except those enclosed in brackets.

Thursday

9:00–5:00 Registration
2:00–3:00 Open Session: Jim Guy Tucker, Mayor William Donald Schaefer, President Carter, Slide Presentation
3:30–5:00 Topic Sessions (4): Presentations on Major Topics
5:00–7:00 Delegate Forum

7:30–9:30 Introduction to Workgroups

Friday

8:30–12:00 Work Group Sessions (20): Discussion and Decisions on Recommendations
12:15–2:30 Plenary Lunch: Speaker: George Gallup, Report on Gallup Poll on American Families
2:30–6:00 Topic Sessions (4): Review and Vote on Recommendations of Workgroups
6:00–7:30 Delegate Forum
[8:00 Special Event]

Saturday

[7:45–9:00 State Meetings]
[9:15–1:00 Plenary Session: Voting on Recommendations; Box Lunch]
[2:00–3:00 Election of National Task Force Members by State Delegations]
3:00–4:00 Closing Session

While the Conference agenda has not been finalized, significant changes are not anticipated. The final agenda will be published in the Register, and the sessions open to the public will be identified.

Further information may be obtained from the White House Conference on Families, 330 Independence Avenue, S.W., Washington, D.C. 20201; telephone (202) 245–6073.

Jim Guy Tucker,

Chairperson, White House Conference on Families.

[FR Doc. 80-16209 Filed 5-28-80; 8:45 am]

BILLING CODE 4110-12-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

Privacy Act of 1974; New System of Records

AGENCY: Department of Health, Education, and Welfare; Public Health Service.

ACTION: Notification of a system of records maintained by the Services Management Section, Administrative Services Branch, Division of Management Services, Food and Drug Administration, and FDA field/district offices. The system of records is 09–10–0018, Employee Identification Card Information Record, HEW/FDA/ACMO.

SUMMARY: In accordance with the requirements of the Privacy Act, the Public Health Service (PHS) is publishing notice of a proposal to establish a new system of records in the Food and Drug Administration (FDA). This system of records, Employee Identification Card Information Record, is to be used to provide a record of all holders of FDA identification cards for renewal and recovery purposes. PHS invites interested persons to submit comments on the proposed routine uses on or before June 30, 1980.

DATES: PHS sent a Report of New System to the Congress and to the Office of Management and Budget on April 29, 1980. PHS requested that OMB grant a waiver of the usual requirement that a system of records not be put into effect until 60 days after the report is sent to OMB and Congress. This waiver was granted, therefore, this system, except for the routine use provisions, is effective May 21, 1980. The routine uses will be effective on June 30, 1980, unless PHS receives comments which would result in a contrary determination.

ADDRESS: Comments should be addressed to the Hearing Clerk, Food and Drug Administration, Room 4–65, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Comments received will be available for inspection during regular work days from 9:00 a.m. to 4:00 p.m., in Room 4–65, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: Gerald H. Deighton, FDA Privacy Act Coordinator, Room 12A–20, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, or call 301–443–1813.

SUPPLEMENTAL INFORMATION: Since its early years, the Food and Drug Administration has maintained a record of all holders of FDA identification cards for renewal and recovery purposes. These records are also used at FDA Headquarters to locate employees whose names may not have been entered in the FDA locator system. This system of records was previously covered by a Privacy Act notice of a system of records published by the Office of the Secretary, Department of Health, Education, and Welfare, and applicable Departmentwide. However, the Department revoked this notice due to changes in retrievability that removed the system from the coverage of the Privacy Act. FDA has not made similar changes in its card identification system, so it remains subject to the Privacy Act. Due to administrative oversight, no new notice has previously been published by FDA for these records.

The amount of personal data maintained on each person is the minimum feasible to identify these employees. FDA's system, which was previously covered under the Department of Health, Education, and Welfare's system, formerly required that an employee supply his/her social security number, weight, and hair color. These three requirements were deleted from FDA's system of records. Color of eyes and height were retained as being essential added identifiers to the photograph of the employee and the birthdate was retained since the cards are recalled for renewal by date of birth.

FDA will maintain the records in this system in a secure manner compatible with their content and use. Access will be given only to Agency employees whose official duties require access for issuance, renewal, retrieval, and location purposes. FDA will keep records in locked file cabinets or rooms under direct control of authorized personnel. FDA has established computer passwords and security procedures to ensure that unauthorized personnel cannot retrieve information from the minicomputer.

Jack N. Markowitz,

Acting Director, Office of Management, Public Health Service.

09–10–0018

SYSTEM NAME:

Employee Identification Card Information Record, HEW/FDA/ACMO.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Services Management Section, Associate Commissioner for Management and Operations, Food and Drug Administration, Rm. 4C–21, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857; Office Services Section, Associate Commissioner for Management and Operations, Food and Drug Administration, Rm. B–002, FB–8, 200 C Street, SW, Washington, DC 20204; and Administrative Branches at field/district Offices (see Appendix A to system notice 09–10–0001, Quality Assurance Program, HEW/FDA/EDRO).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Approximately 8,800 FDA employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains name, mailing routing code, office telephone, building, room number, birthdate, identification photograph, height, color of eyes, and type of appointment.

Authority for maintenance of the system:

40 U.S.C. 471, et seq; Management and Disposal of Government Property Act.

PURPOSES:

The system was designed to maintain a record of all holders of FDA identification cards, Forms FD 1887 and 1887h, for renewal and recovery purposes and to identify numbers of lost or stolen cards.

The system may also be used at FDA Headquarters to locate employees

whose names have not been entered in the FDA locator system.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with he purpose for which the records were collected.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Forms filed in folders in a locked filing cabinet. Computer tapes and discs stored in a locked safe.

RETRIEVABILITY:

Information is filed and retrieved by name and date of birth both on the forms and at Headquarters on a minicomputer.

SAFEGUARDS:

All Forms FD 2923 are kept in locked file cabinets. The minicomputers at Headquarters are maintained in secured areas with access limited to authorized personnel whose official duties required access for issuance, renewal, retrieval, and location purposes. ADP security safeguards meet the requirements of FDA's ADP Security Management Plan for the implementation of Part 6 "ADP Systems Security" of HEW ADP Systems Manual.

RETENTION AND DISPOSAL:

Records are maintained as long as the ID cards are valid. Computer tapes are erased immediately upon termination of employment and inactive forms are destroyed after 6 months by shredding.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Administrative Services Branch (HFA-210), Associate Commissioner for Management and Operations, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

NOTIFICATION PROCEDURE:

To determine if a record exists, contact FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. In order to ascertain if a record exists, the individual must provide his/her name and any other names officially used during period of employment.

RECORD ACCESS PROCEDURES:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under Notification Procedure above and reasonably identify the record, specify the information being contested, and state the corrective action sought.

RECORD SOURCE CATEGORIES:

Individual on whom the record is maintained.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT.

None.

[FR Doc. 80-16545 Filed 5-28-80; 11:11 am]

BILLING CODE 4110-03-M

DEPARTMENT OF INTERIOR

Bureau of Land Management

Winnemucca District Grazing; Advisory Board Meeting

Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Winnemucca District Grazing Board will be held on July 9, 1980. The meeting will begin at 10:00 A.M. in the conference room of the Bureau of Land Management Office at 705 East Fourth Street, Winnemucca, Nevada.

The agenda for the meeting will include: (1) MEP II for Sonoma-Gerlach; (2) Coordinated Resource Plans; (3) Paradise-Denio Draft EIS; (4) Meetings with ranchers on Paradise-Denio MFP II; (5) Reading of letters and public comment period; (6) Arrangement for next meeting, and discussion of agenda items.

The meeting is open to the public. Interested persons may make oral statements to the Board between 1:00 and 2:00 P.M. on July 9, 1980 or file written statements for the Board's consideration. Anyone wishing to make an oral statement must notify the District Management, 705 East Fourth Street, Winnemucca, Nevada by June 9, 1980. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary minutes of the Board meeting will be maintained in the District Office and be available for public inspection (during regular business hours) within 30 days following the meeting.

Dated: May 19, 1980.

Robert J. Neary,

Acting District Manager for State Director, Nevada.

[FR Doc. 80-16139 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-84-M

[M 46310]

Montana; Coal Exploration License Application

May 19, 1980.

Members of the public are hereby invited to participate with Consolidation Coal Company in a program for the exploration of coal deposits owned by the United States of America in the following-described lands located in Powder River County, Montana:

T. 4 S., R. 45 E., P.M.M.,
Sec. 22: W½W½.

Any party electing to participate in this exploration program shall notify, *in writing*, both the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107, and Consolidation Coal Company, Western Exploration Group, No. 14 Inverness Drive East, Building No. 60, Englewood, Colorado 80112. Such written notice must refer to serial No. M 46310 and be received no later than 30 calendar days after publication of this Notice in the Federal Register or 10 calendar days after the last publication of this Notice in this newspaper, whichever is later. This Notice will be published for two consecutive weeks.

This proposed exploration program is fully described and will be conducted pursuant to an exploration plan to be approved by the U.S. Geological Survey and the Bureau of Land Management. Copies of the Exploration Plan as submitted by Consolidation Coal Company may be examined during normal business hours at the Bureau of Land Management State Office, Granite

Tower Building, 222 North 32nd Street, Billings, Montana.

Edgar D. Stark,

Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-16241 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-84-M

[Serial No. M 36710]

Montana; Termination of Proposed Withdrawal and Reservation of Lands

May 20, 1980.

Notice of an application, serial No. M 36710, for withdrawal and reservation of lands was published as FR Doc. No. 77-10336 on page 18455 of the issue for April 7, 1977. The applicant agency has canceled its application in its entirety. The lands involved are described as follows:

Principal Meridian, Montana

T. 13 N., R. 13 W.,
Sec. 4, Lots 2, 3, and 4, SW¼NE¼, S½NW¼, and SW¼;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All; and
Sec. 9, W½NW¼ and NW¼SW¼.
T. 14 N., R. 13 W.,
Sec. 20 Lots 1, 2, and 3, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 28, W½NE¼, NW¼, and S½;
Sec. 30, E½E½;
Sec. 32, All; and
Sec. 34, W½NW¼ and NW¼SW¼.

The areas described aggregate 4,471.31 acres in Powell County, Montana.

Therefore, pursuant to the regulations contained in 43 CFR, Subpart 2091, such lands will be relieved of the segregative effect of the above application at 10 a.m. on July 5, 1980.

Edgar D. Stark,

Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-16244 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-84-M

[W-65918 Amendment]

Wyoming; Application

May 19, 1980.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation of Salt Lake City, Utah filed an amendment to re-route a portion of their pending application for a right-of-way W-65918, and to change the size of their proposed 12¾ inch O. D. pipeline to a 10 inch and 8 inch O. D. pipeline for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 17 N., R. 117 W.,
Secs. 2, 8 and 10.
T. 18 N., R. 117 W.,
Secs. 24 and 26.

The partial re-route of Northwest Pipeline Corporation's 16 inch Trunk "A" line will begin at a point located in the SW¼SW¼ of Section 8, T. 17 N., R. 117 W., and will extend to a point located in the S½SW¼ of Section 12, T. 18 N., R. 117 W., Uinta County, Wyoming.

The purpose of this notice is inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, Highway 187 North, P.O. Box 1869, Rock Springs, Wyoming 82901.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-16242 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-84-M

Geological Survey

Training and Qualification of Personnel in Well-Control Training

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Proposed revision to the U.S. Geological Survey Outer Continental Shelf Standard No. T 1, "Training and Qualifications of Personnel in Well-Control Equipment and Techniques for Drilling on Offshore Locations (GSS-OCS-T 1)."

SUMMARY: The GSS-OCS-T 1, First Edition, was published in the Federal Register Notice, Volume 42, Number 251, Page 65291, December 30, 1977. Included in this Notice was an announcement that booklet copies of the Standard would be available from the Geological Survey at several locations. The guidelines for implementing the GSS-OCS-T 1 training program were set forth in the Federal Register Notice, Volume 43, Number 246, Page 59551, published by the U.S. Geological Survey on December 21, 1978.

The primary purpose for revising the GSS-OCS-T 1 training standard is to clarify the requirements and combine the guidelines for implementing those requirements into one document. In addition, over the past 2 years, there have been a number of concerns expressed with regard to various paragraphs contained in the present Standard. In response to those concerns, we have rewritten some paragraphs for added clarity.

The new Standard will be published as GSS-OCS-T 1 Second Edition.

DATES: Comments and recommendations should be submitted on or before July 28, 1980.

ADDRESS: Comments and recommendations should be addressed to Mr. Richard B. Krahl, U.S. Geological Survey, Conservation Division, National Center—Mail Stop 640, Reston, Virginia 22092.

Dated: May 21, 1980.

Robert L. Rioux,

Deputy Division Chief, Offshore Minerals Regulation, Conservation Division.

SUPPLEMENTAL INFORMATION: GSS-OCS-T 1 Second Edition:

Foreword

This Standard is applicable to Federal leases on the Outer Continental Shelf (OCS). The term "Outer Continental Shelf" means all submerged lands lying seaward and outside of the area of lands beneath navigable waters as defined in section 2 of the Submerged Lands Act (Public Law 31, 83rd Congress, First Session) and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

A primary factor essential to safely conducting oil and gas operations is training. This Standard has been developed to provide the criteria to ensure that key operating personnel of lessees, or contractors employed by the lessees, are trained to conduct oil and gas operations on the Outer Continental Shelf in the manner which emphasizes safe operating practices and minimizes the risk of environmental damage.

This Standard has been developed consistent with the procedures as outlined in the Federal Register, Vol. 40, No. 250, December 30, 1975. This Standard is referenced in the requirements of OCS Order No. 2. Booklet copies of this edition are available from the U.S. Geological Survey National Headquarters and from the Conservation Managers as follows:

Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, Imperial Office Building, P.O. Box 7944, Metairie, Louisiana 70010.

Conservation Manager, Eastern Region, U.S. Geological Survey, 1725 K Street, N.W., Suite 204, Washington, D.C. 20006.

Conservation Manager, Alaska Region, U.S. Geological Survey, 800 "A"

Street, Suite 201, Anchorage, Alaska 99510.
Conservation Manager, Pacific OCS Region, U.S. Geological Survey, 1340 West Sixth Street, Suite 244, Los Angeles, California 90017.
Deputy Division Chief, Offshore Minerals Regulation, Conservation Division, U.S. Geological Survey, Mail Stop 640, National Center, Reston, Virginia 22092.

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1. Introduction and Scope

This Standard provides the minimum criteria for the qualification of drilling personnel in well-control equipment, operations, and techniques to ensure safety and to prevent pollution during drilling on offshore locations. This Standard is applicable to the following drilling personnel classifications:

a. Rotary Helper.
b. Derrickman.
c. Driller.
d. Toolpusher.
e. Operator's Representative.

This Standard is inteded for use in the development of training courses and includes recommendations for testing to ensure that all candidates are qualified upon completion of the course. It shall be used in developing and conducting a qualification program as outlined herein. Section 2, 3, and 4 provide the *basic guidelines* for qualifying personnel employed on drilling rigs utilizing either a surface- or subsea-blowout-preventer stack.

In accordance with the provisions of this Standard, the employer shall maintain a record of training for each employee. Each employee shall be furnished documentation upon successful completion of each level of training.

2. Guidelines for Course Curricula

2.1. *Introduction.* This portion of the Standard describes the materials and instrucitons to be presented to the candidate through classroom lectures and hands-on demonstrations. Curriculum content is described on a general basis for each drilling crew member classification. Specific details will be developed using the criteria contained in this section as a guideline. Training programs presented by an operator or contractor will be directed toward the well-control equipment and techniques most widely used in their respective operations. Other organizations offering training programs may develop a detailed curriculum directed toward well-control equipment and techniques most widely used offshore.

Generally, training programs or portions thereof may be conducted wherever they can be presented most effectively: job site, classroom, or in a training facility at another location. However, for the job classification of Rotary Helper and Derrickman, the hands-on training and qualification drills must be performed at their respective job sites. Each candidates will be provided with a manual containing the course materials for future reference and review.

2.2 *Rotary Helper Training Criteria for Qualification in Well-Control Operations.*

2.2.1 *Prerequisites for Rotary Helper Qualification.* The candidate shall have satisfied the employment requirements specified by the employer.

2.2.2 *Government Regulation.* The candidate shall receive general instructions on Government regulations that are pertinent to his work and to well-control activities. Copies of the regulations, Orders, or abastracts of pertinent sections shall be furnished to the candidate. The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements. These instructions shall include as a minimum:

a. Drilling procedures.
b. Plugging and abandonment.
c. Pollution and waste disposal.

2.2.3 *Blowout-Prevention Equipment.* The candidate shall receive general instructions on blowout-prevention equipment consistent with the type of blowout-preventer stack utilized on the drilling rig upon which the candidate is employed. These instructions shall consist of the purpose, operation, and general maintenance of the following:

a. Annular blowout-preventer with and without diverter system.
b. Diverter system.
c. Ram-type blowout preventer.
d. Accumulator system.
e. Drill string inside blowout preventer.
f. Drill string safety valve.
g. Kelly cock.
h. Choke manifold.

2.2.3. In addition to the above, the candidate shall receive instruction on the purpose, operation, and general maintenance of the following auxiliary equipment:

a. Mud pit level indicator.
b. Mud volume measuring device.
c. Mud return indicator.
d. Gas detector.
e. Mud-gas separator.
f. Trip tank.

2.2.4. *The More Obvious Warning Signals of Kicks.* the candidate shall receive instrucitons on the more obvious warning signals of kicks including, but not limited to, the following:

a. Gain in pit volume and/or increase in mud return rate.
b. Hole not taking proper amount of mud during trips.
c. Well flowing with pump shutdown.

2.2.5. *Well-Control Operations.* The candidate shall receive hands-on training at the job site for operation of the choke manifold, stand pipe, and mud room valves which require settings for kill operations different from those used in normal drilling operations.

2.3. *Derrickman Training Criteria for Qualification in Well-Control Operations.*

2.3.1. *Prequisites for Derrickman Qualification.* The candidate shall have completed the training as a Rotary Helper or possess equivalent experience before enrolling in the Derrickman course.

2.3.2. *Government Regulations.* The candidate shall receive general instructions on Government regulations that are pertinent to his work and to well-control activities. Copies of the Regulations, Orders, or abstracts of pertinent sections shall be furnished to the candidate. The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements. These instructions shall include as a minimum:

a. Drilling procedures.
b. Plugging and abandonment.
c. Pollution and waste disposal.

Copies of the Regulations, Orders, or abstracts of pertinent sections shall be furnished to the candidate. The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements.

2.3.3. *Blowout-Prevention Equipment.* Consistent with the type of blowout-preventer stack utilized by the drilling rig upon which the candidate is employed, the candidate shall receive instructions on the purpose, operations, and maintenance of the following equipment:

a. Equipment listed under subsections 2.2.3 and 2.2.3.1.

b. Degasser.

c. Adjustable choke.

2.3.4. *Drilling Fluids.* The candidate shall receive general instructions on drilling fluids, with emphasis on the following:

a. Density.

b. Viscosity.

c. Fluid loss.

d. Salinity.

e. Gas-cutting.

f. Procedure for increasing mud density.

2.3.5 *Warning Signals of Kicks.* The candidate shall receive general instructions consistent with his assigned duties on warning signals that indicate a kick or conditions that can lead to a kick such as, but not limited to, the following:

a. Items in subsection 2.2.4.

b. Sloughing shale and its appearance at surface.

c. Drilling rate change.

d. Change in salinity.

e. Change in flow properties of drilling fluid.

f. Trip, connection, and background gas changes.

2.3.6 *Well-Control Operations.* The candidate shall receive hands-on training at the job site on the items covered in subsection 2.2.5 and general instructions on well-killing operations.

2.4 *Driller Training Criteria for Qualification in Well-Control Operations.*

2.4.1 *Prerequisites for Driller Qualification.* The candidate shall have completed training as a Rotary Helper and Derrickman or possess equivalent experience before enrolling in the Driller's course.

2.4.2 *Government Regulations.* The candidate shall receive instructions on all applicable Government regulations that pertain to his work in regard to well-control operations and equipment. Copies of the regulations, Orders, or abstracts of pertinent sections shall be furnished to the candidate. The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements. These instructions shall include as a mininum:

a. Drilling procedures including field drilling rules.

b. Plugging and abandonment.

c. Pollution and waste disposal.

2.4.3 *Drilling Fluids.* The candidate shall receive instructions on drilling fluids, with emphasis on the following:

a. Density.

b. Viscosity.

c. Fluid loss.

d. Salinity.

e. Gas-cutting.

f. Procedure for increasing mud density.

2.4.4 *Causes of Kicks.* The candidate shall receive instructions on the major causes of kicks. These causes include:

a. Failing to keep the hole full.

b. Swabbing effect of pulling the pipe.

c. Loss of circulation.

d. Insufficient density of drilling fluid.

e. Abnormally pressure formations.

The importance of measuring the mud required to fill the hole during trips and methods for measuring and recording hole-full volumes shall be emphasized. Such importance shall be further emphasized for shallow gas conditions

2.4.5 *Warning Signals of Kicks.* The candidate shall receive instructions on the warning signals that indicate a kick or condition that can lead to a kick. These warning signals include:

a. Gain in pit volume.

b. Increase in return mud flow rate.

c. Hole not taking proper amount of mud during trips.

d. Drilling rate change.

e. Decrease in circulating pressure or increase in pump strokes.

f. Trip, connection, and background gas changes.

g. Gas-cut mud.

h. Water-cut mud or chloride change.

i. Sloughing shale and its appearance at the surface.

j. Well flowing with pump shutdown.

k. Change in flow properties of drilling fluid.

2.4.6 *Shutting-in a Well for Well-Control Purposes.* The candidate shall receive instructions on the correct procedures for controlling a well with the blowout-preventer system, the choke manifold, and/or the diverter system. These instruction shall include the sequential steps to be followed and be consistent with the type of blowout-preventer stack utilized by the drilling rig on which the candidate is employed.

2.4.7 *Well-Control Operations.* The candidate shall receive instructions on one of the following constant bottom-hole pressure methods of well-control:

a. Driller's.

b. Wait and weight.

c. Concurrent (circulate and weight).

d. Other applicable constant bottom hole pressure methods.

2.4.7.1 The instruction process for the above shall include those conditions which may be unique to either the surface- or subsea-blowout-preventer stack utilized by the drilling rig upon which the candidate is employed. An adequate simulator is an acceptable alternate to the model well. A complete well-killing exercise shall be carried out using a simulator or a model well. Classroom instructions shall cover well-control calculations and the reasons for their use. These instructions include:

a. Mud density increase required to control kick.

b. Conversion between the mud density and pressures and the importance of the conversions in understanding formation breakdown, particularly with shallow casing setting.

c. Drop in pump pressure as mud density increases during kill operations.

d. Relationships between pump pressure, pump rate, and mud density.

e. Pressure limitations on casings.

2.4.8 *Unusual Well-Control Operations.* The candidate shall receive instructions on unsual well-control situations to include as a minimum:

a. When drill pipe is off bottom.

b. When out of hole.

c. When lost circulation occurs.

d. When drill pipe is plugged.

e. Excessive casing pressure.

f. Hole in drill pipe.

2.4.9 *Controlling Shallow Gas.* The candidate shall receive instructions on the following:

a. Controlling shallow gas kicks.

b. Use of diverters.

c. Use of marine risers.

2.4.10 *Blowout-Preventer and Diverter System.* The candidate shall receive instructions on the Blowout-Preventer and Diverter Systems

a. Installation.

b. Operation.

c. Maintenance.

d. Testing.

2.4.10.1 In addition to the above, the candidate shall receive instructions on the purpose, installation, operation, and general maintenance of the following auxiliary equipment:

a. Mud pit level indicator.

b. Mud volume measuring device.

c. Mud return indicator.

d. Gas detector.

e. Trip tank.

f. Mud-gas separator.

g. Degasser.

h. Adjustable choke.

2.4.11. *Closing Units.* The candidates shall receive instructions on proper accumulator precharge pressures and the relationship between precharge pressure, operating pressure, and usable volumes using appropriate problems. In addition, maintenance of equipment shall be included.

2.5 *Toolpusher Training Criteria for Qualification in Well-Control Operations.*

2.5.1. *Prerequisites for Toolpusher Qualification.* The candidate shall have completed the training described in subsection 2.4 for the Driller or possess the equivalent experience.

2.5.2. *Government Regulations.* The candidate shall receive instructions on all applicable Government regulations that pertain to his work in regard to well-control operations and equipment. Copies of the regulations, Orders, or abstracts of pertinent sections shall be furnished to the candidate. The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements. These instructions shall include as a minimum:

a. Drilling procedures inlcuding field drilling rules.

b. Plugging and abandonment.

c. Pollution and waste disposal.

2.5.3 *Well-Control Calculations.* The candidate shall receive instructions on the calculations required for well-control operations. Example calculations shall be practiced in class problems. The candidate shall also receive instructions on the calculation of equivalent pressures at the casing seat with emphasis on the importance of casing seat depth.

2.5.4. *Equipment Limitations.* The candidate shall receive instructions on the limitations of the various items of equipment which will be subjected to pressure and/or wear.

2.5.5 *Mechanics Involved in Well-Control Situations.* The candidate shall receive instructions on the mechanics involved in various well-control situations. The instructions shall include the following subjects:

a. Gas bubble migration and expansion.

b. Bleeding pressure from a shut-in well during gas migration.

c. Excessive annular surface pressures.

d. Differences between a gas kick and a salt water and/or oil kick.

e. Procedures and problems involved in stripping operations with drill pipe.

f. Special well-control techniques such as, but not limited to, barite plugs and cement plugs.

g. Procedures and problems involved when experiencing loss circulation in well-killing operations.

2.5.6 *Supervision of Well-Control Operations.* The candidate shall receive instructions on organizing and directing a well-killing operation and shall subsequently direct such an operation using a model well or equivalent simulation device. In addition, the candidate shall receive instructions on a diverter operation.

2.5.7 *Closing Units.* The candidate shall receive instructions on the purpose and usage of closing units, including the following:

a. Charging Procedures.

(1) Precharge pressure.

(2) Operating pressure.

b. Fluid Volumes.

(1) Usable.

(2) Required.

c. Fluid pumps.

d. Maintenance.

(1) Charging fluid.

(2) Inspection procedures.

2.6. *Operator's Representative Training Criteria for Qualification in Well-Control Operations.*

2.6.1. *Prerequisites for Operator's Representative Qualification.* All candidates shall be familiar with the basic duties and training of the Rotary Helper, the Derrickman, the Driller, and the Toolpusher during well control situations.

2.6.2 *Government Regulations.* The candidate shall receive instructions on all applicable Government regulations that pertain to his work in regard to well-control operations and equipment. Copies of the regulations, Orders, or abstracts of pertinent sections shall be furnished to the candidate.

The training organization shall revise this material, as necessary, in accordance with the revisions or additions to the Government requirements. These instructions shall include as a minimum:

a. Drilling procedures including field drilling rules.

b. Plugging and abandonment.

c. Pollution and waste disposal.

2.6.3. *Well-Control Operations.* The candidate shall receive instructions on one of the constant bottom-hole pressure methods of well control as set out under subsection 2.4.7 of this Standard. The candidate shall also receive instructions on the calculation of equivalent pressures at the casing seat with emphasis on the importance of casing seat depth.

2.6.4. *Stripping Operations.* The candidate shall receive instructions on the use of the entire blowout-preventer system for working pipe in or out of a wellbore which is under well pressure.

2.6.5. *Detecting Abnormally Pressured Formations.* The candidate shall receive instructions on accepted practices used for detecting entry into abnormally pressured formations and the accompanying warning signals. These signals include:

a. Penetration rate change.

b. Shale density change.

c. Mud chloride change.

d. Shale cutting characteristics.

e. Trip, connection, and background gas changes.

2.6.6 *Supervision of Well-Control Operations.* The candidate shall recieve instructions on organizing and directing a well-killing operation and shall subsequently direct such an operation using a model well or equivalent simulation device. In addition, the candidate shall receive instructions on a diverter operation.

3. Qualification Procedures

3.1. *Rotary Helper.*

3.1.1 *Prerequisites.* Prior to qualification as a Rotary Helper, the candidate shall have satisfied the training criteria of subsection 2.2 within the first 6 months of his initial employment.

3.1.2. *Type of Test.* The Rotary Helper qualification test will be a crew performance drill that requires the Rotary Helper to carry out his assignment in a well-control drill within a prescribed time limit (see section 4).

3.1.3 *Maintenance of Qualification.* To maintain this qualification, the candidate must participate in well-control drills, as described in section 4, and carry out his assignments within the time limit prescribed for the drill.

3.1.4 *Documentation of Test Results.* The time required for the candidate to complete the drill shall be recorded on the driller's log. Appropriate documentation of initial qualification shall be furnished to the successful candidate.

3.2 *Derrickman.*

3.2.1 *Prerequisites.* The candidate shall have satisfied the criteria of subsections 2.3 and 3.1.

3.2.2 *Type of Test.* The Derrickman qualification test will be a crew performance drill that requires the Derrickman to carry out his assignment in a well-control drill within a prescribed time limit (section 4).

3.2.3 *Maintenance of Qualification.* To maintain his qualification, the candidate must participate in well-control drills, as described in section 4, and carry out his assignments within the time limit prescribed for the drill.

3.2.4 *Documentation of Test Results.* The time required for the candidate to complete the drill shall be recorded on the driller's log. Appropriate documentation of initial qualification shall be furnished to the successful candidate.

3.3 *Driller.*

3.3.1 *Prerequisites.* The candidate shall have completed the training for Rotary Helper and Derrickman or possess the equivalent experience. He shall have completed the training criteria outlined in subsection 2.4.

3.3.2 *Qualification Tests.* Written and/or verbal tests and hands-on demonstrations shall be used to verify that the candidate has a thorough understanding of the well-control equipment and techniques outlined in subsection 2.4.

3.3.3 *Maintenance of Qualification.* The candidate shall maintain qualification by:

1. Successful repetition of the criteria set forth in subsections 2.4 and 3.3 every 4 years.

2. Successful completion of a refresher course in well-control operations, annually, during the intermediate period.

This refresher course shall be a minimum of 8 hours and shall include instruction and training in the most recent improvements in equipment and methods for blowout prevention using a test well or simulator.

3.3.4 *Documentation of Test Results.* Test results shall be entered in the candidate's training record, and appropriate documentation shall be furnished the candidate upon successful completion.

3.4 *Toolpusher.*

3.4.1 *Prerequisites.* The candidate shall have completed the training for Driller or possess the equivalent experience. He shall have completed the training requirements outlined in subsection 2.5.

3.4.2 *Qualification Tests.* Written and/or verbal tests and hands-on demonstrations shall be used to verify that the candidate has a thorough understanding of the well-control equipment, techniques, and principles outlined in subsection 2.5.

3.4.3 *Maintenance of Qualifications.* The candidate shall maintain qualification by:

1. Successful repetition of the criteria set forth in subsections 2.5 and 3.4 every 4 years.

2. Successful completion of a refresher course in well-control operations, annually, during the intermediate period.

This refresher course shall be a minimum of 8 hours and shall include instruction and training in the most recent improvements in equipment and methods for blowout prevention and shall include the successful individual control of a well kick using a test well or simulator.

3.4.4 *Documentation of Test Results.* Test results shall be recorded in the candidate's training file, and appropriate documentation shall be furnished the candidate upon successful completion.

3.5 *Operator's Representative.*

3.5.1 *Prerequisites.* The candidate shall be familiar with the basic duties of Rotary Helper, Derrickman, Driller, and Toolpusher during well-control operations and shall have completed the training requirements outlined in subsection 2.6.

3.5.2 *Qualification Tests.* Qualification tests and hands-on demonstration shall be used to assure that the Operator's Representative candidate has a thorough understanding of the well-control equipment principles and practices, outlined in subsection 2.6, and is qualified to organize and direct a well-control operation.

3.5.3 *Maintenance of Qualification.* The candidate shall maintain his qualification by:

1. Successful repetition of the criteria set forth in sections 2.6 and 3.5 every 4 years.

2. Successful completion of a refresher course in well-control operations, annually, during the intermediate period.

This refresher course shall be a minimum of 8 hours and shall include instruction and training in the most recent improvements in equipment and methods for blowout prevention and shall include the successful individual control of a well kick using a test well or simulator.

3.5.4 *Documentation of Test Results.* Test results shall be recorded in the candidate's training file and appropriate documentation shall be furnished the candidate upon successful completion.

4. Well-Control Drills

The individual assignments for the crew members, during a well-control operation, will, of necessity, vary with the equipment on the offshore unit and with the type of operations being performed. Thus, the drills shall be designed to acquaint each crew member with his function on the particular test station so he can perform it promptly and efficiently.

The steps described below are general and are based upon the essentials of the operation and should be varied to fit the equipment, personnel, and specific needs of each site. A well-control drill plan, applicable to the particular site, shall be prepared outlining for each crew member the assignments he is to fulfill during the drill and establishing a prescribed time for the completion of his portion of the drill. A copy of the complete well-control drill plan shall be posted on the rig's floor and/or bulletin board.

The actual drill shall be carried out during periods of activity which would minimize the risk of sticking the drill pipe or otherwise endangering the operation. In each of these drills, the reaction time shall be measured up to the point when the designated person is in the position to begin the closing sequence of the blowout preventer. The total time for the crew to complete its entire pit drill assignment shall also be measured. This operation shall be recorded on the driller's log as "Well-Control Drill." All drills shall be initiated by the Toolpusher through raising the float on the pit level device or the equivalent. This operation shall be performed at least once each week (well conditions permitting) with each crew. The drills shall be timed so they will cover a range of different operations which include on-bottom drilling and tripping.

Suggested items for inclusion in "On-Bottom Drilling" and "Tripping Pipe" drills are set out in subsections 4.1 and 4.2 respectively. The listing of these items does not necessarily constitute a recommendation that each of the items be included in the drill or that the drill sequence be the same as the listing.

4.1 *On-Bottom Drilling.* A drill conducted while on bottom may include the following:

a. Detect kick and sound alarm.

b. Position kelly and tool joints so connections are accessible from floor but tool joints are clear of sealing elements in stack; stop pumps; check for flow; close in the well.

c. Record time.

d. Record drill pipe pressure and casing pressure.

e. Measure pit gain and mark new level.

f. Estimate volume of additional mud in pits.

g. Weigh sample of mud from suction pit.

h. Check all valves on choke manifold and blowout-preventer stack for correct position (open or closed).

i. Check blowout-preventer stack and choke manifold for leaks.

j. Check flow line and choke exhaust lines for flow.

k. Check accumulator pressure.

l. Prepare to extinguish sources of ignition.

m. Alert standby boat or prepare safety capsule for launching.

n. Place crane operator on duty for possible personnel evacuation.

o. Prepare to lower all escape ladders and prepare other abandonment devices for possible use.

p. Determine materials needed to circulate out kick.

q. Time drill and enter drill report on driller's log.

4.2 *Tripping Pipe.* A drill conducted during a trip may include the following:

a. Detect kick and sound alarm.

b. Install safety valve; close safety valve.

c. Position pipe; prepare to close annular preventer.

d. Install inside preventer; open safety value.

e. Record time.

f. Record casing pressure.

g. Check all valves on choke manifold and blowout-preventer stack for correct position (open or closed).

h. Check for leaks on blowout-preventer stack and choke manifold.

i. Check flowline and choke exhaust lines for flow.

j. Check accumulator pressure.

k. Prepare to extinguish sources of ignition.

l. Alert standby boat or prepare safety capsule for launching.

m. Place crane operator on duty for possible personnel evacuation.

n. Prepare to lower escape ladders and prepare other abandonment devices for possible use.

o. Prepare to strip back to bottom.

p. Time drill and enter drill report on driller's log.

5. Relief Assignments

Any employee who acts as assigned relief for another employee with a higher classification (as covered by this Standard) shall meet the training criteria of the higher classified job. (Example: In the event that a Derrickman relieves a Driller, the Derrickman shall be qualified as a Driller.)

Appendix I.—General Well-Control Training Guidelines

The following guidelines are provided for those organizations submitting well-control programs for review. These guidelines delineate the requirements utilized by the Geological Survey in the evaluations of submitted programs as meeting the criteria of the GSS–OCS–T 1 training standard.

General Well-Control Program Guidelines

A. Mail all programs and related correspondence to the Deputy Division Chief, Offshore Minerals Regulation, Conservation Division, U.S. Geological Survey, MS 640, National Center, Reston, Virginia 22092.

B. Submit eight copies of the information required in Appendices II and III, including a listing of the materials contained therein, except for items I.H and II.B of Appendix II and item H of Appendix III.

C. Submit two copies of the information required in items I.H, and II.B of Appendix II and item H of Appendix III.

D. A training plan submitted by an applicant school shall contain a cross-reference of its training manual to GSS–OCS–T 1.

E. A training manual shall be representative of the subject matter addressed during the course of the school.

F. A student is required to attend the entire class. Students who are absent from any part of the class must make up the missed portion of the course before credit will be awarded.

G. Schools shall furnish the two U.S. Geological Survey onsite evaluators a copy of their training manual during the onsite evaluation.

H. Certified basic and refresher well-control schools shall retain all required records for the first 5 years from the date of school approval. At the end of the fifth year, a school may destroy the records of the first year, and, at the end of the sixth year, a school may destroy the records of the second year, etc.

I. Recertification. 1. Basic well-control courses and refresher courses will be approved for a maximum of 4 years.

2. Previously approved schools will forward to the Deputy Division Chief, Offshore Minerals Regulation, Conservation Division, at least 90 days prior to their 4-year anniversary date, the following:

(a) Eight copies of the information required in paragraph B of this appendix.

(b) Two copies of the information required in paragraph C of this appendix.

J. Certified schools are subject to unannounced onsite evaluations by U.S. Geological Survey personnel.

Appendix II.—Basic and Refresher Well-Control Training Program Guidelines

Well-Control Program requirements for job classification of Drillers (DR), Toolpushers (TP), and Operators' Representatives (OR) of surface and subsea operation.

I. *Basic Well-Control Course Guidelines*

Organizations are required to submit a training plan to the U.S. Geological Survey for approval. This plan shall contain the following:

A. A curriculum outline describing subject matter content in relation to the GSS–OCS–T 1 training standard. The outline submitted will be similar to the format listed below:

Job Classification—Driller
First Day—10 hours
Subject X–5 hours
  Detail A
  Detail B
  Detail C
Subject Y–3 hours
  Detail D
Subject Z–2 hours
  Detail F
  Detail G
Second Day—10 hours
Subject M–5 hours
  Detail H
  Detail I
  Detail J
Subject N–5 hours
  Detail K
  Detail L

B. Qualifying credentials of instructors including education and experience (both work experience and teaching experience).

C. Class Size.

1. No more than 20 candidates per lecture.

2. Lab (Hands-On) no more than four candidates per exercise.

3. A daily record of student attendance shall be maintained.

D. A description of classroom and lab facilities including equipment and simulator/test well.

E. Classroom/lab time ratio.

F. Material presentation method (lecture, video, filmstrip, etc.) indicating approximate percentages of overall instructional time presented by each method as follows, i.e.:

Lecture—70 percent
Video tape—10 percent
Film strips—10 percent
Simulator—10 percent

Method of presentation, i.e.:

Subject X–4 hours lecture plus 1-hour video tape
Subject Y–2 hour lecture plus 1 hour filmstrip

G. Testing methods (including a sample of the tests to be given). Take-home tests will not be permitted.

(1) The candidate must satisfactorily and completely perform the hands-on test.

(2) The candidate must answer at least 70 percent of all test questions correctly.

(3) The school must submit the methods they will use to assure that the test will be nonrepetitive and will remain confidential.

(4) Retest (written or simulator) is authorized if accomplished within 48 hours. Test questions or problems on retest must be different than those given candidates originally. If the candidate fails either the written or simulator retest, the candidates must repeat the entire course.

(5) Personnel trained and qualified for subsea blowout-preventer (BOP) stacks will be automatically qualified for surface BOP stacks.

H. A copy of handouts or materials to be provided candidates for use and

retention for future reference. These handouts shall form a complete training manual.

I. A copy of the proposed certificate of successful completion shall include the following:

(1) Candidate's full name.
(2) Course and school.
(3) Date candidate successfully completed course.
(4) Job classification for which certification is awarded.
(5) Surface or subsea qualification.

J. Differences in instructional material for qualifying personnel employed on drilling rigs utilizing a surface BOP stack versus a subsea BOP stack.

K. School's method of updating curriculum and/or facilities to reflect technological advances. Government regulation changes, etc., i.e.:

(1) Attendance at technical meetings.
(2) Review of technical publications.
(3) Review of course by technical and industry advisory boards (e.g., IADC, API, etc.).
(4) Feedback from prior students.
(5) Input from company R&D Programs.

L. Methods for performing student's hands-on qualification test. This should include at least three practice problems with the student's position rotated as part of a team and one official test problem.

M. Means to verify student entrance prerequisites.

N. A course schedule will be submitted to the USGS after acceptance of training plan and on at least a semiannual basis thereafter.

O. A school will notify the Deputy Division Chief, Offshore Minerals Regulation, Conservation Division, by letter of all the students that have successfully completed the course. This letter will contain the information that is on the certificate.

P. The applicant shall also state the method they will use to instruct and test those individuals believed to be qualified but nonresponsive to conventional education and testing techniques. The methods employed may include, but not be limited to, oral tests, use of an interpreter, or tutorial assistance.

II. *Refresher Course Guidelines*

Schools applying for refresher course certification should submit the following information:

A. Refresher course "Training Plan."

1. Curriculum outline.

a. As a minimum, one constant bottom-hole pressure method.

b. Simulated well-kick control (as a minimum one practice one test run).

c. Improvements in blowout-prevention equipment and methods.

d. New Government requirements applicable to offshore operations.

2. Qualifying credentials of instructors including education and experience (both work experience and teaching experience).

B. A copy of a training manual comprised of the handouts or materials to be furnished the candidates for their use and retention for future reference. (Not required for schools certified for a basic well control course.)

C. Refresher courses conducted by schools not certified for a basic well-control course will require an onsite evaluation prior to approval.

D. Refresher courses shall include a minimum of 8 hours of instruction of subject matter covered in their course curriculum outline.

E. Class size.

1. No more than 20 candidates per lecture.

2. Lab (hands-on) no more than four candidates per exercise.

3. A daily record of student attendance shall be maintained.

F. The candidate must satisfactorily and completely perform the hands-on test.

G. Hands-on retest is authorized if accomplished within 48 hours. Test problems must be different than those given candidate originally. If the candidate fails the retest, he must repeat the entire course.

H. The proposed certificates of successful completion shall include the following:

1. Candidate's full name.
2. Course and school name.
3. Date of successful completion.
4. Job classification.
5. Surface or subsea qualification.

I. Refresher course training is required on an annual basis and must be accomplished within 45 days of the candidate's anniversary date. The anniversary date is established upon the candidate's successful completion of a basic course in well-control.

J. Candidates cannot upgrade their qualifications, i.e., surface to subsea, Driller to Toolpusher, etc., via a refresher course. Upgrading of qualification can be accomplished only by attendance at an approved basic course.

Appendix III.—Rotary Helper and Derrickman Well-Control Training Program Guidelines

1. Well-Control Program Requirements for the Job Classification of Rotary Helper and Derrickman. Organizations are required to submit a training plan to the USGS for approval. This plan shall contain the following:

A. A curriculum outline, describing subject matter content in relation to the GSS–OCS–T 1 training standard for Rotary Helper and Derrickman classifications. The outline submitted will be similar to the format listed below:

First Day—8 hours
Subject X—3 hours
  Detail A
  Detail B
  Detail C
Subject Y—3 hours
  Detail D
Subject Z—2 hours
  Detail E
  Detail F
Second Day—8 hours
Subject M—2 hours
  Detail G
  Detail H
Subject N—6 hours
  Detail I
  Detail J

B. Personnel responsible for providing the instructions shall be identified and qualified to the applicable requirements of GSS–OCS–T 1 for their respective classification.

C. Class Size.

1. No more than 20 candidates per lecture.

2. Hands-on completed with a representative rig crew.

D. Description of classroom facilities unless training is conducted at the job site.

E. Classroom/lab time ratio.

F. Material presentation method (lecture, video, filmstrip, etc.) indicating approximate percentages of overall instructional time presented by each method as follows, i.e.:

Lecture—70 percent
Video tape—10 percent
Film strips—10 percent
Hands-on—10 percent

Method of presentation, i.e.:

Subject X—4 hours lecture plus 1 hours video tape
Subject Y—2 hours lecture plus 1 hour filmstrip

G. Testing method to measure the candidates successful completion of training course.

H. A copy of handouts or materials to be provided candidates for their use and retention for future reference. These handouts shall form a complete training manual.

I. A copy of proposed certificates of successful completion shall include the following:

1. Candidate's full name.
2. Course location.
3. Date candidate sucessfully completed initial qualification.
4. Job classification for which certification is awarded.

J. School's method of updating curriculum to reflect technological advances, Government regulation changes, etc.

K. Means to verify candidate's entrance prerequisite.

[FR Doc. 80-16232 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-13-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Louisiana

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice is the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Exxon Company U.S.A., has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS–G 2560, OCS–G 4097, OCS–G 4201, and OCS–G 4202, Blocks 630, 637, 631, and 636, West Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that is is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes the information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16235 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Louisiana

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Chevron U.S.A. Inc., has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS–G 2956 and OCS–G 4252, Blocks 295 and 145, Main Pass Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16239 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Louisiana

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that ARCO Oil and Gas Company, has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3810, Block 107, Eugene Island Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16240 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Texas

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that ARCO Oil and Gas Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3723, Block 956, North Padre Island Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16236 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Texas

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Mesa Petroleum Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 2786, Block A–315, High Island Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16237 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Texas

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Mesa Petroleum Company, has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 2715, Block A–567, High Island Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practces and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16238 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf, Texas

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Transco Exploration Company, has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 2995, Block A–42, North Padre Island Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 21, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-16243 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-31-M

CDP Seismic Data Acquisition Program in the National Petroleum Reserve Alaska

The U.S. Geological Survey proposes to conduct a CDP seismic data acquisition program in the National Petroleum Reserve Alaska (NPRA) during the winter season of 1980–1981. The size of the program would range from 1000 to 4000 line miles of data dependent upon congressional appropriations for fiscal year 1981 and the number of interested parties that might participate on a cost-sharing basis. The primary purpose of this program is to continue the Geological Survey's resource assessment of the

NPRA. The resulting data base would also be useful for tract selection and evaluation by the Department of the Interior and by potential lessees in the event pending legislation is enacted that would permit competitive leasing. Thus, a cooperative program or "group-shoot" with the Geological Survey acting as "Operator" is being considered, similar to such operations often conducted on the Outer Continental Shelf. The Geologiclal Survey will make the final decision on line locations and other parameters of the program but advice is necessary from potential participants in order to incorporate the widest possible range of technical expertise. Full cooperation from industry would also minimize the cost to individual participants.

The details of this program such as geographic area of interest, technical specifications, data rights, participation rules, and cost-sharing arrangements will be discussed in a meeting with potential participants at USGS Western Region Headquarters in Menlo Park, California, on June 23, 1980. The meeting will begin promptly at 9 a.m. in Conference Room A, Building 3 at 345 Middlefield Road, Menlo Park, California. Questions about this program or the meeting on June 23, 1980, should be addressed to Mr. Hillary Oden, Associate Chief, Conservation Division, U.S. Geological Survey, Mail Stop 610, National Center, Reston, Virginia 22092; or by telephone to the following number: 703–860–7524.

H. William Menard,
Director.

[FR Doc. 80-16353 Filed 5-28-80; 8:45 am]
BILLING CODE 4310-31-M

National Park Service

Santa Monica Mountains National Recreation Area; Boundary Revision

In accordance with Section 507(c)(1) of Pub. L. 95–625, which authorized the Santa Monica Mountains National Recreation Area in the State of California, notice of boundary revision is to be published. Notice is hereby given that a boundary revision has been made in the Medea Creek segment of the national recreation area.

Copies of maps depicting the boundary revision are on file and available for inspection at the following addresses:

Director, National Park Service, Department of the Interior, Washington, D.C. 20240.
Regional Director, Western Region, National Park Service, 450 Golden Gate Avenue, P.O. Box 36063, San Francisco, California 94102.
Superintendent, Santa Monica Mountains National Recreation Area, 23018 Ventura Blvd., Woodland Hills, California 91364.

Dated: May 21, 1980.
Ira J. Hutchison,
Deputy Director.

[FR Doc. 80-16215 Filed 5-23-80; 8:45 am]
BILLING CODE 4310-70-M

San Antonio Missions Advisory Commission; Meeting

Notice is hereby given that a meeting of the San Antonio Missions Advisory Commission will be held at 1:30 p.m., June 17, 1980, at the Institute of Texan Cultures, 801 S. Bowie Street, San Antonio, Texas.

The San Antonio Missions Advisory Commission was established pursuant to Pub. L. 95–629, Title II, November 10, 1978. The purpose of the commission is to advise the Secretary of the Interior or his designee on matters relating to the park and with respect to carrying out the provisions of the statute establishing the San Antonio Missions National Historical Park.

Members of the San Antonio Missions Advisory Commission are Mrs. Mary Ann Castleberry (Chairperson); Mr. Marshall T. Steves; Mr. Cruz S. Chavira; Mrs. Eleanor Freeborn Bennett; Honorable Albert B. Bustamante; Honorable Helen Dutmer; and Dr. Felix D. Almaraz, Jr., (Special Consultant).

Matters to be discussed at this meeting include Swearing-In Ceremony, discussion on Commission Role and Function, Charter Advisory Commission Act, Briefing on Park Legislation and Operation Status, Election of Vice Chairman, and Public Discussion.

The meeting will be opened to the public, however, facilities and space for accommodating members of the public will be limited and persons will be accommodated on a first come, first served basis. Any member of the public may file a written statement concerning the matters to be discussed with the Superintendent, San Antonio Missions National Historical Park.

Persons wishing further information regarding this meeting or who wish to submit written statement may contact Jose A. Cisneros, Superintendent, 727, E. Durango, Room A612, San Antonio, Texas 78206; telephone (512) 229–6000.

Minutes of the meeting will be available for public review four weeks after the meeting at the office of the San Antonio Missions National Historical Park.

Dated: May 19, 1980.
Robert Kerr,
Acting Regional Director, Southwest Region.

[Fr Doc. 80-16214 Filed 5-28-80; 8:45 am]
BILLING CODE 4310-70-M

Water and Power Resources Service

Negotiations With Broadview Water District for Drainage Service From the Central Valley Project, Calif.; Intent To Initiate Negotiations for a Repayment Contract

The Department of the Interior, through the Water and Power Resources Service, intends to negotiate a repayment contract with Broadview Water District, Firebaugh, California, under which the district would be allocated drainage capacity and would repay a proportionate share of the costs of constructing, operating, and maintaining the San Luis Drain of the Central Valley Project. The proposed contract will be written pursuant to section 9(d) of the Reclamation Project Act of 1939 (53 Stat. 1195); the Act of June 3, 1960 (74 Stat. 156); and the Act of June 15, 1977 (91 Stat. 225).

The San Luis Drain is a central drainage facility in the San Joaquin Valley for the Central Valley Project and is currently under construction. The Broadview Water District has been reusing drainage effluent and irrigation tailwater. However, the drainage effluent is becoming increasingly salty and is not expected to be reusable in the near future. Therefore, the district desires to utilize the drain to dispose of this effluent. The United States has a limited amount of drainage capacity available. The specific needs of the district will be accommodated to the extent such drainage capacity is available for use by the district and to the extent the district can repay the costs associated with such capacity.

All meetings scheduled by the Water and Power Resources Service with the district for the purpose of discussing terms and conditions of a proposed contract shall be open to the general public as observers. Advance notice of all meetings shall be furnished only to those parties having previously furnished a written request for such notice to the office identified below at least 1 week prior to any meeting. All written correspondence concerning the proposed contract shall be made available to the general public pursuant to the terms and procedures of the Freedom of Information Act (80 Stat. 383), as amended.

The public is invited to submit written comments on the form of the proposed

contract no later than 30 days after the completed contract draft is declared to be available to the public. Unless significant public interest in the proposed contract is demonstrated in response to this notice, the availability of the negotiated draft contract will not be publicized. The Commissioner of Water and Power Resources will review the comments submitted and based on the number, source, and nature of the comments, will decide whether to hold public hearings.

For further information, please contact Mr. John B. Budd, Division of Water and Power Resources Management, Water and Power Resources Service, 2800 Cottage Way, Sacramento, California 95825, telephone (916) 484–4380.

Dated: May 22, 1980.

J. D. Ellingboe,

Acting Assistant Commissioner of Water and Power Resources.

[FR Doc. 80-16234 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

Permanent Authority Decisions; Decision-Notice

The following aplications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *Rule of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a petition for intervention, either in support of or in opposition to the granting of an application, must be filed with the Commission within 30 days after the date notice of the application is published in the Federal Register. Protests (such as were allowed to filings prior to March 1, 1979) *will be rejected.* A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relief upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitioner's interest might be protected, (d) the extent to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides in part, that an applicant which does not intend to timely prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result its dismissal.

If an applicant has introduced rates as an issue it is noted. Upon request, an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administrative acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings:

With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. § 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. § 10930(a) [formerly section 210 of the Interstate Commerce Act.]

In the absence of legally sufficient petitions for intervention, filed by June 27, 1980 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the following decision-notices by June 27, 1980, or the application shall stand denied.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, except as otherwise noted.

Volume No. 168

Decided: May 6, 1980 By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 2095 (Sub-29F), filed March 4, 1980. Applicant: KEIM TRANSPORTATION, INC., 420 N. Sixth, Sabetha, KS 66534. Representative: Clyde N. Christey, KS Credit Union

Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *dry soybean meal,* from the facilities of Farmland Industries, Inc., at or near St. Joseph, MO, to points in KS. (Hearing site: Kansas City, MO.)

Note.—Dual operations may be involved.

MC 3114 (Sub-34F), filed February 28, 1980. Applicant: T. H. COMPTON, INC., R.F.D. #1, Berkeley Springs, WV 25411. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. Transporting *composition board,* from points in SC, to points in DE, MD, NJ, PA, VA, WV, and DC. (Hearing site: Washington, DC.)

MC 4405 (Sub-624F), filed February 27, 1980. Applicant: DEALERS TRANSIT, INC., A corporation, P.O. Box 236, Tulsa, OK 74101. Representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, ND 58126. Transporting (1) *irrigation systems and equipment,* (2) *parts* for the commodities in (1) above, and (3) *supplies and materials* used in the manufacture and distribution of commodities named in (1) and (2) above, between points in Mecklenburg, NC, on the one hand, and, on the other, points in the U.S. (except AK, HI). (Hearing site: Charlotte, NC.)

MC 14215 (Sub-84F), filed March 4, 1980. Applicant: SMITH TRUCK SERVICE, INC., 1118 Commercial, Mingo Junction, OH 43938. Representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Transporting *alloys, ores, and metals,* between East Liverpool, OH, on the one hand, and, on the other, points in IL, IN, MD, MI, NJ, NY, PA, VA, and WV. (Hearing site: Columbus, OH, or Washington, DC.)

MC 24784 (Sub-38F), filed February 27, 1980. Applicant: BARRY, INC., 463 South Water, Olathe, KS 66061. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. Transporting *iron and steel articles,* between Manhattan, KS, and points in CO, IA, IL, MO, NE, and OK. (Hearing site: Kansas City, MO.)

MC 26852 (Sub-43F), filed December 6, 1979, previously published in the Federal Register issue of April 3, 1980. Applicant: ANDREWS VAN LINES, INC., P.O. Box 1609, Norfolk, NE 68701. Representative: J. Max Harding, P.O. Box 82018, Lincoln, NE 68501. Transporting (1) *heating and air conditioning equipment,* from Wichita, KS, to points in the U.S. (except AK and HI), (2) *heating and air conditioning equipment, outdoor recreational equipment,* and *accessories and parts* for outdoor recreational equipment, from New Braunfels, TX, to points in the U.S. (except AK and HI); and (3) *materials, supplies, and equipment* used in the manufacture, sale and distribution of the commodities named in (1) and (2) above, from points in the U.S. (except AK and HI), to Wichita, KS, and new Braunfels, TX, restricted against traffic which because of its size or weight requires the use of special equipment, and restricted to traffic originating at or destined to the facilities of The Coleman Company. (Hearing site: Kansas City, MO.)

Note.—This republication indicates the correct commodity description, and restriction.

MC 26825 (Sub-46F), filed February 29, 1980. Applicant: ANDRESS VAN LINES, INC., P.O. Box 1609, Norfolk, NE 68701. Representative: J. Max Harding, P.O. Box 82028, Lincoln, NE 68501. Transporting *iron and steel articles,* from the facilities of Nucor Steel Division, Nucor Corporation, at or near Norfolk, NE, to points in AZ, AR, IA, KS, LA, NE, NV, NM, OK, and TX. (Hearing site: Omaha, NE.)

MC 52614 (Sub-12F), filed March 3 1980. Applicant: R. S. POWELL, INC., P.O. Box 338, Madison Heights, VA 24572. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier,* transporting (1) *gypsum and gypsum products,* and *building materials,* and (2) *materials, equipment and supplies* used in the manufacture, installation and distribution of the commodities in (1) above, (except commodities in bulk), between those points in the U.S. in and east of WI, IL, KY, TN, and MS, under a continuing contract(s) with Georgia-Pacific Corporation, of Rosemont, PA. (Hearing site: Washington, DC.)

MC 52704 (Sub-266F), filed January 7, 1980, previously noticed in the Federal Register issue of April 22, 1980. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Drawer "H", LaFayette, AL 36862. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Transporting (a) *containers, container ends and closures,* (b) *such commodities as are dealt in by manufacturers and distributors of containers,* in mixed loads with containers, and (c) *materials, euipment and supplies* used in the manufacture and distribution of containers, container ends and closures, between those points in the United States in and east of MN, IA, MO, OK, and TX, restricted, (1) against the transportation of commodities in bulk in tank vehicles, and (2) to the transportation of traffic originating at or destined to the facilities of Kerr Glass Manufacturing Corporation. (Hearing site: Atlanta, GA.)

Note.—This republication indicates the correct restriction.

MC 65475 (Sub-34F), filed February 29, 1980. Applicant: JETCO, INC., 4701 Eisenhower Avenue, Alexandria, VA 22304. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. Transporting *ceiling suspension systems,* from the facilities of Chicago Metallic Corporation, at Baltimore, MD, to points in CT, DE, FL, GA, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, VT, VA, WV, and DC. (Hearing site: Washington, DC.)

MC 73165 (Sub-502F), filed March 5, 1980. Applicant: EAGLE MOTOR LINES, INC., 830, 33rd St., North, Birmingham, AL 35202. Representative: R. Cameron Rollins, P.O. Box 11086, Birmingham, AL 35202. Transporting (1) *steel bars,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of steel bars (except commodities in bulk), between the facilities of Predco, Inc., at or near (a) Atco, NJ, (b) Gulfport, MS, (c) Wilton, IA, and (d) Wichita, KS, on the one hand, and on the other, points in the U.S. (except AK and HI). Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Washington, DC.)

MC 73165 (Sub-503F), filed March 5, 1980. Applicant: EAGLE MOTOR LINES, INC., 830, 33rd St., North, Birmingham, AL 35202. Representative: R. Cameron Rollins, P.O. Box 11086, Birmingham, AL 35202. Transporting (1)(a) *commodities,* the transportation of which because of size or weight requires the use of special equipment, *self-propelled vehicles, material handling equipment,* and (b) *parts, implements, accessories, and attachments* for (a) above, from points in Harrison and Gregg Counties, TX, to points in the U.S. (except AK and HI), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of (1) above, in the reverse direction. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Dallas, TX.)

MC 73165 (Sub-504F), filed March 5, 1980. Applicant: EAGLE MOTOR LINES, INC., 830, 33rd St., North, Birmingham, AL 35202. Representative: R. Cameron Rollins, P.O. Box 11086, Birmingham, AL 35202. Transporting (1) *material handling equipment,* (2) *parts attachments and accessories* and (3)

materials, equipment, and supplies used in the manufacture and distribution of the commodities in (1) and (2) above, between Pennsauken, NJ, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: The person or persons who appear to be engaged common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such aproval is unnecessary. (Hearing site: Washington, DC.)

MC 73165 (Sub-113F), filed February 26, 1980. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, P.O. Box 248, Dearborn, MI 48120. Representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. Transporting *triethylene glycol, propylene glycol, diethylene glycol, menthanol,* and *antifreeze,* in bulk, in tank vehicles, from Chicago, IL, to Kalkaska, MI. (Hearing site: Chicago, IL, or Washington, DC.)

MC 94265 (Sub-348F), filed February 4, 1980. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Route 460, Windsor, VA 23487. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting *Toilet preparations,* from the facilities of Iodent Way Chemical Company, Inc., at Elizabethton, TN, to Birmingham, AL, Orlando, FL, Chicago, IL, Minneapolis and Eagan, MN, Milwaukee, WI, St. Louis, MO, and Scottsville, KY. (Hearing site: Washington, DC, or Atlanta, GA.)

MC 99455 (Sub-5F), filed February 26, 1980. Applicant: M. H. HILLERY, INC., 100 Western Ave., Allston, MA 02134. Representative: Ronald N. Cobert, Suite 501, 1730 M St., NW, Washington, DC 20036. Transporting *general commodities* (except, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Chicago, IL, and the facilities used by Seacoast Shippers Association, Inc., at Boston, MA. (Hearing site: Boston, MA.)

MC 104104 (Sub-20F), filed February 25, 1980. Applicant: GEORGE A. FETZER, INC., Newton-Sussex Rd., Augusta, NJ 07822. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904. Transporting (1) *insulating materials and plastics,* and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), from Netcong and Stanhope, NJ, to points in the U.S. in and east of MN, IA, MO, AR, and LA (except CT, DE, KY, ME, MD, MA, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, and DC). (Hearing site: Newark, NJ.)

MC 107064 (Sub-141F), filed February 27, 1980. Applicant: STEERE TANK LINES, INC., P.O. Box 220998, Dallas, TX 75222. Representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, TX 75201. Transporting *petroleum products,* in bulk, from the facilities of Thriftway Co., near Bloomfield, NM, to points in AZ, CO, and UT, restricted to traffic originating at the named facilities. (Hearing site: Dallas, TX.)

MC 107064 (Sub-143F), filed March 4, 1980. Applicant: STEERE TANK LINES, INC., P.O. Box 220998, Dallas, TX 75222. Representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas TX 75201. Transporting *petroleum and petroleum products,* between the facilities of Caribou Four Corners, Inc., at or near Kirtland, NM, on the one hand, and, on the other, points in AZ, UT, and CO, restricted to traffic originating at or destined to the named facilities. (Hearing site: Dallas, TX.)

MC 109584 (Sub-210F), filed March 4, 1980. Applicant: ARIZONA-PACIFIC TANK LINES, a corporation 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). Transporting *petroleum products,* in bulk, in tank vehicles, from Odessa, TX, to points in AZ and CA. (Hearing site: Los Angeles, CA.)

MC 110325 (Sub-113F), filed October 2, 1979, previously noticed in the Federal Register issue of March 20, 1980. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: WENTWORTH E. GRIFFIN, Midland Bldg., 1221 Baltimore Ave., Kansas City, MO 64105. Transporting *general commodities,* (except Classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the junction of Interstate Hwy 40 and U.S. Hwy 77 and the junction of Interstate Hwys 70 and 25, from the junction of Interstate Hwy 40 and U.S. Hwy 77 over Interstate Hwy 40 to the junction of U.S. Hwy 270, then over U.S. Hwy 270 to the junction of OK Hwy 3 then over OK Hwy 3 to the junction of U.S. Hwy 83, then over U.S. Hwy 83 to to the junction of Interstate Hwy 70, then over Interstate Hwy 70 to junction Interstate Hwy 25, and return over the same route, as an alternate route, serving no intermediate points. (Hearing site: Los Angeles, CA.)

Note.—This republication indicates the correct route description.

MC 111375 (Sub-125F), filed February 15, 1980. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., P.O. Box 3358, Madison, WI 53704. Representative: Bernard J. Kompare, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. Transporting (1) *such commodities* as are dealt in our used by grocery, drug and hardware business houses and retail chain stores; (2) *industrial products, institutional products,* and *swimming pool products;* and (3) *equipment, materials, and supplies* used in the manufacture and distribution of the commodities named in (1) and (2) above (except commodities in bulk), between points in AZ, CA, CO, ID, IL, NV, NM, OH, OR, TX, UT, and WA, restricted to traffic originating at and destined to the facilities of the Purex Corporation. (Hearing site: Los Angeles, CA.)

MC 112694 (Sub-5F), filed February 27, 1980. Applicant: JAMES J. GALLERY, INC., 555 Pleasant St., Watertown, MA. Representative: Joseph M. Klements, 84 State St., Boston, MA 02109. Transporting *frozen foods* and *foodstuffs,* in vehicles equipped with mechanical refrigeration, from Boston, Gloucester and Watertown, MA, to points in ME, NH, VT, MA, RI, CT, and NY. (Hearing site: Boston, MA.)

MC 113855 (Sub-511F), filed February 29, 1980. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE, Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bank Bldg. Fargo, ND 58126. Transporting (1) *commodities* the transportation of which, because of size or weight requires the use of special equipment, (2) *self-propelled vehicles,* and (3) *metal and metal articles,* (a) between points in IL and IA, on the one hand, and, on the other, points in NY, PA, MA, RI, CT, NJ, DE, MD, IN, OH, KY, WV, NC, TN, VA, SC, GA, FL, AL, MS, AR, and DC, and (b) between points in WI, on the one hand, and, on the other, points in PA and MD. (Hearing site: Chicago, IL, or Washington, DC.)

MC 114055 (Sub-9F), filed March 4, 1980. Applicant: RAY KOLNIK d.b.a. KOLNIK TRUCKING, Route 1, Prairie View Rd., Walworth, WI 53184. Representative: Joseph E. Ludden, 324 Exchange Bldg., P.O. Box 1567, La Crosse, WI 54601. *Contract carrier,* transporting *malt beverages,* from St. Paul, MN, Belleville, IL, and Frankenmuth, MI, to Fox River Grove, Waukegan, Elgin, and McHenry, IL, under continuing contract(s) with L & V Distributors, Inc., of Fox River Grove, IL, Andro Pucin Distributing Co., of Waukegan, IL, and Charles Herdrick & Son, Inc., of McHenry, IL. (Hearing site: Chicago, IL, or Madison, WI.)

MC 114334 (Sub-75F), filed February 28, 1980. Applicant: BUILDERS TRANSPORTATION CO., a corporation, 3710 Tulane Rd., Memphis, TN 36116. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting (1) *pipe, fittings, valves, hydrants and castings,* and (2) *accessories* for the commodities in (1) above, from points in Talledega and Jefferson Counties, AL, to points in AR, GA, IN, IL, LA, KY, MS, MO, OK, TN, and TX. (Hearing site: Memphis, TN.)

MC 114334 (Sub-76F), filed February 28, 1980. Applicant: BUILDERS TRANSPORTATION CO., a corporation, 3710 Tulane Rd., Memphis, TN 36116. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting *roofing material and roofing supplies* (except commodities in bulk), from Little Rock, AR, to points in AL, GA, LA, MS, MO, and TN.(Hearing site: Little Rock, AR.)

MC 114604 (Sub-105F), filed December 27, 1979, previously noticed in the Federal Register on April 15, 1980. Applicant: CAUDELL TRANSPORT, INC., P.O. Drawer I, Forest Park, GA 30050. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Road, NE, Atlanta, GA 30326. Transporting *foodstuffs* (except frozen foods or commodities in bulk), between the facilities of Stokely-Van Camp, Inc., at or near Gibson City, Hoopston, and Rochelle, IL, Indianapolis and Tipton, IN, Hart and Scottville, MI, Norwalk and Paulding, OH, Appleton, Cumberland, Frederic, and Plymouth, WI, and, Newport and Tellico Plains, TN, on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities of Stokely-Van Camp, Inc. (Hearing site: Atlanta, GA.)

Note.—This republication corrects the territory description.

MC 115554 (Sub-27F), filed December 17, 1979, previously published in the Federal Register issue of March 27, 1980. Applicant: HEARTLAND EXPRESS, INC. of Iowa, P.O. Box 89B, R.R. 6, Iowa City, IA 52240. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. Transporting *gas* and *electrical appliances* and *parts, materials, supplies* and *equipment* used in the distribution or repair of appliances, from the facilities of Whirpool Corporation, at St. Paul, MN, to points in AR, IN, IA, MI, MO, NE, OH, IL, and WI. (Hearing site: Chicago, IL.)

Note.—This republication indicates the correct destinations.

MC 115904 (Sub-141F), filed March 3, 1980. Applicant: GROVER TRUCKING CO., a corporation, 1710 West Broadway, Idaho Falls, ID 83401. Representative: Irene Warr, 430 Judge Building, Salt Lake City, UT 84111. Transporting (1) *iron and steel articles* (except commodities as described in *Mercer Extension-Oil Field Commodities,* 74 M.C.C. 459), from the facilities of Nurcor Corporation, at or near Norfolk, NE, to those points in the U.S. in and west of LA, AR, MO, IA, and MN (except AK, HI, and NE), restricted to traffic originating at the named origin, and (2) *scrap metal,* from those points in the U.S. in and west of LA, AR, MO, IA, and MN (except AK, HI, and NE), to the facilities of Nucor Corporation, at or near Norfolk, NE. Condition: Issuance of this certificate is subject to prior or coincidental cancellation, at applicant's written request of MC 115904 (Sub-109F). (Hearing site: Washington, DC.)

MC 117815 (Sub-336F), filed March 4, 1980. Applicant: PULLEY FREIGHT LINES, INC., 405 S.E. 20th St., Des Moines, IA 50317. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting *printed matter,* (1) from the facilities of R. R. Donnelley & Sons, Co., at Glasgow, KY, to Detroit and Plymouth, MI, Minneapolis, MN, and Kansas City and St. Louis, MO, and (2) between the facilities of R. R. Donnelley & Sons, Co., at Glasgow, KY, on the one hand, and, on the other, the facilities of R. R. Donnelley & Sons, Co., at Chicago, Dwight, and Matton, IL, restricted in (1) to traffic originating at the named origins, and in (2) to traffic originating at or destined to the named points. (Hearing site: Chicago, IL, or Washington, DC.)

MC 117954 (Sub-27F), filed March 5, 1980. Applicant: Applicant: H. L. HERRIN, JR., d.b.a. H. L. Herrin Trucking Company, P.O. Box 1106, Metairie, LA 70004. Representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, KS 67202. Transporting *foodstuffs* (except in bulk), from Plover, WI, to points in AL, AR, CO, FL, GA, KY, LA, MS, MO, OK, TN, and TX. (Hearing site: Milwaukee, WI, or New Orleans, LA.)

MC 119634 (Sub-46F), filed March 5, 1980. Applicant: DICK IRVIN, INC., Hwy 2 West, P.O. Box F, Shelby, MT 59474. Representative: Joe Gerbase, 404 North 31st St., Suite 100, Billings, MT 59101. Transporting *fertilizer,* from points in MT, to points in WY and ND. (Hearing site: Billings, MT, or St. Paul, MN.)

MC 121725 (Sub-2F), filed January 8, 1980. Applicant: ARCO, INC., 495 Lovitt Lane, P.O. Box 8875, Reno, NV 89507. Representative: Reese H. Taylor, Jr., 402 North Division St., Carson City, NV 89701. Transporting *construction, logging and mining equipment,* between points in NV on and north of U.S. Hwy 6, on the one hand, and, on the other, points in OR and WA and those points in CA in north of Monterey, Kings, Tulare, and Inyo Counties (except points in Contra Costa, San Francisco, Alameda, San Mateo, Monterey, San Benito, Merced, Fresno, Kings, Tulare, Madera and Mariposa Counties, CA). Condition: Issuance of this certificate is subject to prior or coincidental cancellation, at applicant's written request of MC 121725. (Hearing site: Reno, NV.)

MC 123254 (Sub-8F), filed February 19, 1980. Applicant: PITZER BROTHERS, INC., Box 633, Jeannette, PA 15644. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St. NW., Washington, DC 20005. Transporting *malt beverages,* (a) from the facilities of the Pittsburgh Brewing Company, at or near Pittburgh, PA, to St. Louis, MO, and points in CT, MA, RI, NC, GA, AL, TN, and (b) from the facilities of C. J. Schmidt & Sons, Inc., at or near Cleveland, OH, to points in PA on and west of U.S. Hwy 15. (Hearing site: Pittsburgh, PA.)

MC 123744 (Sub-76F), filed December 14, 1979, previously noticed in the Federal Register issue of April 8, 1980. Applicant: BUTLER TRUCKING COMPANY, a corporation, P.O. Box 88, Woodland, PA 16881. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, DC 20001. Transporting *materials and supplies* used in the mining or land reclamation industries, *machine parts and feed* (except commodities in bulk), between points in Clearfield, Indiana, Centre, Cambria, Clinton, Clarion, Jefferson, Elk, and Blair Counties, PA, on the one hand, and, on the other, points in the United States in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Washington, DC.)

Note.—This republication is to show "Indiana" as a county in PA.

MC 123965 (Sub-11F), filed November 27, 1979, previously noticed in the Federal Register issue of March 27, 1980. Applicant: KEAL DRIVEAWAY COMPANY, a corporation, 852 East 73rd St., Cleveland, OH 44103. Representative: William P. Sullivan, 1320 Fenwick Lane, Silver Spring, MD 20910. To transport *automobiles, trucks, chassis, and commercial vehicles,* in secondary movements, in driveaway service, (1) between points in the United States west of U.S. Hwy 81, and (2) between points in (1), on the one hand, and, on the other, points in the United

States in and east of U.S. Hwy 81. (Hearing site: Washington, DC.)

Note.—This republication indicates the correct commodity description.

MC 125335 (Sub-88F), filed October 25, 1979, previously noticed in the Federal Register issue of April 1, 1980. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting (1) *Bananas,* and (2) *agricultural commodities,* the transportation of which is otherwise exempt from economic regulation, in mixed loads with bananas, from New York, NY, Philadelphia, PA, Wilmington, DE, Mobile, AL, Tampa, FL, and Charleston, SAC, to those points in the US in and east of IA, KS, MN, NE, OK, and TX. (Hearing site: Miami, FL, or Harrisburg, PA.)

Note.—This republication corrects IA instead of IS in the territorial description.

MC 125335 (Sub-101F), filed February 29, 1980. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting *frozen foods,* (1) from Barker, NY, to points in CT, DE, MA, MD, NJ, PA, and VA, and (2) from Vineland, NJ, to Barker, NY. (Hearing site: Tampa, FL, or Harrisburg, PA.)

MC 126904 (Sub-35F), filed October 15, 1979, previously noticed in the Federal Register on April 8, 1980. Applicant: H.C. PARRISH TRUCK SERVICE, INC., Rural Route 2, P.O. Box 264, Freeburg, IL 62243. Representative: James W. Patterson, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. Transporting *malt beverages,* from the facilities of the Stroh Brewery Company, at Detroit, MI, to points in Madison, Randolph, St. Clair, Morgan and Sangamon Counties, IL. (Hearing site: St. Louis, MO, or Atlanta, GA.)

Note.—This republication corrects the destination points.

MC 133154 (Sub-11F), filed February 29, 1980. Applicant: BELL TRANSPORT COMPANY, a corporation, 16036 Valley Blvd., Fontana, CA 92335. Representative: Jerry I. Michael (same address as applicant). *Contract carrier,* transporting *boxes, cans, container ends, paper cups, plastic containers, and plastic trays,* from the facilities of Sealright Company, Inc., in CA, to points in AZ, NV, and UT, under continuing contract(s) with Sealright Company, Inc., at Los Angeles, CA. (Hearing site: Los Angeles, CA.)

MC 133805 (Sub-51F), filed March 4, 1980. Applicant: LONE STAR CARRIERS, INC., Route 1, Box 48, Tolar, TX 76476. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. Transporting *meats, meat products and meat byproducts and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Armour & Company, at or near Hereford, TX, to points in NC, GA, FL, MD, AL, SC, TN, MS, RI, MI, KY, WV, VA, PA, NY, MD, NJ, RI, CT, VT, MA, ME, NH, DE, and DC. (Hearing site: Fort Worth, TX, or Phoenix, AZ.)

MC 134404 (Sub-63F), filed February 28, 1980. Applicant: AMERICAN TRANS-FREIGHT, INC., P.O. Box 796, Manville, NJ 08835. Representative: Eugene M. Malkin, Suite 1832, Two World Trade Center, New York, NY 10048. *Contract carrier,* transporting (1) *plumbing fixtures and plumbing fittings,* and (2) *parts and supplies* for the commodities in (1) above, from Plainfield, CT to points in CT, DE, FL, GA, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, VT, VA, and DC, under continuing contract(s) with American Standard, Inc., of New Brunswick, NJ. (Hearing site: New York, NY.)

Note.—Dual operations may be involved.

MC 135185 (Sub-43F), filed December 19, 1979, previously noticed in the Federal Register on March 27, 1980. Applicant: COLUMBINE CARRIERS, INC., P.O. Box 15246, 1720 East Garry Ave., Santa Ana, CA 92705. Representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *Contract carrier,* transporting (1) *Paints, stains, varnishes, and polyurethane finishings* (except in bulk), from Flora, IL, to the facilities of Lehn and Fink Products Co., a Division of Sterling Drug, Inc., at or near Belle Mead, NJ, (2) *Disinfectants and deodorant compounds* (except in bulk), from Chicago and North Chicago, IL, to points in WA, CA, TX, NJ, FL, and OH, (3) *Cannisters,* from the facilities of Milton Can Co., at or near Cranbury, NJ, to Chicago and North Chicago, IL, and (4) *Sodium sulfate* in bags, from the facilities of International Salt Co. at or near Lowland, TN, and the facilities of Prior Chemical Co., at or near Kings Mountain and Bessemer City, NC, to Chicago and North Chicago, IL, under continuing contract(s) with Lehn & Fink Products, Co., a Division of Sterling Drug, Inc., of Montvale, NJ. (Hearing site: New York City, NY, or Chicago, IL.)

Note.—This republication corrects the origin point in part (4) of the application to read at or near Lowland, TN, instead of Loveland, TN.

MC 135895 (Sub-48F), filed August 8, 1979, previously noticed in the Federal Register issue of February 12, 1980. Applicant: B & R DRAYAGE, INC., P.O. Box 8534, Battlefield Station, Jackson, MS 39204. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701. Transporting (1)(a) *paper, paper articles, fibreboard, plastic containers, and metal containers,* and (b) *fittings and closures* for containers, and (2) *equipment, materials, and supplies* used in the manufacture and distribution of the commodities named in (1) above (except commodities in bulk and those requiring special equipment), between the facilities of Container Corporation of America, at (a) Fernandina Beach, FL, (b) Chattanooga and Memphis, TN, and (c) Muskogee, OK, on the one hand, and, on the other; points in AL, AR, FL, GA, LA, MO, MS, OK, TN, and TX. (Hearing site: Fort Worth, TX, or Atlanta, GA.)

Note.—This republication indicates the correct territorial description.

MC 138104 (Sub-92F), filed February 28, 1980. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, TX 76106. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Transporting (1) *iron and steel articles and* (2) *pipe,* from the facilities of Interlake, Inc., at or near Newport, KY, to points in LA, OK, and TX. (Hearing site: Dallas, or Fort Worth, TX.)

MC 138104 (Sub-94F), filed February 27, 1980. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, TX 76106. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Transporting (1) *building and construction materials* (except commodities in bulk); and (2) *materials and supplies* used in the manufacture and distribution of contruction materials (except commodities in bulk), between points in the U.S. (except AK, and HI), restricted to traffic originating at or destined to facilities of The Celotex Corporation. (Hearing site: Fort Worth, TX, or Tampa, FL.)

MC 138104 (Sub-95F), filed February 29, 1980. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, TX 76106. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Transporting *precast concrete beams,* from points in Bexar County, TX, to points in LA (Hearing site: Fort Worth, or San Antonio, TX.)

MC 138875 (Sub-276F), filed February 28, 1980. Applicant: SHOEMAKER TRUCKING COMPANY, a corporation, 11900 Franklin Rd., Boise, ID 83709. Representative: F. L. Sigloh (same

address as applicant). Transporting *hardwood,* from points in WI, to points in CA, OR, and WA. (Hearing site: Seattle, WA, or Boise, ID.)

MC 138875 (Sub-277F), filed February 28, 1980. Applicant: SHOEMAKER TRUCKING COMPANY, a corporation, 11900 Franklin Rd., Boise, ID 83709. Representative: F. L. Sigloh (same address as applicant. Transporting *pipe and pipe fittings* (except commodities as described in *Mercer Extension—Oil Field Commodities* 74 M.C.C. 459 and 103 M.C.C. 823), from the facilities of Kroy Industries, Inc., at or near Garden City, KS, and York, NE, to points in AZ, CA, CO, ID, MT, ND, NM, NV, OK, OR, SD, TX, UT, WA, and WY. (Hearing site: Boise, ID, or Washington, DC.)

MC 139244 (Sub-10F), filed February 29, 1980. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. *Contract carrier,* transporting *insulation, insulation material, vermiculite* (except crude), *insulation cement,* and *infusorial earth,* from Girard, IL, to points in AL, IN, KY, MI, MO, NY, OH, PA, and WV, under continuing contract(s) with International Vermiculite Company, at Girard, IL. (Hearing site: Chicago, IL, or St. Louis, MO.)

MC 139615 (Sub-33F), filed February 28, 1980. Applicant: D.R.S. TRANSPORT, INC., P.O. Box 29, Oskaloosa, IA 52577. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. Transporting (1) *lumber,* and (2) *materials and supplies* used in the manufacture and distribution of windows, sliding glass doors, folding doors and partitions (except comodities in bulk), from points in the U.S. in and west of ND, SD, NE, KS, OK, and TX (except AK and HI), to Pella, IA. (Hearing site: Des Moines, IA.)

MC 140024 (Sub-178F), filed February 27, 1980. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Ave., Commerce City, CO 8022. Representative: Don L. Bryce (same address as applicant). Transporting *meats, meat products, and meat byproducts,* and *articles distributed by meat packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except commodities in bulk), from points in MA, NY, PA, NJ, DE, MD, and VA, to points in the U.S. (except AK, HI, TN, SC, NC, MS, AL, GA, FL, and DC). (Hearing site: Denver, CO, or Washington, DC.)

MC 141804 (Sub-377F), filed February 27, 1980. Applicant: WESTERN EXPRESS, division of INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (same address as applicant). Transporting *dehydrated soup,* from Lancaster, and Hanover, PA, to Morrow and Doraville, GA, and Jacksonville, Miami and Tampa, FL. (Hearing site: Los Angeles, CA.)

MC 141804 (Sub-389F), filed March 4, 1980. Applicant: WESTERN EXPRESS, division of INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (same address as applicant). Transporting (1) *electronic sending, receiving and recording equipment, electrical appliances, electronic equipment,* and articles that operate on electricity, and (2) *parts and accessories* for the commodities in (1) above, from points in CA, to points in TX. (Hearing site: Los Angeles, CA.)

MC 143264 (Sub-6F), filed November 28, 1979, previously noticed in the Federal Register issue of March 27, 1979. Applicant: DAIRY LEASING SERVICE, INC., 803 Herring Avenue, Wilson, NC 27893. Representative: Thomas N. Willess, 1000 Sixteenth Street, NW., Washington, DC 20036. *Contract carrier,* transporting such *commodities as are dealt in by chain grocery and food business houses* (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, between points in AL, FL, GA, LA, NC, MD, MS, NY, NC, PA, SC, TN, VA, and WV, restricted to the transportation of traffic originating at or destined to the facilities of Kraft, Inc., under continuing contract(s) with Kraft, Inc. (Hearing site: Chicago, IL, or Washington, DC.)

Note.—This republication indicates the correct territorial description.

MC 143654 (Sub-5F), filed March 4, 1980. Applicant: DOYLE BRANT, 4701 Valley Lane, St. Joseph, MO 64503. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. Transporting (1) *dry animal and poultry feed* and *dry animal and poultry feed ingredients,* and (2) *animal health aids* and *animal sanitation products,* between St. Joseph, MO, on the one hand, and, on the other, points in IL. (Hearing site: Kansas City, MO.)

MC 145544 (Sub-5F), filed February 28, 1980. Applicant: W. & M., INC., P.O. Box 2237, East Chicago, IN 46312. Representative: Joseph Winter, 29 South LaSalle St., Chicago, IL 60603. *Contract carrier,* transporting *such commodities* as are dealt in or used by manufacturers and distributors of air moving control equipment (except commodities in bulk), between LaPorte, IN and Chicago, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with New York Blower Corp., of LaPorte, IN. (Hearing site: Chicago, IL.)

MC 145915 (Sub-4F), filed March 4, 1980. Applicant: EAGLE TRANSPORT, INC., P.O. Box 189, Montpelier, ID 83254. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. Transporting *oil drilling mud compounds,* from the facilities of IMCO Services, at or near (a) Montpelier, ID, and (b) Lovell, WY, to points in Beaverhead, Madison, Dear Lodge, Silver Bowl, and Ravalli Counties, MT. (Hearing site: Boise, ID, or Rock Springs, WY.)

MC 145955 (Sub-3F), filed March 5, 1980. Applicant: CENTRAL TRUCK SERVICE, INC., 4440 Buckingham Ave., Omaha, NE 68107. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Rd., Omaha, NE 68106. Transporting *printed matter, paper and paper products,* (1) between Des Moines, IA, and Chicago, IL, and (2) from Des Moines, IA, to points in CT, IN, LA, MA, MI, NY, OK, PA, and TX, restricted in (1) and (2) to traffic originating at or destined to the facilities of Meredith Printing, at Des Moines, IA. (Hearing site: Des Moines, IA, or Omaha, NE.)

Note.—Dual operations may be involved.

MC 145974 (Sub-8F), filed February 27, 1980. Applicant: HIDATCO, INC., P.O. Box 356, New Town, ND 58763. Representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, ND 58126. *Contract carrier,* transporting *lumber and wood products,* from points in WA, OR, ID and MT to points in ND, SC, and MN, under continuing contract(s) with Weeks Forest Products, Inc., of Minneapolis, MN. (Hearing site: Minneapolis/St. Paul, MN.)

MC 146055 (Sub-9F), filed February 29, 1980. Applicant: JOHN H. SCHUEMAN & DENNY SCHUEMAN d.b.a. DOUBLE "S" TRUCK LINE, 731 Livestock Exchange Bldg., Omaha, NE 68107. Representative: James F. Crosby, P.O. Box 37205, Omaha, NE 68137. Transporting *canned goods,* from points in CA to the facilities of Midwest Food Distribution Center, at Omaha, NE. (Hearing site: Omaha, NE.)

MC 146314 (Sub-3F), filed November 26, 1980. Applicant: G & T TRUCKING CO., a corporation, route 1, County Rd 2 & I-35, Elko, MN 55020. Representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, MN 55102. Transporting *petroleum and petroleum products,* (1) from Superior, WI, to points in MN, and (2) from Sioux Falls, SD to points in MN and WI. (Hearing site: St. Paul, MN.)

Note.—Dual operations may be involved.

MC 146514 (Sub-4F), filed May 8, 1979, previously noticed in the Federal Register on April 3, 1980. Applicant: CLANCY CARTING & STORAGE CO., INC., 795 Beahan Rd., Rochester, NY 14624. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Ave., Park Ridge, IL 60068. Transporting *such commodities* as are dealt in or used by manufacturers of photographic products (except commodities in bulk), (1) from the facilities of Eastman Kodak Company, at Rochester, NY, to San Ramon, Palo Alto, Whittier, and Hollywood, CA, Dallas, TX, Oak Brook, IL, and Windsor, CO; (2) from the facilities of Eastman Kodak Company at or near Windsor, CO, to Palo Alto, San Ramon and Whittier, CA, Dallas, TX, Dayton, NJ, Oak Brook, IL, and Rochester, NY, and (3) from San Ramon and Whittier, CA, to the facilities of Eastman Kodak Company, at Windsor, CO, restricted in (1), (2), and (3) above to the transportation of traffic originating at the named origins and destined to the named destinations. (Hearing site: Washington, D.C.)

Note.—This republication corrects part (2) of the application by including Rochester, NY, as a destination point.

MC 146674 (Sub-4F), filed February 28, 1980. Applicant: K.I.T. MOTOR EXPRESS, INC., 1228 Highland Ave., Louisville, KY 40204. Representative: Edward J. Kiley, 1730 M St. NW., Washington, DC 20036. Transporting (1) *insulating materials* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, between the facilities of Carborundum Company, at or near New Carlisle, IN, and New Iberia, LA, on the one hand, and, on the other, points in LA, AL, GA, FL, KY, AR, NC, OK, TN, MS, and TX. (Hearing site: Atlanta, GA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 146674 (Sub-5F), filed February 28, 1980. Applicant: K.I.T. MOTOR EXPRESS, INC., 1228 Highland Ave., Louisville, KY 40204. Representative: Edward J. Kiley, 1730 M St. NW., Washington, DC 20036. Transporting (1) *electrical transformers, transformer parts, pole line hardware, pole line material, electrical appliances, and electrical equipment,* and (2) *materials, equipment, and supplies* used in the manufacture, and installation of the commodities in (1) above (except commodities in bulk), between points in the U.S. (except AK, and HI), restricted to traffic originating at or destined to the facilities of McGraw Edison Company. (Hearing site: Atlanta, GA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 146964 (Sub-7F), filed February 26, 1980. Applicant: RELIABLE TRUCK LINES, INC., 1451 Spahn Ave., York, PA 17403. Representative: Christian V. Graf, 407 North Front St., Harrisburg, PA 17101. Transporting (1) *paper and paper products,* and (2) *materials, supplies, and equipment* used in the production and distribution of the commodities in (1) above, between those points in the U.S. in and east of WI, IL, KY, TN, and MS, restricted to traffic originating at and destined to the facilities of Scott Paper Co. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 147275 (Sub-3F), filed February 29, 1980. Applicant: K–W EXPRESS, INC., 6576 Belding Rd., Belding, MI 48809. Representative: Edwin M. Snyder, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. Transporting *furniture,* from the facilities of LuVan, Inc., at or near Belding, MI, to points in the U.S. (except AK and HI). (Hearing site: Detroit, MI, or Chicago, IL.)

MC 147654 (Sub-2F), filed February 28, 1980. Applicant: TORNETTA'S MOTOR TRUCK, INC., P.O. Box 349, Conshohocken, PA 19428. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110. *Contract carrier,* transporting *iron and steel articles,* (1) between the facilities on National Rolling Mills, Inc., at (a) Malvern, PA, and Brussells Steel America at (b) Bala Cynwyd, PA, on the one hand, and, on the other points in CT, DE, NJ, NY, and OH; and (2) from Philadelphia, PA, to the facilities of Atlantic Track & Turnout Co., at St. Clair, (Schuylkill County), PA, under continuing contract(s) with National Rolling Mills, Inc., at Malvern, PA, Brussells Steel America, at Bala Cynwyd, Pa, and Atlantic Track & Turnout Co., at St. Clair, (Schuylkill County), PA. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 148275 (Sub-1F), filed March 4, 1980. Applicant: J. L. McCOY, INC., P.O. Box 525, Ravenswood, WV 26164. Representative: Ronald N. Cobert, 1730 M St., NW., Suite 501, Washington, DC 20036. Transporting (1) *aluminum and aluminum products,* (2) *materials, equipment, and supplies* used in the manufacturing and processing of the commodities in (1) above (except commodities in bulk), (3) *refractories and refactory products,* and (4) *materials, equipment, and supplies* used in the manufacturing and processing of the commodities in (3) above (except commodities in bulk), between those points in U.S. in and east of MN, IA, MO, AR, and TX, restricted to traffic originating at or destined to the facilities of Kaiser Aluminum & Chemical Corporation. (Hearing site: Washington, DC.)

MC 148695 (Sub-3F), filed February 27, 1980. Applicant: BOB BENNETT ENTERPRISES, INC., d.b.a. BOB BENNETT TRUCKING CO., 966 Ashby St., Atlanta, GA 30318. Representative: Frank J. Shannon III, Suite 601 Flatiron Bldg., 84 Peachtree St., Atlanta, GA 30303. *Contract carrier,* transporting *new furniture,* from the facilities of Fox Manufacturing Corporation, at Rome GA and Dothan, AL, points in TX, OK, KS, NE, IA, MO, AR, LA, NM, IL, IN, OH, CO, NY, PA, and WI, under continuing contract(s) with Fox Manufacturing Corporation, of Rome, GA. (Hearing site: Atlantia, GA, or Birmingham, AL.)

Passenger

MC 148934F, filed November 20, 1979 previously published in the Federal Register issue of April 8, 1980. Applicant: RICHARD TWAIT, d.b.a.. MINNESOTA CITY BUS SERVICE, Route 1, Winona, MN 55987. Representative: John B. Van de North, Jr., 2200 First National Bank Bldg., St. Paul, MN 55101. Transporting *passengers and their baggage in the same vehicle with passengers, in round-trip charter operations,* beginning and ending at points in Wabasha, Winona and Houston Counties, MN, and LaCrosse, Trempealeau, and Buffalo Counties, WI, and extending to points in IA, IL, NE, SD, ND, MN, WI, MI, and CO. (Hearing site: Minneapolis, MN, or LaCrosse, WI.)

Note.—This republication indicates the territorial description.

MC 149385F, filed February 28, 1980. Applicant: WHITE BROTHERS TRUCKING CO., a corporation, P.O. Box 96, Wasco, IL 60183. Representative: Leonard R. Kofkin, 39 South La Salle St., Chicago, IL 60603. Contract carrier, transporting (1) *concrete products and pipe fittings,* and (2) *equipment, materials, and supplies* used in the manufacture and installation of concrete products (except commodities in bulk), between points in the U.S. in and east of ND, SD, NE, KS, OK, and LA, under continuing contract(s) with Price Brothers Company, of Dayton, OH. (Hearing site: Columbus, OH.)

Note.—Dual operations may be involved.

MC 150275F, filed February 20, 1980. Applicant: UPPER CUMBERLAND FREIGHT, INC., Route 5, Box 196, Cookeville, TN 38501. Representative: Clyde E. Randolph, Route 7, Box 336, Sparta, TN 38583. Transporting *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and

those requiring special equipment), between Sparta, Tullahoma, Chattanooga, Nashville, and Memphis, TN. (Hearing site: Nashville, TN, or Atlanta, GA.)

MC 150304F, filed March 4, 1980. Applicant: BRENDALE ENTERPRISES, INC., R.R. No. 1, Okawville, IL 62271. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. *Contract carrier,* transporting *gasoline, distillate fuels, and distillate oils,* from St. Louis, MO, to points in IL on and south of U.S. Hwy 36, under a continuing contract(s) with Dalee Oil Company, Inc., of Okawville, IL. (Hearing site: St. Louis.)

MC 150305F, filed March 4, 1980. Applicant: ANCHORAGE FREIGHT SERVICE, INC., 2910 Lexington Ave., Anchorage, AK 99502. Representative: John M. Stern, Jr., P.O. Box 1672, Anchorage, AK 99510. *Contract carrier,* transporting *such commodities* as are dealt in by retail drug, grocery, and sundry stores, between Anchorage, AK, on the one hand, and, on the other, Homer, Kenai, Palmer, Soldotna, and Wasilla, AK, under continuing contract(s) with Proctor's Grocery Stores, of Anchorage, AK, D & A Super of Palmer, AK, Kachemak Foods, of Homer, AK, and Anixter-Pruzan, of Anchorage, AK. (Hearing site: Anchorage, AK.)

Passenger

MC 150354F, filed February 28, 1980. Applicant: BIRDSALL & SERBIN, INC., d.b.a RSB COACHES, 1307 N.W. Valley High Dr., Rochester, MN 55901. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411 Edina, MN 55435. Transporting *passengers and their baggage,* and *unaccompanied baggage,* in charter and special operations, between points in Olmsted County, MN, on the one hand, and, on the other, points in the U.S. (including AK, but excluding HI). (Hearing site: Minneapolis, MN, or Chicago, IL.)

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Decided: May 9, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 4024 (Sub-13F), filed November 9, 1979, previously noticed in the Federal Register issue of April 1, 1980. Applicant: HORN TRUCKING CO., a corporation, 300 Schmetter Rd., Highland, IL 62249. Representative: Edward D. McNamara, Jr., 907 South Fourth St., Springfield, IL 62703. Transporting (1) *foodstuffs* (except in bulk), between St. Louis, MO, and Chicago, IL, on the one hand, and, on the other points in IL, IN, MO, WI, and MI, (2) *malt beverages and beer coolers,* between St. Louis, MO, on the one hand, and, on the other, points in IN, MI, OK, AR, AL, MS, KY and TN; (3) *malt beverages,* between St. Louis, MO, on the one hand, and, on the other, points in IL, IA, WI, and MN, and (4) *confectionery,* between the facilities used by Switzer Candy, Co., at St. Louis, MO, on the one hand, and, on the other, points in IL, IN, MI, and WI. (Hearing site: Springfield, IL, or St. Louis, MO.)

Note. This republication indicates the correct territorial description in paragraph (1).

MC 7555 (Sub-74F), filed November 13, 1979, previously published in the Federal Register issue of April 3, 1980. Applicant: TEXTILE MOTOR FREIGHT, INC., P.O. Box 70 Ellerbe, NC 28338. Representative: Terrence D. Jones, 2033 K Street, N.W., Washington, DC 20006. Transporting (1) *paints and caulking compound, and materials, equipment, and supplies used in the manufacture thereof* (except in bulk), between the facilities of United Coatings, Inc., at (2) Charlotte, NC, (b) Chicago, IL, (c) Indianapolis, IN, and (d) Memphis, TN, on the one hand, and, on the other, those points in the United States in and east of MN, IA, MO, AR, and LA. (Hearing site: Washington, DC.)

Note.—This republication indicates the correct commodity description. Dual operations may be involved.

MC 30045 (Sub-9F), filed November 12, 1979, previously noticed in the Federal Register issue of April 1, 1980. Applicant: KITCHELL TRUCK LINES, INC., Ispwich, SD 57541. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *agricultural machinery, agricultural implements and attachments for agricultural machinery and agricultural implements,* from Rock Island, Canton, and East Moline, IL, to points in MN, ND, and SD (Hearing site: St. Paul, MN.)

Note.—This republication indicates the correct origins.

MC 35334 (Sub-89F), filed March 10, 1980. Applicant: COOPER-JARRETT, INC., Hanover Plaza, Morristown, NJ 07960. Representative: William H. Hanlon (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Seabrook, NH, as an off-route point in connection with carrier's otherwise authorized regular-route operations between Boston, MA and Manchester, NH. (Hearing site: Boston, MA, or Washington, DC.)

MC 52704 (Sub-250F), filed September 25, 1979, previously published in the Federal Register issue of March 27, 1980. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Drawer H, LaFayette, AL 36862. Representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345. Transporting (1) *plastic containers, performs,* and *base cups* for plastic containers, and (2) *materials, equipment and supplies* used in the manufacture and distribution of commodities in (1) above, (except commodities in bulk), between points in AL, AR, FL, GA, KY, LA, MS, NC, OK, SC, TN, TX, VA, and WV, restricted to the transportation of traffic originating at or destined to the facilities of INCON, a Division of The Glass Container Group of Indian Head, Inc. (Hearing site: Atlanta, GA.)

Note.—This republication corrects the territorial description.

MC 60014 (Sub-175F), filed February 21, 1980. Applicant: AERO TRUCKING, INC., Box 308, Monroeville, PA 15146. Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. Transporting *iron and steel articles,* between the facilities of Edgewater Steel Company, to or near York, SC, on the one hand, and, on the other, those points in the United States in and east of MN, WI, IL, KY, TN, MS, and LA. (Hearing site: Washington, DC.)

MC 60014 (Sub-176F), filed March 5, 1980. Applicant: AERO TRUCKING, INC., P.O. Box 308, Monroeville, PA 15146. Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. Transporting *commodities* the transportation of which by reason of size or weight requires the use of special equipment, between points in WI, MI, IL, IN, OH, WV, VA, MD, PA, DE, NJ, NY, CT, RI, MA, VT, NH, ME, and DC. on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Washington, DC.)

MC 67015 (Sub-1F), filed March 8, 1980. Applicant: TIGARD-SHERWOOD TRUCK SERVICE, INC., 1818 S.E. Second St., Portland, OR 97214. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. Transporting *general commodities* (except classes A and B explosives), (1) from Portland, OR, to Los Angeles, CA, and (2) from Los Angeles, CA, to Portland, Medford, and Eugene, OR. (Hearing site: Portland, OR.)

MC 94265 (Sub-342F), filed March 10, 1980. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Rt. 460W, Windsor, VA 23487. Representative:

Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting (1) *unfrozen bakery goods,* (a) from the facilities of Interbake Foods, Inc. at Richmond, VA, Battle Creek, MI, and North Sioux City, SD, to points in AL, AR, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, NE, NJ, NC, ND, OH, OK, PA, SC, SD, TN, TX, VA, WV, WI, and DC, and (b) from the facilities at North Sioux City, SD, to points in AZ, CA, CO, NV, NM, OR, UT, and WA; and (2) *Materials, equipment and supplies* used in the manufacture and distribution of unfrozen bakery goods, in the reverse direction, restricted to traffic originating at or destined to the facilities of Interbake Foods, Inc. (Hearing site: Richmond VA, or Washington, DC.)

MC 95084 (Sub-149F), filed August 16, 1979, previously noticed in the Federal Register issued of February 20, 1980. Applicant: HOVE TRUCK LINE, Stanhope, IA 50246. Representative: Kenneth F. Dudley, P.O. Box 279, 1501 E. Main, Ottumwa, IA 52501. Transporting *iron and steel articles; iron and steel fence tubing,* and *materials and supplies* used in the manufacture of fence tubing, from the facilities of Century Tube Corporation in Jefferson County, AR, to points in AL, AR, CT, DE, FL, GA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MO, MS, NJ, NH, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, and DC. (Hearing site: Chicago, IL.)

Note.—This republication indicates NH as a destination State.

MC 107295 (Sub-973F), filed March 10, 1980. Applicant: PRE—FAB TRANSIT CO., a corporation, P.O. Box 146, Farmer City, IL 61842. Representative: Todd A. Peterman (same address as applicant). Transporting (1) *lumber and lumber products, and (2) accessories* used in the installation of commodities named in (1) above, from points in MI, to points in MN, WI, IL IA, TN, MO, IN, and KY. (Hearing site: Minneapolis, MN.)

MC 110325 (Sub-137F), filed March 4, 1980. Applicant: TRANSCON LINES, a corporation, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Esq., Midland Building, 1221 Baltimore Avenue, Kansas City, MO 64105. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in DE, CT, RI, MA, NJ, and those in Rockingham, Hillsborough, and Strafford Counties, NH, York County, ME, Albany, Columbia, Rensselaer, Saratoga, Schenectady, and Washington Counties, NY, Bennington County, VT, and Carroll, Baltimore, Harford, Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset, Worcester, Howard, Montgomery, Anne Arundel, and Prince Georges Counties MD, as off-route points in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Boston, MA, or Philadelphia, PA.)

MC 110525 (Sub-1317F), filed November 9, 1979, previously noticed in the Federal Register. on April 1, 1980. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., Downingtown, PA 19335. Representative: Thomas J. O'Brien (same address as applicant). Transporting (1) *sulphur trioxide,* in bulk, in tank vehicles, from the facilities of E. I. duPont deNemours & Co., at (a) East Chicago, IN, to points in IL, OH, AR, LA, SC, MO, MI, and TN and (b) Columbia Park, OH, to points in IL, AR, LA, MO, MI, and TN, and (c) Wurtland, KY, to points in AR, LA, and TX, and (2) *chemicals,* in bulk, in tank vehicles, from Orange and Beaumont, TX, to points in the US (except AK and HI). (Hearing site: Washington, DC.)

Note.—This republication corrects (a) in the territory description to read to points in IL, OH, AR, LA, SC, MO, MI, and TN, instead of points in IL, OH, AR, LA, SC, MO, MN, and TN.

MC 111545 (Sub-300F), filed February 27, 1980. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, GA 30065. Representative: J. Michael May. (same address as applicant). Transporting *sand,* in containers, between points in Cooke County, TX, on the one hand, and, on the other, points in CA and those points in the U.S. in and east of MN, IA, NE, KS, OK, and TX. (Hearing site: Dallas, TX.)

MC 114194 (Sub-215F), filed March 10, 1980. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Rd., East St. Louis, IL 62201. Representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, MO 63101. Transporting *dry corn products,* from Atchison, KS, to points in the United States (except AK and HI). (Hearing site: St. Louis, MO, or Chicago, IL.)

MC 117574 (Sub-343F), filed November 9, 1979, previously noticed in the Federal Register on April 3, 1980. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, PA 17013. Representative: E. S. Moore, Jr. (same address as applicant). Transporting (1) *machinery and equipment* used in the production of color television picture tubes, and (2) *accessories, parts, materials and supplies* used in the installation, assembly thereof, between Baltimore, MD, Cleveland, OH, Lancaster, PA, New York, NY, and Pittsburgh, PA, on the one hand, and, on the other, points in CT, DE, IL, IN, IA, KY, ME, MD, MA, MI, MN, MO, NH, NJ, NY, OH, PA, RI, VT, VA, WV, WI, and DC, restricted to the transportation of traffic moving in foreign commerce. (Hearing site: Washington, DC.)

Note.—This republication corrects the commodity description.

MC 117574 (Sub-344F), filed November 8, 1979, previously noticed in the Federal Register on April 3, 1980. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, PA 17013. Representative: E. S. Moore, Jr. (same address as applicant). Transporting (1) *building materials* and (2) *materials, equipment, and supplies* used in the installation and erection thereof, from the facilities of The Celotex Corporation at Sunbury, PA, to points in CT, DE, GA, IL, IN, IA, KY, MA, MD, ME, MI, MN, MO, NC, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WV, WI, and DC, restricted to the transportation of traffic originating at the named facilities. (Hearing site: Harrisburg, PA, or Washington, DC.)

Note.—This republication corrects the commodity description.

MC 127834 (Sub-123F), filed February 11, 1979. Applicant: CHEROKEE HAULING & RIGGING, INC., Highway 85 East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer L, Madisonville, KY 42431. Transporting *iron and steel articles,* from the facilities of Bethlehem Steel Corporation, at or near (a) Lackawanna, NY, (b) Sparrows Point, MD, and (c) Bethlehem, PA, to points in AL, AR, FL, GA, IA, IL, IN, KS, KY, LA, MN, MO, MS, NE, NC, OK, SC, TN, TX, VA, and WI. (Hearing site: Philadelphia, PA.)

MC 133655 (Sub-210F), filed February 22, 1980. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 402535, Dallas, TX 75240. Representative: Warren L. Troupe, 2480 E. Commercial Blvd., Fort Lauderdale, FL 33308. Transporting *sugar,* in containers, from Sugar Land, TX, to points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MA, MI, MN, MS, MO, NE, NJ, NY, NC, OH, OK, PA, RI, SC, TN, VA, WV, and WI. (Hearing site: Houston or Dallas, TX.)

MC 134134 (Sub-69F), filed March 10, 1980. Applicant: MAINLINER MOTOR EXPRESS, INC., 4202 Dahlman Ave., Omaha, NE 68107. Representative: James F. Crosby, P.O. Box 37205, Omaha, NE 68137. Transporting (1) *alcoholic beverages,* and (2) *non-alcoholic cocktail mixes,* from the facilities of James B. Beam Distilling Co., at or near Clermont, KY, to points in IA,

MO, KS, and CO. (Hearing site: Louisville, KY.)

MC 135195 (Sub-5F), filed January 17, 1980, previously noticed in the Federal Register issue of April 22, 1980. Applicant: STOVER AIR CARGO, INCORPORATED, 3830 Wisman Lane, Quincy, IL 62301. Representative: Leonard R. Kofkin, 39 South LaSalle St., Chicago, IL 60603. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between St. Louis, MO, and points in Cedar, Clinton, Des Moines, Henry, Jefferson, Johnson, Lee, Linn, Louisa, Muscatine, Scott, Wapello, and Washington Counties, IA, Adams, Cook DuPage, Hancock, Henderson, Henry, Knox, McDonough, Mercer, Peoria, Pike, Rock Island, Tazewell, Warren, Whiteside, and Woodford Counties, IL, Adair, Clark, Knox, Lincoln, Lewis, Marion, Monroe, Pike, Ralls, St. Louis, and Shelby Counties, MO, restricted to traffic having an immediately prior or subsequent movement by air. (Hearing site: Chicago, IL, or St. Louis, MO.)

Note.—This republication modifies the territorial description.

MC 139495 (Sub-530F), filed March 5, 1980. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. Transporting *alcoholic beverages,* in containers, from Owensboro, KY, to points in WI. (Hearing site: Washington, DC.)

MC 141804 (Sub-379F), filed February 26, 1980. Applicant: WESTERN EXPRESS, DIVISION of INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (same address as applicant). Transporting *tools, accessories* for tools, *storage cabinets,* and *work tables,* between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Snap-On-Tools Corporation. (Hearing site: Los Angeles, CA.)

MC 145015 (Sub-3F), filed January 22, 1980, previously noticed in the Federal Register issue of April 22, 1980. Applicant: P.M.E., Ltd., Box 181, Group 261, R.R. 2, Winnipeg, Manitoba, Canada R3C 2E6. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. *Contract carrier* in foreign commerce only, transporting *used railroad ties,* from ports of entry on the international boundary line between the US and Canada in MN, MT, and ND, to points in AZ, CA, CO, NV, NM, OR, TX, UT, and WA. under continuing contract(s) with Altacon Traders, Ltd., of Edmonton, Alberta, Canada. (Hearing site: Minneapolis, or St. Paul, MN.)

Note.—This republication modifies the territorial description. Dual operations may be involved.

MC 147384 (Sub-1F), filed January 28, 1980. Applicant: DENNIS CARRICO, 2626 Northwood, Mishawaka, IN 46544. Representative: John D. Carrico, 16878 Cleveland Rd., Granger, IN 46530. *Contract carrier,* transporting *such commodities* as are dealt in or used by hardware and lumber stores, (1) from the facilities of Wickes Lumber Company at or near Stevensville, MI, to points in Allegan, Barry, Calhoun, Branch, St. Joseph, Cass, Kalamazoo, Van Buren, and Berrien Counties, MI, and Elkhart, Noble, Whitley, Kosciusko, Fulton Marshall, Starke, St. Joseph, Pulaski, Porter, LaPorte, LaGrange, Steuben, Lake, and Jasper Counties, IN, under a continuing contract(s) with Wickes Lumber Company, of Saginaw, MI. (Hearing site: Lansing, MI.)

MC 147455 (Sub-1F), filed August 27, 1979, previously noticed in the Federal Register issue of March 27, 1980. Applicant: W. F. BROADWATER, d.b.a. W. F. BROADWATER TRUCKING CO., Route 3, Box 39-D, Grantsville, MD 21536. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. Transporting (1) (a) *refractories,* and (b) *materials, equipment and supplies* used in the manufacture of refractories, between Frostburg, Mt. Savage, and Jennings, MD and St. Charles, PA, on the one hand, and, on the other, points in DE, MD, NJ, NY, OH, PA, VA, and WV; and (2) *lumber,* between Mt. Savage, MD and New Bethlehem, PA, on the one hand, and, on the other, points in DE, MD, NJ, NY, OH, PA, VA, and WV. (Hearing site: Cumberland, MD.)

Note.—This republication indicates the correct commodity and territorial description.

MC 148694 (Sub-2F), filed February 4, 1980. Applicant: JAMES R. ANDERS, 414 South Martin, Warren, AR 71671. Representative: Ron Lewellyn (same address as applicant). Transporting *lumber* and *wood products,* from Warren, AR, to Fort Worth, TX. (Hearing site: Little Rock, AR.)

MC 148825 (Sub-F), filed January 24, 1980. Applicant: CHRISTY TRUCKING COMPANY, INC., Rt 3, Box 241-A, Mocksville, NC 27028. Representative: Steven M. Beaver, (same address as applicant). Transporting *paint rollers, paint applicators,* and *paint pans,* from the facilities of Hansteck Corporation, at or near Roanoke, VA, to San Bernadino and Torrance, CA. (Hearing site: Charlotte, NC.)

MC 150174 (Sub-2F), filed October 2, 1979. Applicant: HIVELY TRANSPORTATION, INC., 1100 Lafayette St., P.O. Box 1103, York, PA 17405. Representative: Robert B. Einhorn, 3220 P.S.F.S. Bldg., 12 South 12th St., Philadelphia, PA 19107. Transporting (1) *building materials,* and (2) *materials, equipment, and supplies* used in the manufacture, distribution, and installation of building materials (except in bulk, in tank vehicles), from the facilities of Georgia-Pacific Corporation, at Quakertown, PA, to points in OH, VA, MD, DE, NJ, NY, WV, and DC. (Hearing site: Philadelphia, PA, or Washington, DC.)

Note.—Dual operations may be involved.

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Decided: May 2, 1980.

By the Commission Review Board, Number 3: Members Parker, Fortier and Hill

MC 14138 (Sub-11F), filed February 29, 1980. Applicant: HEAVY TRANSPORT, INC., P.O. Box 727, Long Beach, CA 90801. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. Transporting (1) *contractor's machinery, materials, equipment, parts, and supplies* (except commodities in bulk), and (2) *commodities* which by reason of size or weight require the use of special equipment, between points in CA, on the one hand, and, on the other, points in TX, AZ, NM, ID, UT, CO, WY, NV, WA, and OR. (Hearing site: Los Angeles, CA.)

MC 23618 (Sub-63F), filed March 3, 1980. Applicant: McALISTER TRUCKING COMPANY, d.b.a. MATCO, 2041 S. Treadaway Blvd., Abilene, TX 79604. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. Transporting *construction materials, equipment, and supplies,* between points in the U.S. (except AK and HI). (Hearing site: Dallas or Houston, TX.)

MC 28088 (Sub-52F), filed February 20, 1980. Applicant: NORTH & SOUTH LINES, INC., 2710 S. Main St., Harrisonburg, VA 22801. Representative: Henry E. Seaton, 929 Pennsylvania Bldg. 13th & Pennsylvania Ave., NW., Washington, DC 20004. Transporting *foodstuffs* and *commodities* used in the production, storage, and distribution of foodstuffs (except commodities in bulk), betwen Hanover, PA, on the one hand, and, on the other, points in DE, MD, NJ, NY, OH, VA, WV, and DC. (Hearing site: Hanover, PA.)

MC 28088 (Sub-53F), filed March 3, 1980. Applicant: NORTH & SOUTH LINES, INC., 2710 South Main Street,

Harrisonburg, VA 22801. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street, NW., Washington, DC 20004. Transporting (1) *frozen foods* from the facilities of Pet Incorporated, Frozen Foods Division, at (a) Frankfort, MI, (b) South Bend, IN, and (c) Benton Harbor and Hart, MI, to points in CT, DE, ME, MA, NH, NJ, RI, and VT, and (2) *frozen foods and commodities used in the manufacture sale and distribution of frozen foods,* between the facilities of Pet Incorporated, Frozen Food Division, at or near (a) Frankfort, MI, (b) Chickasha, OK, and (c) Lithonia, GA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: St. Louis, MO.)

MC 29079 (Sub-170F), filed February 25, 1980. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H St., NW., Washington, DC 20006. Transporting *iron and steel articles,* from St. Louis, MO and Bellevue, OH, to points in AL, DE, GA, IL, IN, KY, MD, MS, MO, NJ, NY, NC, OH, PA, SC, TN, VA, WV, WI, DC, those points in LA on and east of the Mississippi River, and those in the Lower Peninsula of MI. (Hearing site: Washington, DC.)

MC 29079 (Sub-171F), filed February 25, 1980. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H St., NW, Washington, DC 20006. Transporting (1) *iron and steel articles,* from Muskegon, MI to Columbus, IN: (2) *auto parts,* from Ionia, MI, to Fort Wayne, IN and Springfield, OH; (3) *plastic or fiberglas articles,* from Ionia, MI to Huntington, WV and Washington, IN; and (4) *materials, equipment, and supplies* used in the manufacture of the commodities in (1), (2), and (3) above, in the reverse direction. (Hearing site: Washington, DC.)

MC 31389 (Sub-296F), filed March 6, 1980. Applicant: McLEAN TRUCKING COMPANY, a corporation, 1920 West First St., Winston-Salem, NC 27104. Representative: David F. Eshelman, P.O. Box 213, Winston-Salem, NC 27102. Regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of the Cities Service Company at or near Mojave, CA, as an off-route point in connection with applicant's authorized regular route operations. (Hearing site: Tulsa, OK, or Dallas, TX.)

MC 31389 (Sub-297F), filed March 6, 1980. Applicant: McLEAN TRUCKING COMPANY, a corporation, 1920 West First St., Winston-Salem, NC 27104. Representative: David F. Eshelman, P.O. Box 213, Winston-Salem, NC 27102. Regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Smith System Manufacturing Company at or near Princeton, MN as an off-route point in connection with applicant's presently authorized regular route operations. (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 42289 (Sub-15F), filed December 12, 1979, Applicant: LOMBARD BROTHERS, INC., 233 Mill Street, Waterbury, CT 06720. Representative: Gerald A. Joseloff, 80 State Street, Hartford, CT 06103. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in ME, NH, and VT, on the one hand, and, on the other, points in CT, MA, RI, NY, NJ, PA, DE, MD, VA, and DC. (Hearing site: Hartford, CT, or Washington, DC.)

MC 46219 (Sub-19F), filed November 7, 1979 (republication). Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, NY 1101. Representative: Lawrence E. Lindeman, 425 13th St. NW, Suite 1032, Washington, DC 20004. Transporting *new furniture and new household furnishings,* uncrated, when moving from retail department stores or retail furniture merchants or from storage or terminal facilities maintained by such stores between New York, NY, on the one hand, and, on the other, points in OH, MI, IN, IL, and WI. (Hearing site: New York, NY.)

Note.—This republication add a restriction to the publication of March 11, 1980.

MC 46829 (Sub-13F), filed November 26, 1979. Applicant: ALLARD EXPRESS, INC., 806 Elm Street, Watertown, WI 53094. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting over regular routes, *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Two Rivers, WI, and North Chicago, IL, (a) from Two Rivers over WI Hwy 42 to Manitowoc, WI, then over US Hwy 141 to junction Milwaukee County Hwy B, then over Milwaukee County Hwy B to Milwaukee, WI, then over WI Hwy 42 to the WI–IL State line, and then over IL Hwy 42 to North Chicago, and return over the same route, (b) from Two Rivers to Milwaukee as specified above, then over Milwaukee County Hwy H to junction WI Hwy 38 then over WI Hwy 38 to Racine, WI, then to North Chicago as specified above, and return over the same route, (c) from Two Rivers to Milwaukee as specified above, then over Milwaukee County Hwy AA to junction Milwaukee County Hwy Z, then over Milwaukee County Hwy Z to junction WI Hwy 42, then to North Chicago as specified above, and return over the same routes, serving in (a), (b), and (c) above all off-route points in Milwaukee County, WI, (2) between certain points in WI as follows: (a) from Sheboygan over WI Hwy 32 to Kiel, WI, then over WI Hwy 57 to Chilton, and return over the same route, (b) between Sheboygan and Plymouth, WI, over WI Hwy 23, (c) between Sheboygan and Sheboygan Falls, over WI Hwy 28, (d) from Milwaukee over WI Hwy 19 to Sun Prairie, WI, then over US Hwy 151 to Madison, and return over the same route, (e) from Milwaukee over WI Hwy 15 to Beloit, WI, and then over US Hwy 51 to South Beloit, IL, and return over the same route, (f) from Milwaukee over US Hwy 41 to junction WI Hwy 36, then over WI Hwy 36 to Lake Geneva, WI and then over US Hwy 12 to Genoa City, and return over the same route, (g) between Racine and Janesville, WI, over WI Hwy 11, serving the off-route point of Williams Bay, WI, (h) between Racine and Rochester over WI Hwy 20, (i) from Milwaukee over US Hwy 18 to Waukesha, WI, (also from Milwaukee over WI Hwy 59 to Waukesha), then over WI Hwy 59 to Milton, and then over WI Hwy 26 to Janesville, and return over the same route, serving the off-route point of Genesee Depot, WI, (j) between Watertown and Portage, over US Hwy 16, serving the off-route points of Clyman, Reeseville, Fall River, and Pardeeville, WI, (k) from Watertown over WI Hwy 26 to junction WI Hwy 33, then over WI Hwy 33 to Beaver Dam, WI, then over US Hwy 151 to Columbus, WI, and then over US Hwy 16 to Portage and return over the same route, (l) from Watertown over WI Hwy 26 to Fort Atkinson, WI, then over US Hwy 12 to Whitewater, and return over the same route, (m) from Watertown over County Hwy A to Lake Mills, WI then over WI Hwy 30 to junction WI Hwy 26, and return over the same route, and (n) from Lake Geneva over WI Hwy 36 to

Williams Bay, WI, then over County Hwy H to junction WI Hwy 50, and then over WI Hwy 50 to Delavan and return over the same route, serving all intermediate points on the named routes, (3) irregular routes between Racine, Kenosha, Burlington, Waukesha, Watertown, Port Washington, Sheboygan, and East Troy, WI, and points in Milwaukee County, WI, (4) between points in WI, as follows: (a) from Milwaukee over unnumbered Hwys to junction WI Hwy 15 near East Troy, WI, (b) between Hales Corners and St. Martin, over unnumbered Hwy, (c) between junction unnumbered Hwy and WI Hwy 83 near Lake Beulah and Mukwonago, over WI Hwy 83, (d) between Burlington and junction unnumbered Hwy south of Salem, over WI Hwy 83, (e) between Genoa City and junction unnumbered Hwy north of Twin Lakes, over unnumbered Hwys, (f) betwen junction WI Hwy 83 and unnumbered Hwy south of Salem and Wilmot, over unnumbered Hwy, (g) between Wilmot and junction WI Hwy 83 south of New Munster, over unnumbered Hwy, (h) between junction WI Hwy 83 and unnumbered Hwy northeast of Silver Lake and junction unnumbered Hwy north of Twin Lakes, over unnumbered Hwy, (i) between Kenosha and junction WI Hwy 83, over WI Hwy 50, (j) between junction WI Hwy 50 and unnumbered Hwy and Pleasant Prairie, over unnumbered Hwy, (k) between junction WI Hwy 50 and US Hwy 45 and Bristol, over US Hwy 45, (l) between junction unnumbered Hwys north of Lake Elizabeth and Lake Elizabeth, over unnumbered Hwy, serving all intermediate points, (5) between Gibbsville and Milwaukee, WI, from Gibbsville over WI Hwy 42 to junction Milwaukee County Hwy "B" then over Milwaukee County Hwy "B" to Milwaukee and return over the same route, serving the intermediate point of Cedar Grove, WI and the off-route point of Oostburg, WI, (6) between junction WI Hwy 30 and WI Hwy 19 and Madison, WI, over WI Hwy 30, serving the intermediate point of Delafield, WI, (7) between junction US Hwy 141 and WI Hwy 57 and junction WI Hwy 144 and US Hwy 141, from junction US Hwy 141 and WI Hwy 57 over WI Hwy 57 to junction WI Hwy 144, then over WI Hwy 144 to junction US Hwy 141, and return over the same route, serving no intermediate points, (8) between junction Racine County Hwy K and WI Hwy 38, and junction US Hwy 41 and WI Hwy 36, from junction Racine County Hwy K and WI Hwy 38 over Racine County Hwy K to Thompsonville, WI, then over US Hwy 41 to junction WI Hwy 36, and return over the same route serving all intermediate points, (9) between Beaver Dam, WI and Markesan, WI, from Beaver Dam over WI Hwy 33 to junction County Hwy A at Randolph, WI, then over County Hwy A to Markesan (also from junction WI Hwy 33 and County Hwy A west over WI Hwy 33 to junction WI Hwy 73, then over WI Hwy 73 to junction WI Hwy 44, east of Manchester, WI, and then over WI Hwy 44 to Markesan), and return over the same route, serving the off-route points of Manchester and Kingston, WI, (10) between Minnesota Jct., WI, and Port Washington, WI, over WI Hwy 33, (11) between Oconomowoc, WI and Horicon, WI, from Oconomowoc over WI Hwy 67 to Mayville, WI, then over WI Hwy 28 to Horicon, and return over the same route, serving Horicon for the purpose of joinder only, (12) between junction WI Hwys 33 and 73, and Portage, WI, over WI Hwy 33, serving junction WI Hwys 33 and 73 for the purpose of joinder only, (13) between junction WI Hwys 33 and 44 and Wyocena, over WI Hwy 44, serving junction WI Hwys 33 and 44 for the purpose of joinder only, (14) between junction WI Hwy 44 and County Hwy P and junction WI Hwys 33 and 73 from junction WI Hwy 44 and County Hwy P over County Hwy P to Randolph, then over WI Hwy 73 to junction WI Hwy 33 and return over the same route, serving the termini for purpose of joinder only, (15) between junction WI Hwys 33 and 146, and Cambria, over WI Hwy 146, serving the termini for purpose of joinder only, (16) between Juneau, WI and Hartford, WI, from Juneau over WI Hwy 115 to junction WI Hwys 115, 67, and 60 then over WI Hwy 60 to Hartford, and return over the same route serving Hartford for the purpose of joinder only, as an alternate route for operating convenience only, and (17) between Beloit, WI and Rockford, IL, (a) over US Hwy 51, and (b) from Beloit over Interstate Hwy 90 to junction US Hwy 20 then over US Hwy 20 (also over US Hwy 20 BR) to Rockford, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. The above authority is restricted to the transportation of shipments received from or delivered to connecting carriers at Rockford, IL. (Hearing site: Milwaukee or Madison, WI.)

MC 50069 (Sub-558F), filed February 29, 1980. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, OH 43616. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114. Transporting *liquid chemicals,* in bulk, in tank vehicles, between Indianapolis, IN and points in IL, KY, MI, and OH. (Hearing site: Washington, DC.)

MC 50069 (Sub-559F), filed February 29, 1980. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, OH 43616. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114. Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, from Lima, OH to points in GA, NC, and SC. (Hearing site: Washington, DC.)

MC 68898 (Sub-7F), filed February 21, 1980. Applicant: HANOVER TRANSFER COMPANY, a corporation, 409 East Hanover St., Hanover, PA 17331. Representative: Barry Roberts, 888 17th St., NW., Washington, DC 20006. Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Hanover, PA, and Baltimore, MD, serving all intermediate points, (a) from Hanover, PA, over PA, over PA Hwy 194 to Littlestown, PA, then over US Hwy 140 to junction unnumbered hwy (formerly portion US Hwy 140), then over unnumbered hwy via Westminster and Reese, MD, to junction US Hwy 140, then over US Hwy 140 to Baltimore, and return over the same route, and (b) from Hanover, PA, over PA Hwy 94 to the MD–PA State line, then over MD Hwy 30 to Reisterstown, MD, then over US Hwy 140 to Baltimore, and return over the same route. Condition: Issuance of a certificate in this proceeding is subject to the prior or coincidental cancellation, at applicant's written request, of certificate No. MC 68898 Sub 6 issued January 8, 1965. (Hearing site: Washington, DC.)

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 68898 (Sub-8F), filed February 21, 1980. Applicant: HANOVER TRANSFER COMPANY, a corporation, 409 East Hanover St., Hanover, PA 17331. Representative: Barry Roberts, 888 17th St., NW., Washington, DC 20006. Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Hanover, PA, and Spring Grove, PA, over PA Hwy 116, (2) between Hanover, PA, and Taneytown, MD, (a) from Hanover over PA Hwy 194

to the PA-MD State line, then over MD Hwy 194 to Taneytown, MD, and return over the same route, and (b) serving Lineboro, MD, and Porters and Glenville, PA, as off-routes points in connection with carrier's route between Hanover, PA, and Baltimore, MD; (3) between Hanover, PA, and Fairfield, PA, from Hanover, over PA Hwy 94 to junction US Hwy 30, then over US Hwy 30 to Cashtown, PA, then over unnumbered highway via Orrtanna, PA, to Fairfield, PA, and return over the same route; (4) between Hanover, PA, and East Berlin, PA, over PA Hwy 194, (5) between Hanover, PA, and Fairfield, PA, over PA Hwy 116, (6) between Littlestown, PA, and Gettysburg, PA, over PA Hwy 97. (7) between Mt. Pleasant, MD, and Melrose, MD, from Mt. Pleasant, over MD Hwy 496 to junction MD Hwy 30, then south over MD Hwy 30 to Melrose, and return over the same route; (8) between Westminster, MD, and Manchester, MD, over MD Hwy 27, (9) between Westminster, MD, and Baltimore, MD, from Westminster over MD Hwy 482 to Hampstead, then over MD Hwy 88 to junction MD Hwy 25, north of Butler, MD, then over MD Hwy 25 to Baltimore, and return over the same route; (10) between Hampstead, MD, and White House, MD, over MD Hwy. 137 (11) between Reisterstown, MD, and Butler, MD, over MD Hwy 128. (12) between Abbottstown, PA, and the junction of US Hwy 30 and PA Hwy 94, over US Hwy 30. (13) between Taneytown, MD, and Westminster, MD, over MD Hwy 97, and (14) between Hampstead, MD, and Baltimore, MD, from Hampstead over MD Hwy 88 to junction MD Hwy 25, then over MD Hwy 25 to Baltimore, and return over the same route, serving all intermediate points in routes (1) through (14) above. Condition: Issuance of a certificate in this proceeding is subject to the prior or coincidental cancellation, at applicant's written request, of the regular-route portion of its lead certificate issued September 7, 1967 that duplicates the above authority. (Hearing: Washington, DC.)

Note.—Applicant intends to tack this authority with its existing regular route authority.

MC 106398 (Sub-1062F), filed March 3, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting *iron and steel articles,* from the facilities of Bull Moose Tube Company, at Gerald, MO, to points in the U.S. (except AK and HI). (Hearing site: St. Louis, Mo.)

MC 106398 (Sub-1063F), filed March 3, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting *aluminum and aluminum products,* and *materials, supplies, and accessories* used in the distribution of aluminum and aluminum products, between the facilities of Martin Marietta Aluminum at Lewisport, KY and points in AZ, NM, TX, OK, AR, LA, MS, AL, TN, GA, NC, SC, and FL. (Hearing site: Louisville, KY.)

MC 106398 (Sub-1064F), filed March 3, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting *building and construction materials,* and *materials and supplies* used in the manufacture and distribution of building and construction materials, between the facilities of the Donn Corporation at (a) Westlake and Medina, OH, (b) Atlanta, GA, (c) Dallas and Houston, TX, (d) Los Angeles and San Francisco, CA, and (e) Seattle, WA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Cleveland, OH.)

MC 109449 (Sub-41F), filed June 29, 1979 (republication). Applicant: KUJAK TRANSPORT, INC., 6366 W. 6th Street, Winona, MN 55987. Representative: John P. Rhodes, P.O. Box 5000, Waterloo, IA 50704. Transporting *frozen foodstuffs,* between Indianapolis, IN, on the one hand, and, on the other, points in IA, IL, MN, ND, SD, and WI, restricted to the transportation of traffic originating at or destined to the facilities of Monument Distribution Warehouse, Inc., of Indianapolis, IN. (Hearing site: Chicago, IL.)

Note.—This republication broadens the territorial description as published February 14, 1980.

MC 110098 (Sub-182F), filed March 3, 1980. Applicant: ZERO REFRIGERATED LINES, a corporation, 1400 Ackerman Rd., Box 20380, San Antonio, TX 78220. Representative: T. W. Cothren (same address as applicant). Transporting *foodstuffs* (except in bulk), from points in CA, to points in AR, IL, IN, IA, KS, LA, MI, MN, MO, NE, ND, OH, OK, SD, and WI. (Hearing site: Los Angeles or San Francisco, CA.)

MC 112989 (Sub-123F), filed March 3, 1980. Applicant: WEST COAST TRUCK LINES, INC., 85647 Highway 99 South, Eugene, OR 97405. Representative: John W. White, Jr. (same address as applicant). Transporting *paint and paint products,* and *materials, equipment, and supplies* used in the manufacture and distribution of paint and paint products, between points in ID, WA, OR, CA, and NV. (Hearing site: San Francisco, CA.)

Note.—Dual operations may be involved.

MC 114098 (Sub-52F), filed October 11, 1979. Applicant: LOWTHER TRUCKING COMPANY, INC., P.O. Box 3117 C.R.S., Rock Hill, SC 29730. Representative: Lawrence E. Lindeman, 425 13th Street, NW., 1032 Washington, DC 20004. Transporting (1) *lumber,* from points in Clarendon County, SC, to points in GA, MD, NC, SC, TN, and VA, and (2) *iron and steel articles,* between points in Surry County, NC, and points in SC. (Hearing site: Charlotte, NC.)

Note.—Dual operations may be involved.

MC 115648 (Sub-36F), filed December 27, 1979, previously noticed in Federal Register issue of April 3, 1980. Applicant LOCK TRUCKING, INC., P.O. Box 278, Wheatland, WY 82201. Representative; Ward A. White, P.O. Box 568, Cheyenne, WY 82001. Transporting (1) *limestone* from points in Larimer County, CO, to points in Albany Carbon, Goshen and Platte Counties, WY, and (2) *lime and limestone* from points in Goshen County, WY, to points in the United States in and west of MI, IN, IL, TN, AR, and LA (except AK and HI). (Hearing site: Cheyenne, WY or Denver, CO.)

Note.—This republication shows the correct docket number as MC 115648 (Sub-36F), in lieu of MC 115468 (Sub-36F).

MC 116778 (Sub-4F), filed March 3, 1980. Applicant: FLOYD R. BEARD., P.O. Box 43, Denmark, SC 29042. Representative: Frank A. Graham, Jr., 707 Security Federal Bldg., Columbia, SC 29201. Transporting *dry fertilizer and dry fertilizer materials.* from the facilities of Farmers Mutual Exchange, Div. of Gold Kist, Inc., at or near Clio, GA to points in SC. (Hearing site: Columbia, SC, Charlotte, NC, or Washington, DC.)

MC 118959 (Sub-248F), filed March 3, 1980. Applicant: JERRY LIPPS, INC., 130 S. Frederick St., Cape Girardeau, MO 63701. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. Transporting *general commodities* (except commodities in bulk, classes A and B explosives, and commodities requiring special equipment), between the facilities of General Warehouse and Transportation, Inc., at Chicago, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Chicago, IL.)

MC 119789 (Sub-683F), filed March 3, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *rough steel forgings,* from

Collierville, TN, to points in AZ, CA, MI, MN, NC, ND, OH, SC, SD, and TX. (Hearing site: Memphis, TN.)

MC 120618 (Sub-25F), filed November 20, 1979, previously noticed in Federal Register issue of March 11, 1980. Applicant: SCHALLER TRUCKING CORPORATION, 5700 West Minnesota Street, Indianapolis, IN 46241. Representative: John R. Bagileo, 918, 16th Street NW., Washington, DC 20006. Transporting (1) *brass, copper, aluminum and cupro-nickel coils and tubing,* from East Alton, IL, and Indianapolis, IN, to Buffalo, NY, (2) *radiators, heaters, air conditioners, defrosters, thermostats, recuperators, and heat exchangers,* between Buffalo, NY, and points in MI, OH, MO, KS, and WI, (3) *parts* for the commodities in (2) above, and (4) *automobile parts and automobile accessories,* from Anderson, IN, to the facilities of Harrison Radiator, a Division of General Motors Corporation, at or near Buffalo, NY. (Hearing site: Buffalo, NY, or Indianapolis, IN.)

Note.—This republication is to change the territory and commodity description.

MC 124078 (Sub-1017F), filed March 3, 1980. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th St., Milwaukee, WI 53215. Representative: Richard H. Prevette, P.O. Box 1601, Milwaukee, WI 53201. Transporting *liquid chemicals,* in bulk, in tank vehicles, (1) from Charleston, TN, to points in AL, AR, GA, IL, IN, KY, MS, MO, NC, OH, SC, VA, and WV, and (2) from Augusta, GA, to points in TN and VA. (Hearing site: Washington, DC.)

MC 124078 (Sub-1018F), filed March 4, 1980. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th St., Milwaukee, WI 53215. Representative: Richard H. Prevette, P.O. Box 1601, Milwaukee, WI 53201. Transporting *aqua ammonia,* in bulk, in tank vehicles, from Columbia, SC, to points in GA, FL, NC, and TN. (Hearing site: Columbia, SC, or Atlanta, GA.)

MC 125708 (Sub-194F), filed February 4, 1980. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., 425 W. 152nd St., E. Chicago, IN 46312. Representative: Anthony C. Vance, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting (1) *refractories, refractory materials, and refractory products,* and (2) *materials, equipment, and supplies* used in the production of refractories, between Pedro, So. Webster, and Youngstown, OH, So. Rockwood, MI, and Crown Point, IN, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of BMI, Inc. and its subsidiaries Gunning Refractories, Inc. and Lawrence Refractories Co. (Hearing site: Washington, DC.)

MC 126118 (Sub-229F), filed February 29, 1980. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same address as applicant). Transporting *frozen foods,* between Omaha, NE, and Council Bluffs, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Lincoln or Omaha, NE.)

Note.—Dual operations may be involved.

MC 126118 (Sub-230F), filed February 29, 1980. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same address as applicant). Transporting *such commodities* as are used by manufacturers of heating and airconditioning units and electrical items (except commodities in bulk, and those requiring special equipment), between Elyria and Medina, OH, on the one hand, and, on the other, points in the U.S. (except AK, HI, and OH). (Hearing site: Cleveland or Columbus, OH.)

Note.—Dual operations may be involved.

MC 126118 (Sub-231F), filed February 29, 1980. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same address as applicant). Transporting (1) *foodstuffs* (except frozen), *and animal foods,* and (2) *materials, ingredients, supplies, and equipment* used in the manufacture of the commodities in (1) between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Starkist Corp. (Hearing site: Los Angeles or San Francisco, CA.)

Note.—Dual operations may be involved.

MC 129759 (Sub-38F), filed March 7, 1980. Applicant: TRIANGLE TRUCKING COMPANY, a corporation, P.O. Box 490, McKees Rocks, PA 15136. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. *Contract Carrier* transporting *iron and steel articles,* and *materials, equipment and supplies* used in the manufacture and distribution of iron and steel articles (except commodities in bulk) between the facilities of Dietrich Industries, Inc. at or near Ashville, AL, on the one hand, and, on the other, points in AL, CT, DE, DC, IL, IN, IA, KY, ME, MD, MA, MI, MN, NH, NJ, NY, OH, PA, RI, VT, VA, WV, and WI, under continuing contract(s) with Dietrich Industries, Inc. of Blairsville, PA. (Hearing site: Pittsburgh, PA.)

MC 136008 (Sub-114F), filed June 18, 1979. Applicant: JOE BROWN COMPANY, INC., 20 Third Street NE., Ardmore, OK 73401. Representative: John P. Tipsword, P.O. Box 6210, Moore, OK 73401. Transporting (1) *dry commodities,* in bulk, in dump or tank vehicles, between points in the United States (except AK and HI), (2) *sand and soda ash,* in bulk, between points in the United States (except AK and HI), on the one hand, and, on the other, the facilities of General Electric Company, at (a) Jackson, MS, (b) Lexington and Somerset, KY, (c) Bridgeville, PA, and (d) Cleveland, Bucyrus, Logan, and Niles, OH, (3) *commodities* in bulk or in bags, between points in the United States (including AK but excluding HI), and (4) *materials, equipment, and supplies* used in the manufacture and distribution of concrete products, between points in the U.S. (except AK and HI), restricted in (1) to traffic originating at or destined to the facilities of Anchor Hocking Corporation, Brockway Glass Company, Inc., Ball Corporation, Chattanooga Glass Company, Dresser Industries, Inc., Kerr Glass, Liberty Glass Company, Midland Glass Company, Milchem Incorporated, and Owens-Illinois, restricted in (3) to traffic originating at or destined to the facilities and jobsites of Dowell, Division of Dow Chemicals and further restricted in (4) to traffic originating at or destined to the facilities of Harter Concrete Products, Inc., and Hydro Conduit Corporation. (Hearing site: Oklahoma City, OK.)

MC 136318 (Sub-66F), filed March 3, 1980. Applicant: COYOTE TRUCK LINE, INC., 501 Sam Ralston Rd., Lebanon, IN 46052. Representative: Steven K. Kuhlmann, 2600 Energy Center One, 717—17th St., Denver, CO 80202. *Contract carrier* transporting *new furniture,* from the facilities of Boyd Furniture Manufacturing at or near Los Angeles, CA, to points in the U.S. in east of ND, SD, NE, KS, OK, and TX, under continuing contract(s) with Boyd Furniture Manufacturing, of Carson, CA. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 136818 (Sub-109F), filed March 3, 1980. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Rd., P.O. Box 3902, Phoenix, AZ 85030. Representative: Donald E. Fernaays, 4040 East McDowell Rd., Suite 320, Phoenix, AZ 85008. *Transporting* (1) *building and construction materials,* and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk) between the

facilities of The Celotex Corporation at or near Tracy, CA, on the one hand, and, on the other, those points in the U.S. in and west of MN, IA, MO, AR, and LA (except AK and HI). (Hearing site: Phoenix, AZ.)

Note.—Dual operations may be involved.

MC 138438 (Sub-82F), filed March 7, 1980. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. Transporting *malt beverages,* from Newark, NJ and Pabst, GA, to the facilities of G. E. Murray Distributing Company at or near Hagerstown, MD. (Hearing site: Hagerstown, MD.)

Note.—Dual operations may be involved.

MC 138469 (Sub-193F), filed November 8, 1979, previously noticed in Federal Register issue of March 11, 1980. Applicant: DONCO CARRIERS, INC., 4720 S.W. 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting (a) *pharmaceutical, nutritional, veterinary, and industrial products and cosmetics,* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of R. P. Sherer Corporation, at or near St. Petersburg, FL, to points in the U.S. (except AK and HI), and (b) *equipment, materials, and supplies* used in the manufacture of the commodities in (a) above, in the reverse direction, restricted to the transportation of traffic originating at or destined to the named facilities. (Hearing site: Orlando or Tampa, FL.)

Note.—This republication changes the facilities location from Clearwater, FL, to St. Petersburg.

MC 138469 (Sub-223F), filed March 3, 1980. Applicant: DONCO CARRIERS, INC., 4720 S.W. 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting *sugar* (except in bulk, in tank vehicles), from the facilities of Imperial Sugar Company at Sugar Land, TX, to points in the U.S. (except AK and HI), restricted to traffic originating at the named origin and destined to the indicated destinations. (Hearing site: Houston or Dallas, TX)

MC 138469 (Sub-224F), filed February 28, 1980. Applicant: DONCO CARRIERS, INC., 4720 SW. 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Ave., Park Ridge, IL 60068. Transporting *such commodities and merchandise* as are dealt in or used by wholesale and retail chain department stores (except commodities in bulk, in tank vehicles), from points in the U.S. (except AK and HI), to the facilities of the C. R. Anthony Company at Oklahoma City, OK, restricted to traffic orignating at the indicated origins and destined to the named destination. (Hearing site: Dallas, TX, or Oklahoma City, OK.)

MC 138469 (Sub-225F), filed March 3, 1980. Applicant: DONCO CARRIERS, INC., 4720 S.W., 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting *containers and container accessories and materials used in the manufacture of containers and container accessories* (except commodities in bulk), between the facilities of Kerr Glass Manufacturing Corporation at or near (1) Sand Springs, OK and (2) Dunkirk, IN, and points in AR, CO, IL, IA, KS, LA, MI, MS, MO, NE, NM, TN, and TX, restricted to traffic originating at or destined to the named facilities. (Hearing site: Dallas, TX or Oklahoma City, OK.)

MC 140159 (Sub-15F), filed March 3, 1980. Applicant: C. L. FEATHER, INC., P.O. Box 1190, Altoona, PA 16601. Representative: Thomas M. Mulroy, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222. Transporting *coal,* in bulk, from points in Jefferson County, PA, to points in NY. (Hearing site: Pittsburgh, PA or Washington, DC.)

MC 140549 (Sub-20F), filed March 3, 1980. Applicant: FRITZ TRUCKING, INC., East Hwy 7, Clara City, MN 56222. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *polypropylene agricultural baler twine,* from Albert Lea, MN, to points in AL, AZ, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, MT, NE, NV, NM, ND, OK, OR, SD, TN, TX, UT, WA, WI, and WY. (Hearing site: Minneapolis, or St. Paul, MN.)

Note.—Dual operations may be involved.

MC 140889 (Sub-9F), filed February 29, 1980. Applicant: FIVE STAR TRUCKING, INC., 4720 Beidler Rd., Willoughby, OH 44094. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219. *Contract carrier,* transporting *frozen bread products,* from the facilities of Dakota Bake'N Serve, Inc. at (a) Cedar Lake, MI, (b) Jamestown, ND, and (c) Columbus, WI, to points in IL, IN, MA, MN, MT, ND, NY, OH, OR, PA, and WI, under continuing contract(s) with Dakota Bake'N Serve, Inc., of Jamestown, ND. (Hearing site: Washington, DC, or Pittsburgh, PA.)

MC 142059 (Sub-128F), filed March 3, 1980. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Jack Riley (same address as applicant). Transporting (1) *precast concrete products, modular mausoleum crypt systems and concrete forming systems,* from Oshkosh, WI, to points in IL, IN, IA, KY, MI, MN, MO, ND, SD, and OH, and (2) *precast concrete modular crypt units,* from (a) Dade City, FL, to points in AL, GA, LA, MS, NC, and SC, (b) from Laurel, MD, to points in CT, DE, KY, ME, MA, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, and DC, and (c) from St. Louis, MO, to points in AL, AR, IL, IN, IA, LA, KS, KY, MI, MN, MS, NE, ND, SD, OH, OK, TN, and TX. (Hearing site: Milwaukee, WI or Chicago, IL.)

MC 142559 (Sub-152F), filed March 3, 1980. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Avenue, Cleveland, OH 44114. Representative: David A. Turano, 100 East Broad Street, Columbus, OH 43215. Transporting *such commodities as are dealt in by the manufacturers and distributors of cleaning solutions, cleaning compounds and air fresheners* (except comodities in bulk) between Los Angeles, CA, on the the one hand, and, on the other, those points in the U.S. in and east of WI, IL, KY, TN, and MS. (Hearing site: Los Angeles, CA or Washington, DC.)

Note.—Dual operations may be involved.

MC 143008 (Sub-2F), filed February 29, 1980. Applicant: I. T. G. TRUCKING COMPANY, INC., P.O. Box 2823, Jacksonville, FL 32203. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202. *Contract carrier,* transporting *cigars,* in cartons, from Jacksonville, FL to Los Angeles and Oakland, CA, under a continuing contract(s) with Jno. H. Swisher & Son, Inc., of Jacksnville, FL. (Hearing site: Jacksonville, FL.)

MC 143708 (Sub-3F), filed July 2, 1979, published in the Federal Register issue of February 14, 1980, and republished this issue. Applicant: DUNES BULK TERMINAL COMPANY, INC., 3965 N. Meridian St., Indianapolis, IN 46208. Representative: Alki E. Scopelitis, 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting *such commodities,* as are dealt in or used by manufacturers and distributors of bakery products, between the facilities of West Baking Company at (a) Fremont, Indianapolis, and Lake Station, IN, and (b) Norwalk, OH, on the one hand, and, on the other, points in AR, GA, IL, IN, IA, KS, KY, MI, MN, MS, MO, NY, NC, OH, OK, PA, TN, TX, VA, and WV. (Hearing site: Indianapolis, IN, or Chicago, IL.) This republication includes Indianapolis which was inadvertently omitted from the previous publication.

MC 144188 (Sub-18F), filed March 3, 1980. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, PA 18603. Representative: J. Bruce Walter, P.O. Box 1146, 410 North Third Street, Harrisburg, PA 17108. Transporting (1) *paper and plastic bags and wrapping paper,* and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) between the facilities of Terminal Paper Bag Co., Inc. at or near Yulee, FL, on the one hand, and, on the other, points in NC, VA, WV, OH, IN, IL, DE, MD, PA, NJ, NY, CT, MA, RI, MI, WI, MN, IA, MO, KY, and DC, restricted to traffic originating at points or facility in one base and destined to points or facility in the other base. (Hearing site: Harrisburg, PA or Washington, DC.)

Note.—Dual operations may be involved.

MC 144188 (Sub-19F), filed March 3, 1980. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, PA 18603. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108. Transporting *aluminum and aluminum products,* and *materials, equipment, and supplies* used in the manufacture of aluminum and aluminum products, between the facilities of Eastalco Aluminum Company at points in Frederick County, MD, on the one hand, and, on the other, points in PA and NY, restricted to traffic originating at and destined to the indicated points. (Hearing site: Harrisburg, PA, or Washington, DC.)

Note: Dual operations may be involved.

MC 144368 (Sub-4F), filed March 3, 1980. Applicant: GENPAT, INC., 15224 Dixie Highway, Harvey, IL 60426. Representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, IL 60603. *Contract carrier,* transporting *iron and Steel articles,* between points in IL on and north of Interstate Hwy 80, and points in OH, and MI, under continuing contract(s) with Lawndale Steel Company and Hancock steel Processing Co., a subsidiary of Lawndale Steel Company. (Hearing site: Chicago, IL.)

MC 144888 (Sub-9F), filed June 18, 1979 (republication). Applicant: BIL-RIC TRANSPORT SYSTEMS, INC., 92 East Main Street, Somerville, NJ 08876. Representative: Joseph F. Hoary, 121 South Main Street, Taylor, PA 18517. *Contract carrier,* transporting *such commodities* as are dealt in or used by manufacturers or distributors of foodstuffs (except commodities in bulk and foodstuffs) (1) from the facilities of Beecham Products Company at Rockwood, MI to Clifton, NJ, Morrisville (Bucks County), PA, Los Angeles, CA, Denver, CO, Savannah, GA, Chicago, IL, Kansas City, MO, Milwaukie, OR, Memphis, TN, and Dallas, TX, (2) from the facilities of Beecham Products Company at Clifton, NJ to Rockwood, MI, Morrisville (Bucks County), PA, Los Angeles, CA, Denver, CO, Savannah, GA, Chicago, IL, Kansas City, MO, Milwaukie, OR, Memphis, TN, and Dallas, TX, and (3) from the facilities of Beecham Products Company at Morrisville (Bucks County), PA to Rockwood, MI, Clifton, NJ, Los Angeles, CA, Denver, CO, Savannah, GA, Chicago, IL, Kansas City, MO, Milwaukie, OR, Memphis, TN, and Dallas, TX, under continuing contract(s) with Beecham Products Company, of Pittsburgh, PA. (Hearing site: Washington, DC.)

Note.—This republication corrects the commodity description.

MC 145119 (Sub-4F), filed March 3, 1980. Applicant: LINT TRANSFER, INC., 4549 Delaware Ave., Des Moines, IA 50313. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Contract carrier,* transporting (1) *tires, tire parts, an inner tubes,* and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1), between the facilities of The Firestone Tire & Rubber Company, at Des Moines, IA, on the one hand, and, on the other, points in IL, MN, MO, ND, SD, and WI, under continuing contract(s) with The Firestone Tire & Rubber Company of Des Moines, IA. (Hearing site: Des Moines, IA or St. Paul, MN.)

Note.—T1Dual operations may be involved.

MC 145768 (Sub-6F), filed March 3, 1980. Applicant: KREILKAMP TRUCKING, INCORPORATED, Rural Route No. 1, Allenton, WI 53002. Representative: Nancy J. Johnson, 103 East Washington Street, Box 218, Crandon, WI 54520. Transporting (1) *farm machinery and accessories and parts for farm machinery* from the facilities of Kasten Mfg. Corp., at or near Allenton, WI, to points in the U.S. on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the international boundary line between the United States and Canada (except MI, IL, IN, and OH) and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) in the reverse direction. (Hearing site: Madison or Milwaukee, WI.)

MC 146019 (Sub-2F), filed October 17, 1979. Applicant: ST. PETERS TRANSPORTATION COMPANY, INC., 14 Heather Drive, St. Peters, MO 63376. Representative: David L. Pentland, 4952 McPherson, St. Louis, MO 63108. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between O'Fallon, St. Peters, St. Charles, and St. Louis, MO. (Hearing site: St. Louis, MO.)

MC 146078 (Sub-19F), filed February 29, 1980. Applicant: CAL-ARK, INC., 854 Moline St., P.O. Box 394, Malvern, AR 72104. Representative: John C. Everett, P.O. Box A, 140 E. Buchanan, Prairie Grove, AR 72753. Transporting (1) *non-woven synthetic fibers,* (2) *paper and paper products,* and (3) *materials, equipment and supplies* used in the manufacture of the commodities in (1) and (2), between the facilities of Paper Pak Products, Inc., at or near Laverne, CA, on the one hand, and, on the other, points in WA, OR, CA, ID, KS, MO, AR, LA, MS, IA, NB, NC, IN, CO, AZ, NM, AL, TN, IL, TX, OK, UT, NV, SC, GA, KY, MT, and WY. (Hearing site: Laverne or San Francisco, CA.)

MC 146258 (Sub-6F), filed April 25, 1979 (republication). Applicant: M. R. BRUTON, INC., P.O. Box 547, Cuba, MO 65453. Representative: Stephen H. Loeb, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. Transporting *feed and fertilizer, and feed and fertilizer supplements,* (except commodities in bulk), from points in Salida, CO, to points in IL and MO. (Hearing site: St. Louis, MO)

Note.—This republication corrects the territorial description.

MC 146729 (Sub-9F), filed March 3, 1980. Applicant: JAMES S. HELWIG and ALLEN L. GRIMLAND, d.b.a., H & G LEASING, a partnership, 2509 Inwood Road, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *motor truck coupler parts and trailer coupler parts* (1) between the facilities of Holland Hitch of Texas, Inc., at or near (a) Wylie, TX, (b) Denmark, SC, (c) Whitehouse Station, NJ, (d) Holland, MI, and (e) Milpitas, CA, and (2) from Houston to Dallas, TX, restricted to traffic having a prior movement by water. (Hearing site: Dallas, TX.)

MC 146729 (Sub-10F), filed March 3, 1980. Applicant: JAMES S. HELWIG and ALLEN L. GRIMLAND, d.b.a., H & G LEASING, a partnership, 2509 Inwood Road, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *synthetic resin granules* from the facilities of Ren Plastics at or near Grand Prairie, TX, to

points in MI, OH, WI, and IL, (Hearing site: Dallas, TX.)

MC 146898 (Sub-5F), filed March 4, 1980. Applicant: MICKS SERVICE, INC., 2146 Camanche Ave., Clinton, IA 52732. Representative: Carl E. Munson, 469 Fischer Bldg., Dubuque, IA 52001. *Contract carrier,* transporting *paper and paper products,* from the facility of International Paper Co., at or near Clinton, IA, to points in IL, IN, MN, MO, OH, and WI, under continuing contract(s) with the International Paper Company, of New York, NY. (Hearing site: New York, NY, or Chicago, IL.)

MC 147589 (Sub-4F), filed February 19, 1980. Applicant: BAER'S TRANSIT, INC., 754 Airport Rd., Menasha, WI 54952. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. *Contract carrier,* transporting (a) *wire products, fan guards, grills and bolts,* and (b) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (a), between Schofield, WI, and St. Louis, MO, under continuing contract(s) with Wiremaid Manufacturing, Inc., of Schofield, WI. Conditions: (1) Applicant shall conduct separately its for-hire carriage and other business operations; (2) Shall maintain separate accounts and records for each operation; and (3) Shall not transport property as both a private and for-hire carrier in the same vehicle at the same time. (Hearing site: Madison or Milwaukee, WI.)

MC 147868F filed May 21, 1979, previously published in the Federal Register issue of March 11, 1980. Applicant: OKLAHOMA WESTERN LINES, INC., Route 2, Checotah, OK 74426. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Transporting *scrap and recycled materials,* between points in AL, AZ, AR, CA, CO, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NM, NC, ND, OH, OK, PA, SC, SD, TN, TX, VA, WV, and WI. (Hearing site: Chicago, IL.)

Note.—This republication adds OK to the territorial description. Dual operations may be involved.

MC 148088F, filed August 8, 1979 (republication). Applicant: COUNTRY TRAILS BUS CO., INC., R.D. No. 2, Box 25D, Clarion, PA 16214. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. Transporting *passengers and their baggage, in the same vehicle with passengers,* in special and charter operations, beginning and ending at points in Clarion, Forest, and Jefferson Counties, PA, and extending to points in OH, MI, IL, NC, FL, LA, TN, WV, VA, MA, DC, NY, and NJ. (Hearing site: Pittsburgh, PA, or Washington, DC.)

Note.—This republication adds the State of NY, as previously published February 20, 1980.

MC 148158 (Sub-7F), filed February 26, 1980. Applicant: CONTROLLED DELIVERY SERVICE, INC., P.O. Box 1299, City of Industry, CA 91749. Representative: Patricia M. Schnegg, 707 Wilshire Blvd., 1800 United California Bank Bldg., Los Angeles, CA 90017. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Cache, Davis, Salt Lake, Tooele, and Weber Counties, UT, and El Paso County, TX, on the one hand, and, on the other, points in CA, GA, IN, KY, TX, and UT. (Hearing site: Los Angeles, CA.)

MC 148629F, filed November 5, 1979 (republication). Applicant: PARKHILL PIPE SERVICES COMPANY, P.O. Box 45388, Tulsa, OK 74145. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. Transporting (1) *pipe,* and (2) *pipeline materials* incidental to and used in connection with the construction, repairing, maintenance or dismantling of pipelines between points in the US (including AK but excluding HI), restricted to traffic moving to or from pipeline rights of way, and further restricted against transportation of pipe used for the construction of water and sewage collection and distribution lines. (Hearing site: Dallas, TX.)

Note.—This republication broadens the territorial description and adds the restrictions to the publication of March 11, 1980.

MC 148858 (Sub-2F), filed March 3, 1980. Applicant: DARRELL ANDREWS d.b.a. DARRELL ANDREWS TRUCKING, P.O. Box 654, Siler City, NC 27344. Representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, DC 20014. *Contract carrier,* transporting (1) *yarn, elastic, and materials used in the manufacture of hosiery,* from Siler City and Eden, NC and Louisville, KY to Twin Falls, ID, and (2) *hosiery and undergarments,* from Twin Falls, ID, to Siler City, NC, under continuing contract(s) with Kellwood Company, Glendale Group of Siler City, NC. (Hearing site: Durham, NC.)

MC 149178 (Sub-2F), filed February 6, 1980. Applicant: C & N EVANS TRUCKING CO., INC., Route 2, Box 39–E, Stoneville, NC 27048. Representative: Clarence B. Evans (same address as applicant). *Contract carrier,* transporting *metal containers,* from the facilities of National Can Corporation at Winston-Salem, NC, to points in VA, under continuing contract(s) with National Can Corporation of Piscataway, NJ. (Hearing site: Charlotte, NC.)

MC 149218 (Sub-4F), filed March 3, 1980. Applicant: SUNBELT EXPRESS, INC., 118 Hamilton Circle, Bremen, GA 30110. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting *cleaning, buffing, and polishing compounds, textile softeners, lubricating oil, deodorants, and disinfectants* (except commodities in bulk), from the facilities of Economics Laboratory, Inc. at or near Joliet, IL, to points in AL, FL, GA, KY, NC, SC, TN, and WV. (Hearing site: Atlanta, GA, or Washington, DC.)

MC 149239 (Sub-1F), filed December 17, 1979. Applicant: FORT STEUBEN LIMOSINE SERVICE CO., a corporation, 420 Lee Road, Follansbee, WV 26037. Representative: Owen B. Katzman, 1800 M St., N.W., Suite 800 South, Washington, DC 20036. Transporting *passengers and their baggage,* in special operations, in vehicles limited to ten passengers or less, between Greater Pittsburgh International Airport, on the one hand, and, on the other, points in Hancock, Brooke, and Ohio Counties, WV (except Wheeling, WV), and points in Jefferson, Columbiana, and Harrison Counties, OH. (Hearing site: Weirton, WV.)

MC 150269F, filed February 20, 1980. Applicant: BROWN & LAMBRECHT EARTHMOVERS, INC., Route 30 and Gougar Rd. R.F.D. No. 2, Joliet, IL 60431. Representative: Paul J. Maton, 10 S. La Salle St., Chicago, IL 60603. Transporting *heavy machinery and parts and supplies* for heavy machinery, between the facilities of Caterpillar Tractor Co. at or near Mt. Joy, IA, on the one hand, and, on the other, points in IL. (Hearing site: Chicago, IL, or Davenport, IA.)

MC 150309F, filed March 6, 1980. Applicant: MIDWEST TRANSPORTATION, INC., 1501 East Lincolnway, Ames, IA 50010. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. Transporting *passengers and their baggage,* in round-trip special and charter operations, beginning and ending at points in Boone and Story Counties, IA, and extending to points in the U.S. (except AK and HI). (Hearing site: Des Moines, IA.)

MC 149218 (Sub-4F), filed March 3, 1980. Applicant: SUNBELT EXPRESS, INC., 118 Hamilton Circle, Bremen, GA 30110. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting *cleaning, buffing, and polishing compounds, textile softeners,*

lubricating oil, deodorants, and disinfectants (except commodities in bulk), from the facilities of Economics Laboratory, Inc. at or near Joliet, IL, to points in AL, FL, GA, KY, NC, SC, TN, and WV. (Hearing site: Atlanta, GA, or Washington, DC.)

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Decided: May 15, 1980.

By the Commission, Review Board Number 3, Members: Parker, Fortier, and Hill.

MC 2202 (Sub-633F), filed March 20, 1980. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Over regular routes transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Oceanside, Camp Pendleton, and Temecula, CA, as off-route points in connection with carrier's otherwise authorized regular-route operations. (Hearing site: San Diego, CA.)

MC 2392 (Sub-137F), filed April 25, 1980. Applicant: WHEELER TRANSPORT SERVICE, INC., 7722 F St., Omaha, NE 68127. Representative: Donald L. Stern, Suite 610, 7171 Mercy Rd., Omaha, NE 68106. Transporting (1) *soybean oil,* in bulk, in tank vehicles, from the facilities of Agri Industries at Manning, IA to points in IL, MN, NE, and MO, and (2) *phosphatic solution,* in bulk, in tank vehicles, from the facilities of Texasgulf, Inc., at or near Weeping Water, NE, to points in IL, IA, KS, MN, MO, ND, and SD. (Hearing site: Omaha, NE.)

MC 4963 (Sub-120F), filed March 19, 1980. Applicant: JONES MOTOR CO., INC., Bridge St. and Schuylkill Rd., Spring City, PA 19475. Representative: Roland Rice, Suite 501, Perpetual Bldg., 1111 E St. NW., Washington, DC 20004. Transporting *metals and metal products,* between the facilities of Oceana Corporation, at or near Darlington, SC on the one hand, and, on the other, points in IA, MO, AL, GA, SC, NC, TN, WI, IL, IN, KY, MI, OH, WV, VA, PA, MD, DE, NJ, NY, VT, CT, RI, MA, NH, and ME. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Charlotte, NC or Washington, DC.)

MC 16903 (Sub-78F), filed March 24, 1980. Applicant: MOON FREIGHT LINES, INC., P.O. Box 1275, Bloomington, IN. Representative: Donald W. Smith, P.O. Box 40248 Indianapolis, IN 46240. Transporting (1) *refractories, refractory products, insulation, and insulating materials,* and (a) *materials, equipment, and supplies* used in the manufacture, distribution and installation of the commodities in (1) above, (except commodities in bulk), between the facilities of A.P. Green Refractories Company, Inc., on the one hand, and, on the other, points in the United States in and east of MT, WY, CO, and NM. (Hearing site: St. Louis, MO.)

MC 30383 (Sub-20F), filed March 6, 1980. Applicant: JOSEPH F. WHELAN CO., INC., 439 West 54th St., New York, NY 10019. Representative: Arthur Liberstein, 888 Seventh Ave., New York, NY 10019. *Contract carrier,* transporting *soap, soap products, stearic acid, vegetable stearine, glycerine, oils, cooking fats, cleaning compounds, lard substitutes, toilet preparations, containers, and such commodities* as are dealt in by retail food stores, (except commodities in bulk), between New York, NY, and Bayonne and Carteret, NJ, on the one hand, and, on the other, points in Dutchess, Orange, Putnam, and Ulster Counties, NY, under continuing contract(s) with Procter & Gamble Manufacturing Company and Procter & Gamble Distributing Company, both of Cincinnati, OH. (Hearing site: New York, NY.)

MC 32882 (Sub-144F), filed March 20, 1980. Applicant: MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, P.O. Box 17039, Portland, OR 97217. Representative: David J. Lister (same address as applicant). Transporting (1) *insulation, insulated panels and boards,* and (2) *materials, equipment and supplies* used in the installation and manufacture of (1) above (except commodities in bulk), between Salt Lake City, UT, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, MO, AR and LA, restricted to traffic originating at or destined to the facilities to Thermal Systems, Inc. (Hearing site: Salt Lake City, UT.)

MC 47142 (Sub-116F), filed February 22, 1980. Applicant: C. I. WHITTEN TRANSFER COMPANY, a Delaware corporation, P.O. Box 1833, Huntington, WV 25719. Representative: J. G. Dail, Jr., P.O. Box LL, McLean VA 22101. Transporting *torpedoes,* between Keyport, WA, on the one hand, and, on the other, New London, CT, Yorktown, Va, Charleston, SC, and Seal Beach, Fairfiled, and San Diego, CA. Condition: This certificate shall be limited to a term expiring 5 years from the date of issuance. (Hearing site: Washington, DC.)

MC 59292 (Sub-37F), filed March 20, 1980. Applicant: THE MARYLAND TRANSPORTATION COMPANY, a corporation, 1111 Frankfurst Avenue, Baltimore, MD 21225. Representative: Charles J. Braun, Jr. (same address as applicant). Transporting *mining machinery, mining machinery parts, conveyors, conveyor sections* and *conveyor parts,* from (1) Baltimore, MD, and (2) Zelienople, PA, to points in OH and WV, restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Pittsburgh, PA or Washington, DC.)

MC 61592 (Sub-492F), filed March 21, 1980. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, IN 47130. Representative: Elisabeth A. DeVine, P.O. Box 737, Moline, IL 61265. Transporting *such commodities* as are dealt in or used by manufacturers of building materials, (except commodities in bulk), between (a) Sellersburg, IN, and (b) Louisville, KY, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, AR, and LA. (Hearing site: Chicago, IL, or Washington, DC.)

MC 72442 (Sub-48F), filed March 20, 1980. Applicant: AKERS MOTOR LINES, INC., P.O. Box 10303, Charlotte, NC 28237. Representative: Leonard A. Jaskiewicz, 1730 M Street, N.W., Suite 501, Washington, DC 20036. Transporting *general commodities,* (except those of unusual value Classes A and B explosives, comodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), between (1) points in GA, SC, and NC, (2) points in GA, SC, and NC on the one hand, and, on the other, Washington, D.C., points in MD, VA, PA, NJ, CT, MA and RI, and (3) New York, NY points in Bergen and Essex counties, NJ, on the one hand, and, on the other, points in Albany, Schenectady, Montgomery, Rensselaer, Columbia, Dutchess, Putnam, Westchester and Rockland Counties, NY. (Hearing site: (1) Charlotte, NC, (2) Washington, D.C.).

MC 78042 (Sub-19F), filed March 20, 1980. Applicant: BEAROFF BROTHERS, INC., P.O. Box 37, Bridgeport, PA 19405. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA, 22101. Transporting *Coke,* from Philadelphia, PA, to points in CT, MA, NY, RI, and WV. (Hearing site: Philadelphia, PA.)

MC 80443 (Sub-34F), filed February 25, 1980. Applicant: OVERNITE EXPRESS, INC., 2550 Long Lake Rd., Roseville, MN 55113. Representative: Samuel

Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *games and toys,* from Eden Valley, MN, to points in the U.S. (except AK, HI, and MN). (Hearing site: Minneapolis, MN.)

MC 87103 (Sub-51F), filed March 21, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., DE CORPORATION, P.O. Box 322, Cuyahoga falls, OH 44222. Representative: Edward P. Bocko, (same address as applicant). Transporting (1) *air conditioning and air filtration equipment,* and (2) *equipment, materials, and supplies,* used in the manufacture or distribution of the commodities in (1) above, (except commodities in bulk), between the facilities of Gamewell Mechanical, Inc., at Salisbury, NC, on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the named facilities. (Hearing site: Charlotte, NC or Washington, DC.)

Note.—Dual operations may be involved.

MC 87523 (Sub-113F), filed March 19, 1980. Applicant: STEWART TRUCKING COMPANY, INC., P.O. Box 5155, Manchester, NH 03108. Representative: Edward J. Kiley, 1730 M St., NW, Washington, DC 20036. Transporting *beverages,* in containers, from Boston and Springfield, MA, to points in ME, NH, and VT. (Hearing site: Boston, MA, or Washington, DC.)

MC 105813 (Sub-271F), filed March 21, 1980. Applicant: BELFORD TRUCKING CO., INC., 1759 SW 12th St., P.O. Box 2009, Ocala, FL 32670. Representative: Arnold L. Burke, 180 North LaSalle St., Chicago, IL 60601. Transporting *such commodities* as are dealt in by grocery and food business houses (except commodities in bulk, in tank, vehicles), (1) between those points in the U.S. in and east of MN, IA, NE, KS, OK, and TX, and (2) from points in CA to those points in the U.S. in and east of MN, IA, NE, KS, OK, and TX, restricted in (1) and (2) above to traffic originating at or destined to the facilities of Shurfine-Central , of Northlake, IL. (Hearing site: Chiçago, IL.)

MC 107002 (Sub-581F), filed April 25, 1980. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: John J. Borth, P.O. Box 8573, Battlefield Station, Jackson, MS 39204. Transporting *spent catalyst,* in bulk, in tank vehicles, from Pascagoula, MS, to points in TX. (Hearing site: New Orleans, LA or Jackson, MS.)

MC 107103 (Sub-27F), filed March 10, 1980. Applicant: ROBINSON CARTAGE CO., a corporation, 2712 Chicago Dr. SW., Grand Rapids, MI 49509. Representative: Donald Sterken (same address as applicant). Transporting *iron and steel articles,* from the facilities of Jones & Laughlin Steel Co., at or near Cleveland, OH, to points in IN, IL, MI, and WI. (Hearing site: Lansing or Detroit, MI.)

MC 107403 (Sub-1326F), filed March 7, 1980. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, from Missoula, MT, to points in Idaho, Nez Perce, Clearwater, Lewis, Latah, Shoshone, Benewah, Kootenai, Gonner, and Boundary Counties, ID. (Hearing site: Washington, DC.)

MC 109823 (Sub-6F), filed March 24, 1980. Applicant: McGAUGHEY BROS., INC., Third & Center St., Leetsdale, PA 15056. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. Transporting (1) *iron and steel articles,* and (2) *construction materials, equipment and supplies,* between the facilities of Ampco-Pittsburgh Corporation, Wyckoff Steel Division, at Ambridge and Economy, PA, on the one hand, and, on the other, points in KY and IN. (Hearing site: Washington, DC, or Pittsburgh, PA.)

MC 109823 (Sub-7F), filed March 24, 1980. Applicant: McGAUGHEY BROS., INC., Third & Center St., Leetsdale, PA 15056. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. Transporting (1) *iron and steel articles,* and (2) *materials, equipment, and supplies* used in the manufacture or distribution of the commodities in (1) above, (a) between the facilities of Jones & Laughlin Steel Corporation at Pittsburgh and Aliquippa, PA, on the one hand, and, on the other, points in KY, and (b) between the facilities of Jones & Laughlin Steel Corporation at Youngstown, OH, on the one hand, and, on the other, points in WV and KY. (Hearing site: Washington, DC, or Pittsburgh, PA.)

MC 110563 (Sub-316F), filed March 25, 1980. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, State Route 29 N., Sidney, OH 45365. Representative: Joseph M. Scanlan, 111 West Washington St., Chicago, IL 60602. Transporting (1) *such commodities* as are dealt in or used by groceries and food business houses, institutions, drug stores, and discount department stores (except foodstuffs and commodities in bulk), and (2) *foodstuffs* (except in bulk), between St. Louis, MO, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: St. Louis, MO.)

MC 110683 (Sub-146F), filed June 25, 1979. Applicant: SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerny, 1000 16th St. NW., Suite 502, Washington, DC 20036. Over regular routes, Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) between Nashville, TN, and Lynchburg, VA, from Nashville over Interstate Hwy 40 to its junction with Interstate Hwy 81 then over Interstate Hwy 81 to Roanoke, VA then over U.S. Hwy 460 to Lynchburg, VA, and return over the same route serving all intermediate points in VA. Applicant proposes to tack the authority sought with existing authorities at Nashville and intermediate points in VA. (Hearing site: Washington, DC or Richmond, VA.)

Note.—The purpose of this application is to eliminate Staunton, VA as a gateway point on operations between Nashville and points in Virginia presently authorized to be served by applicant, and to eliminate circuitous mileage. Grant of the application will not authorize service at any point not presently authorized. Applicant has no objection to the imposition of the following restriction: *The authority granted shall not be separable by sale or otherwise from carrier's presently-authorized operating rights.*

MC 111812 (Sub-722F), filed March 17, 1980. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 1233, Sioux Falls, SD 57101. Representative: R. H. Jinks (same address as applicant). Transporting (1) *paper, paper products, cellulose products, vinyl products, and plastic products,* and (2) *materials, equipment, and supplies* used in the manufacture or distribution of the commodities in (1) above, between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by The Georgia-Pacific Corp. and its subsidiaries. (Hearing site: Boston, MA.)

MC 113362 (Sub-383F), filed February 8, 1980. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. Transporting (1) *alcohol liquors,* and (2) *materials, equipment, and supplies* used in the manufacture or distribution of the commodities in (1) above, (except in bulk, in tank vehicles), (a) between Ft. Smith, AR, on the one hand, and, on the other, those points in and east of ND, SD, NE, KS, OK, and TX (except AR and FL); (b) between Bardstown and

Louisville, KY, on the one hand, and, on the other, points in TX, OK, AR, MS, and AL; and (c) between Plainfield, IL, on the one hand, and, on the other points in MN, IA, MO, ND, SD, NE, KS, OK, and WI, and those in the Upper Peninsular of MI, restricted to traffic originating at or destined to the facilities of Hiram Walker & Sons, Inc., of Peoria, IL. (Hearing site: Chicago, IL, or Washington, DC.)

MC 113362 (Sub-384F), filed February 27, 1980. Applicant: ELLSWOTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. Transporting *such commodities* as are dealt in by discount and retail department stores (except commodities in bulk), between those points in the U.S. in and east of ND, SD, NE, CO, and NM, restricted to traffic orginating at or destined to the facilities of Target Stores, Division of Dayton-Hudson Corporation. (Hearing site: Minneapolis, MN or Des Moines, IL.)

MC 113843 (Sub-281F), filed March 17, 1980. Applicant: REFRIGERATED FOOD EXPRESS, INC., an OH corporation, 316 Summer St., Boston, MA 02210. Representative: Lawrence T. Shells (same address as applicant). Transporting *felt*, from Millbury, MA, to Jackson, MI. (Hearing site: Boston, MA.)

MC 114552 (Sub-254F), filed April 25, 1980. Applicant: SENN TRUCKING COMPANY, a corporation, P.O. Drawer 220, Newberry, SC 29108. Representative: Frank A. Graham, Jr., 707 Security Federal Bldg., Columbia, SC 29201. Transporting *waste* and *scrap paper* from points in AL, AR, DE, FL, IL, IN, KY, LA, MD, MS, MO, NC, OH, OK, PA, SC, TN, TX, VA, WV and DC to the facilities of the Georgia Kraft Corporation, an affiliate of The Mead Corporation, at Macon, GA. (Hearing site: Columbia, SC, or Charlotte, NC.)

MC 116632 (Sub-27F), filed March 17, 1980. Applicant: H. O. BOUCHARD, INC., MRC Box 141A, Bangor, ME 04401. Representative: John R. McKernan, Jr., P.O. Box 586, Portland, ME 04112. Transporting (1) *baled woodpulp*, (2) *building materials and insulating materials*, and (3) *accessories and supplies* used in the installation of the commodities in (2) above, between Woodland, ME, Burlington and Gilman, VT, Wilmington, MA, Manchester, NH, Manchester, CT, Plattsburg, Thomson, Lyons Falls, Syracuse, Albany, Akron, Buchanan, Binghamton, and Nassau, NY, Del-Air and Clifton, NJ, Reading, PA, Franklin, Cincinnati, Dayton and Columbus, OH, Kalamazoo and Detroit, MI, Gary, Elkhart, Ft. Wayne, and Evansville, IN, Bloomington, IL, Milmington, DE, Baltimore, MD, and Emporia, VA. (Hearing site: Portland, ME, or Boston, MA.)

MC 116763 (Sub-650F), filed March 18, 1980. Applicant: CARL SUBLER TRUCKING, INC., a FL corporation, North West St., Versailles, OH 45380. Representative: Gary J. Jira (same address as applicant). Transporting *general commodities* (except commodities in bulk, in tank vehicles, used household furniture, commodities requiring the use of special equipment, automobiles, trucks and buses as described in the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and classes A and B explosives), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by Waverly Mineral Products Company, a Division of The Johnson-March Corp. (Hearing site: Philadelphia, PA.)

MC 117373 (Sub-1F), filed February 25, 1980. Applicant: NU-WAY TRUCKING INC., 101 East Monroe, Owensville, MO 65066. Representative: Dennis D. Dunton (same address as applicant). *Contract carrier*, transporting (1) *steel tubing and materials, equipment, and supplies* used in the manufacture and distribution of steel tubing (except commodities in bulk, and those which because of size and weight require the use of special equipment), between the facilities of Maverick Tube Corp., at or near Union, MO, on the one hand, and, on the other, points in AR, IL, IN, IA, KY, KS, OK, and TX, under continuing contract(s) with Maverick Tube Corp., of Union, MO. (Hearing site: St. Louis or Jefferson City, MO.)

MC 119493 (Sub-371F), filed March 17, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone (same address as applicant). Transporting (1) *feed* (except in bulk), and (2) *materials, and supplies* used in the manufacture and distribution of feed (except commodities in bulk), between Portland, IN, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 119552 (Sub-7F), filed March 21, 1980. Applicant: JTL, INC., 49 Rosedale St., Providence, RI 02903. Representative: Ronald N. Cobert, Suite 501, 1730 M St., NW., Washington, DC. 20036. *Contract carrier*, transporting (1) *paper and paper products*, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, between Dallas, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Simkins Industries, Inc., of Dallas, TX. (Hearing site: Dallas, TX.)

MC 123272 (Sub-47F), filed March 24, 1980. Applicant: FAST FREIGHT, INC., a corporation, 9651 S. Ewing Ave., Chicago, IL 60617. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602. Transporting *malt beverages*, from the facilities of Stroh's Brewery Company, at or near Detroit, MI, and Perrysburg, OH, to points in GA. (Hearing site: Chicago, IL.)

MC 124393 (Sub-5F), filed February 25, 1980. Applicant: FRANK POTTER TRUCKING CO., a corporation, P.O. Box 132, Bonnville, MO 65233. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. *Contract carrier*, transporting: *beer and cocktail mixes*, from Milwaukee WI, Ft. Worth and Dallas, TX, Omaha, NE, Evansville, IN, and Byhalia, MS, to Boonville, Moberly, Jefferson City, and Sedalia, MO. (Hearing site: Kansas City, MO.)

MC 125433 (Sub-401F), filed March 25, 1980. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting (1) *power pumps*, and (2) *parts and accessories* for power pumps, from the facilities of Peerless Pump Company, at Fresno, CA, to points in the U.S. (except AK and HI), restricted to traffic originating at the named facilities. (Hearing site: San Francisco, CA.)

MC 125433 (Sub-402F), filed March 26, 1980. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, UT 84104. Representative: John B. Anderson (same as applicant). Transporting (1) *hydraulic platform lifts, scissor type*, and (2) *parts, attachments and accessories* used in the manufacture, assemblage and distribution of the commodities in (1) above, between Grand Junction, CO, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Smith Tool Company. (Hearing site: Denver, CO.)

MC 125433 (Sub-403F), filed March 25, 1980. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, UT 84104. Representative: John B. Anderson (same as applicant). Transporting (1) *fireplaces and parts* for fireplaces, and (2) *material, equipment, and supplies* used in the manufacture or distribution of the commodities in (1) above, from the facilities of Marco Manufacturing, Inc., at Lynwood, CA, to points in the U.S.

(except AK and HI), restricted to traffic originating at the named origin. (Hearing site: Los Angeles, CA.)

MC 126133 (Sub-5F), filed February 21, 1980. Applicant: GENERAL LEASING, INC., 1621 South 15th Street, Prairie du Chien, WI 53821. Representative: Michael S. Varda, 121 South Pinckney Street, Madison, WI 53703. *Contract carrier,* Transporting *malt beverages* from (1) Omaha, NE, (2) St. Paul, MN and (3) Monroe, WI to Dubuque, IA, under a continuing contract(s) with Best Beers Corporation of Dubuque, IA. Conditions: (1) Applicant shall maintain separate accounts and records for his for-hire carrier operations as distinct from his other business activities, and (2) he shall not at the same time and in the same vehicle transport property both as a private carrier and a for-hire carrier. (Hearing site: Dubuque, IA or Chicago, IL.)

MC 126822 (Sub-88F), filed April 25, 1980. Applicant: WESTPORT TRUCKING COMPANY, a corporation, 15580 South 169 Highway, Olathe, KS 66061. Representative: John T. Pruitt, (same as applicant). *(1) Air conditioning and heating ducts and registers and (2) equipment, materials, and supplies* used in the installation of the commodities in (1) above from points in the U.S. (except AK and HI), to the facilities of Goodman Manufacturing Corporation, at or near Houston, TX. (Hearing site: Houston, TX.)

MC 129063 (Sub-23F), filed March 24, 1980. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting *dry urea,* in bulk, in tank vehicles, from the facilities of W. R. Grave & Co., at or near Woodstock, TN, to points in AR, LA, TX, OK, MO, IL, IN, OH, KY, MS, and AL. (Hearing site: Memphis, TN.)

MC 129913 (Sub-3F), filed March 14, 1980. Applicant: W. C. DEAN, SR., TRUCKING, INC., 495 South Rd., Poughkeepsie, NY 12601. Representative: Neil D. Breslin, 600 Broadway, Albany, NY 12207. *Contract carrier,* transporting (1) *diesel engines, batteries, central office equipment, generators, and trailers,* and (2) *materials and supplies* used in the installation of the commodities in (1) above, between Greenwich, CT, on the one hand, and, on the other, points in Dutchess, Greene, Orange, Sullivan, Ulster, Columbia, Delaware, Putnam, Rockland, Westchester, Queens, Suffolk, and Nassau, Counties, NY, under continuing contract(s) with New York Telephone Co., of White Plains, NY. (Hearing site: Albany, NY.)

MC 133262 (Sub-2F), filed March 24, 1980. Applicant: TIGGES TRUCKING, INC., 5071 JFK Rd., Dubuque, IA 52001. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting *sand and gravel,* in bulk, from Bellevue, IA, to East Dubuque, IL. (Hearing site: Chicago, IL.)

MC 134922 (Sub-324F), filed February 25, 1980. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, AR 72118. Representative: (same address as applicant). Transporting (1) *water clarifying compounds, water hardening compounds, water purifying compounds, and water softening compounds,* (except commodities in bulk), and (2) *coal tar resins and petroleum resins,* (except commodities in bulk), from the facilities of Diamond Shamrock Corporation, at or near Redwood City, Oakland, and San Leandro, CA, to points in the U.S. (except AK and HI). (Hearing site: San Francisco, CA, or Little Rock, AR.)

MC 135012 (Sub-5F), filed March 21, 1980. Applicant: AERO LIQUID TRANSIT, INC., 1717 Four Mile Rd. NE., Grand Rapids, MI 49505. Representative: Daniel J. Kozera, Jr., The McKay Tower, Suite 2-1, Grand Rapids, MI 49503. *Contract carrier* transporting *chemicals,* in bulk, in tank vehicles, from Cook and Madison Counties, IL, to points in MI, under continuing contract(s) with Chemcentral, of Wyoming, MI. (Hearing site: Lansing or Detroit, MI.)

Note.—Dual operations may be involved.

MC 135052 (Sub-27F), filed March 21, 1980. Applicant: ASHCRAFT TRUCKING, INC., 875 Webster St., Shelbyville, IN 46176. Representative: Warren C. Moberly, 320 N. Meridian St., Indianapolis, IN 46204. Transporting *plastic articles and commodities* used in the manufacture and distribution of the foregoing commodities (except commodities in bulk, in tank vehicles) between Indianapolis, IN, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and NM. (Hearing site: Chicago, IL, or Indianapolis, IN.)

MC 135052 (Sub-28F), filed March 25, 1980. Applicant: ASHCRAFT TRUCKING, INC., 875 Webster St., Shelbyville, IN 46176. Representative: Warren C. Moberly, 320 N. Meridian St., Indianapolis, IN 46204. Transporting *paper and paper products* (1) from Hazelwood, MO, to points in AR, IL, IN, KY, MI, OH, PA, TN, WI, and WV, and (2) from St. Marys, GA, to points in AL, FL, KY, MS, NC, SC, and TN. (Hearing site: Chicago, IL, or Indianapolis, IN.)

MC 136343 (Sub-215F), filed March 25, 1980. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, PA 17108. Transporting *sodium bicarbonate,* in bags, from the facilities of Church & Dwight Co., Inc., in Seneca, Sandusky, Ottawa, Erie, Huron, Crawford, Wyandot, Hancock, Wood, Richland, and Lucas Counties, OH, to points in AL, CT, DE, FL, GA, KY, MA, MD, ME, NH, NC, NJ, NY, PA, RI, SC, TN, VA, VT, WV, and DC, restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: New York, NY, or Washington, DC.)

Note.—Dual operations may be involved.

MC 138322 (Sub-22F), filed March 18, 1980. Applicant: BHY TRUCKING, INC., 9231 Whitmore St., El Monte, CA 91733. Representative: Bobbie F. Albanese, 13215 E. Penn St., Suite 310, Whittier, CA 90602. Transporting *cat litter,* in packages, from Maricopa CA, to those points in and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary Line between the United States and Canada. (Hearing site: Los Angeles or San Francisco, CA.)

MC 138882 (Sub-359F), filed March 24, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (same address as applicant). Transporting *plumbing supplies,* from the facilities of Briggs, a Division of Celotex, at (a) Abingdon and Robinson, IL, and (b) Knoxville, TN, on the one hand, and, on the other, those points in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Tampa, FL, or Montgomery, AL.)

MC 140193 (Sub-11F), filed March 25, 1980. Applicant: RICH GRANT, INC., 910 West 24th St., Ogden, UT 84401. Representative: Irene Warr, 430 Judge Bldg., Salt Lake City, UT 84111. *Contract carrier,* transporting *meats, meat products, and meat byproducts, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from points in MN, IA, and NE, to points in UT, under continuing contract(s) with Dean & Co., of Salt Lake City, UT. (Hearing site: Salt Lake City, UT.)

MC 141532 (Sub-76F), filed March 21, 1980. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 East Valley Rd., Renton, WA 98055. Representative:

Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055. Transporting *iron and steel pipe fittings,* from the facilities of Wheeling-Pacific, Division of Wheeling Machine Products Co., at or near Woodlake, CA, to points in CO, KS, LA, MO, OH, OK, TX, and WV. (Hearing site: Washington, DC.)

MC 141532 (Sub-78F), filed March 24, 1980. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 East Valley Rd., Renton, WA 98055. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055. Transporting *hand tools,* from the facilities of Warwood Tool Co., at or near Wheeling, WV, to points in CA and WA. (Hearing site: Washington, DC.)

MC 141652 (Sub-39F), filed March 25, 1980. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, MI 39208. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Transporting (1) *steel doors,* (2) *door frames,* (3) *parts and accessories* for the commodities in (1) and (2) above, and (4) *materials, equipment, and supplies* used in the installation of the commodities in (1), (2) and (3) above (except commodities in bulk), from the facilities of Ceco Corporation, at or near (a) Milan, TN, and (b) Oklahoma City, OK, to points in AZ, CA, CO, ID, MT, NE, NM, OR, UT, WA, and WY. Condition: Issuance of a certificate in this proceeding is conditioned upon prior or coincidental cancellation, at applicant's written request, of certificates No. MC 141652 (Sub-8) and (Sub-34), issued September 7, 1977 and April 30, 1980, respectively. (Hearing site: Jackson, MS.)

MC 141932 (Sub-29F), filed March 24, 1980. Applicant: POLAR TRANSPORT, INC., 176 King St., Hanover, MA 02339. Representative: Alton C. Gardner (same address as applicant). Transporting (1) *plastic articles,* and (2) *materials, equipment, and supplies* used in the manufacture or distribution of plastic articles, between Montgomery, AL, Lawrenceburg, TN, Macomb, IL, and Peabody and Salem, MA, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities used by Webster Industries, Inc. (Hearing site: Boston, MA.)

Note.—Dual operations may be involved.

MC 141932 (Sub-32F), filed April 25, 1980. Applicant: POLAR TRANSPORT, INC., 176 King St., Hanover, MA 02339. Representative: Alton C. Gardner (same address as applicant). *Such commodities* as are dealt in by (1) grocers, food business houses, chain department stores and food stores and (2) *materials, equipment and supplies* used in the conduct of such business (except commodities in bulk) between the facilities of Statler Tissue Company at points in ME and MA, on the one hand, and, on the other, points in the U.S. in and east of IL, MO, AR, and TX, restricted to traffic originating at the named facilities. (Hearing site: Boston, MA.)

Note.—Dual operations may be involved.

MC 144622 (Sub-155F), filed March 26, 1980. Applicant: GLENN BROS., TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). Transporting *general commodities* (except classes A and B explosives, and commodities in bulk) (1) from points in Los Angeles and Orange Counties, CA, to points in Dubois County, IN, and Caldwell County, KY, having a prior movement be water, and (2) from points in Caldwell County, KY, to points in the U.S. (except AK and HI). (Hearing site: Little Rock, AR.)

Note.—Dual operations may be involved.

MC 144622 (Sub-157F), filed March 24, 1980. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address and applicant). Transporting (1) *foodstuff and food ingredients,* and (2) *materials, equipment, and supplies* used in the manufacture or distribution of the commodities in (1) above, between the facilities of Morton Foods, at or near Crozet, Va, Searcy and Russellville, AR, on the one hand, and, on the other, points in the U.S. (except AK, HI, MT, OR, UT, WA, ID, and DC). (Hearing site: Little Rock, AR.)

Note.—Dual operations may be involved.

MC 144622 (Sub-158F), filed March 24, 1980. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). Transporting *refractories, foundry supplies, chemicals, and chemical products* (except commodities in bulk), (1) from Chicago, IL, to Chattanooga, TN, and points in AL and TX, and (2) from points in OR and NV, to Cleveland, OH. (Hearing site: Little Rock, AR.)

Note.—Dual operations may be involved.

MC 145102 (Sub-52F), filed March 21, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Michael J. Wyngaard, 150 East Gilman St., Madison, WI 53703. Transporting (1) *foodstuffs* from Beaver Dam, WI, to points in CA, IL, and OR, and, (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities in (1) above from points in CA, to Beaver Dam, WI. (Hearing site: Madison or Beaver Dam, WI.)

Note.—Dual operations may be involved.

MC 146153 (Sub-2F), filed February 21, 1980. Applicant: HOWARD KIRKHAM, d.b.a. H & H TRUCK SERVICE, Rte. #9, Box 328, Paducah, KY 42001. Representative: H. S. Melton, Jr., P.O. Box 1407, Paducah, KY 42001. Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses,* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from (a) Schuyler and Fremont, NE, (b) Des Moines, Dubuque, and Denison, IA, (c) Rochelle, IL, and (d) Montgomery, AL, to Paducah, KY. (Hearing site: Louisville, KY.)

MC 146293 (Sub-53F), filed March 27, 1980. Applicant: REGAL TRUCKING CO., INC., P.O. Box 829, Lawrenceville, GA 30246. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S, 3390 Peachtree Road, N.E., Atlanta, GA 30326. Transporting *canned goods,* from the facilities of Woldert Canning, Inc., at or near Lindale and Tyler, TX, to points in the U.S. (except AK, HI, ID, ME, MT, ND, NH, NV, OR, SD, UT, VT, WA and WY). (Hearing site: Dallas, TX or Atlanta, GA.)

Note.—Dual operations may be involved.

MC 146293 (Sub-58F), filed March 25, 1980. Applicant: REGAL TRUCKING CO., INC., P.O. Box 829, Lawrenceville, GA 30246. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S., 3390 Peachtree Rd., NE., Atlanta, GA 30326. Transporting (1) *paper and paper products,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk), between points in CA, GA, IL, KS, MO, OH, PA, and TX, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at the indicated origins or destined to the indicated destinations. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 146293 (Sub-59F), filed March 25, 1980. Applicant: REGAL TRUCKING CO., INC., P.O. Box 829, Lawrenceville, GA 30246. Representative: Richard M. Tettlebaum, Fifth Floor, Lenox Towers, S., 3390 Peachtree Road, N.E., Atlanta, GA 30326. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and

those requiring special equipment), between the facilities of Kimberly-Clark Corporation, Richmond County, GA, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to the transportation of traffic originating at or destined to the named facilities. (Hearing site: Milwaukee, WI, or Atlanta, GA.)

Note.—Dual operations may be involved.

MC 146293 (Sub-60F), filed March 25, 1980. Applicant: REGAL TRUCKING CO., INC., P.O. Box 829, Lawrenceville, GA 30246. Representative: Richard M. Tettlebaum, Fifth Floor, Lenox Towers, S., 3390 Peachtree Road, N.E., Atlanta, GA 30326. Transporting *fluorescent light fixtures* and *parts and accessories* for fluorescent lighting fixtures (except commodities in bulk), between Kingston, NY, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Philadelphia, PA, or Atlanta, GA.)

Note.—Dual operations may be involved.

MC 147993 (Sub-2F), filed March 17, 1980. Applicant: C. H. MASLAND & SONS, a corporation, Box 40, 50 Spring Rd., Carlisle, PA 17013. Representative: J. Roger Gratz (same address as applicant). *Contract carrier,* transporting (1) *automobile parts and accessories,* and (2) *materials, equipment, and supplies used* in the manufacture and distribution of automobiles and trucks, (except commodities in bulk), from points in IL, MI, and OH, to points in GA, NJ, and VA, under continuing contract(s) with Ford Motor Company, of Dearborn, MI. Conditions: (1) The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such approval is unnecessary; (2) applicant shall conduct separately its for-hire carriage and other business operations; (3) shall maintain separate accounts and records for each operation; and (4) shall not transport property as both a private and for-hire carrier in the same vehicle at the same time, (Hearing site: Harrisburg, PA, or Detroit, MI.)

MC 148183 (Sub-20F), filed March 20, 1980. Applicant: ARROW TRUCK LINES, INC., Post Office Box 432, Gainesville, GA 30503. Representative: Pauline E. Myers, Suite 348 Pennsylvania Building, 425—13th Street, NW., Washington, DC 20004. Transporting (1) *Meats and meat products,* (2) *foodstuffs* in containers, in vehicles equipped with mechanical refrigeration, from points in Hall and Jackson County, GA, to points in AL, FL, IL, IN, KY, LA, MD, MI, MO, MN, MS, NC, NY, OH, PA, SC, TN, VA, WI, and DC (Hearing site: Atlanta, GA or Washington, DC.)

MC 149343 (Sub-1F), filed February 21, 1980. Applicant: SOUTHERN PRIDE TRUCKING, INC., P.O Box 80681, San Diego, CA 92138. Representative: Kenneth F. Dudley, 1501 East Main, P.O. Box 279, Ottumwa, IA 52501. Transporting (1) *boats,* between points in CA, on the one hand, and, on the other, points in AL, CT, DE, FL, GA, LA, MD, MA, MS, NH, NH, NY, NC, OR, RI, TN, TX, VA and WA, (2) *machine shop and construction machinery, truck bodies and racks,* between points in CA, on the one hand, and, on the other, points in AL, AZ, CT, FL, GA, LA, MA, MS, NH, NJ, NY, NC, OH, PA, SC, TX and VT, (3) *aircraft engines, turbines and parts* for the foregoing commodities, betwen points in CA, on the one hand, and, on the other, points in AZ, CO, CT, FL, GA, IL, KY, NY, SC, TN, TX and WA, and (4) *generators and electrical supplies,* between points in AL and MN, on the one hand, and, on the other, points in AZ, CA, CT, FL, IL, KY, SC and TX. (Hearing site: Los Angeles, or San Francisco, CA.)

MC 150123F, filed, February 19, 1980. Applicant: AIRPORT SPECIAL DELIVERY, INC., 15411 Chatfield Ave, Cleveland, OH 44111. Representative: Boyd B. Ferris, 50 West Broad St., Columbus, OH 43215. Transporting *such commodities* as are dealt in or used by manufacturers of automobiles and trucks and automobile and truck parts, (except automobiles and trucks and commodities in bulk), (1) between points in OH, and (2) between points in OH and the facilities of American Motors Corporation, at or near South Bend, IN. (Hearing site: Cleveland or Columbus, OH).

MC 150233 (Sub-1F), filed March 20, 1980. Applicant: NATIONAL TRUCKLINES, INC., 700 21st Street SW, Watertown, SD 57201. Representative: James B. Hovland, Suite M-20, 400 Marquette Avenue, Minneapolis, MN 55402. Transporting (1) (i) *pre-fabricated building,* knocked down, and (ii) *materials, equipment and supplies* used in the installation and erection of the commodities in (1) above, from the facilities of (a) Miracle Span Corporation at or near Watertown, SD, and (b) Aztec Steel Corporation at or near Ft. Madison, IA, to points in the US (except AK and HI), and (2) *materials and supplies* used in the manufacture of the commodities in (1) above, in the reverse direction, under continuing contract(s) with (a) Miracle Span Corporation, of Watertown, SD and (b) Aztec Steel Corporation of Mississauga, Ontario. (Hearing site: St. Paul, MN, or Des Moines, IA.)

MC 150263 (Sub-1F), filed February 19, 1980. Applicant: HOPKINS AIRPORT LIMOUSINE SERVICE, INC., 2903 Wellington Ave., Parma, OH 44134. Representative: E. H. van Duesen, 220 West Bridge St., P.O. Box 97, Dublin, OH 43017. Transporting *passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, beginning and ending at points in Ashtabula, Cuyahoga, Erie, Geauga, Huron, Lake Logan, Lorain, Medina, Portage, Stark, Summit, Trumbull, and Wayne Counties, OH, and extending to points in the U.S. (except AK and HI). (Hearing site: Columbus, OH.)

MC 150402F, filed March 21, 1980. Applicant: A-1 AUTO TRAVEL-TRANSPORT CO., INC., 21729 Statler Blvd., St. Clair Shores, MI 48081. Representative: Ronald J. Mastej, 900 Guardian Bldg., Detroit, MI 48226. Transporting *used passenger automobiles and used trucks,* in secondary movements, in driveaway service, between points in IN, MI, and OH, on the one hand, and, on the other, points in the U.S. (including AK and HI) Condition: The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343 (a) or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Detroit, MI.)

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Decided: May 16, 1980.

By the Commission, Review Board Number 1, Members: Carleton, Joyce and Jones.

MC 1668 (Sub-9F), filed March 5, 1980. Applicant: RITEWAY EXPRESS, INC., 397 East 54th St., Elmwood Park, NJ 07407. Representative: John L. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in NJ, on the one hand, and, on the other, New York, NY; points in Pike County, PA, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster and Westchester Counties, NY; and points in NJ. (Hearing site: New York, NY.)

MC 29079 (Sub-168F), filed January 17, 1980 (republication). Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H Street, NW., Washington, DC 20006. Transporting *metal and metal*

articles, and material, supplies and equipment used in connection therewith (except in bulk) between points in AL on and north of U.S. Hwy 80, on the one hand, and, on the other, points in AL, AR, DE, GA, IL, IN, KY, LA, MD, MI, MS, MO, NJ, NY, NC, OH, PA, SC, TN, VA, WV, WI, and DC. (Hearing site: Washington, DC.)

Note.—This republication broadens the commodity description.

MC 23618 (Sub-61F), filed February 26, 1980. Applicant: McALISTER TRUCKING COMPANY, a corporation, d.b.a. MATCO, 2041 S. Treadaway Blvd., Abilene, TX 79604. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. Transporting (1) *Iron and steel articles,* from points in TX bounded by a line beginning at junction U.S. Hwy 271 and TX Hwy 155, and extending along TX Hwy 155 to junction TX Hwy 8, then along TX Hwy 8 to junction TX Hwy 77, then along TX Hwy 77 to junction U.S. Hwy 67, then along U.S. Hwy 67 to junction U.S. Hwy 271, then along U.S. Hwy 271 to point of beginning, to points in the US (except AK and HI); and (2) *Materials, equipment, and supplies* used in the manufacture and distribution of iron and steel articles (except commodities in bulk), in the reverse direction. (Hearing site: Dallas, TX.)

MC 31389 (Sub-295F), filed March 6, 1980. Applicant: McLEAN TRUCKING COMPANY, a corporation, 1920 West First St., Winston-Salem, NC 27104. Representative: David F. Eshelman, P.O. Box 213, Winston-Salem, NC 27102. Regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Cape Girardeau, Stoddard, Scott and New Madrid Counties, MO, as intermediate and off-route points in connection with applicant's authorized regular-route operations. (Hearing site: St. Louis, MO, or Memphis, TN.)

MC 56799 (Sub-8F), filed March 10, 1980. Applicant: CLAXON TRUCK LINE, INC., P.O. Box 678, Frankfort, KY 40602. Representative: George M. Catlett, 708 McClure Bldg., Frankfort, KY 40601. Transporting *materials, equipment, and supplies* used in the manufacture of applicance parts, between the facilities of General Electric Company at or near Frankfort, KY, on the one hand, and, on the other, the facilities of General Electric Company at or near Bloomington, IN, restricted to traffic originating at and destined to the named facilities. (Hearing site: Frankfort, KY, or Louisville, KY.)

MC 72069 (Sub-29F), filed January 30, 1980. Applicant: BLUE HEN LINES, P.O. Box 280, Milford, DE 19963. Representative: Chester A. Zyblut, 366 Executive Office Bldg., 1030 Fifteenth St., NW., Washington, DC 20005. Transporting *malt beverages,* from the facilities of Pabst Brewing Company, in Houston County, GA, and at Newark, NJ, to points in MD and DE. (Hearing site: Washington, DC.)

MC 74169 (Sub-7F), filed March 13, 1980. Applicant: CHIEFTAIN VAN LINES, INC., 7201 Main St., Ralston, NE 68127. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, DC 20036. Transporting *household goods* as defined by the Commission, between points in PA, NY, MD, VA, WV, IL, NE, MI, SD, ID, MO, OH, IN, IA, CO, KY, WY, MN, KS, WI, and DC, on the one hand, and, on the other, points in CA, OR, WA, AZ, NM, UT, NV, MT, ND, OK, TX, AR, LA, MS, TN, AL, GA, FL, SC, and NC. (Hearing site: Omaha, NE.)

MC 103798 (Sub-51F), filed March 14, 1980. Applicant: MARTEN TRANSPORT, LTD., Rural Route 3, Mondovi, WI 54755. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *foodstuffs,* from (a) the facilities of Land O'Lakes, Inc. at Hudson, IA and (b) the facilities of Estherville Foods at Estherville, IA, to points in IL, KS, MO, and NE. (Hearing site: St. Paul, MN.)

Note.—Dual operations may be involved.

MC 106398 (Sub-1023F), filed November 19, 1979, previously noticed in Federal Register issue of March 14, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Fred Rahal, Jr., 525 South Manin Main, Tulsa, OK 74103. Transporting (1) *railroad wheels and accessories* for railroad wheels, and (2) *materials and supplies* used in the manufacture and distribution of railroad wheels, between Keokuk, IA, Colton, CA, Kansas City, KS, Bessemer, AL, Bensenville and Chicago, IL, and Columbus, OH, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to the transportatioin of traffic originating at or destined to the facilities of Griffin Wheel. (Hearing site: Des Moines, IA.)

Note.—This republication adds part (2) to the commodity description and broadens the territory description.

MC 106398 (Sub-1066F), filed March 4, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting *iron or steel machinery,* from the facilities of Clarksville Machine Works at Clarksville, AR, to points in the U.S. (except AK and HI). (Hearing site: Little Rock, AR.)

MC 108119 (Sub-245F), filed March 7, 1980. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010, St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 55104. Transporting (1) *iron and steel rings,* (2) *pipe fittings,* and (3) *rough forgings,* from the facilities of Ladish Company at Cudahy, WI, to those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Chicago, IL, or Milwaukee, WI.)

MC 108119 (Sub-246F), filed March 10, 1980. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010, St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 55104. Transporting *construction machinery,* from the facilities of Rexnord, Inc., Construction Machinery Division, at Milwaukee, WI, to points in the U.S. (except AK and HI). (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 108119 (Sub-248F), filed March 10, 1980. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010, St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 55104. Transporting *fabricated steel,* from the facilities of Grunau Company at points in Milwaukee County, WI, to points in the U.S. (except AK and HI). (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 108859 (Sub-78F), filed November 19, 1979, previously noticed in the Federal Register issue of March 14, 1980. Applicant: CLAIRMONT TRANSFER CO., 1803 Seventh Ave., North, Escanaba, MI 49820. Representative: John L. Bruemmer, 121 West Doty St., Madison, WI 53703. Transporting (1) *paper and paper products,* and (2) *materials, equipment, and supplies* (except commodities in bulk, or those requiring the use of special equipment), used in the manufacture or distribution of commodities named in (1) above, between the facilities of (a) Manistique Pulp and Paper Company, at or near Manistique, MI, (b) Badger Paper Mills, Inc., at or near Peshtigo, WI, (c) Scott Paper Company, at or near Fond du Lac, Green Bay, Marinette and Oconto Falls, WI, (d) American Can Company, at or near Green Bay, WI, (e) Menominee Paper Co., division of Bell Fibre Products Corp., at or near Menominee, MI, (f) Niagara of Wisconsin Paper Corp., at or near Niagara, WI, on the one

hand, and, on the other, Effingham, IL, points in IN, MI, OH, those in WI on and east of U.S. Hwy 51, and those in IL on and north of U.S. Hwy 36. (Hearing site: Chicago, IL.)

Note.—This republication adds Effingham, IL to the radial part of the territorial description.)

MC 110288 (Sub-8F), filed September 26, 1979 (republican). Applicant: HARRY HENERY, INC., 3517 W. Washington St., Indianapolis, IN 46241. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *iron and steel articles,* from the facilities of Bekaert Steel Wire Corporation at or near Van Buren, AR to points in the United States. (Hearing site: Little Rock, AR.)

Note.—This republication broadens the territorial description published February 20, 1980, and April 8, 1980.)

MC 110659 (Sub-31F), filed February 5, 1980, previously noticed in Federal Register issue of April 22, 1980. Applicant: COMMERCIAL CARRIERS, INC., 975 Virginia Street, West, Charleston, WV 25302. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. Transporting *malt beverages,* in containers, (a) from Newark, NJ, to Charleston and Huntington, WV, (b) from Eden, NC, and Milwaukee, WI, to Huntington, WV, (c) from Perry, GA, to Charleston, WV, (d) from Columbus, OH, and Williamsburg, VA, to points in Greenbrier County, WV, and (e) from points in Wood County, OH, to points in WV. (Hearing site: Charleston, WV) This republication is to show in part (d) Greenbrier County, WV, in lieu of Greenbrier County, OH.

MC 113658 (Sub-33F), filed March 6, 1980. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport St., Commerce City, CO 80216. Representative: Richard J. Loose, P.O. Box 16346, Denver, CO 80216. Transporting *meats, meat products, meat by-products, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Farmland Foods Inc. at or near Garden City, KS, to points in IL, IN, MI, OH, KY, FL, TN, MS, AL, GA, SC, NC, VA, WV, DE, RI, MD, NJ, NY, PA, CT, and MA.

Note.—The person or persons which appear to be in common control of applicant and another regulated carrier must either file an application for approval of common control under 49 U.S.C. § 11343, or submit an affidavit indicating why such approval is unnecessary. Dual operations may be involved. (Hearing site: Denver, CO, or Kansas City, MO.)

MC 113658 (Sub-34F), filed November 15, 1979. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport St., Commerce City, CO 80022. Representative: Richard J. Loose (same address as applicant). Transporting *food products,* from the facilities of Fearn International, Inc., at or near Franklin Park, IL, to Colorado Springs, CO. (Hearing site: Chicago, IL, or Denver, CO.)

Note.—Dual operations may be involved. The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343(a) or submit an affidavit indicating why such approval is unnecessary.

MC 113658 (Sub-35F), filed March 14, 1980. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport St., Commerce City, CO 80216. Representative: Richard J. Loose, P.O. Box 16346, Denver, CO 80216. Transporting *meats, meat products, meat by-products, and articles distributed by meat-packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of MBPXL Corporation at or near Dodge City, KS, to points in the U.S. (except AK and HI), restricted to traffic originating at the named origin. (Hearing site: Kansas City, KS, or Denver, CO.)

Note.—The person or persons which appear to be in common control of applicant and another regulated carrier must either file an application for approval of common control under 49 U.S.C. § 11343, or submit an affidavit indicating why such approval is unnecessary. Dual operations may be involved.

MC 113678 (Sub-867F), filed March 10, 1980. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, CO 80022. Representative: Roger M. Shaner (same address as applicant). Transporting *alcoholic beverages* (except commodities in bulk, in tank vehicles), from points in IL, IN, KY, MD, MA, MI, NJ, NY, PA, and TN, to points in the U.S. in and west of MI, OH, KY, MO, AR, and LA (except AK and HI.) (Hearing site: Denver, CO.)

MC 114569 (Sub-369F), filed March 10, 1980. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same address as applicant). Transporting *printed matter,* and *materials, equipment, and supplies* used in the manufacture, sale, and distribution of printed matter (except commodities in bulk), between the facilities of R. R. Donnelley and Sons Company and its subsidiaries at or near Gallatin, TN, Glascow, KY, Lancaster, PA, Harrisonburg, VA, and Spartanburg, SC, on the one hand, and, on the other, points in CA, CO, CT, DE, FL, GA, IL, IN, KY, MD, MA, MI, MN, MO, NH, NY, NC, OH, OK, OR, PA, RI, SC, TN, TX, VA, WA, WV, WI, and DC. (Hearing site: Chicago, IL, or Harrisonburg, PA.)

MC 114969 (Sub-93F), filed March 10, 1980. Applicant: PROPANE TRANSPORT, INC., 1734 State Route 131, P.O. Box 232, Milford, OH 45150. Representative: James R. Stiverson, 1396 West Fifth Ave., Columbus, OH 43212. Transporting *liquefied petroleum gas,* in bulk, in tank vehicles, from the facilities of Ashland Oil, Inc. at or near Catlettsburg, KY, to points in OH, PA, VA, and WV. Condition: Any certificate issued in this proceeding shall be limited in point of time to a period expiring 5 years from the date of issuance of the certificate. (Hearing site: Washington, DC.)

MC 116519 (Sub-82F), filed February 26, 1980. Applicant: FREDERICK TRANSPORT LIMITED, R.R. No. 6, Chatham, Ontario, Canada N7M 5J6. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street, NW., Washington, DC 20005. In foreign commerce only transporting *such commodities* as are dealt in or used by manufacturers, distributors, and dealers of (1) agricultural equipment, (2) construction equipment, (3) forestry equipment, (4) industrial equipment, (5) irrigation equipment, (6) lawn care and leisure products, and (7) equipment used in the maintenance, feeding, and housing of hogs, livestock, and poultry, (except commodities in bulk), between those ports of entry in the international boundary line between the U.S. and Canada in MI, NY, VT, NH, and ME, on the one hand, and, on the other, points in the U.S. (except AK, AZ, CA, CO, HI, ID, MT, NV, NM, OR, UT, WA, and WY). (Hearing site: Washington, DC.)

MC 119099 (Sub-31F), filed March 7, 1980. Applicant: BJORKLUND TRUCKING, INC., 1st Ave. NE & 8th St., Buffalo, MN 55313. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *roofing,* and *materials, equipment, and supplies* used in the manufacture and distribution of roofing, (a) between Chicago, Wilmington, and Peoria, IL, on the one hand, and, on the other, points in IA, MN, MT, ND, SD, and WI, and (b) between St. Paul, MN, on the one hand, and, on the other, points in ND, SD, and WI. (Hearing site: Minneapolis, MN.)

MC 119789 (Sub-684F), filed March 4, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant).

Transporting (1)(a) *outdoor recreational equipment, and heating and air conditioning apparatus,* (b) *parts* for the commodities in (a), from Wichita, KS, to points in the U.S. (except AL, AK, FL, GA, HI, MS, and SC), and (2) *materials and supplies* used in the production of the commodities in (1) above (except commodities in bulk), from points in the U.S. (except AK and HI) to Wichita, KS. (Hearing site: Wichita, KS.)

MC 119988 (Sub-239F), filed March 4, 1980. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, TX 75901. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. Transporting *foodstuffs,* from El Paso, TX, to points in the U.S. (except AK and HI). (Hearing site: Dallas or El Paso, TX.).

MC 119988 (Sub-241F), filed March 4, 1980. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, TX 75901. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. Transporting *rubber compound and solvent* in containers, between Placentia, CA, on the one hand, and, on the other, St. Louis, MO, and points in CT, KS, OK, TX, and WA. (Hearing site: Dallas, TX, or San Francisco, CA.)

MC 125708 (Sub-198F), filed March 7, 1980. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., 425 W. 152nd St., East Chicago, IN 46312. Representative: Anthony C. Vance, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting (1) *aluminum ingots and zinc alloy ingots,* from Maple Heights, OH, to points in AL, IL, IN, IA, KY, MI, MN, MO, NJ, PA, TN, and WI; and (2) *zinc articles and aluminum scrap,* in the reverse direction. (Hearing site: Lakewood, OH, or Washington, DC.)

MC 126118 (Sub-232F), filed March 10, 1980. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same address as applicant). Transporting *such commodities* as are dealt in by manufacturers and distributors of doors (except commodities in bulk, in tank vehicles), between Grand Island, NE, on the one hand, and, on the other, points in the U.S. (except AK, HI, and NE). (Hearing site: Lincoln or Omaha, NE.)

Note.—Dual operations may be involved.

MC 126679 (Sub-20F), filed March 6, 1980. Applicant: DENNIS TRUCK LINES, INC., P.O. Box 189, Vidalia, GA 30474. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349. Transporting *plastic pipe and accessories for plastic pipe,* from the facilities of American Pipe & Plastics, Co., at (a) Kirkwood, NY and (b) Greenville, SC, to points in AL, DE, FL, GA, MD, MS, NJ, NY, NC, PA, SC, TN, and VA. (Hearing site: Atlanta, GA.)

MC 128698 (Sub-22F), filed December 31, 1979, previously notices in Federal Register issue of March 18, 1980. Applicant: ERDNER BROS., INC., Davidson Road, Swedesboro, NJ 08085. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth Street, Washington, DC 20005. Transporting (1) *such merchandise as is dealt in by chain grocery stores and food business houses,* and (2) *materials, equipment, and supplies* used in their manufacture and distribution (except in bulk), between Omaha, NE, and those points in the United States in and east of MN, IA, MO, AR, and LA, restricted to traffic originating at or destined to the facilities of Campbell Soup Company and its affiliates and subsidiaries. (Hearing site: Washington, DC.)

Note.—This republication broadens the territorial description.

MC 129908 (Sub-33F), filed March 4, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th St., Oklahoma City, OK 73107. Representative: T. J. Blaylock (same address as applicant). Transporting *household appliances,* from the facilities of Magic Chef, Div. of Magic Chef, Inc., at Cleveland, TN, to points in KS, NE, OK, and TX. (Hearing site: Chattanooga, TN.)

MC 133689 (Sub-333F), filed March 5, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *lamp ballast,* from Danville, IL, to points in MD, MA, NJ, NY, and PA. (Hearing site: St. Paul, MN.)

MC 133689 (Sub-335F), filed March 10, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *general commodities* (except those of unusual value, classes A and B explosives, and commodities in bulk), between the facilities of Associated Shippers, Inc. at or near St. Louis, MO, on the one hand, and, on the other, those points in the United States in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: St. Paul, MN.)

MC 133689 (Sub-336F), filed March 10, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *games and toys, and materials, equipment, and supplies* used in the manufacture and distribution of games and toys, between Minneapolis and Mound, MN, on the one hand, and, on the other, those points in the United States in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: St. Paul, MN.)

MC 133689 (Sub-337F), filed March 10, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE, Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *lead products,* and *materials, equipment, and supplies* used in the manufacture and distribution of lead products (except commodities in bulk), between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, on the one hand, and, on the other, Murfreesboro, TN. (Hearing site: St. Paul, MN.)

MC 138438 (Sub-80F), filed March 7, 1980. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Avenue, Hagerstown, MD 21740. Transporting *lime and limestone products,* from the facilities of The J. E. Baker Company, at or near West Manchester Township, (York County) PA, to points in MD, VA, DE, NY, NJ, OH, WV, and DC. (Hearing site: York, PA.)

Note.—Dual operations may be involved.

MC 140768 (Sub-44F), filed August 20, 1979, previously noticed in Federal Register issue of February 26, 1980. Applicant: AMERICAN TRANS-FREIGHT, INC., P.O. Box 796, Manville, NJ 08835. Representative: Eugene M. Malkin, Suite 1832, 2 World Trade Center, New York, NY 10048. Transporting (1) *malt beverages,* from the facilities of G. Heileman Brewing Company, Inc., at or near Evansville, IN, to points in AL, LA, MS, KY, and TN, (2) (a) *charcoal briquets, vermiculite, active carbon, hickory chips, charcoal lighter fuel, charcoal grills and accessories* for charcoal grills, from the facilities of Husky Industries, Inc., at or near Scotia and Stamford, NY to points in CT, DE, KY, MA, ME, MD, NH, NJ, OH, PA, RI, VA, VT, WV, and DC, and (b) *materials, equipment and supplies* used in the manufacture and distribution of the commodities specified in (2) (a) (except commodities in bulk and those which, because of size or weight, require the use of special equipment), in the reverse direction, (3) *such commodities* as are dealt in or used by grocery, department, and food business houses, (except commodities in bulk and those which, because of size or weight, require the use of special equipment) from the facilities of Lever Brothers Company at or near (a) Baltimore, MD.

MC 140829 (Sub-356F), filed March 10, 1980. Applicant: CARGO, INC., P.O. Box

206, U.S. Hwy. 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). Transporting *paper and paper articles,* from Dallas, TX and Memphis, TN, to those points in the United States in and east of MT, WY, CO, and NM, restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 140829 (Sub-357F), filed March 10, 1980. Applicant: CARGO, INC., P.O. Box 206, U.S. Hwy. 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). Transporting *foodstuffs,* and *materials, equipment, and supplies* used in the manufacture and distribution of foodstuffs (except commodities in bulk, in tank vehicles), between those points in the United States in and east of MT, WY, CO, and NM, restricted to traffic originating at or destined to facilities used by Pet Incorporated, Frozen Foods Division. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 140829 (Sub-358F), filed March 10, 1980. Applicant: CARGO, INC., P.O. Box 206, U.S. Hwy. 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). Transporting *ferrous sulphate, fertilizer and animal feed* (except commodities in bulk, in tank vehicles), from the facilities of Cosmin Corporation at or near Baltimore, MD, to points in IL, IN, IA, NJ, NY, OH, PA, and VA, restricted to traffic originating at the named origin and destined to the indicated destinations. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 142059 (Sub-129F), filed March 4, 1980. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Jack Riley (same address as applicant). Transporting *paper products* (except in bulk), from Downingtown, PA, to points in the United States (except AK and HI), restricted to traffic originating at the facilities of Dopaco, Inc. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 142449 (Sub-6F), filed December 12, 1979, originally published in Federal Register issue of March 18, 1980. Applicant: SPEEDWAY HAULERS, INC., P.O. Box 1463, South Bend, IN 46624. Representative: James L. Beattey, 130 E. Washington Street, Suite 1000, Indianapolis, IN 46204. Transporting (1) *synthetic cloth, filters, air-filtering pads, vehicle body padding or seats, plastic or rubber padding,* and (2) *materials and supplies* used in their production between Michigan City, IN, on the one hand, and, on the other, points in IL, MI, WI, MO, OH, and IA. This republication shows the addition of Iowa. (Hearing site: Indianapolis, IN.)

MC 143868 (Sub-8F), filed March 6, 1980. Applicant: R.E.T.E.N.O. CARRIERS, INC., P.O. Box 1438, Willmar, MN 56201. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. *Contract carrier,* transporting (1) *fabricated steel,* from Lakeland, WI, to points in CO, IA, KS, MI, MN, MT, NE, ND, SD, UT, and WY; (2) *materials, equipment, and supplies* used in the manufacture and distribution of fabricated steel, in the reverse direction, under continuing contract(s) with Jack C. Baker, dba Baker Welding, of Cumberland, WI. (Hearing site: Madison, WI, or Minneapolis, MN.)

MC 143999 (Sub-1F), filed March 13, 1980. Applicant: ALLIED INTERNATIONAL TRUCKING CO., INC., 210 Beacham St., Everett, MA 02149. Representative: Raymond P. KEIGHER, 1400 Gerard St., Rockville, MD 20850. *Contract carrier,* transporting *plywood and composition board,* (1) from Gary, IN, Wilmington, NC, Camden, NJ, Philadelphia, PA, Hampton, Newport News, Norfolk, and Portsmouth, VA, and Vancouver, WA, to points in the U.S. (except AK and HI), and (2) from points in CA, CT, FL, LA, MD, MA, ME, NH, TX, and VT to points in MI, under continuing contract(s) with Allied International, Inc., of Charlestown, MA. Conditions: Applicant shall (1) conduct separately its for-hire carriage and other business operations, (2) maintain separate accounts and records for each operation, (3) not transport property as both a private and for-hire carrier in the same vehicle at the same time. (Hearing site: Boston, MA.)

MC 145179 (Sub-4F), filed March 6, 1980. Applicant: J & J CONTRACT CARRIER, INC., 60 South State St., Indianapolis, IN 46201. Representative: Donald W. Smith, P.O. Box 40248, Indianapoliis, IN 46240. *Contract carrier,* transporting *ice cream and frozen novelties,* from Fort Wayne, IN, to Detroit and Grand Rapids, MI, Cleveland, Cincinnati, and Columbus, OH, and Peoria, IL, under continuing contract(s) with The Kroger Company, of Cincinnati OH. (Hearing site: Cincinnati, OH or Indianapolis, IN.)

Note.—The person or persons who appear to be engaged in common control must either file an application under 49 USC 11343(a) or submit an affidavit indicating why such approval is unnecessary.

MC 145179 (Sub-5F), filed November 6, 1979. Applicant: J & J CONTRACT CARRIER, INC., 60 South State St., Indianapolis, IN 46201. Representative: Donald W. Smith, P.O. Box 40248, Indianapoliis, IN 46240. *Contract carrier,* transporting *salt,* in packages, from Detroit, Manistee, and Marysville, MI, and Rittman, Fairmount, and Cincinnati, OH, to Indianapolis, Yorktown, and Bloomington, IN, under continuing contract(s) with Distribution Management Associates, Inc., of Indianapolis, IN, and The Morton Salt Division, Morton-Norwich Products, Inc., of Chicago, IL. (Hearing site: Indianapolis, IN.)

MC 145468 (Sub-31F), filed March 10, 1980. Applicant: K.S.S. TRANSPORTATION CORP., Route 1 and Adams Station, P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Rd., Omaha, NE 68106. Transporting *meats, meat products, dairy products, meat by-products, and articles distributed by meat-packing houses,* as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities used by John Morrell & Co. at or near Sioux Falls, SD, to points in CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, WV, and DC, restricted to traffic originating at the named facilities. (Hearing site: Chicago, IL, or Omaha, NE.)

Note.—Dual operations may be involved.

MC 145468 (Sub-32F), filed March 10, 1980. Applicant: K.S.S. TRANSPORTATION CORP., Route 1 and Adams Station, P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Rd., Omaha, NE 68106. Transporting *meats, meat products, meat by-products, and articles distributed by meat-packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Wilson Foods Corporation at Cherokee, IA, to points in AL, FL, and GA, restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Dallas, TX, or Kansas City, MO.)

Note.—Dual operations may be involved.

MC 146078 (Sub-20F), filed March 10, 1980. Applicant: CAL-ARK, INC., 854 Moline, P.O. Box 610, Malvern, AR 72104. Representative: John C. Everett, P.O. Box A, 140 E. Buchanan, Prairie Grove, AR 72753. Transporting *iron and steel articles* from the facilities of Keystone Group, Keystone Consolidated Industries, Inc., at or near Peoria, IL, to points in TX, OK, TN, AR, CA, LA, MS,

AL, and GA. (Hearing site: Peoria or Chicago, IL.)

MC 146128 (Sub-7F), filed October 11, 1979 (republication). Applicant: MERRITT FOODS COMPANY, d.b.a. MERRITT REFRIGERATED SERVICE, a corporation, 2840 Guinotte, Kansas City, MO. 64120. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. Transporting *confectionery* in mechanically refrigerated equipment from the facilities of Peter Paul Cadbury, Inc., at Frankfort, IN, to Kansas City, MO and Dallas, TX.

Note.—This republication shows Frankfort, IN, in lieu of Frankfort, IL as published February 26, 1980.

MC 146719 (Sub-3F), filed July 23, 1979. (republication). Applicant: MATERIAL DELIVERY SERVICE, INC., P.O. Drawer F, County Road 26, Alabaster, AL 35007. Representative: Edward J. Kiley, 1730 M Street NW., Suite 501, Washington, DC 20036. Transporting (1) *cement,* and (2) *lime* in bags, from the plantsite of National Cement Co., at Ragland, AL, to points in GA, TN, MS, FL, NC, SC, and LA. (Hearing site: Birmingham, AL, or Washington, DC.)

Note.—This republication broadens the commodity and territorial description as published February 12, 1980.

MC 146798 (Sub-4F), filed December 5, 1979. Applicant: SULLIVAN TRUCKING, INC., 1340 Umatilla Street, Denver, CO 80204. Representative: Richard P. Kissinger, Steele Park, Suite 330, 50 South Steele Street, Denver, CO 80209. Transporting (1) *foodstuffs,* (2) *pharmaceutical materials, supplies, and products,* (3) *chemicals,* (4) *dairy products,* (5) *such commodities* as are dealt in by distribution or consolidation warehouse for use in connection with the commodities described in (1), (2), (3), and (4), and (6) *commodities* otherwise exempt from economic regulation when moving with regulated commodities (except commodities in bulk) between the facilities of Beatrice Cold Storage Warehouse at or near Denver, CO, on the one hand, and, on the other El Paso, TX, and points in CA, ID, MT, OR, UT, WA, WY, AZ, and NM. (Hearing site: Denver, CO.)

MC 146888 (Sub-5F), filed March 10, 1980. Applicant: GLASS CONTAINER TRANSPORT, INC., Route 1, Box 271, Ridgeway, SC 29130. Representative: Archie B. Culbreth, 2200 Century Parkway, Atlanta, GA 30345. Transporting (1) *such commodities* as are dealt in by manufacturers and distributors of paper or pulpboard products, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk, in tank vehicles), between those points in the United States in and east of MN, IA, MO, OK, and TX, restricted to traffic originating at or destined to the facilities of Alton Box Board Company. (Hearing site: Atlanta, GA.)

Note.—Dual operations are involved.

MC 147398 (Sub-2F), filed August 13, 1979, previously noticed in Federal Register issue of February 20, 1980. Applicant: A. T. TUCKER d.b.a. HOTSHOT UNLIMITED, P.O. Box 594, Mills, WY 82644. Representative: A. T. Tucker (same address as applicant). Transporting (1) *machinery, materials, equipment, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, including electric and geothermal energy and ore, and (2) *machinery, materials, equipment, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, between points in AZ, CO, ID, MT, NM, NV, ND, SD, UT, and WY. (Hearing site: Casper or Cheyenne, WY.)

Note.—This republication adds NM to the territorial description.

MC 147549 (Sub-2F), filed June 7, 1979. Applicant: ROADAIR LEASING, INC., 3999 Erie Ave., Cincinnati, OH 45208. Representative: Janes D. Ferguson, 6520 Rollymeade Ave., Cincinnati, OH 45243. *Contract carrier* transporting *such commodities* as are dealt in or used by retail drug stores, between Louisville and Cleveland, KY, on the one hand, and, on the other, points in AR, IL, IN, KS, KY, LA, MI, MO, OH, OK, TN, and TX, under continuing contract(s) with SupeRx, Inc., of Cincinnati, OH. Note.—(Hearing site: Cincinnati or Columbus, OH.) The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343(a) or submit an affidavit indicating why such approval is unnecessary. Dual operations may be involved.

MC 148288F, filed September 1, 1979, previously noticed in Federal Register issue of February 20, 1980. Applicant: I.T.L. INC., P.O. Box 280, Gering, NE 69341. Representative: J. Max Harding, P.O. Box 82028, Lincoln, NE 68501. Transporting *such merchandise* as is dealt in by wholesale and retail grocery business houses (except commodities in bulk), (1) between points in CO, NE, SD, and WY, and (2) between points in CO, NE, SD, and WY, on the one hand, and, on the other, points in the United States (except AK and HI). Condition: Applicant will request revocation of all its existing motor contract carrier authority in Docket No. MC 128304 and subs thereto. (Hearing site: Cheyenne, WY, or Denver, CO.)

Note.—This republication deletes the facilities restriction. Dual Operations may be involved.

MC 148708 (Sub-3F), filed December 13, 1979. Applicant: W. F. DOYLE ENTERPRISES, INC., d.b.a. R.D. CARTAGE, 4720 West 55th Street, Chicago, IL 60629. Representative: Robert J. Gill, First Commercial Bank Bldg., Suite 406, 410 Cortez Road West, Bradenton, FL 33507. Transporting *copper ingot bars* and *copper cathodes,* between points in IL and IN. (Hearing site: Chicago, IL, or Salt Lake City, UT.)

MC 148799 (Sub-2F), filed March 5, 1980. Applicant: JESSE L. KOGER, 1903 Marshall Ave., Sanford, FL 32771. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McClean, VA 22101. *Contract carrier,* transporting *plastic plant pots and covers for plastic plant pots,* from Tulsa, OK, to Lantana, FL, under continuing contract(s) with Royal Vista Plastics, Inc., of Tulsa, OK. (Hearing site: Jacksonville, FL.)

MC 148818 (Sub-5F), filed March 10, 1980. Applicant: CARL PRINCE, d.b.a. PRINCE TRUCKING, Rt. 1, Box 159, Cane Hill, AR 72717. Representative: John C. Everett, P.O. Box A 140 E. Buchanan, Prairie Grove, AR 72753. Transporting *furniture,* in cartons, from Conway, AR, to points in NM, TX, LA, KS, OK, MS, AL, TN, KY, MO, OH, IL, IN, IA, NE, WI, FL, and GA. (Hearing site: Conway, AR, or Little Rock, AR.)

MC 149258 (Sub-1F), filed February 21, 1980. Applicant: SELCO TRUCKING CO., a corporation, P.O. Box 8801, Canton, OH 44711. Representative: Boyd B. Ferris, 50 West Broad St., Columbus, OH 43215. Transporting *such commodities* as are dealt in or used by manufacturers of leather and leather products, chemicals, and coated fabrics (except commodities in bulk), between the facilities of Seton Company and its subsidiaries at or near (a) Newark, NJ, (b) Wilmington, DE, (c) Canton, OH, and (d) Malvern and Saxton, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to the transportation of traffic originating at or destined to points in the described territory. Conditions: Applicant shall (1) conduct separately its for-hire carriage and other business operations, (2) maintain separate accounts and records for each operation, and (3) not transport

property as both a private and for-hire carrier in the same vehicle at the same time. (Hearing site: Chicago, IL, or Washington, DC.)

MC 150139 (Sub-1F), filed March 6, 1980. Applicant: HAMBEL FREIGHT LINES, INC., 4965 South Howell Ave., Milwaukee, WI 53207. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. *Contract carrier* transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minneapolis, MN, points in Allamakee County, IA, and Houston and Winona Counties, MN, points in WI, and points in the Upper Peninsula of MI, on the one hand, and, on the other, Milwaukee, WI, and Chicago, IL, restricted to traffic having a prior or subsequent movement by air, under continuing contract(s) with Burlington Northern Air Freight, Inc., of Milwaukee, WI. (Hearing site: Madison or Milwaukee, WI.)

MC 150319F, filed March 10, 1980. Applicant: WILMINGTON EXPRESS, INC., P.O. Box 540, Wilmington, NC 28401. Representative: Ralph McDonald, P.O. Box 2246, Raleigh, NC 27602. Transporting *dry fertilizer and dry fertilizer ingredients* (except in bulk, in tank vehicles), between points in NC, SC, and VA. (Hearing site: Wilmington, NC.)

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Decided: MARCH 20, 1980

By The Commission, Review Board Number 3, Members: Parker, Fortier and Hill.

(1) MC 7840 (Sub-27F), Applicant: ST. LAWRENCE FREIGHTWAYS, INC., 650 Cooper St., Watertown, NY 13601.
(2) MC 48441 (Sub-58F), Applicant: R.M.E., INC., an IN Corporation, P.O. Box 418, Streator, IL 61364.
(3) MC 73688 (Sub-113F), Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Ave., P.O. Box 7195, Memphis, TN 38107.
(4) MC 78687 (Sub-102F*), Applicant: LOTT MOTOR LINES, INC., a PA Corporation, West Cayuga St., P.O. Box 751, Moravia, NY 13118.
(5) MC 106920 (Sub-91F), Applicant: RIGGS FOOD EXPRESS, INC., West Monroe St., P.O. Box 26, New Bremen, OH 45869.
(6) MC 115331 (Sub-533F), Applicant: TRUCK TRANSPORT, INCORPORATED, 11040 Manchester Rd., St. Louis, MO 63122.
(7) MC 119349 (Sub-36F*), Applicant: STARLING TRANSPORT LINES, INC., P.O. Box 1733, Fort Pierce, FL 33450.
(8) MC 127303 (Sub-75F), Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326.
(9) MC 133085 (Sub-16F*), Applicant: TRENCO, INCORPORATED, 2109 Maryland Ave., P.O. Box 697, Williamsport, PA 17701.
(10) MC 136161 (Sub-29F), Applicant: ORBIT TRANSPORT, INC., a DE Corporation, P.O. Box 163, Spring Valley, IL 61362.
(11) MC 136511 (Sub-97F), Applicant: VIRGINIA APPALACHIAN LUMBER CORPORATATION, 9640 Timberlake Rd., Lynchburg, VA 23502.
(12) MC 141914 (Sub-75F), Applicant: FRANKS & SON, INC., Route 1, Box 108A, Big Cabin, OK 74332.
(13) MC 142873 (Sub-3F*), Applicant: DEWEY L. WILFONG, d.b.a. D & W TRUCK LINES, 209 First St., Parsons, WV 26287.
(14) MC 144676 (Sub-5F*), Applicant: M & S TRANSPORT LINES, INC., P.O. Box 417, Sultana, CA 93666.
(15) MC 145950 (Sub-72F*), Applicant: BAYWOOD TRANSPORT, INC., a DE Corporation, Route 6, P.O. Box 2611, Waco, TX 76706.
(16) MC 146573 (Sub-10F), Applicant: LA SALLE TRUCKING, INC., P.O. Box 46, Peru, IL 61354.
(17) MC 146890 (Sub-18F*), Applicant: C & E TRANSPORT, INC., a DE Corporation, d.b.a. C. E. ZUMSTEIN CO., P.O. Box 27, Lewisburg, OH 45338.
(18) MC 147451 (Sub-2F*), Applicant: RAY J. FORNEY, INC., a DE Corporation, P.O. Box 207, Ashton, IL 61006.
(19) MC 147452 (Sub-2F*), Applicant: W. D. W. TRUCKING, INC., 2620 S.W. 66th Terrace, Miramar, FL 33023.
(20) MC 148600 (Sub-2F*), Applicant: TRANSHIELD TRUCKING, INC., a DE Corporation, 1470 N. Farnsworth, Ave., P.O. Box 1617, Aurora, IL 60507.
(21) MC 148655 (Sub-2F*), Applicant: ERIEVIEW CARTAGE, INC., a DE Corporation, 100 Erieview Plaza Plaza, P.O. Box 6977, Cleveland, OH 44114.

Representative for all the Above-Named Carriers: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW, Washington, DC 20001.

By applications filed January 22, 1980, the 21 above-named carriers are granted authority to transport (1) *glass products, metal products, plastic products, paper products, wax products, clay products, feldspar products, wood products, foodstuffs, antipollution and biochemical apparatus, products* used in radiological research, *organic chemistry kits, talc, feldspar, candles, pottery, chinaware, ceramics, gift items, molds, and machinery*; (2) *parts and accessories* for the commodities in (1) above, and (3) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) and (2) above, (except commodities in bulk, in tank vehicles), between the facilities of Wheaton Industries, at or near Des Plaines, IL, on the one hand, and, on the other, points in the US (except AK and HI). (Hearing site: Washington, DC.)

* Note.—Dual operations may be involved.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16177 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

[Notice No. F-30]

The following applications were filed in Region I. Send protests to Regional Authority Center, Interstate Commerce Commission, 150 Causeway St., Rm. 501, Boston, MA 02114.

MC 22675 (Sub-1-1TA), filed May 19, 1980. Applicant: ALLSTATE VAN LINES CORP., 53-13 97th Place, Corona, New York 11368. Representative: Robert J. Gallagher, Esq., Suite 1112, 1000 Connecticut Avenue, N.W., Washington, D.C. 20036. *Household goods,* as defined by the Commission (1) From New York, New York Commercial Zone and New Jersey, on the one hand, and, on the other, points in AZ, CA, NV, TX, NM, CO, LA, AL, MS, and TN. (2) From points in AZ, CA, NV, TX, NM, CO, LA, AL, MS, and TN, on the one hand, and, on the other, points in NY, NJ, CT, DE, FL, GA, IL, IA, MD, MA, MO, NH, NC, OH, PA, RI, SC, VT, VA, WV, KS, OK, AR, TX, MO, and DC. Supporting shipper: Allstate Worldwide Mover, Inc. of Corona, NY 11368.

MC 144305 (Sub-1-1TA), filed May 19, 1980. Applicant: McCAIN TRANSPORT, INC., 5 Wade Road, Washburn, Maine 04786. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, Maine 04101. *Contract* irregular *carbonated and non-carbonated beverages and materials and supplies* used in the manufacture, bottling and distribution of carbonated and non-carbonated beverages in truckload quantities from points in GA, IL, and MA to the premises in Presque Isle, ME of the Coca-Cola Bottling Co. of Presque Isle, Maine pursuant to a bilateral contract with the Coca-Cola Bottling Co. of Presque Isle, Maine.

MC 111309 (Sub-1-1TA), filed May 19, 1980. Applicant: NEWPORT TRUCKING CORP., 4600 Fifth Street, Long Island City, NY 11101. Representative: Michael R. Werner, 167 Fairfield Road, Fairfield, NJ 07006. Contract Carrier, Iregular Routes: (1) Flavoring syrup, flavoring compounds, extracts and beverage preparations. From the facilities of Pepsi-Cola Company at Valhalla, NY to points in CT, DE, MA, MD, ME, NH, NJ, NY, PA, RI, SC, VA, VT, NC, and WV, (2) Empty drums, packaging materials and materials, supplies and equipment used in the manufacture of flavoring syrup, flavoring compounds, extracts and beverage preparations. From points in CT, DE, MA, MD, ME, NH, NC, NJ, NY, PA, RI, SC, VA, VT, and WV to the facilities of Pepsi-Cola Company at Valhalla, NY. Supporting shipper(s): Pepsi-Cola Company, Anderson Hill Rd., Purchase, NY 10577.

MC 145829 (Sub-1-4TA), filed May 19, 1980. Applicant: ETI CORP., P.O. Box 1, Keasbey, NJ 08832. Representative: GEORGE A. OLSEN, P.O. BOX 357, GLADSTONE, NJ 07934. *Contract carrier:* irregular routes: *Paper and Paper Products, and materials, equipment, and supplies used in the manufacture and sale of Paper and Paper Products (except commodities in bulk),* Between the facilities used or utilized by Union Camp Corporation, located at or near Richmond and Franklin, VA, on the one hand, and, on the other, points in DE, MD, NJ, NY, PA, and DC. Supporting shipper(s): Union Camp Corporation, 1600 Valley Road, Wayne, NJ 07470.

MC 145829 (Sub-1-3TA), filed May 19, 1980. Applicant: ETI CORP., P.O. Box 1, Keasbey, NJ 08832. Applicant's Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier:* irregular routes: *Foodstuffs, canned or preserved and dry cereal,* From Canajoharie, NY, To points in Essex, Hudson, Middlesex, Passaic, and Union Counties, NJ. Supporting shipper(s): Beech-Nut Foods Corporation, 2 Church Street, Canajoharie, NY 13317.

MC 150739 (Sub-1-1TA), filed May 19, 1980. Applicant: MACRIS EXPRESS, INC., 4175 Crosswicks-Hamilton Square Road, Trenton, NJ 08691. Representative: Eugene M. Malkin, Suite 1832, Two World Trade Center, New York, NY 10048. Contract carrier, irregular routes: (1) Plumbing fixtures and fittings and accessory parts and supplies, between the facilities of American Standard, Inc. at or near Trenton, NJ, on the one hand, and, on the other, points in MD, NJ, NY, PA, VA and DC; and (2) Empty trailers, empty containers, and trailer chassis between points in MD, NJ, NY and PA, restricted in (2) above to shipments having a prior or subsequent movement by water, and to traffic originating at or destined to the facilities of American Standard, Inc. Supporting shipper(s): American Standard, Inc., P.O. Box 2003, New Brunswick, NJ 08903.

MC 127524 (Sub-1-3TA), filed May 19, 1980. Applicant: QUADREL BROS. TRUCKING CO., INC., 1603 Hart Street, Rahway, NJ 07065. Representative: David L. Middleton (same address as above). *Tomato paste in bulk in tank vehicles,* from the facility of Hunt-Wesson Foods, Inc., Bridgeton, NJ to Oakfield, NY. Supporting Shipper: Hunt-Wesson Foods, Inc., Fullerton, CA 92634.

MC 148869 (Sub-1-1TA), filed May 16, 1980. Applicant: DOWNEAST DISPATCH, INC., 38 Rolfe's Lane, Newbury, MA 01950. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. Authority sought: *contract carrier* over irregular routes waterheaters and parts, materials and supplies used in the manufacture, distribution and repair of waterheaters, under a bilateral contract with the Vaughn Corporation between the premises of the Vaughn Corporation in Salisbury, MA and points in CT, GA, ME, NH, NJ, NY, OH, PA, RI, and VT. Supporting shipper: Vaughn Corporation, 386 Elm St., Salisbury, MA 01950.

MC 80428 (Sub-1-2TA), filed May 16, 1980. Applicant: McBRIDE TRANSPORTATION, INC., PO Box 430, Goshen, New York 10924. Representative: S. Michael Richards, PO Box 225, Webster, New York 14580. *Aluminum cans and can ends,* between Reynolds Metals Co. facilities at or near Woodbridge, NJ & Middletown, NY, on the one hand, and, on the other, all points in ME, NH, VT, MA, CT, RI, NY, NJ, PA, MD, DE, VA and DC. Supporting shipper: Roy H. Grabman, Division Manager Transportation & Warehousing, Reynolds Metals Company, Richmond, VA 23261.

MC 150177 (Sub-1TA), filed March 13, 1980. Applicant: CONATSER TRUCKING, INC., 57 Berkshire Terrace, Amherst, MA 01002. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. *Contract carrier,* irregular routes, *bottled water, containers and such commodities as are dealt in or used by distributors of bottled water (except commodities in bulk)* between points and (2) rejects and return empty containers from Poland Spring, ME to points in ME, NH, VT, MA, CT, RI, NY, NJ, DE, MD, WV, VA, NC, SC, GA, AL, FL, MS, TN, KY, PA, OH, IL, WI, IN, MI, and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Poland Spring, Inc., Las Vegas, NV 89119.

MC 150186 (Sub-1TA), filed March 13, 1980. Applicant: BEVERAGE TRUCKING, INC., 60 Robbins Road, Springfield, MA 01104. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. *Contract carrier,* irregular routes, *flour and such commodities as are dealt in or used by manufacturers and distributors of baking matter (except commodities in bulk)* between points in Buffalo, NY to points in MA and CT for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Thompson Bakery Supplies, Inc., West Springfield, MA 01089.

MC 10183 (Sub-1–1TA), filed May 16, 1980. Applicant: GETZINGER TRUCKING, INC., Morton Avenue, Rosenhayn, NJ 08352. Representative: James W. Patterson, Esquire, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. *Contract carrier:* irregular routes: *Meat, meat products and by-products, articles distributed by and commodities used by meat packing houses,* (except commodities in bulk, hides, animal feed and animal feed ingredients), in vehicles equipped with mechanical refrigeration. Between Lancaster County, NE, on the one hand, and, on the other, points in DC, DE, MD, NJ, NY, PA, VA, and WV, restricted to traffic originating at or destined to the facilities of Acme Markets, Inc., or its subsidiary, American Stores Packing Company, under continuing contract or contracts with Acme Markets, Inc. or American Stores Packing Company. Supporting shipper(s): Acme Markets, Inc., 124 N. 15th Street, Philadelphia, PA 19101.

MC 150822 (Sub-1–1TA), filed May 16, 1980. Applicant: FLEXIBLE TRANSPORTATION, INC., 18 Hackensack Ave., S. Kearny, NJ 07032. Representative: Harold L. Reckson, 33–28 Halsey Rd., Fair Lawn, NJ 07410. *Cable television installation and transmission equipment, and equipment, material and supplies* used in connection therewith. Between the facilities of Anixter-Pruzan at or near Wharton, NJ, Atlanta, GA, Chicago, IL, St. Louis, MO and Houston, TX, on the one hand, and, on the other points in the US in and east of MN, IA, KS, OK and TX, under a continuing contract or contract with Anixter-Pruzan, Wharton, NJ. Supporting shipper: Anixter-Pruzan, 321 Richard Mine Road, Wharton, NJ 07885.

MC 59570 (Sub-1–1TA), filed May 16, 1980. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Road, Toms River, NJ 08753. Representative: Jean R. Hecht, President (same as applicant). *Iron and steel articles, and materials, equipment and supplies used in the manufacture and distribution of iron and steel articles (except in tank vehicles).* Between points in Perth Amboy, NJ on one hand, and on the other, in and east of IL, MS, TN, WI. Supporting shipper: Louis J. Chick, Raritan River Steel Company, 225 Elm Street, P.O. Box 309, Perth Amboy, NJ 08862.

MC 150196 (Sub-1–2TA), filed March 3, 1980. Applicant: AUTO CITY, INC., 440 McClellan Hwy., E. Boston, MA 02128. Representative: John A. Maiona, Esq., 294 Washington St., Boston, MA 02108. *Used leased motor vehicles,* over irregular routes, from and to Boston, MA, to points and places east of the Mississippi River, i.e. each state, including all capital and principal cities, towns, including major air, rail and bus terminals, in the following states: ME, NH, VT, MA, RI, CT, NY, PA, NJ, DE, MD, OH, MI, WI, IL, IN, WV, VA, KY, TN, NC, SC, GA, AL, MS, FL, LA, DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: (1) Dollar Rent-a-Car, E. Boston, MA, (2) The Hertz Corp, Peabody, MA, (3) Local Car Rental, E. Boston, MA.

MC 143127 (Sub-2TA), filed March 3, 1980. Applicant: K. J. TRANSPORTATION, INC., 6070 Collett Rd., Victor, NY 14564. Representative: Linda A. Calvo (same address as applicant). *Foodstuffs and animal feed* (except in bulk), from Camden, NJ to points in CT, MA, and RI, for 180 days. Supporting shipper: Campbell Soup Company, 100 Market St., Camden, NJ 08101.

MC 16872 (Sub-1–1TA), filed March 3, 1980. Applicant: WILLIAM MIRRER, d.b.a. MIRRER'S-TRUCKING, 100 E. 25th St., Paterson, NJ 07514. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Lawn Mowers, Tractors, Snow Blowers, and accessories, materials, equipment, and supplies used in the sale of the foregoing,* from McDonough, GA, to Kenvil, NJ. Supporting shipper(s): KPM Distributors, 926 Route 46, Kenvil, NJ 07847.

MC 150165 (Sub-1–2 TA), filed March 12, 1980. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, NJ 07047. Representative: Eugene M. Malkin, Suite 1832, Two World Trade Center, New York, NY 10048. *Contract carrier,* irregular routes, *Petroleum catalyst,* in vehicles equipped with mechanical refrigeration, from the facilities of Dow Chemical, U.S.A. at or near Plaquemine, LA to Newark, NJ. Supporting shipper(s): Dow Chemical, U.S.A., P.O. Box 150, Plaquemine, LA 70764.

MC 143236 (Sub-1–3 TA), filed March 12, 1980. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Avenue, S. Kearny, NJ 07032. Representative: Elizabeth E. Murphy, 40 Hackensack Avenue, S. Kearny, NJ 07032. *Foodstuffs in cans or boxes* between New York, NY on the one hand, and, on the other points in the United States (except AK and HI) for 180 days. Restricted to traffic originating at or destined to the facilities of Baltic Trading. Supporting shipper: Baltic Trading, Div. of M. H. Greenbaum, Inc.

MC 112963 (Sub-1–2 TA), filed May 16, 1980. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, Mass. 01866. Representative: Leonard E. Murphy, (same as applicant). (1) *tanning oils, in bulk, in tank vehicles,* and (2) *commodities used in the manufacture of tanning oils, in bulk, in tank vehicles.* (1) from the plant site and facilities of Salem Oil & Grease Co., at Salem, MA to points in the U.S. and (2) from points in the U.S. to the plant site of Salem Oil & Grease Co., at Salem, MA. Supporting shipper: Salem Oil and Grease Co., Salem, MA.

MC 146379 (Sub-1–2TA), filed February 14, 1980. Applicant: AUTO EXPRESS, INC., 1520 Paterson Plank Road, North Bergen, NJ 07047. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Used automobiles, in secondary movements, in truckaway service,* (1) Between Boston, MA, Philadelphia, PA and New York, NY and their commercial zones, on the one hand, and, on the other, points in FL, (2) Between Albany, NY, on the one hand, and, on the other, Boston, MA and its commercial zone, (3) Between Manheim, PA and Bordentown, NY on the one hand, and, on the other, points in the New York, NY commercial zone, and (4) Between Boston, MA and its commercial zone, on the one hand, and, on the other, points in the New York, NY commercial zone. Supporting shipper: Bill Dretzin Ford, Inc., 420 North Avenue, New Rochelle, NY 10801.

MC 149024 (Sub-1–1TA), filed May 15, 1980. Applicant: JOHNSTON INTERMODAL TRANSPORT, INC., 320 Twelfth Avenue, New York, New York 10001. Representative: Hylan Cooper, Esq., 450 Seventh Avenue, New York, New York 10001. *General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk)* restricted to traffic moving on bills of lading of freight forwarders. (a) Between Phoenix, AZ and points within 100 miles of Los Angeles and San Francisco, CA, and Seattle, WA., on the one hand, and, on the other hand, points in the commercial zones of Baltimore, MD, Boston, MA, Holyoke, MA, Jersey City, NJ, New York, NY, New Haven, CT, Philadelphia, PA, Chicago, IL, Milwaukee, WI, Rockford, IL, Atlanta, GA, Charlotte, NC, Greensboro, NC, and Memphis, TN. (b) Between points in the commercial zones of Baltimore, MD, Boston, MA, Holyoke, MA, Jersey City, NJ, New York, NY, New Haven, CT, and Philadelphia, PA, on the one hand, and, on the other hand, points in the commercial zones of Chicago, IL, Milwaukee, WI, and Rockford, IL. (c) Between points in the commercial zones

of Chicago, IL, Milwaukee, WI, and Rockford, IL, on the one hand, and, on the other hand, Phoenix, AZ, and points within 100 miles of Los Angeles and San Francisco, CA, and Seattle, WA. 2. *Such merchandise as is dealt in by wholesale retail and chain grocery houses and in connection therewith materials, equipment and supplies used in the conduct of such business.* (a) From Bakersfield, Kerman, Indio, Dinuba, and Los Angeles, CA. To Commercial zones of Baltimore, MD, Boston and Holyoke, MA, Edison, N.J., New York, N.Y., New Haven, CT, Philadelphia, PA, Chicago, IL, and Milwaukee, WI. (b) From Landover, MD, Horseheads, N.Y., and Plymouth, WI. To Points within 100 miles of Los Angeles and San Francisco, CA and Seattle, WA. (c) From Bakersfield, Kerman, Indio, Dinuba, CA and points within 100 miles of Los Angeles and San Francisco, CA, and Seattle, WA. To Harrington, DE, Edison, Florence and Vineland, N.J. and the commercial zones of Baltimore, MD, Boston, MA, New York, N.Y., New Haven, CT, Philadelphia, PA, and Chicago, IL. (d) From Points withn 100 miles of Los Angeles and San Francisco, CA. To Harrington, DE, Florence and Vineland, N.J. and the commercial zone of Philadelphia, PA. 3. *Confectionary requiring mechanical refrigeration* (a) From Hackettstown, N.J. To Points in CA, located within 100 miles of Los Angeles or San Francisco. Supporting shippers: Lifschultz Fast Freight, New York, New York; The Great Atlantic & Pacific Tea Co., Inc., Montvale, NJ; Tenneco West, Inc., Bakersfield, CA; Compas Foods, Inc., Montvale, NJ; Plus Discount Foods, Inc., Montvale, NJ; M& M M/MARS, Div of Mars, Inc., Hackettstown, NJ.

MC 145914 (Sub-1–3), filed May 15, 1980. Applicant: COASTAL TRUCK LINE, INC., How Lane, P.O. Box 397, New Brunswick, New Jersey. Representative: Lawrence S. Burstein, Esq., One World Trade Center, Suite 2373, New York, New York 10048. (1) *Empty plastic bottles and (2) materials, equipment and supplies used in the manufacture, sale and distribution of commodities listed in (1) above* from the facilities of the Bercon Company near Berwick, PA on the one hand and on the other hand, facilities of Clorox Company at or near Frederick, MD and Boston, MA under contract with the Clorox Company; 1221 Broadway, Oakland, California.

MC 10875 (Sub-1–3TA), filed May 15, 1980. Applicant: BRANCH MOTOR EXPRESS COMPANY, 114 Fifth Avenue, New York, NY 10011. Representative: G. G. Heller (same address as applicant). *General commodities,* except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Pownal, VT as an off-route point in connection with applicant's regular routes. Supporting shipper: G K Technologies Inc., Greenwich, CT.

MC 135859 (Sub-1–1TA), filed May 15, 1980. Applicant: KAUFFMAN & MINTEER, INC., P.O. Box 14, Jobstown, NJ 08041. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Gasoline, Gasohol, and Distillates and Residual Fuel Oils, in bulk in tank vehicles,* (1) From Philadelphia, PA, To points in NJ and DE; and (2) From Delair, NJ, To points in DE and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Amerada Hess Corporation, 1 Hess Plaza, Woodbridge, NJ 07095.

MC 148793 (Sub-1–3TA), filed May 14, 1980. Applicant: M & L MESSENGER SERVICE, INC., Jewell Lane, New Fairfield, CT 06810. Representative: James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103. (1) *Various documents and machine parts,* between points in Newington, Milford, Bridgeport, Danbury and Stratford, CT, on the one hand, and, on the other, New York, NY and New Jersey, restricted to transportation of packages not exceeding 50 pounds per package originating at or destined to the facilities of Columbia Magnetics, CBS Records, A Division of CBS, Inc., Danbury, CT. (2) *Cassettes and documents,* between Danbury and Norwalk, CT, on the one hand, and, on the other, New York, NY, restricted to transportation of packages not exceeding 50 pounds per package, originating at or destined to the facilities of The Darome Connection, Danbury, CT. (3) *Computer media,* between points in Bethel, Torrington, CT and Waterbury, CT, on the one hand, and, on the other, New York, NY, restricted to transportation of packages not exceeding 50 pounds per package, originating at or destined to the facilities of Duracell Products Company, Bethel, CT. (4) *Correspondence and documents,* between points in CT, NJ and New York, NY, restricted to transportation of packages not exceeding 50 pounds per package, originating at or destined to the facilities of Mark Rothbaum and Associates, Danbury, CT. *(5) Computer reports,* between Danbury, CT, on the one hand, and, on the other, points in Sussex, Passaic, Bergen, Essex, Warren, and Morris Counties, NJ and Westchester, Dutchess, Putnam and Orange Counties, NY, restricted to transportation of packages not exceeding 50 pounds per package, originating at or destined to the facilities of Berkshire Data Service, Danbury, CT, for 180 days. Supporting shippers: Columbia Magnetics, Danbury, CT; The Durome Connection, Danbury, CT; Duracell Products Company, Bethel, CT; Mark Rothbaum and Associates, Danbury, CT; and Berkshire Data Service, Danbury, CT.

MC 147074 (Sub-1–5TA), filed May 14, 1980. Applicant: E Z FREIGHT LINES, 70–76 Gould St., Bayonne, New Jersey 07002. Representative: Anthony E. Young, 29 S. LaSalle St., Suite 350, Chicago, Illinois 60603. *Building materials and related articles* from the facilities of Revere Aluminum Products, Inc., located at or near Franklin Park, IL to points in AL, AR, CT, FL, GA, IN, IA, MS, SC, SD, KS, KY, LA, MA, MA, MI, MN, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, TN, TX, VA, WV, DE, and WI. Supporting shipper: Revere Aluminum Products, Inc., Franklin Park, IL.

MC 9936 (Sub-1–1TA), filed May 14, 1980. Applicant: HAVERHILL & LAWRENCE TRANSPORTATION CO., INC., 17 Locke Street, Haverhill, Massachusetts 01830. Representative: Jack Pearce, 1000 Connecticut Avenue, Suite 1200, Washington, D.C. 20036. *Boots and shoes, boot or shoe factory supplies,* between points in Maine, Massachusetts, and New Hampshire. Supporting shipper(s): Eleven supporting shippers.

MC 138567 (Sub-1–1TA), filed May 13, 1980. Applicant: R. L. PAQUETTE, INC., Box 162, Middlebury, VT 05753. Representative: Roger L. Paquette, Jr. (same address as applicant). Contract, irregular: *Enameled steel silos, loading and unloading devices, waste storage tanks, livestock feeder bunks, forage metering devices, animal waste spreader tanks, livestock feeding systems, and accessories for the above commodities,* from the plantsites of A. O. Smith at De Kalb, IL and Eureka, IL to Lewis, Franklin, Clinton, Jefferson and St. Lawrence Counties, NY, under a continuing contract with Seaway Harvestore Systems, Inc. Supporting shipper: Seaway Harvestore Systems, Inc., Route 11, Adams Center, NY 13606.

MC 7840 (Sub-1–1TA), filed: May 14, 1980. Applicant: ST. LAWRENCE FREIGHTWAYS, INC., 650 Cooper Street, Watertown, New York 13601. Representative: Michael D. Bromley, Suite 805, 666 Eleventh St. NW., Washington, D.C. 20001. *Roofing materials and materials, equipment and supplies used in the manufacture thereof (except commodities in bulk),* between the facilities of Koppers Company, Inc., at Follansbee, WV and

Youngstown, Wickliffe and Heath, OH, on the one hand, and on the other, CT, DE, IN, KY, MA, MD, ME, MI, NH, NJ, OH, PA, RI, VA, VT, WV, and DC. Supporting shipper: Koppers Company, Inc., 850 Koppers Building, Pittsburgh, PA 15219.

MC 136647 (Sub-1–1TA), filed: May 14, 1980. Applicant: GREEN MOUNTAIN CARRIERS, INC., P.O. Box 1319, Albany, New York 12201. Representative: Gordon L. Sands, President, P.O. Box 1319, Albany, New York 12201. Commodity: Such commodities as are dealt in by retail and chain grocery, hardware, and drug stores, and materials and supplies (except commodities in bulk), used in the manufacture and distribution of such commodities. Points: From Rouses Point, New York. To Buena Park, Calif.; Denver, Colo.; Atlanta, Ga.; Elkhart, Ind.; Fort Dodge, Ia.; Andover, Mass.; St. Paul, Minn.; No. Kansas City, Mo.; Secaucus & So. Plainfield, N.J.; Monroe, N.C.; Strongville, Ohio; East Whiteland Township & Paoli, Pa.; Memphis, Tenn.; Dallas, Texas; and Kent, Wash. From points in Delaware and Missouri to Rouses Point, New York.

MC 146440 (Sub-1–4TA), filed May 14, 1980. Applicant: BOSTON CONTRACT CARRIER, INC., P.O. Box 68, Brookline, MA 02167. Representative: Alan Bernson, Suite 32, 34 Market Street, Everett, MA 02149. *General commodities,* with the usual exception, from points in Cumberland and Oxford Counties, ME, to points in AL, AR, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, NC, ND, OH, OK, OR, SC, SD, TN, TX, UT, VA, WA, WV, WI, and WY. Supporting shipper: Belle Shippers Association, c/o 220 Lowell Street, Peabody, MA 01960.

MC 40815 (Sub-1–1TA), filed: May 13, 1980. Applicant: HARRAN TRANSPORTATION CO. INC., 1417 Jerusalem Avenue, North Merrick, NY. Representative: Owen B. Katzman, 1800 M Street, NW., Suite 800—South, Washington, D.C. 20036. *Passengers and their baggage and express and newspapers in the same vehicle with passengers,* (1) between Bay Shore, NY, and Atlantic City, NJ, from Bay Shore over NY Hwy 27 to Jct Interstate Hwy 678, then over Interstate Hwy 678 to Jct NY Hwy 25, then over NY Hwy 25 to Jct Interstate Hwy 495, then over Interstate Hwy 495 to Jct Interstate Hwy 278, then over Interstate Hwy 278 to Jct NY Hwy 440, then over NY Hwy 440 to Jct NJ Hwy 440, then over NJ Hwy 440 to Jct Garden State Pkwy, then over Garden State Pkwy to Jct Atlantic City Expy, then over Atlantic City Expy to Atlantic City, and return over the same route, and (2) between Hauppauge, NY and Atlantic City, NJ. from Hauppauge at Exit 57 on Interstate Hwy 495, over Interstate Hwy 495 to Jct Community Drive, then over Community Drive to Jct NY Hwy 25A, then over NY Hwy 25A to Jct Interstate Hwy 678, then over Interstate Hwy 678 to Jct Interstate Hwy 95, then over Interstate Hwy 95 to Jct Garden State Pkwy, the over Garden State Pkwy to Jct Atlantic City Expy, then over Atlantic City Expy to Atlantic City, and return over the same route, serving in (1) and (2) above all intermediate points in Nassau, Queens, and Suffolk Counties, NY. Supporting shippers: There are 44 supporting witnesses.

MC 147811 (Sub-No. 1–1TA), filed May 13, 1980. Applicant: FLO-JO CONTRACTING, INC., P.O. Box 283, Belgrade Lakes, ME 04918. Representative: Karl A. Johnson, P.O. Box 283, Belgrade Lakes, ME 04918. *Contract carrier,* irregular routes, *Lumber* from points in ME, NH, VT and NY to ports of entry on the International Boundary line between the United States and Canada at or near Derby Line, Norton and Newport, VT; Jackman and Coburn Gore, ME; and Champlain, NY, under a continuing contract(s) with Can-Am Lumber Co., of Skowhegan, ME. Supporting shipper: Can-Am Lumber Co., Skowhegan, ME.

MC 150797 (Sub-1–1TA), filed May 13, 1980. Applicant: CARPENTERS MOTOR TRANSPORT, INC., 35 King Street, Box 817, Burlington, VT 05402. Representative: Donald E. Carpenter (same address as applicant). *Contract,* Irregular: *Such commodities as are dealt in or used by retail, wholesale, hardware and appliance stores, garages, and petroleum products* (except in bulk), from Burlington, VT to Clinton, Essex, Franklin, and St. Lawrence Counties, NY, Grafton and Sullivan Counties, NH, under a continuing contract with Vermont Hardware Co., Inc. Supporting shipper: Vermont Hardware Co., Inc., 180 Flynn Ave, Burlington, VT 05401.

MC 138861 Sub-1–6TA), filed May 13, 1980. Applicant: C–LINE, INC., Tourtellot Hill Road, Chepachet, Rhode Island 02814. Representative: Ronald N. Cobert, Esquire, 1730 M Street NW., Suite 501, Washington, D.C. 20036. *Tires* and *tire tubes* from Cincinnati, OH, to Cranston, RI. Supporting shipper: Leon's TBA Warehouse, Inc., Cranston, RI.

MC 124328 (Sub-1–5TA), filed May 13, 1980. Applicant: BRINK'S INCORPORATED, Thorndal Circle, Darien, Connecticut 06820. Representative: Richard H. Streeter, Wheeler & Wheeler, 1729 H Street NW., Washington, D.C. 20006. *Contract carrier;* irregular routes; *precious metal scrap* between Lee's Summit, Missouri and points in the U.S. Supporting shipper: Western Electric Co., Lee's Summit, MO.

MC 118019 (Sub-1–1TA), filed May 13, 1980. Applicant: PENN TRANSPORTATION CORP., 212 Beacham Street, Everett, MA 02149. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. (1) *Scrap metals,* from Boston, MA to points in RI, CT, NY, NJ, and PA, and (2) *waste paper,* between points in ME, NH, VT, and MA on the one hand, and, on the other, points in NY, NJ, and PA. Supporting shippers: M. Kaplan & Co., Inc., 8 Maple Street, Chelsea, MA 02150 and Great Eastern Paper Stock Corp., 133 Halleck Street, Boston, MA 02120.

MC 59640 (Sub-1–4TA), filed May 12, 1980. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, NJ 07016. Representative: Michael A. Beam, 301 Blair Road, Woodbridge, NJ 07095. *Contract carrier;* irregular routes: *Paperboard, in rolls and disposable dishes, plates, and trays,* between Brentwood, NY, on the one hand, and, on the other, Augusta and Brunswick, GA, Westwood, MA, Chicago, IL and its commercial zone, Buffalo, NY, Syracuse, NY and its commercial zone, points in Northumberland County, PA, and Sheldon Springs and St. Albans, VT. Supporting shipper: Carnation Paper Products Corporation, 86 Emjay Boulevard, Brentwood, NY 11717.

MC 150718 (Sub-1–1TA), filed May 9, 1980. Applicant: K.B. TRUCKING, d.b.a. Kende Leasing Corp., 2 Terry Lane, Clark, NJ 07066. Representative: Harold L. Reckson, 33–28 Halsey Road, Fair Lawn, NJ 07410. *Toilet preparations, hair care products, cosmetics, and equipment, material and supplies* used in the manufacture and distribution thereof, except commodities in bulk, between the facilities of, or those used by, Cosmair, Inc., at or near Clark, Piscataway, Saddle Brook and South Brunswick, NJ, on the one hand, and, on the other, Birmingham, AL; Atlanta, GA; Chicago, IL; Sullivan, IN; Florence, KY; Randolph, MA; Detroit and Grand Rapids, MI; Minneapolis, MN; Newburgh and Port Jervis, NY; Cleveland, OH: Delaware Water Gap, Philadelphia, and Sellersville, PA; Murfreesboro and Lewisburg, TN; Covington, VA; and Huntington, WV; and points in their respective commercial zones. Supporting shipper: Cosmair, Inc., 222 Terminal Ave., Clark, NJ 07066.

MC 150698 (Sub-1–2TA), filed May 9, 1980. Applicant: WEST-CONN TRANSPORTATION SERVICE, INC.,

Anarock Drive, Somers, NY 10589. Representative: Sidney J. Leshin, Esq., 575 Madison Ave., New York, NY 10022. Passengers and their baggage, between points and places in the Counties of Westchester, Putnam and Dutchess, NY and Fairfield County, CT, on the one hand, and, the office and plant facilities of General Foods, located in the City of White Plains, Town of Rye, NY on the other hand under continuing contract with General Foods Employees Group. Supporting shipper: General Food Employees Group, Somers, NY 10589.

MC 150785 (Sub-1–1TA), filed May 9, 1980. Applicant: THOMPSON'S MOTOR TRANS., INC., 1 Innis Drive, Billerica, MA 01821. Representative: Joseph M. Klements, Richardson & Tyler, 84 State St., Boston, MA 02109. *Contract carrier;* irregular route; *beverages and beverage containers* between Portland, ME and Needham, MA, on the one hand, and, on the other, points in ME, MA, NH and VT. Supporting shippers: Cott Corp., 165 Pleasant Ave., South Portland, ME and Coca-Cola Bottling Plants, Inc., 316 Western Ave., South Portland, ME 04106.

MC 141546 (Sub-1–1TA), filed May 12, 1980. Applicant: BULK TRANSPORT SERVICE, INC., One Dundee Park, Andover, MA 01810. Representative: Kenneth B. Williams, 84 State St., Boston, MA 02109. *Construction materials, in bulk, in dump vehicles,* from points in NY to points in ME, NH, VT, MA, CT, RI, NY, NJ, and PA. Supporting shipper: Old Dutch Materials, 350 Pfingsten Rd., Northbrook, IL 60062.

MC 112963 (Sub-1–1TA), filed May 9, 1980. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, MA 01866. Representative: Leonard E. Murphy, 764 Boston Road, Pinehurst, MA 01866. *Commodities, in bulk, in tank vehicles (except petroleum products, tar, liquefied natural gas, cement, limstone, limestone products, marble and marble products) and petrochemicals, in bulk, in tank vehicles,* (1) between points in CT, MA, ME, NH, RI and VT and (2) between points named in (1) above, on the one hand, and on the other, points in NY, NJ and PA.

MC 143127 (Sub-1–8TA), filed May 9, 1980. Applicant: K. J. TRANSPORTATION, INC., 6070 Collett Rd., Victor, NY 14564. Representative: Linda A. Calvo (same address as applicant). (1) *Malt beverages,* from Winston-Salem, NC to points in NY and Bridgeport, CT, and from Latrobe, PA to Bridgeport, CT; and (2) *Materials, supplies and equipment* used in the manufacture and distribution of malt beverages, from points in NY and Bridgeport, CT, to Winston-Salem, NC, and from Bridgeport, CT to Latrobe, PA. Supporting shippers: Preferred Distributing Corp., 50–35 56th Rd., Maspeth, NY 11378; Gary Beer Distributors, 800 South Ave., Bridgeport, CT 06604; Eade Distributing Co., Inc., 404 North First St., Olean, NY 14760; and Ramapo Valley Distributors, Inc., 37 Washington, Ave., Suffern, NY 10901.

MC 148127 (Sub-1–2TA), filed May 12, 1980. Applicant: LINEHAUL EXPRESS CORPORATION, P.O. Box 5078, Manchester, NH 03108. Representative: Neal,R. Michaud (same as above). *Plastic articles and medical devices,* from points in Hillsborough and Cheshire Counties, NH to points in the U.S. except ME, NH, VT, CT, RI, MA, NJ, NY, PA, AL, MS, LA, AR, and TN. Supporting shippers: Bridgeport Metal Goods, N. Hinsdale, NH; Concord Laboratories, Inc., P.O. Box 724, Keene, NH 03431.

MC 146857 (Sub-1–1TA), filed May 9, 1980. Applicant: W. K. THOMAS, INC., 72 Tait Street, Ludlow MA 01056. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. *Contract carrier,* irregular routes. Printed material, booklets, catalogues, books, and newsprint and such commodities as are dealt in or used by manufacturers and distributors of printed matter (except commodities in bulk) between points. From: Between the facilities of W. A. Krueger Co., located in Bristol, CT, Pontiac, IL, Brookfield and New Berlin, WI, Jonesboro, AR, and Senatobia, MS. To points in: ME, NH, VT, MA, CT, RI, NY, NJ, DE, MD, WV, PA, OH, IN, IL, WI, TN, KY, AR, and MS. Supporting shipper: W. A. Krueger Co., 12821 West Blue Mound Road, Brookfield, WI 53005.

MC 14785 (Sub-1–1TA), filed May 9, 1980. Applicant: DICK WELLER, INC., Shoham Road, Warehouse Point, CT 06088. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. *Rolls, cloth or fabric waven from glass fiber roving: rolls or cartons of mat, glass fiber, not woven, made from continuous chopped strand fiber.* From: NY and TX to points in: FL, IN, IL, PA, MN, OH, SC, NJ, VA, CA, NY, WI, TX, MD, NC, GA, AL, MS, NM, and AZ. Supporting shipper: Fiber Glass Industries, Inc., Amsterdam, NY 12010.

The following applications were filed in Region 2. Send protests to: ICC, Federal Reserve Bank Bldg., 101 N. 7th St., Room 620, Philadelphia, PA 19106.

MC 107012 (Sub-II–31TA), filed May 12, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (Same as applicant). (1) *Swimming pool and spa filters and heaters* and (2) *parts and accessories for the commodities named in (1) above* from the facilities of Baker Hydro, Inc. at or near Irvine, CA to Atlanta and Augusta, GA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Baker Hydro, Inc., 17152 Armstrong Ave., Irvine, CA 92771.

MC 107403 (Sub-II–20TA), filed May 7, 1980. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Anhydrous ammonia, in bulk, in tank vehicles,* from Blytheville, AR to counties in KY and TN west of the Tennessee River for 180 days. Supporting shipper(s): Hutson Chemical Co., Inc., P.O. Box 1002, Murray, KY 42071.

MC 124111 (Sub-II–5TA), filed May 7, 1980. Applicant: OHIO EASTERN EXPRESS, INC., 300 West Perkins Ave., Sandusky, OH 44870. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Meats, meat products, and meat by-products, as described in Section A of Appendix I to the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766,* from Port Newark, NJ; New York, NY; Philadelphia, PA; and Norfolk, VA, including points in their respective commercial zones, to points in GA, IN, IL, KY, LA, MI, MN, MO, NY, NC, OH, PA, TN and VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Mastan Trading Co., 201 Penn Center Blvd., Pittsburgh, PA 15235; The Tupman Thurlow Co., Inc., 420 Lexington Ave., New York, NY 10017.

MC 119689 (Sub-II–4TA), filed May 9, 1980. Applicant: PEERLESS TRANSPORT CORP., 2701 Railroad St., Pittsburgh, PA 15222. Representative: Robert T. Hefferin (same as applicant). *Chemicals, in bulk, in tank vehicles,* from Philadelphia, PA to the facilities of Tanates Chemical Co. at Wellford, SC; and from the facilities of Tenatex Chemical Co. at Wellford, SC to Chillicothe, OH and Bloomington, IN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Tanatex Chemical Co., Page and Schuyler Ave., Lyndhurst, NJ 07071.

MC 107012 (Sub-II–28TA), filed May 7, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Bruce W. Boyarko (same as applicant). *General commodities (except commodities in bulk, those of unusual value, class A & B explosives, household goods as defined*

by the Commission, and those requiring special equipment), from the facilities of Black & Decker (U.S.), Inc. at or near Raleigh, NC to points in AZ, AR, CA, CO, DC, FL, GA, IL, IN, IA, KS, NM, LA, MD, MI, MS, MO, NE, NV, NY, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WV, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Black & Decker (U.S.), Inc., 701 East Joppa Rd., Towson, MD 21204.

Note.—Common control may be involved.

MC 1824 (Sub-2-6TA), filed May 15, 1980. Applicant: PRESTON TRUCKING CO., INC., 151 Easton Blvd., Preston, MD 21655. Representative: Thomas M. Auchincloss, Jr., Suite 700, 918 16th St. NW., Washington, DC 20006. *Common; regular: General commodities, except those of unusual value, classes A & B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment,* (1) between South Bend, IN and Cincinnati, OH, from South Bend over US hwy 31 to junction US Hwy 30, then over US Hwy 30 to junction I-Hwy 75, then over I-Hwy 75 to Cincinnati, and return over the same route, (2) between Toledo, OH and Cincinnati, OH, (a) from Toledo over I-Hwy 75 to Cincinnati, and return over the same route, and (b) from Toledo over I-Hwy 75 to junction OH Hwy 15, then over OH Hwy 15 to junction US Hwy 23, then over US Hwy 23 to junction I-Hwy 71, then over I-Hwy 71 to Cincinnati, and return over the same route, (3) between Cleveland, OH and Cincinnati, OH, from Cleveland over I-Hwy 71 to Cincinnati, and return over the same route, serving all intermediate points on the above named routes, and as off-route points, all points in OH on and west of I-Hwy 71 for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack authority sought with authority held under docket MC 1824 and all subs thereunder. Applicant intends to interline with present connecting carriers at authorized points including but not limited to Ft. Wayne, IN, Norfolk, VA, Baltimore, MD and St. Louis, MO. Supporting shippers: There are 95 supporting shippers. Their statements may be examined at the ICC office in Phila., PA.

MC 143210 (Sub-II-3TA), filed May 14, 1980. Applicant: W. C. HALL GENERAL HAULING, INC., Callao, VA 22435. Representative: Calvin F. Major, 200 W. Grace St., Richmond, VA 23220. *Agricultural limestone and limestone products* from York, PA and Texas, MD to the Counties of Hanover, King William, King & Queen, VA and from York, PA to the Counties of Essex, Richmond, Westmoreland, Northumberland and Lancaster, VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: W. L. Jackson Farm Services, Box 17, St. Stephens Church, VA 23148; Southern States-Tappahannock Service, P.O.B. 518, Tappahannock, Va 22560; Southern States Coop, Rt. 1, King William, VA 23086.

MC 140555 (Sub-II-FA), filed May 15, 1980. Applicant: J G EXEC, INC., P.O. Box 593, Dover, DE 19901. Representative: Marshall Kragen, 1835 K Street NW., Suite 600, Washington, D.C. 20006. *Passengers and their baggage,* limited to transportation of not more than 12 passengers in any one vehicle, between Kent County, DE, on the one hand, and, on the other, Norfolk, VA, for 180 days. Supporting shipper: COMNAVAIRLANT, Naval Air Station, Norfolk, VA.

MC 150702 (Sub-II-1TA), filed May 15, 1980. Applicant: HERITAGE EXPRESS COMPANY, 5300 Richmond Rd., Bedford Heights, OH 44146. Representative: Donald Morgenroth (same address as above). Contract; irregular *beer* from Fort Wayne, IN; Pittsburgh, PA and Newport, KY to Cleveland, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Crystal Distributing Co., Inc., 3341 Superior Ave., Cleveland, OH 44114.

MC 138000 (Sub-II-11TA), filed May 15, 1980. Applicant: ARTHUR H. FULTON, INC., P.O. Box 86, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, MD 21740. *Synthetic yarn and empty beams and racks,* between Lewistown, PA, including its commercial zone, on the one hand, and on the other, points in NC, SC, GA, AL, and VA, for 180 days. Supporting shipper: Avtex Fibers, Inc., No. 9, Executive Mall, P.O. Box 880, Valley Forge, PA 19485.

MC 125335 (Sub-No. 2-4TA), filed: May 14, 1980. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Plastic containers,* From Wilmington, NC to Marcus Hook, PA, Atlanta, GA, and Freehold, NJ and points in their respective commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: South Atlantic Container Corp., P.O. Box 1197, U.S. Highway 42, Wilmington, NC 28402.

MC 150817 (Sub-II-1TA), filed: May 15, 1980. Applicant: HOFFMAN & DAVIS (a partnership), Route #6, Box 89, Hagerstown, MD 21740. Representative: Edward B. Button, 580 Northern Ave., Hagerstown, MD 21740. Contract; irregular: *Laboratory Reagents and culture media,* from Cockeysville, MD, and its commercial zone, to points in PA, DE, NJ, NY, CT, RI, MA, NH, VT, and ME, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: BBL Micro Biological Systems, 250 Schilling Circle, Cockeysville, MD 21030.

MC 121272 (Sub-II-1TA), filed May 15, 1980. Applicant: HESS TRUCKING CO., 1000 West Chocolate Avenue, Hershey, PA 17033. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108. *Such merchandise* as is dealt in by retail and wholesale discount and department stores from Derry Twp., Dauphin County, PA to Pottstown and Quakertown, PA restricted to traffic destined to facilities owned or utilized by K-Mart Corporation and having a prior movement in interstate or foreign commerce, for 180 days. Supporting shipper: K Mart Corporation, 3100 West Big Beaver Road, Troy, MI 48084.

MC 136295 (Sub-II-1TA), filed: May 15, 1980. Applicant: EXPRESSWAY MESSENGER SERVICE, INC., 2524 Maryland Ave., Baltimore, MD 21218. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Printed matter and documents and film matter for photography,* between the facilities of Donnelly Printing Co., located at or near Lancaster, PA, on the one hand, and on the other, Baltimore, MD, and Washington, DC, and their respective commercial zones, restricted against the handling of shipments weighing more than 250 pounds from one consignor at one location to one consignee at one location on any one day, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Donnelly Printing Co., 391 Steel Way, Lancaster, PA 17604.

MC 138000 (Sub-II-10TA), filed May 15, 1980. Applicant: ARTHUR H. FULTON, INC., P.O. Box 86, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *Furniture parts, and materials and supplies used in the manufacture of furniture parts (except in bulk)* 1. Between Carthage, Springfield and Aurora, MO, Birmingham, AL, Atlanta and Social Circle, GA, Nashville, TN, Winchester, Simpson and Nicholsville, KY, Dalton, IL, Grafton, WI, Ferndale, MI, Mason, Cincinnati and Burton Station, OH, Edison and Jersey City, NJ, Highpoint, Forest City, Linwood, Newton, and Maxton, NC, Jacksonville, Orlando and Miami, FL, and Tupelo, MS, including their respective

commercial zones; and 2. Between Carthage, Springfield and Aurora, MO, Birmingham, AL, Atlanta and Social Circle, GA, Nashville, TN, Winchester, Simpson and Nicholasville, KY, Dalton, IL, Grafton, WI, Ferndale, MI, Mason, Cincinnati and Burton Station, OH, Edison and Jersey City, NJ, Highpoint, Forest City, Linwood, Newton, and Maxton, NC, Jacksonville, Orlando and Miami, FL, and Tupelo, MS, including their respective commercial zones, on the one hand, and on the other, points in MO, AL, GA, TN, KY, IN, IL, WI, MI, OH, PA, WV, VA, NJ, DE, DC, NC, SC, FL, MS, and MD. The authority requested in 1 and 2 above is restricted to traffic moving from, to or between the facilities of or utilized by Leggett & Platt, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Leggett & Platt, Incorporated, 18th Road (P.O. Box 757), Carthage, MO 64836.

MC 125335 (Sub-2-5TA), filed May 15, 1980. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Such commodities as are dealt in by wholesale and retail discount stores* (except commodities in bulk), from points in Bradford, Carbon, Columbia, Franklin, Lackawanna, Lehigh, Luzerne, Lycoming, Monroe, Montour, Northampton, Northumberland, Schuykill, Tioga, and Wayne Counties, PA, and Broome, Cayuga, Chemung, Chenango, Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga, Tompkins, and Yates Counties, NY, to points in CA, FL, GA, IL, MO, OR, TX, and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Northeastern Pennsylvania Shipper's Cooperative Association, Inc., Nelson Bldg., West Eighth St., W. Wyoming, PA 18644.

MC 150163 (Sub-II-4TA), filed May 15, 1980. Applicant: HORWITH TRUCKS, INC., R.D. No. 1, Coplay, PA 18037. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. *Coal* (except filter coal), in bags and in bulk, in dump vehicles, from Minersville, PA to Cos Cob, Ellington and New Britain, CT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Reading Anthracite Coal Company, 200 Mahantongo St. Drawer F, Pottsville, PA 17901.

MC 150163 (Sub-II-3TA), filed May 14, 1980. Applicant: HORWITH TRUCKS, INC., R.D. No. 1, Coplay, PA 18037. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. *Coal,* in bulk, in dump vehicles, from the facilities of C. T. Coal Company, Inc., Nesquehoning, PA to ports of entry on the International Boundary Line between the US and Canada, in NY, for 180 days. Supporting shipper: Tonolli Corp., R.D. No. 1, Rte. 54, Nesquehoning, PA 18240.

MC 150717 (Sub-II-1TA), filed May 16, 1980. Applicant: R. T. JACQUES, 125 Oneida Valley Rd., Butler, PA 16001. Representative: R. T. Jacques (same address as above). Contract; irregular *brick, cement, mortar, iron and steel articles, lumber, and equipment, materials and supplies used in or incidental to the manufacture, installation or distribution of the above products,* from points in AR, GA, IL, IN, MI, NY, PA to points in and east of ND, SD, NE, CO, OK, TX and from points in and east of ND, SD, NE, CO, OK, TX to points in NY and PA, under contract with International Chimney, Inc. and Continental Clay Products d.b.a. McKee Kittanning Div. of International Chimney, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: International Chimney Corp., 55 S. Long St., Williamsville, NY 14221; Continental Clay Products d.b.a. NcNess Kittanning Div. of International Chimney Corp., 260 Oak Ave., Kittanning, PA 16201.

MC 113666 (Sub-II-7TA), filed May 12, 1980. Applicant: FREEPORT TRANSPORT, INC., P.O. Drawer A, Freeport, PA 16229. Representative: R. Scott Mahood (same address as applicant). *Animal feed ingredients,* in bags, from Chattanooga, TN to Ft. Washington, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: American Cyanamid Company, P.O. Box 400, Princeton, NJ 08540.

MC 150795 (Sub-II-1TA), filed May 13, 1980. Applicant: HERBERT W. HEFFNER, INC., R.D. No. 2, Reading, PA 19605. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. *Liquid Nitrogen (Fertilizer),* in bulk, in stainless steel tank vehicles, from Baltimore, MD to Chapman, Lebanon, and Leesport, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): AGWAY, Inc., Box R, Wall St., Leesport, PA 19533.

MC 108589 (Sub-II-5TA), filed May 2, 1980. Applicant: EAGLE EXPRESS COMPANY, 11425 Williamson Rd., Cincinnati, OH 45241. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215. *Common; regular: General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Cookeville, TN and Smithville, TN, and its commercial zone, from Cookeville, TN over Interstate Route 40 to junction TN Route 56, thence over TN Route 56 to Smithville, TN and return over the same route for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack this authority with existing authority and to interline with other carriers. Supporting shipper(s): There are 4 supporting shippers. Their statements may be examined at the ICC Regional Office in Philadelphia, PA.

MC 145125 (Sub-II-2TA), filed May 9, 1980. Applicant: LAUREL MOUNTAIN OVERLAND EXPRESS, INC., 109 Electric Avenue, Lewistown, PA 17044. Representative: Eugene M. Malkin, Suite 1832, 2 World Trade Center, New York, NY 10048. *Extruded aluminum products,* from the facilities of Cressona Aluminum Company at or near Cressona, PA, to points in the United States in and west of MN, IA, MO, AR and LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cressona Aluminum Company, Cressona, PA 17929.

MC 121372 (Sub-II-2TA), filed May 9, 1980. Applicant: EXPRESS TRANSPORT CO., 1217 Dalton St., Cincinnati, OH 45203. Representative: Norbert B. Flick, 715 Executive Bldg., Cincinnati, OH 45202. *Iron and Steel Articles* between the facilities of McJunkin Corp. at Nitro, Buckannon, W.VA and Indiana, PA, on the one hand, and points in KY, OH, NY, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): McJunkin Corporation, 1400 Hansford Street, Charleston, W.VA 25301.

MC 138000 (Sub-II-9TA), filed May 9, 1980. Applicant: ARTHUR H. FULTON, INC., P.O. Box 86, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *Malt beverages,* from Peoria, IL, Newark, NJ and Milwaukee, WI, including their respective commercial zones, to points in GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pabst Brewing Co., 917 W. Juneau Ave., Milwaukee, WI 53201.

MC 150784 (Sub-II-1TA), filed May 9, 1980. Applicant: JEFFREY & JON TRUCKING CO., INC., 3241 Fox St., Philadelphia, PA 19129. Representative: Edward N. Button, 580 Northern Avenue, Hagerstown, MD 21740. Contract; irregular; *automotive parts, materials and supplies (except in bulk) used in the manufacture and distribution thereof,* between points in NJ, MD, PA (restricted to the transportation of traffic originating at or destined to facilities utilized by Mack Trucks, Inc., for 180

days). An underlying ETA seeks 90 days authority. Supporting shipper: Mack Trucks, Inc., P.O. Box 6311, Bridgewater, NJ 08807.

MC 73533 (Sub-II-3TA), filed May 9, 1980. Applicant: KEY WAY TRANSPORT, INC., 820 S. Oldham St., Baltimore, MD 21224. Representative: William F. Lamperelli (same address as above). *Books and printed matter* from Baltimore, MD to Philadelphia, PA; Albany and New York, NY; Boston, MA and Somerset, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Port City Press, Inc., 1323 Greenwood Rd., Baltimore, MD 21208.

MC 66571 (Sub-II-3TA), filed May 12, 1980. Applicant: RED LINE, INC., 2310 Orange Ave., N.E., Roanoke, VA 24012. Representative: Wilmer B. Hill, Suite 805, 666 Eleventh St., NW., Washington, DC 20001. *Cleaning products* (except in bulk); from Roanoke, VA and Salem, VA to points in NC (except those within 150 miles of Roanoke, VA). An underlying ETA seeks 90 days authority. Supporting shipper: Purex Corp., 1414 N. Radcliffe St., Bristol, PA 19007.

MC 66571 (Sub-II-2TA), filed May 12, 1980. Applicant: RED LINE, INC., 2310 Orange Ave., N.E., Roanoke, VA 24012. Representative: Wilmer B. Hill, Suite 805, 666 Eleventh Street, NW., Washington, DC 20001. *Cleaning products* (except in bulk), from Bristol, PA, So. Kearny, NJ, Hackensack, NJ, and New Castle, DE to the facilities of Purex Corp. at Salem, Va and Roanoke, VA. An underlying ETA seeks 90 days authority. Supporting shipper: Purex Corp., 1414 N. Radcliffe St., Bristol, PA 19007.

MC 66571 (Sub-II-1TA), filed May 12, 1980. Applicant: RED LINE, INC., 2310 Orange Ave. N.E., Roanoke, VA 24012. Representative: Wilmer B. Hill, Suite 805, 666 Eleventh St., NW., Washington, DC 20001. *Plastic bottles and containers,* from the facilities of Purex Corp. at Baltimore, MD to the facilities of Purex Corp. at Salem, VA and Roanoke, VA. An underlying ETA seeks 90 days authority. Supporting shipper: Purex Corp., 1414 N. Radcliffe St., Bristol, PA 19007.

MC 121205 (Sub-2-2TA), filed May 12, 1980. Applicant: SPECIAL SERVICE DELIVERY CO., INC., 2514 Bridge Ave., Cleveland, OH 44113. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Merchandise, equipment and supplies sold, used, or distributed by a manufacturer of cosmetics* (except commodities in bulk) between Toledo, OH, and points in its Commercial Zone, on the one hand, and, on the other, points in Hillsdale, Jackson, Lenawee and Monroe Counties, MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Avon Products, Inc., 175 Progress Place, Springdale, Ohio 45246.

MC 117095 (Sub-2-1TA), filed May 12, 1980. Applicant: MERVIN E. WEAVER, 11 S. Tower Rd., New Holland, PA 17557. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *Sand,* in dump vehicles, from Cecil County, MD to Chester County, PA, for 180 days. An underlying ETA seeks authority for 30 days. Supporting shipper(s): Atglen Quarries, Inc., P.O. Box 2, Atglen, PA 19310.

MC 21866 (Sub-2-18TA), filed May 12, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Building, Philadelphia, PA 19110. *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment), from the facilities of Woodstream Corp. at Lititz, PA, to Dallas, TX, for for 180 days. Restriction: The service authorized herein is restricted to the transportation of traffic originating at the named origin. Supporting shipper(s): Woodstream Corp., Lititz, PA 17543.

MC 21866 (Sub-2-19TA), filed May 12, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Building, Philadelphia, PA 19110. *Confectionery and confectionery products,* from the facilities of Just Born, Inc. at Bethlehem, PA, to points in IL, IN, MI, MN, OH, and WI, for 180 days. Supporting shipper(s): Just Born, Inc., 1300 Stefco Blvd., Bethlehem, PA 18018.

MC 146423 (Sub-II-4TA), filed May 15, 1980. Applicant: STEPHEN HROBUCHAK, d.b.a. TRANS-CONTINENTAL REFRIGERATED LINES, Route 502, P.O. Box 1465, Scranton, PA 18503. Representative: Peter Wolff, 722 Pitston Ave., Scranton, PA 18505. *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Lackawanna, Lehigh, Luzerne, Monroe, Bradford, Columbia, Franklin, Lycoming, Montour, Northampton, Northumberland, Schuylkill, Tioga and Wayne Counties, PA, and Broome, Cayuga, Chemung, Chenango, Cortland, Onandaga, Schuyler, Seneca, Steuben, Tioga, Tompkins and Yates Counties in NY on the one hand, and, on the other points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY restricted to transportation originating at or destined to the facilities utilized by either Northeastern Pennsylvania Shippers Cooperative Association, Inc., or its member and restricted to shipments on bills of lading of shippers associations for 180 days. Supporting shipper(s): Northeastern Pennsylvania Shippers, Cooperative Association, Inc., Nelson Bldg., W. 8th St., W. Wyoming, PA 18644.

MC 21866 (Sub-2-16TA), filed May 12, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Building, Philadelphia, PA 19110. *Aluminum and aluminum products,* from the facilities of Cressona Aluminum Co. at Cressona, (Schuylkill County), PA, to Vancouver, WA, Greenville, SC, and points in AL, FL, GA, NC and OK, for 180 days. Supporting shipper(s): Cressona Aluminum Co., Cressona, PA 17129.

MC 136077 (Sub-II-2TA), filed May 15, 1980. Applicant: REBER CORP., 2216 Old Arch Rd., Norristown, PA 19401. Representative: Duane, Morris & Heckscher, by Sheri B. Friedman, 1600 Land Title Bldg., 100 S. Broad St., Philadelphia, PA 19110. *Flyash,* from the terminals of National Minerals Corp. at Westmoreland County, Indiana County and Berks County, PA; to points in OH, VA and WV. Supporting shippers: National Minerals Corp., R.D. No. 4, Box 189-B, Indiana, PA 15101.

MC 109124 (Sub-II-2TA), filed May 16, 1980. Applicant: SENTLE TRUCKING CORP., P.O. Box 7850, Toledo, OH 43619. Representative: James M. Burtch, 100 E. Broad St., Suite 1800, Columbus, OH 43215. *Scrap metals* from the facilities of Material Processing at or near Rural Ridge, PA to Taylor, MI, for 180 days. Supporting shipper: Material Processing, Box 7, Rural Ridge, PA 15075.

MC 147901 (Sub-2-1TA), filed May 19, 1980. Applicant: RIDGEWOOD, INC., 2250 Ridgewood Rd., Medina, OH 44256. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215. *Horses, other than ordinary, and in connection therewith, personal effects of attendants, and equipment, materials and supplies used in the care, transportation, racing and exhibition of such horses,* between points in AZ, FL, KY, PA, NY, OH, MI, IL, IN, NJ, and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 8 supporting shippers. Their

statement may be reviewed at the ICC Regional office in Philadelphia, PA.

MC 116763 (Sub-2-11TA), filed May 19, 1980. Applicant: CARL SUBLER TRUCKING, INC., North West St., Versailles, OH 45380. Representative: Gary J. Jira (same as above). *Scrap and waste paper* between points in the United States in and east of MN, IA, MO, OK and TX, for 180 days. Restricted to the transportation of traffic originating at or destined to the facilities utilized by Maslo Co. Supporting shipper: Maslo Co., Front and Ford St., Bridgeport, PA 19405.

MC 150552 (Sub-2-3TA), filed May 19, 1980. Applicant: Virginian Electric Co., d.b.a. VIRGINIAN POWER TRANSPORT, 6333 Emerson Ave., Parkersburg, WV 26101. Representative: John Friedman, 2930 Putman Ave., Hurricane, WV 25526. *Glass containers and closures,* from Coventry, RI and Vienna, WV to points in IL, IN, MI, NC, SC and WI, and from Coventry, RI to points in KY for 180 days. Supporting shipper(s): National Bottle Co., 1 Bala Cynwyd Plaza, Bala Cynwyd, PA 19004.

MC 21866 (Sub-II-20TA), filed May 19, 1980. Applicant: West Motor Freight, Inc., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Building, Phila, PA 19110. *Materials* used in the manufacture of plastic pellets (except commodities in bulk), from Pensacola, FL, to the facilities of Texapol Corp. at or near Bethlehem, PA, for 180 days. Supporting shipper(s): Texapol Corp., 500 Ronca Commercial Park, Bethlehem, PA 18017.

MC 149272 (Sub-2-1TA), filed May 19, 1980. Applicant: SWIFT AIR DELIVERY, INC., 1710 Allied St., Charlottesville, VA 22901. Applicant's representative: Carroll B. Jackson, 1810 Vincennes Road, Richmond, VA 23229. *General commodities (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment),* between Baltimore, MD, Washington, DC and points in the commercial zones thereof, on the hand, and, on the other, Charlottesville, Harrisonburg, Stauton and Waynesboro, VA and points in Albermarle, Augusta, Culpeper, Greene, Louisa, Madison, Nelson, Orange and Rockingham Counties, VA, restricted to the transportation of traffic having a prior or subsequent movement by air. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 25 supporting shippers. Their statements may be examined at the I.C.C. regional office in Phila., PA.

MC 114569 (Sub-2-20TA), filed May 19, 1980. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *(1) Floor coverings,* and *(2) Materials, equipment and supplies used in the manufacturing, distribution, installation and maintenance of floor coverings* between the facilities of Armstrong World Industries, Inc., at or near Kankakee, IL on one hand and, on the other, points in the states of AL, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NH, NY, NJ, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WV, WI, and DC. Restricted to traffic of Armstrong World Industries, Inc. originating or terminating at or near Kankakee, IL. Supporting shipper: Armstrong World Industries, Inc., P.O. Box 3001, Lancaster, PA 17604.

MC 148339 (Sub-II-1TA), filed May 19, 1980. Applicant: WM. POTT & SON, INC., 5547 Cheviot Rd., Cincinnati, OH 43239. Representative: Kevin R. Reichley, 50 W. Broad St., Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers of bedding or upholstery (except in bulk),* (1) between Nicholasville, Simpsonville, and Winchester, KY, on the one hand, and, on the other, points in IL, IN, KY, MI, MO, MA, MD, NJ, NC, OH, PA, TN, VA, and WV; and (2) between Mason, OH, on the one hand, and, on the other, points in MA, MD, NC, and NJ for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Leggett & Platt, Inc., P.O. Box 757, Carthage, MO 64836.

MC 150545 (Sub-2-1TA), filed April 10, 1980, first published in the Federal Register of April 28, 1980. Applicant: TRI-CITY TIRES, INC., 1016 Butt St., Chesapeake, VA 23324. Representative: Carroll B. Jackson, 1810 Vincennes Rd., Richmond, VA 23229. *Contract; irregular:* (1) *Adhesives, cement, paint, petroleum, naphtha; plastic or rubber articles; rubber compound; soap; tire treads* and (2) *materials, supplies and equipment used in the manufacture, distribution and sales of commodities in (1) above (except commodities in bulk, in tank vehicles)* between points in Rockdale County, GA, on the one hand, and, on the other, points in AL, AR, CT, DC, DE, FL, GA, IA, IL, IN, KY, LA, MA, MD, MI, MN, MO, MS, NC, NJ, NY, OH, PA, SC, TN, TX, VA, WI, and WV, for 180 days. Supporting shipper(s): Uniroyal Tire Co., 1961 Industrial Blvd., Conyers, GA 30207. The purpose of this republication is to reflect the correct destination state of WV which was omitted in the first publication.

MC 150588 (Sub-2-1), filed April 24, 1980, first published in the Federal Register of May 7, 1980. Applicant: OWINGS & SONS, INC., Box 297, Millington, MD 21651. Representative: Joseph I. Huesman, 504 Maryland Trust Bldg., Baltimore, MD 21202. *Contract; irregular: Anhydrous ammonia,* from Palmerton, PA, and Gibbstown, NJ to points in DE and Eastern Shore of MD, south of Chesapeake-Delaware Canal for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 5 supporting shippers. Their statements may be examined at the office listed below. The purpose of this republication is to reflect the correct area (Eastern Shore) of destination state of MD which was omitted in the first publication.

MC 142703 (Sub-II-1TA), filed April 17, 1980, first published in the Federal Register of May 6, 1980. Applicant: INTERMODAL TRANSPORTATION SERVICES, INC., 750 W. Third St., P.O.B. 14072, Cincinnati, OH 45214. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215. *General commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between: (a) Memphis, TN (and its Commercial Zone), on the one hand, and, on the other, the following 24 counties of AL: Bibb, Blount, Choctaw, Colbert, Cullman, De Kalb, Fayette, Franklin, Greene, Hale, Jackson, Lamar, Lawrence, Limestone, Madison, Marengo, Marion, Marshall, Perry, Pickens, Saint Clair, Shelby, Sumtar, Walker; (b) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 66 counties of AR: Arkansas, Ashley, Baxter Boone, Bradely, Calhoun, Carroll, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Springs, Independence, Izard, Jackson, Jefferson, Johnson, Lawrence, Lee, Lincoln, Logan, Lonoke, Madison, Marion, Mississippi, Monroe, Montgomery, Nevada, Newton, Quachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph, Saline, Scott, Searcy, Sharp, Stone, St. Francis, Union, Van Vuren, White, Woodruff, Yell; (c) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 18 counties of IL: Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Saline, Union, Washington, White, Williamson; (d) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 11 parishes in

LA: Claiborne, East Carroll, Franklin, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll; (e) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 58 counties of MS: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Claiborne, Clarke, Clay, Coahoma, Copiah, De Sota, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Jasper, Kemper, Lafayette, Lauderdale, Leake, Lee, Leflore, Lowndes, Madison; Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Warren, Washington, Webster, Winston, Yaolbusha, Yazoo; (f) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 38 counties in MO: Bollinger, Butler, Cape Giardeau, Carter, Christian, Crawford, Dent, Douglas, Dunklin, Franklin, Greene, Howell, Iron, Jefferson, Laclede, Madison, Mississippi, New Madrid, Oregon, Ozark, Pemiscot, Perry, Phelps, Pulaski, Reynolds, Ripley, Saint Francois, Scott, Shannon, Ste. Genevieve, Stoddard, Stone, Washington, Wayne, Webster, Wright, Taney, Texas; (g) Memphis, TN (and its Commercial Zone) on the one hand, and, on the other, the following 47 counties in TN: Bedford, Benton, Cannon, Carroll, Cheatam, Chester, Coffee, Crockett, Davidson, Decatur, Dickson, Dyer, Fayette, Franklin, Gibson, Giles, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Lake, Lauderdale, Lawrence, Lewis, Lincoln, Madison, Marshall, Maury, McNairy, Montgomery, Obion, Perry, Robertson, Rutherford, Shelby, Stewart, Sumner, Tipton, Trousdale, Wayne, Weakley, Williamson, Wilson: Restricted to the transportation of shipments having a prior or subsequent movement by rail. Supporting shipper(s): There are 7 supporting shippers. Their statements may be examined at the ICC Office in Phila., PA. The purpose of this republication is to reflect the correct destination county of Houston, TN (part g) which was omitted in the first publication.

The following protests were filed in Region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 35320 (Sub-5–26), filed May 16, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th Street, P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). Common; regular. *General commodities, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment),* serving McAllen, TX and its commercial zone as an off-route point in connection with carrier's otherwise authorized regular-route operations restricted to traffic originating at or destined to the facilities of the General Electric Company. Supporting shipper: The General Electric Company, 2401 East Sunshine, Springfield, MO.

Note.—Applicant intends to tack to its existing authority or any authority it may obtain in the future and interline with other carriers. Common control may be involved.

MC 30844 (Sub-TA5–10), filed May 16, 1980. Applicant: KROBLIN REFRIGERATED XPRESS, INC., P.O. Box 2122, Tulsa, OK 74121. Representative: John P. Rhodes, P.O. Box 5000, Waterloo, IA 50704. *Such commodities as are dealt in or used by automotive supply, household appliance and general merchandise stores (except foodstuffs and commodities in bulk)* between points in the US, in and east of MN, IA, NE, KS, OK and TX, restricted to traffic originating at or destined to the facilities of Western Auto Supply Company. Supporting shipper: Western Auto Supply Company, 2107 Grand Avenue, Kansas City, MO 64108.

MC 47583 (Sub-5–7TA), filed May 15, 1980. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, Kansas 66115. Representative: D. S. Hults, P.O. Box 225, Lawrence, Kansas 66044. (1) *Air coolers, air conditioners, humidifiers, heat pumps, air cleaners, and parts and accessories for air coolers, air conditioners, humidifiers, heat pumps and air cleaners,* from the facilities of General Electric Co., located at or near Tyler, TX to points and places in AL, AR, DC, DE, FL, GA, IA, IL, IN, KS, KY, LA, MD, MO, MS, NC, NE, NJ, NY, OK, OH, PA, SC, TN, VA, WV; and (2) *Parts and accessories for air coolers, air coditioners, humidifiers, heat pumps and air cleaners,* from Wynn, AR, to the facilities of General Electric Co., located at or near Tyler, TX. Restricted to traffic originating at the named origin points and destined to the named destinations as set out in (1) and (2). Supporting shipper: General Electric Co. 6200 Troup Highway, Tyler, TX 75701.

MC 111401 (Sub-5–6TA), filed May 16, 1980. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, 2510 Rock Island Blvd., Enid, OK 73701. Representative: Victor R. Comstock, Vice President, Traffic (same as applicant). *Crude oil, in bulk, in tank vehicles,* from points in Dundy, Hitchcock and Red Willow Counties, NE to points in Decatur County, KS. Supporting shipper: Central Crude Corporation, Suite 930, Fourth Financial Center, Wichita, KS 67202.

MC 114211 (Sub-5–13TA), filed May 15, 1980. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, IA 50704. Representative: Kurt E. Vragel, Jr., P.O. Box 420, Waterloo, IA 50704. *(1) Experimental and show display tractors, agricultural, industrial, construction, and forestry equipment, (2) parts, attachments, and accessories fo the commodities in (1) above, and (3) paraphernalia, which at the time of movement is being transported for purposes of display or experiment, and not for sale,* from Richmond, VA, to points in the United States in and east of ND, SD, NE, KS, OK, and TX. Supporting shipper: National Hydro-Ax, Inc., P.O. Box 568, Owatonna, MN 55060.

MC 118089 (Sub-5–3TA), filed May 19, 1980. Applicant: ROBERT HEATH TRUCKING, INC., P.O. Box 2501, 2909 Avenue C, Lubbock, TX 79408. Representative: Charles M. Williams, Kimball, Williams, & Wolfe, P.C., 350 Capito Life Center, 1600 Sherman Street, Denver, Colorado 80203 (303) 839–5856. *Doors,* from the facilities of Westcoast Doors, Inc. at or near Tacoma, WA to points in TX, NM, OK and LA. Supporting shipper: Westcoast Doors, Inc., 3102 South Pine, Tacoma, WA 98409.

MC 118959 (Sub-5–7TA), filed May 13, 1980. Applicant: JERRY LIPPS, INC., 130 S. Frederick, Cape Girardeau, MO. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, Illinois. *General commodities (except commodities in bulk)* between Spring Grove, Il on the one hand, and on the other, points in the United States (except Alaska and Hawaii). Supporting shipper: Forms Corporation of America, P.O. Box 278, Spring Grove, Illinois 60081.

MC 119399 (Sub-5–15TA), filed May 16, 1980. Applicant: CONTRACT FREIGHTERS, INC., P.O. Box 1375, 2900 Davis Boulevard, Joplin, Missouri 64801. Representative: Thomas P. O'Hara (same address as applicant). *Glass containers and accessories thereof,* from Sapulpa, OK to points in AL, FL, GA, and KY. Supporting shipper: Liberty Glass Company, P.O. Box 520, Sapulpa, Oklahoma 74066.

MC 119493 (Sub-5–21TA), filed May 16, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Missouri 64801. Representative: Thomas

D. Boone, Traffic Manager, Monkem Company, Inc., P.O. Box 1196, Joplin, Missouri 64801. *Salvage merchandise and such commodities as are dealt in or used by wholesale and retail discount or variety stores (except commodities in bulk),* from AL, AR, GA, IL, IN, IA, KS, KY, LA, MS, MO, NE, OK, TN, & TX to facilities of Dollar Saver Stores Inc. in Ponca City and Tulsa, OK and Ft. Smith and Rogers, AR. Supporting shipper: John A. Self, President, Dollar Saver Stores, Inc., 800 Rogers Ave., Ft. Smith, AR 72901.

MC 119493 (Sub-R-22TA), filed May 16, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Missouri 64801. Representative: Thomas D. Boone, Traffic Manager, Monkem Company, Inc., P.O. Box 1196, Joplin, Missouri 64801. *Wood products, lumber and materials and supplies used in the manufacture and distribution thereof (except commodities in bulk)* Between Van Buren, Ellsimore, and Lodi, MO on the one hand and points in IL, IN, IA, KS, NE, and WV on the other hand. Supporting shipper: Zack Stone, Office Manager, Risby Pallet & Lumber Co., Inc., Route 2, Van Buren, MO 63965.

MC 119493 (Sub-R-23TA), filed May 16, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Missouri 64801. Representative: Thomas D. Boone, Traffic Manager, Monkem Company, Inc., P.O. Box 1196, Joplin, Missouri 64801. *Charcoal, charcoal products, and materials and supplies used in the manufacture and distribution thereof (except commodities in bulk)* (1) Between facilities of Floyd Charcoal Corp. (a wholly-owned subsidiary of Cupples Company Manufactures) at or near Salem, MO on the one hand and points in AL, IA, IL, IN, KS, KY, MS, NE, OH, PA, WV and WI on the other hand and, (2) between facilities of Imperial Briquet Corp. (a wholly-owned subsidiary of Cupples Company Manufactures) at or near Kenbridge, VA on the one hand and points in DC, DE, MD, NC, NJ, NY, and PA on the other hand. Supporting shipper: Harold E. Boswell, Cupples Company Manufacturers, 1034 South Brentwood, St. Louis, MO 63117.

MC 119789 (Sub-5-18TA), filed May 16, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same as applicant). *Cocoa Beans and Coffee Beans, in containers* from New Orleans, LA and Houston and Laredo, TX to Ripon and Salines, CA. Supporting shipper: The Nestles Company, Inc., 100 Bloomingdale Road, White Plains, NY 10605.

MC 119789 (Sub-5-19TA), filed May 16, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same as applicant). (1) *Electrical applicances, equipment and parts* from Columbia, Moberly, Booneville, Clarence, Jefferson City, Kirksville and Macon, MO to points in TX, LA, AR, and IA and points in the US in and east of WI, IL, KY, TN, and MS and (2) *Materials and supplies used in the manufacture and distribution of electrical appliances, equipment and parts (except commodities in bulk)* from TX, LA, AR, and IA and points in the US in and east of WI, IL, KY, TN, and MS to Columbia, Moberly, Booneville, Clarence, Jefferson City, Kirksville and Macon, MO. Restricted as to (1) and (2) above to the transportation of traffic originating at or destined to the facilities of McGraw-Edison Company in MO. Supporting shipper: McGraw-Edison Company, 1801 No. Stadium Blvd., Columbia, MO 65201.

MC 119988 (Sub-5-12TA), filed May 16, 1980. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75901. Representative: E. Larry Wells, P.O. Box 45538, Dallas, Texas 75245. *Furnaces, airconditioners, compressors, air coolers, fans, blowers, parts and accessories therefor* from Edison, NJ and Effingham, IL to all points in the US (except AK and HI). Supporting shipper(s): Fedders Corporation, Woodbridge Avenue, Edison, New Jersey 08817.

MC 119988 (Sub-5-13TA), filed May 16, 1980. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75901. Representative: E. Larry Wells, P.O. Box 45538, Dallas, Texas 75245. *Wines, spirits and mixes* from CA to TX, OK, KS, NE, IA, MN, AL, AR, CT, DE, FL, GA, IL, IN, KY, LA, ME, MD, MA, MI, MS, MO, NC, NH, NJ, NY, OH, PA, RI, SC, TN, VT, WV, WI, VA and Washington, D.C. Supporting shipper(s): Sonoma Vineyards, Inc., P.O. Box 368, Windsor, CA 95492; A. Perilli-Minetti & Sons, d.b.a. California Wines, P.O. Box 818, Delano, CA 93216; Glazer Wholesale Drug, 508 Park Avenue, Dallas, TX 75201; and Paul Masson Vineyards, P.O. Box 21069, San Jose, CA 95151.

MC 123993 (Sub-5-11TA), filed May 15, 1980. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Representative: Byron Fogleman, P.O. Box 1504, Crowley, La. 70526. *(1) Non alcoholic beveroges (except in bulk); (2) materials, equipment and supplies used in the manufacture, distribution or sale of (1) (except in bulk),* between Winnsboro, LA on the one hand and on the other points in AL, AR, FL, GA, LA, MS, TN and TX. Supporting shipper: Shasta Beverages. 7333 Major, Houston, TX 77061.

MC 123993 (Sub-5-12TA), filed May 16, 1980. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Representative: Byron Fogleman, P.O. Box 1504, Crowley, La. 70526. *Poultry and animal feed and mineral or vitamin mixtures for poultry and animal feeding (except in bulk),* between Evergreen Mills, Inc. at or near Ada, OK to points in AR, LA and TX. Supporting shippers: Vivian Feed & Fertilizer, 123 E. Arkansas, Vivian, LA 71082; Hope Feed Co., Inc., P.O. Box 86, Hope, AR 71801.

MC 125254 (Sub-5-3TA), filed May 15, 1980. Applicant: MORGAN TRUCKING CO., P.O. Box 714, Muscatine, IA 52761. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. (1) *Fiberboard containers,* From the facilities of Southwest Forest Industries at or near Kansas City, KS, to points in IA and NE; (2) *Materials and supplies (except commodities in bulk),* used in the manufacture, sale or distribution or the commodities in (1); From points in NE and IA to the facilities of Southwest Forest Industries at or near Kansas City, KS; and (3) *Expanded plastics articles,* From the facilities of Southwest Forest Industries at or near Kansas City, MO to points in IA, KS, and NE. Supporting shipper: Southwest Forest Industries, P.O. Box 7548, Phoenix, AZ 85011.

MC 129908 (Sub-5-22TA), filed May 15, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: John S. Odell, P.O. Box 75410, Oklahoma City, OK 73107. *Drugs, medicines, toilet preparations, packaging materials, and commodities used in the packaging or manufacture thereof* from the facilities of Beecham Laboratories in Bristol, TN to Elmhurst, IL. Supporting shipper: Beecham Laboratories, 501 Fifth Street, Bristol, TN 37620.

MC 129908 (Sub-5-23TA), filed May 16, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: John S. Odell, P.O. Box 75410, Oklahoma City, OK 73107. *Aircraft parts and accessories,* between Los Angeles, CA (including commercial zone), on the one hand and the facilities of Vought Corporation in Dallas County, TX, on the other. Supporting shipper(s): Vought Corporation, 9314 West Jefferson, Dallas, TX 75211.

MC 129908 (Sub-5–24TA), filed May 19, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: John S. Odell, P.O. Box 75410, Oklahoma City, OK 73107. *Exercise equipment, Hydrotherapeutic pools, Hot Tubs, Spas and parts and accessories of the preceding commodities* from CA to the facilities of Haden Company, Inc. in CO, OK, TX, Omaha, NE, and Atlanta, GA. Supporting shipper: Haden Company, Inc., 2707 Satsuma, Dallas, TX 75229.

MC 135797 (Sub-5–36TA), filed May 16, 1980. Applicant: J. B. HUNT TRANSPORT, INC., Post Office Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq. (address same as applicant). (1) *Malt beverage and related advertising materials*, and (2) *empty used beverage containers and materials and supplies* used by breweries, between Jefferson County, CO and points in AR. Supporting shipper: Adolph Coors Company, Golden, CO 80401.

MC 135797 (Sub-5–37TA), filed May 16, 1980. Applicant: J. B. HUNT TRANSPORT, INC., Post Office Box 130, Lowell, Arkansas 72745. Representative: Paul R. Bergant, Esq. (address same as applicant). *Canned goods*, from the facilities of Woldert Canning, Inc. located at Lindale, TX to points in AL, AZ, AR, CA, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, UT, VA, WV and WI. Supporting shipper: Woldert Canning, Inc., P.O. Box 1140, Tyler, TX 75710.

MC 135797 (Sub-5–38TA), filed May 16, 1980. Applicant: J. B. HUNT TRANSPORT, INC., Post Office Box 130, Lowell, Arkansas 72745. Representative: Paul R. Bergant, Esq. (address same as applicant). *Such merchandise as is dealt in or used by retail, variety and department stores (except in bulk)*, from points in the United States (except AK and HI) to the facilities of Naum Brothers located in MI and Rochester, Buffalo and Syracuse, NY. Supporting shipper: Naum Brothers, Inc., 2373 Ridge Road West, Rochester, NY 14626.

MC 135982 (Sub-5–4TA), filed May 16, 1980. Applicant: S. L. HARRIS, d.b.a. PBI, P.O. Box 7130, Longview, TX 75601. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. (1) *Household appliances and parts and accessories for household appliances*, (2) *Television sets, recorders (tape or wire), and accessories for television sets and recorders*, from Little Rock, AR, to all points in the states of LA, MS, NM, OK, and TX. Supporting shipper(s): General Electric Company, 6901 Lindsey Road, Little Rock, AR 72206.

MC 140665 (Sub-5–13TA), filed May 16, 1980. Applicant: PRIME, INC., Route 1, Box 115–B, Urbana, MO 65767. Representative: Clayton Geer, P.O. Box 786, Ravenna, OH 44266. *Meat, meat by-products, and packinghouse products*, from points in MN, IL, OK, and SD to points in CA and NV. Supporting shipper: Pacific Provisions, Inc., 139 Mitchell Ave., South San Francisco, CA 94080.

MC 141489 (Sub-5–2TA), filed May 16, 1980. Applicant: HUNTER TRUCKING, INC., 805 32nd Avenue, Council Bluffs, IA 51501. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Salt, in bulk*, from the facilities of Texasgulf, Inc. at or near Moab, UT to points in NE, IA and SD. Supporting shipper: Texasgulf, Inc., P.O. Box 30321, Raleigh, NC 27622.

MC 142954 (Sub-5–2), filed May 16, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. Contract, irregular: *meats, meat products, meat byproducts and articles distributed by meat packing houses (except hides and commodities in bulk)* between all points in the United States (except AK and HI), restricted to traffic moving for the account of Glenn Brothers Meat Company, Inc. Supporting shipper: Glenn Brothers Meat Company, Inc., Suite 308, 558 South Central Expressway, Richardson, TX 75080.

MC 144622 (Sub-5–29TA), filed May 15, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. *Candy, confectionery and cough drops (except in bulk)* between Reading, PA on the one hand and on the other, points in the United States (except AK and HI). Supporting shipper: Luden's, Incorporated, 200 N. 8th Street, Reading, PA 19601.

MC 144622 (Sub-5–30TA), filed May 15, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Applicant's Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. *Such merchandise as is dealt in by wholesale, retail and discount stores (except commodities in bulk)* between the facilities of Lancaster Colony Corporation and its subsidiaries located at or near Opeliko, AL; Menlo Park & Torrance, CA; Eatonton & Waycross, GA; Dunkirk & Eaton, IN; Elizabeth, NJ; Bedford Heights, Columbus, Coshocton, Jackson, Lancaster, Leesburg, Massillon, Mt. Sterling, Roseville, Sandusky, & Wapakoneta, OH; and Ft Worth, TX; on the one hand, and on the other, points in the United States (except AK and HI). Supporting shipper: Lancaster Colony Corporation, P.O. Box 70, Lancaster, OH 43130.

MC 144622 (Sub-5–31TA), filed May 16, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Applicant's Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. *Insulators, electric wiring, or wiring, pottery or pottery and iron combined or parts thereof and the materials and supplies used in the manufacture and distribution thereof* between Sandersville, GA on the one hand and on the other hand, points in the United States (except AK and HI). Supporting shipper: Lapp Insulator, P.O. Box 776, Sandersville, GA 31082.

MC 144622 (Sub-5–32), filed May 16, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Applicant's Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. *Paper and paper products except commodities in bulk* between the facilities utilized by International Paper Company on the one hand and all points in the United States (except AK and HI) on the other hand. Supporting shipper: International Paper Company, 220 East 42nd, New York, NY 10017.

MC 145150 (Sub-5–6TA), filed May 19, 1980. Applicant: HAYNES TRANSPORT CO., INC., P.O. Box 9, R.R. 2, Salina, KS. 67401. Applicant's Representative: Clyde N. Christey, Ks. Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, Ks. 66612. *Liquid fertilizer solutions and dry fertilizer.* From the facilities of Poole Chemical, Inc at or near Texline, TX to points in CO; KS; NM and OK. Supporting shipper: Poole Chemical, Inc., P.O. Box 8, Texline, TX 79087.

MC 146504 (Sub-5–2TA), filed, May 16, 1980. Applicant: LEO TRUCKING COMPANY, P.O. Drawer F, Poteau, OK 74953. Representative: Greg E. Summy, P.O. Box 1540, Edmond, OK 73034. *Coal, in bulk*, from the facilities of Muskogee Machinery Co., at or near Muskogee, OK to the facilities of General Portland Cement at or near Dallas, TX. Supporting shipper: Associated Producers Company, 5005 N. Pennsylvania Avenue, Oklahoma City, OK 73112.

MC 148512 (Sub-5–1TA), filed, May 15, 1980. Applicant: WESTERN TANK LINE, INC., 2222 North 11th Street, Omaha, Nebraska 68110. Representative: Donald F. Swerczek, 2222 North 11th Street, Omaha, Nebraska 68110. *Asphalt Emulsion, in bulk, in tank vehicles*, from

Alton, IA., to points in MN, SD, and NE. Supporting shipper: Bitucote Products Company, P.O. Box 408, First Street, Alton, IA 51003.

MC 150811 (Sub-5–3TA), filed, May 19, 1980. Applicant: LEONARD SAMPLE, d.b.a., SUPREME TRANSPORT CO., 3022 Bel Air Drive, Council Bluffs, IA 51501. Representative: James F. Crosby, 7363 Pacific St., Oak Park Office Bldg., Suite 210B, Omaha, NE 68114. *General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading,* from the facilities of Cutlas Xpress Corporation, at or near Swanton, VT to points in the United States (except AK and HI). Supporting shipper: Cutlas Xpress Corporation, Franklin Industrial Air Park rfd, Swanton, VT 05488.

MC 150836 (Sub-5–1TA), filed, May 16, 1980. Applicant: JOHN A. FOWLER d.b.a. JOHN FOWLER TRUCKING, Rte 4, No. 12 Robin Dale Lane, Burleson, TX 76028. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. Contract, Irregular. *Such commodities as are dealt in by nutritional food distributors,* except in bulk, from points in Los Angeles County, CA to Cleburne, TX. Supporting shipper: Keene Distributors, Inc. of Cleburne, TX.

MC 150841 (Sub-5–1TA), filed May 19, 1980. Applicant: PREMIER TRUCKING CO., INC., P.O. Box 187, Osawatomie, KS 66064. Representative: Clyde N. Christey, Ks Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Contract: *Machinery, equipment, materials and supplies, used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission and distribution of natural gas and petroleum and their products and byproducts (except complete drilling rigs) and iron and steel articles,* from points in NY, PA, WV, OH, IN, IL, MO, KS, OK, LA, TX, KY, CO, NE, CA and NM to points in KS, MO, OK, OH, KY, TX, PA, NY, IL and NE. Supporting shipper: Kenneth R. Johnson, Inc., 409 Sixth St., Osawatomie, KS 66064.

THE FOLLOWING APPLICATIONS WERE FILED IN REGION 6. SEND PROTESTS TO: INTERSTATE COMMERCE COMMISSION, REGION 6 MOTOR CARRIER BOARD, P.O. BOX 7413, SAN FRANCISCO, CA 94120.

MC 52323 (Sub-6–1TA), filed May 16, 1980. Applicant: E. I. BRANDT TRUCKING CO., INC., P.O. Box 125, Yuba City, CA 95991. Representative: E. I. Brandt (same as applicant). *Canned goods and preserved fruit products* from Yuba City to Roseville, Sacramento, Stockton, Oakland, and San Francisco, CA, restricted to shipments having a prior or subsequent movement by water, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Harter Packing Co., P.O. Box 71, Yuba City, CA 95991, Diamond/Sunsweet Inc., 1050 South Diamond, Stockton, CA 95201.

MC 144621 (Sub-6–5TA), filed May 16, 1980. Applicant: CENTURY MOTOR LINES, INC., P.O. Box 15246, 1720 East Garry Ave., Santa Ana, CA 92705. Representative: Jack B. Wolfe, Kimball, Williams & Wolfe, P.C., 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Vehicle Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Wilson Foods Corporation, at or near Cherokee, Des Moines, and Cedar Rapids, IA and Albert Lea, MN, to points in CA, for 180 days. Supporting shipper: Wilson Foods Corporation, 4545 Lincoln Blvd., Oklahoma City, OK 73105.

MC 42487 (Sub-6–17TA), filed May 14, 1980. Applicant: CONSOLIDATED FREIGHTWAYS, corporation of Delaware, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Common carrier,* regular route: *General commodities, (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading),* serving the facilities of Stutz Products Corp., St. Joe Paper Co.—Container Division, Overhead Door Co. of Indiana and Crist, Inc., at or near Hartford City, IN and Monpelier Glove of Indiana, and Gripco Fastener Division—Mite Corporation, at or near Monpelier, IN, as off-route points in connection with carrier's otherwise authorized regular route operations for 180 days. Applicant intends to tack to its existing authority and any authority it may acquire in the future. The proposed authority will be tacked or joined, as off-route points, with authority presently held in Docket No. MC 42487 Sub 500 and Docket No. MC 42487 Sub 578. These authorities, in turn, will be joined with other present authority of Consolidated Freightways at such points as Minneapolis, MN, St. Louis, MO, Chicago, IL and Cincinnati, OH, to permit service to and from points throughout the United States. Applicant proposes to interline traffic with its present connecting carriers at authorized interline points throughout the United States as provided in tarriffs on file with the Interstate Commerce Commission. Supporting shipper(s): There are six (6) statements in support attached to this application which may be examined at the I.C.C. Region 6 Office, San Francisco, CA.

MC 139906 (Sub-6–19TA), filed June 16, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Mr. Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. *(1) Paper bags, plastic bags, wrapping paper and (2) equipment, materials and supplies used in the manufacture, sale and distribution of the commodities in (1) above (except in bulk)* between the facilities of Terminal Paper Bag Co., Inc., at or near Yulee, FL, on the one hand, and, on the other, points in MI for 180 days. Applicant seeks 90 days authority under ETA application. Supporting shipper: Terminal Paper Bag Co., Inc., 529 Fifth Avenue, New York, NY 10017.

MC 134599 (Sub-6–20TA), filed May 15, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Mr. Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. *Contract Carrier; Irregular Routes; Books, toys, games, paper products, telescopes, microscopes and microscope slides* from (1) the facilities of Western Publishing Company, Inc., located at Fayetteville, NC, to points in the United States in and east of OH, KY, TN, MS, and LA; and (2) from the facilities of Western Publishing Company, Inc., located at Coffeyville, KS, to points in the United States in and west of MI, IN, IL, MO, AR, and TX (except AK and HI), for 180 days. Applicant seeks underlying ETA authority for 90 days. Under continuing contract(s) with Mattel, Inc., parent company. Supporting shipper: Western Publishing Company, Inc., 1220 Mound Avenue, Racine, WI 53404.

MC 134440 (Sub-6–1TA), filed May 15, 1980. Applicant: LA VENTURE BROS. TRANSFER, d.b.a. LA VENTURE BROS. TRANSFER, and LA VENTURE BROS. VAN LINES, P.O. Box 119, Maywood, CA 90270. Representative: Robert J. Gallagher, 1000 Connecticut Avenue, N.W., Suite 1112, Washington, D.C. 20036. *Household goods,* as defined by the Commission, (1) between points in CA, ID, OR and WA; (2) Between points in CA, ID, OR and WA on the one hand, and, on the other, points in AR, CO, IL,

IN, IA, KS, KY, MO, NE, OK, TN and TX for 180 days. Supporting shippers: There are 6 shippers. Their statements may be examined at the Regional office listed.

MC 150670 (Sub-6–1TA), filed May 14, 1980. Applicant: LEMMONS TRUCKING INC., 2308 Talley Way, Kelso, WA 98626. Representative: Earle V. White, 2400 SW Fourth Avenue, Portland, OR 97201. *Wood residuals,* in bulk, from the facilities of Northwest Hardwoods, Inc., Centralia, WA to Wauna and St. Helens, OR and Longview, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Northwest Hardwoods, Inc., 3000 Galvin Road, Centralia, WA 98531.

MC 339 (Sub-6–1TA), filed May 14, 1980. Applicant: LINCOLN MOVING & STORAGE CO., INC., 1071 Andover Park West, Seattle, WA 98188. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Household goods* as defined by the Commission in containers between points in the United States (including AK but excluding HI) restricted to transportation of traffic having a prior or subsequent movement by water, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: There are 5 shippers. Their statements may be examined at the Regional office listed.

MC 128527 (Sub-6–7TA), filed May 14, 1980. Applicant: MAY TRUCKING COMPANY, P.O. Box 400, Payette, ID 83661. Representative: J. Michael Alexander, Hightower, Alexander and Cook, P.C., 5801 Marvin D. Love Freeway, #301, Dallas, TX 75237. *Paper and Paper Products,* from the facilities of Crown Zellerbach at or near Wauna, OR to points in UT including but not limited to Salt Lake City, Ogden, Provo, Murray, Midvalle, and American Fork, for 180 days. Supporting shipper: Crown Zellerbach, 1500 S.W. First Avenue, Portland, OR 97201.

MC 142686 (Sub-6–8TA), filed May 16, 1980. Applicant: MID–WESTERN TRANSPORT, INC., 10506 South Shoemaker Avenue, Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract Carrier,* Irregular routes: *Building Materials and Supplies,* between the facilities of suppliers of Aluma Systems & U.S. WACO. in the United States, on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Robert Myers, Aluma Systems & U.S. WACO., 14000 S. Santa Fe, Long Beach, CA 90810.

MC 142686 (Sub-6–9TA), filed May 16, 1980. Applicant: MID–WESTERN TRANSPORT, INC., 10506 South Shoemaker Avenue, Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract Carrier,* Irregular routes: *Vinyl Siding and Plastic Articles used in the manufacture and installation thereof,* between Danville, IL, on the one hand, and, on the other, customers and suppliers of Robintech Corp., at points within the United States, (except AK & HI), for 180 days. Supporting shipper: Robintech Corporation, P.O. Box 835, Weatherford, TX 76086.

MC 142686 (Sub-6–10TA), filed May 16, 1980. Applicant: MID–WESTERN TRANSPORT, INC., 10506 South Shoemaker Avenue, Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract Carrier,* Irregular routes: *Welding equipment and supplies, Medical Equipment, Scrap and other materials and supplies used in the manufacture thereof,* between our Texas facilities on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Bud Gafford, P.O. Box 1007, Denton, TX 72601, Victor Equipment Company.

MC 124692 (Sub-6–7TA), filed May 16, 1980. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, MT 59806. Representative: William J. Gambucci, Suite M–20, 400 Marquette Avenue, Minneapolis, MN 55402. (1) *Iron oxide, in bags,* from Emeryville, CA to points in ID, OR, UT and WA; (2) *limestone, crushed or ground, in bags,* from Lucerne Valley, CA to points in ID, OR, UT and WA; and (3) *talc, in bags,* from Victorville, CA and Dillon , MT, to points in ID, OR, UT and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Pfizer, Inc., 235 East 42nd Street, New York, NY 10017.

MC 150258 (Sub-6–1TA), filed May 15, 1980. Applicant: SAUNDERS BROS. TRUCKING, INC., 125 Industrial Way, Fillmore, UT 84631. Representative: Merrill A. Saunders (same as applicant). *Contract Carrier,* Irregular routes: *Volcanic stone* from Millard County, UT using flat-bed trailers with end dumping capacity to points in UT, CO, NV, AZ, CA, NM, ID, OR, WA, & WY, for the account of Fillmore Products, Inc., for 180 days. Supporting shipper: Fillmore Products, Inc., SR Box 125, Fillmore, UT 84631.

MC 142941 (Sub-6–5TA), filed May 16, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Representative: Doug W. Sinclair (same as applicant). *Foodstuffs* in vehicles equipped with mechanical refrigeration (except commodities in bulk), from Los Angeles, CA and its commercial zone, to points in and east of MN, IA, MO, AR, and TX, for 180 days. Supporting shippers: Oh Boy Corporation, 1516 First Street, Phoenix, AZ 91340, and Sabatasso's Pizza, 240 East Dyer Road, Santa Ana, CA 92707.

MC 150818 (Sub-6–1TA), filed May 15, 1980. Applicant: SUSQUEHANNA TRANSPORTATION, INC., 7400 South Alton Court, Englewood, CO 80112. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Contract carrier,* irregular routes, *Plastic pipe; plastic pipe fittings, connectors and valves; insulation and insulation materials; mineral wool; and materials, equipment, and supplies* used in the distribution and production of the described commodities, under a continuing contract(s) with R & G Sloane Manufacturing Company, Inc., and Rockwool Industries, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): R & G Sloane Manufacturing Company, Inc., 7606 North Clybourn Ave., P.O. Box 876, Sun Valley, CA 91352 and Rockwool Industries, Inc., 7400 South Alton Court, Englewood, CO 80112.

MC 58035 (Sub-6–4TA), filed May 16, 1980. Applicant: TRANS–WESTERN EXPRESS, LTD., 5231 Monroe Street, Denver, CO 80216. Representative: Jack B. Wolfe, Kimball, Williams & Wolfe, P.C., 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Household electric appliances and equipment; oral hygiene appliances and equipment; hydrotherapy equipment; sink and shower fixtures; smoke alarms; food processing machines; filters; other commodities manufactured by manufacturers of the commodities named above; and materials, equipment, and supplies used in the manufacture and distribution of the commodities named above,* between the facilities of Teledyne Water Pik, at or near Columbus, OH, on the one hand, and, on the other, points in the United States in and east of MS, TN, KY, IL and WI, for 180 days. Supporting shipper: Teledyne Water Pik, 1730 East Prospect, Ft. Collins, CO 80525. Applicant also seeks to participate in intermodal service on export and import traffic within the scope of the authority requested. An underlying 90 day ETA has been filed.

MC 145435 (Sub-6–2TA), filed May 16, 1980. Applicant: WESTERN AG INDUSTRIES, INC., 2750 N. Parkway Dr., Fresno, CA 93711. Representative: Roland J. Mefford (same as applicant). *Contract Carrier,* Irregular routes: *Foodstuffs and Combustibles,* from the site of the R. T. French Co., Fresno, CA on one hand, to points in CA, OR, WA, ID, UT, AZ, CO, NM, TX, KA, and MO,

for the account of the R. T. French Co., for 180 days. Supporting shipper: R. T. French Co., 3366 E. Muscat Ave., Fresno, CA.

MC 89684 (Sub-6-3TA), filed May 16, 1980. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South 300 West, P.O. Box 366, Salt Lake City, UT 84110. Representative: Peter A. Greene, 900 17th Street NW., Washington, DC 20006. *(1) Such commodities as are dealt in by mail-order and retail stores (except commodities in bulk), and (2) equipment, materials and supplies incidental to the conduct of mail-order houses and retail stores,* between San Leandro, CA, on the one hand, and, on the other, points in NV, restricted to the transportation of shipments originating at or destined to facilities operated by Montgomery Ward & Company, Inc., for 180 days. Supporting shipper: Montgomery Ward, 2825 E. 14th Street, Oakland, CA 94616.

MC 143775 (Sub-6-12TA), filed May 15, 1980. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (Same address as applicant). *Plastic* (except in bulk) and *plastic articles* from Cleburne, TX, and its commerial zone, to points in AZ and CA, for 180 days. Supporting shipper: George Marshall, Rubbermaid Commercial Products, 400 Commerce, Cleburne, TX 76031. An underlying ETA was filed for 90 days.

MC 143775 (Sub-6-13TA), filed May 16, 1980. Applicant: PAUL YATES, INC., 6601 West Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (Same address as applicant). *Charcoal,* in bags or containers, from Lukeville, AZ, and its commercial zone, to points in CA, for 180 days. Supporting shipper: Frank L. Everhard, Owner, El-Txn, 2912 Mangum, Suite 106, Houston, TX 77092.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16213 Filed 5-23-80; 8:45 am]

BILLING CODE 7035-01-M

Agricultural Cooperative; Notice to the Commission of Intent To Perform Interstate Transportation for Certain Nonmembers

Dated: May 23, 1980.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intending to perform nonmember, nonexempt, interstate transportation must file the Notice, Form BOP 102, with the Commission within 30 days of its annual meetings each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change. The name and address of the agricultural cooperative, the location of the records, and the name and address of the person to whom inquiries and correspondence should be addressed, are published here for interested persons. Submission of information that could have bearing upon the propriety of a filing should be directed to the Commission's Bureau of Investigations and Enforcement, Washington, D.C. 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C.

(1) Complete legal name of cooperative association or federation of cooperative associations: Dairymen, Inc.

Principal mailing address (street No., city, State, and zip code): 10140 Linn Station Road, Louisville, KY 40223.

Where are records of your motor transportation maintained (street No., city, State and zip code): 5304 Panola Industrial Blvd., Decatur, GA 30031.

Person to whom inquiries and correspondence should be addressed (name and mailing address): Beverly Williams, 10140 Linn Station Rd., Louisville, KY 40223.

(2) Complete legal name of cooperative association or federation of cooperative associations: Freedom Trucking, Inc.

Principal mailing address (street No., city, State, and zip code): P.O. Box 2725, Fullerton, CA 92633.

Where are records of your motor transportation maintained (street No., city, State and zip code): 2500 W. Orangethorpe, Fullerton, CA 92633.

Person to whom inquiries and correspondence should be addressed (name and mailing address): David M. Kittelson, 420 S. Hoyt, Springfield, MN 56087.

(3) Complete legal name of cooperative association or federation of cooperative associations: Northwest Agricultural Cooperative Assn., Inc.

Principal mailing address (street No., city, State, and zip code): P.O. Box 1, Ontario, OR 97914.

Where are records of your motor transportation maintained (street No., city, State and zip code): 125 S. Oregon St., Ontario, OR 97914.

Person to whom inquiries and correspondence should be addressed (name and mailing address): Ted Hoots, P.O. Box 1, Ontario, OR 97914.

(4) Complete legal name of cooperative association or federation of cooperative assocations: Red River Valley Potato Express, Inc.

Principal mailing address (street No., city, State, and zip code): 2202 Gateway Drive, Grand Forks, ND 58201.

Where are records of your motor transportation maintained (street No., city, State and zip code): 2202 Gateway Drive, Grand Forks, ND 58201.

Person to whom inquiries and correspondence should be addressed (name and mailing address): Steve P. Butler, 2202 Gateway Drive, Grand Forks, ND 58201.

(5) Complete legal name of cooperative association or federation of cooperative associations: Rockingham Poultry Marketing Cooperative, Inc.

Principal mailing address (street No., city, State, and zip code): Broadway, VA 22815.

Where are records of your motor transportation maintained (street No., city, State and zip code): Broadway, Virginia 22815.

Person to whom inquiries and correspondence should be addressed (name and mailing address): June M. Fahrney, Broadway, VA 22815.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16298 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

[Notice No. 181]

Assignment of Hearings

May 22, 1980.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 143433 (Sub-10F), B. L. Gilbert DBA Gilbert Trucking Co., now assigned for Prehearing Conference on May 6, 1980 at Washington, D.C. is canceled and application dismissed.

MC 145539 (Sub-1F), Ohio Northern Transit Co., now assigned for hearing on May 13, 1980 (9 days) at Cleveland, OH will be held in Hearing room, National Labor Relations Board, Region 8, 1965 Anthony J. Celebrezze Federal Building, 1240 East 9th Street.

MC-C-10327, CRST, Inc., A the Kinnison Trucking Company—Investigation and Revocation of Certificates and Certificate of Registration, now assigned for hearing

on July 14, 1980 (10 days) at Columbus, OH in the Hearing room to be later designated.

MC 145516 (Sub-4F), T. G. Stegall Trucking Co., Inc., now assigned for hearing on May 20, 1980 at Washington, D.C., is postponed indefinitely.

MC 128270 (Sub-35F), Rediehs Interstate, Inc., now assigned for hearing on June 6, 1980 at St. Louis, MO is postponed indefinitely.

MC 14252 (Sub-61F), Commercial Lovelace Motor Freight, Inc., now assigned for hearing on July 29, 1980 (4 days) at Indianapolis, IN in the Hearing room to be later designated.

MC 138703 (Sub-3F), Boesdorfer Trucking, Inc., now being assigned for hearing on July 8, 1980, at Chicago, IL in Room No. 3883, 230 South Dearborn Street.

MC 147062 (Sub-3F), Express Transportation Company, Inc., now being assigned for hearing on July 14, 1980 (2 days) at Atlanta, GA, location of hearing room will be designated later.

MC 126679 (Sub-13F), Dennis Truck Lines, Inc., now being assigned for hearing on July 16, 1980 (3 days) at Atlanta, GA, location of hearing room will be designated later.

MC-C-10565,V.I.P. Limousine, Inc. v. Fugazy Continental Corp. of Connecticut, now being assigned for hearing on September 22, 1980 (2 days) at New York, NY, location of hearing room will be designated later.

MC-C-10540,V.I.P. Limousine, Inc. v. Rudy's Limousine Service, Inc., now being assigned for hearing on September 24, 1980 at New York, NY, location of hearing room will be designated later.

No. 37411, Western Great Lakes Ports Assoc., Et Al. v. Atchison, Topeka & Santa Fe Railway Company, Et Al., now being assigned for hearing on June 30, 1980 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 124692 (Sub-292F), Sammons Trucking, now being assigned for hearing on July 22, 1980 (9 days) at San Francisco, CA., in a hearing room to be designated later.

MC 42487 (Sub-910F), Consolidated Freightways Corporation of Delaware, now being assigned for hearing on July 14, 1980 (1 week), at the Grand Rapids Hilton Hotel, 4747 28th Street, SE., Grand Rapids, MI.

MC 108633 (Sub-17F), Barnes Freight Lines, Inc., now assigned for hearing on May 29, 1980 will be held in Room No. 430 (Examination of Document), Federal Building, 1800-5th Avenue North, Birmingham, AL., on May 30, 1980 Grand Jury Room 446 (Examination of Documents) same address as above, June 3, 1980, Room No. 430 (same address as above), June 4, 1980, Grand Jury Room 446 (same address as above), and on June 5 & 6, 1980, Room No. 430 (same address as above).

MC 144743 (Sub-1F), Charles M. Swinford dba Swinford Trucking, is transferred to Modified Procedure.

MC 146258 (Sub-5F), M. R. Brutton, Inc., now assigned for hearing on June 4, 1980 at St. Louis, MO. is canceled and transferred to Modified Procedure.

MC 141033 (Sub-54F), Continental Contract Carrier Corporation now being assigned for hearing on September 9, 1980 (9 days), at San Francisco, CA. in hearing room to be designated later.

MC 95540 (Sub-1052F), Watkins Motor Lines, Inc., now assigned for hearing on July 22, 1980 at San Francisco, CA. is cancelled and Application Dismissed.

No. 37333, Farmers Marketing Association v. Burlington Northern, Inc., Union Pacific Railroad Company, The Denver & Rio Grande Western RR & Southern Pacific Transportation Company, now being assigned for hearing on July 8, 1980 (2 Days), at Denver, CO., in a hearing room to be designated later.

No. 37295F, ADM Milling Company v. Consolidated Rail Corporation, ETAL, now being assigned for prehearing conference on May 28, 1980 at the Offices of the Interstate Commerce Commission in Washington, DC.

MC 134405 (Sub-56F), Bacon Transport Company, now assigned for hearing on June 2, 1980 at Fort Worth, TX., is cancelled and reassigned for hearing on June 2, 1980 (5 Days), at the Downtown Holiday Inn, 1015 Elm Street, Dallas, TX.

MC 136285 (Sub-3M2F), Southern Intermodal Logistics, Inc., now assigned for hearing on July 14, 1980 at Jacksonville, FL, is postponed indefinitely.

MC 115703 (Sub-17F), Kreitz Motor Express, Inc., now assigned for hearing on May 19, 1980 at Philadelphia, PA., is cancelled and transferred to Modified Procedure.

MC 124211 (Sub-362F), Hilt Truck Line, Inc., transferred to Modified Procedure.

MC-FC-77914, American Tank Transport, Inc., Baltimore, Maryland Transferee and Secon Service System, Inc., New York, New York, Transferor, Now assigned for hearing on June 10, 1980 will be held in Room No. 625, 6 World Trade Center, Vesey Street, New York, NY.

MC 145402 (Sub-2F), Lake Line Express, Inc., now assigned for hearing on June 2, 3, and 4, 1980 will be held in Room No. 298, Federal Building, 517 East Wisconsin, Milwaukee, WI, and on June 5 and 6, 1980 will be held in Room No. 202, Federal Building, 517 East Wisconsin, Milwaukee, WI.

AB 6 (Sub-73F), Burlington Northern, Inc. Abandonment near Laclede and Unionville, MO., now assigned for continued hearing on May 22, 1980 (2 Days), at the Federal Building, 316 Roberts Street, Judge Conally's Courtroom, 6th Floor, St. Paul, MN.

MC 96992 (Sub-17F), Highway Pipeline Trucking Company now assigned for hearing on June 2, 1980 at Houston, TX is postponed indefinitely.

MC 31389 (Sub-278F), McLean Trucking Company, now assigned for hearing on June 17, 1980 will be held in Room No. 556, Federal Office Building, 275 Peachtree Street, N.E., Atlanta, GA.

MC 75192 (Sub-5F), Chas. T. Brown Truck Lines, now assigned for hearing on June 23, 1980 will be held in Room No. 505, Federal Building, 310 New Bern Avenue, Raleigh, NC.

MC 116763 (Sub-528F), Carl Subler Trucking, Inc., now assigned for hearing on July 8, 1980 at Chicago, IL. is cancelled and transferred to Modified Procedure.

MC 67866 (Sub-36F), Film Transit, Inc., now assigned for hearing on June 10, 1980 at Little Rock, AR. is cancelled and transferred to Modified Procedure.

MC 144807 (Sub-1F), Reidhead Trucking, Inc., now assigned for hearing on May 29, 1980 will be held in Room 235, Federal Building & Post Office, 522 North Central Avenue, Phoenix, AZ.

MC 145441 (Sub-38F), A.C.B. Trucking, Inc., now assigned for hearing on June 2, 1980 will be held at the Los Angeles County Courthouse, 111 North Hill Street, Los Angeles, CA.

MC 129857 (Sub-8F), G.R.M., Inc. dba Port Terminal Transport, Inc., now assigned for hearing on June 4, 1980 will be held at the Los Angeles County Courthouse, 111 North Hill Street, Los Angeles, CA.

MC 124211 (Sub-297M1F), Hilt Truck Line, Inc., now assigned for hearing on June 4, 1980 will be held at the Los Angeles County Courthouse, 111 North Hill, Los Angeles, CA.

MC 111375 (Sub-104F), Pirkle Refrigerated Freight Lines, Inc., now assigned for hearing on June 9, 1980 will be held at the Los Angeles County Courthouse, 111 North Hill, Los Angeles, CA.

MC 141804 (Sub-220F), Western Express, Division of Interstate Rental, Inc., now assigned for hearing on June 3, 1980 will be held at the Los Angeles County Courthouse, 111 North Hill, Los Angeles, CA.

MC 113651 (Sub-303F), Indiana Refrigerator Lines, Inc., now assigned for hearing on July 8, 1980 at Chicago, IL. is cancelled and transferred to Modified Procedure.

MC 41404 (Sub-159F), Argo-Collier Truck Lines. Corporation, transferred to Modified Procedure.

MC 120427 (Sub-10F), Williams Transfer, Inc., now assigned for hearing on June 4, 1980 (3 days) at Lincoln, Ne will be held in Room No. 497, Federal Building, 100 Centennial Mall North.

MC 142559 (Sub-96F), Brooks Transportation, Inc., now assigned for hearing on June 4, 1980 (1 day) at Columbus, Oh will be held in Room No. 220, Federal Building, 85 Marconi Blvd.

MC 147570F, Kabat Express, Inc., now assigned for hearing on June 5, 1980 (2 days) at Columbus, Oh will be held in Room No. 220, Federal Building, 85 Marconi Blvd.

MC 146375F, Mercer International Transportation Management & Consulting Services, Inc., now assigned for hearing on June 9, 1980 (5 days), at Houston, Tx will be held in Room No. 225, Appraisal Store Building, 7300 Wingate.

MC 20824 (Sub-40F), Commercial Motor Freight, Inc., now assigned for hearing on June 2, 1980 (5 days) at Indianapolis, In., will be held in the Conference Room No. 402, Old Federal Building, 46 East Ohio Street.

MC 41432 (Sub-160F), East Texas Motor Freight Lines, Inc., now assigned for hearing on June 3, 1980 (4 days) at Minneapolis, Mn at the Radisson Hotel, 45 South 7th Street.

MC 41432 (Sub-160F), East Texas Motor Freight Lines, Inc., now assigned for hearing on June 9, 1980 (5 days) at Los Angeles, Ca at the Airport Marina, 8601 Lincoln Blvd.

MC-C-10322, Atlas Transportation Company—Investigation and Revocation of Certification, now being assigned for hearing on July 8, 1980 at the Offices of the Interstate Commerce Commission in Washington, D.C.
MC-F-14166, Refrigerated Transport Co., Inc.—Purchase (Portion)—Dakota Express, Inc., and LTL Perishables, Inc., is transferred to Modified Procedure.
MC 107403 (Sub-1219F), Matlack, Inc., is transferred to Modified Procedure.
MC 111812 (Sub-680F), Midwest Coast Transport, Inc., is transferred to modified procedure.
MC 73688 (Sub-95F), Southern Trucking Corporation, is transferred to Modified Procedure.
MC 68100 (Sub-25F), D. P. Bonham Transfer, Inc., is transferred to Modified Procedure.
MC 144122 (Sub-48F), Carretta Trucking, Inc., now being assigned for hearing on July 15, 1980 (2 days) at Fort Worth, TX, location of hearing room will be designated later.
MC 145588 (Sub-13F), Gulf Mid-Western, Inc., now being assigned for hearing on July 17, 1980 (2 days) at Fort Worth, TX, location of hearing room will be designated later.
MC 145733 (Sub-2F), American Auto Shippers, now assigned for hearing on June 17, 1980 (9 days) at New York, Ny will be held in Room F-2220, Federal Building, 26 Federal Plaza.
MC-F-14275, U.S. Bus, Inc.—Purchase (Portion)—Greyhound Lines, Inc., MC 1515 (Sub-286F), Greyhound Lines, Inc., MC 149076F, U.S. Bus, Inc., now assigned for Prehearing Conference on June 19, 1980 at the Offices of the Interstate Commerce Commission, Washington, D.C.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16297 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Long- and Short-Haul Application for Relief; Formerly Fourth Section Application

May 23, 1980.

This application for long-and-short-haul relief has been filed with the I.C.C.

Protests are due at the I.C.C. on or before June 13, 1980.

No. 43825, Southwestern Freight Bureau, Agent No. B-61, on coke and coke products, in carloads, moving within Illinois Rate Committee and Western Territories for which rates are published in Supplement 76 to Tariff ICC SWFB 4197, effective June 16, 1980. Grounds for relief—need for revenue relief.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16294 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Long- and Short-Haul Application for Relief: Formerly Fourth Section Application

May 23, 1980.

This application for long- and short-haul relief has been filed with the I.C.C.

Protests are due to the I.C.C. on or before June 10, 1980.

No. 43824, TEA-ER, Agent (No. 3079, as amended), for carriers parties to Master Tariff ICC TEA 9000, effective June 14, 1980. The rates to be established reflect increase of 3 to 20 percent depending upon the commodity for movement in Official Territory. The increases will not apply in some cases for movements via the Ann Arbor Railroad; Central New York Railroad; Fonda, Johnstown and Gloversville Railroad; Michigan Northern Railroad; or the Long Island Railroad.

Grounds for relief—existing rate levels on the various categories of traffic are not compensatory and produce inadequate returns for the service.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16295 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Long- and Short-Haul Application No. 43825; Formerly Fourth Section Application, Coke and Coke Products, Within IRC and Western Territories

May 23, 1980.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of 49 U.S.C. 10726 (formerly Section 4 of the IC Act).

Filed by: Southwestern Freight Bureau, Agent, No. B-61, on behalf of carriers party to the schedule shown below.
Commodities involved: Coke and coke products.
Territory: Within Illinois Rate Committee and Western Territories.
Grounds for relief: Need for revenue relief.
Schedules filed containing proposed rates: Supplement 76 to Southwestern Freight Bureau, Agent Tariff ICC SWFB 4197, effective June 16, 1980.

Protests against the granting of an application must be prepared in accordance with Rule 1100.40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before June 13, 1980.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16296 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

Operating Rights Application(s) Directly Related To Finanace Procedures

The following operating rights application(s) are filed in connection with pending finance applicationa under Section 11343 (formerly Section 5(2)) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 10926 (formerly Section 212(b)) of the Interstate Commerce Act.

On application filed before March 1, 1979, an original and one copy of *protests* to the granting of authorities must be filed with the Commission on or before June 30, 1980. Such protests shall conform with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities.

Applications filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *General Rules of Practice* also but are subject to petitions to intervene either with or without leave. An original and one copy of the petition must be filed with the Commission within 30 days after date of publication. A petition for intervention must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the applications, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points. Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it it made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, the extent to which petitioner's interest will be represented by other parties, the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Verified statements in opposition should not be tendered at this time. A copy of the protest or petition to intervene shall be served concurrently upon applicant's representative or applicant if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC 66900 (Sub-46) filed May 12, 1980. Applicant: Houff Transfer, Inc., P.O. Box 91, Weyers Cave, VA 24486. Representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th Street NW., Washington, DC 20004. Applicant seeks to engage in operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, in the transportation of *general commodities,* except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in Virginia and Cumberland and Salisbury, MD; points in WV, and those in Scioto, Gallia, and Lawrence Counties, OH, and Greenup and Boyd Counties, KY, on the one hand, and, on the other, points in those parts of DE and MD lying between the Chesapeake Bay and the Atlantic Ocean and on the south of the north bank of the Chesapeake and Delaware Canal, including Chesapeake City, MD. (Hearing Site: Washington, DC.)

Note.—This application is directly related to MC 14129, Houff Transfer, Inc.—Purchase (Portion)—Cohey Trucking Company, Inc. and is filed to eliminate gateways of Fullerton, MD and Oxford, PA. No. MC-F-14129 was approved by a decision of Review Board Number 5 served December 21, 1979, subject to a restriction on authority of Cohey not involved in the transaction. Applicants have requested removal of this restriction.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-16293 Filed 5-28-80; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[731-TA-25 (Preliminary)]

Anhydrous Sodium Metasilicate from France; Institution of Preliminary Antidumping Investigation and Scheduling of Conference

Investigation instituted. Following receipt of a petition on May 15, 1980, filed by PQ Corp., Valley Forge, Pa., the United States International Trade Commission on May 23, 1980, instituted a preliminary antidumping investigation under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from France of anhydrous sodium metasilicate, provided for in item 421.34 of the Tariff Schedules of the United States, allegedly sold or likely to be sold at less than fair value. This investigation will be subject to the provisions of part 207 of the Commission's Rules of Practice and procedure (19 CFR 207, 44 FR 76457) and particularly, subpart B thereof, effective January 1, 1980.

Written submissions. Any person may submit to the Commission on or before June 16, 1980, a written statement of information pertinent to the subject matter of the investigation. A signed original and nineteen copies of such statements must be submitted.

Any business information which a submitter desires the Commission to treat as confidential shall be submitted separately and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business data, will be available for public inspection.

Conference. The Director of Operations of the Commission has scheduled a conference in connection with the investigation for 10:00 a.m., e.d.t., on June 13, 1980, at the U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. Parties wishing to participate in the conference should contact the supervisory investigator for the investigation, Mr. John MacHatton (202-523-0439). It is anticipated that parties in support of the petition for antidumping duties and parties opposed to such petition will each be collectively allocated one hour within which to make an oral presentation at the conference. Further details concerning the conduct of the conference will be provided by the supervisory investigator.

Inspection of petition. The petition filed in this case is available for public inspection at the Office of the Secretary, U.S. International Trade Commission, and at the New York City office of the U.S. International Trade Commission located at 6 World Trade Center.

Issued: May 23, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-16305 Filed 5-28-80; 8:45 am]

BILLING CODE 7020-02-M

[TA-201-43]

Mushrooms; Cancellation of Prehearing Conference

Notice is hereby given that the prehearing conference scheduled for June 5, 1980, in this investigation is cancelled.

Issued: May 22, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-16306 Filed 5-28-80; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-79]

Cathode Sputter Coater Glass Transparencies; Remand of "Certification of Motion to Terminate"

On May 7, 1980, the presiding officer in the above/captioned case issued the above order, certifying a motion and consent order agreements to the Commission. The Commission is remanding that order to the presiding officer in order to obtain a recommendation regarding whether the consent order agreements should be accepted.

Proposed section 337 consent order rules provide, in proposed § 210.51(a)(2) that: "The licensing or other agreement and any agreements supplemental thereto, and affidavit shall be certified by the presiding officer to the Commission with his recommendation." Although the proposed consent order rules are not in effect, the Commission believes that having the benefit of a recommendation by the presiding officer is beneficial and in conformance with sound administrative practice. Although rule 210.14 of the Commission's Rules of Practice and Procedure reserve certain public interest factors to the Commission for initial consideration, these factors are not exhaustive of all public interest and equitable considerations that the Commission takes into account when deciding whether to accept an agreement. The practice of obtaining a recommendation from the presiding officer has been followed with regard to settlement agreements. See Certain Resister Chips, Inv. No. 337-TA-63/65 (Recommended Determination of February 22, 1980).

The Commission therefore requests that the presiding officer make recommendations regarding the consent order here in issue.

Issued: May 23, 1980.

By order of the Commission.
Kenneth R. Mason,
Secretary.
[FR Doc. 80-16304 Filed 5-28-80; 8:45 am]
BILLING CODE 7020-02-M

[Investigation No. 337-TA-83]

Certain Adjustable Window Shades and Components Thereof; Investigation

Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 7, 1980, under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), on behalf of Newell Window Furnishings Co., 916 South Arcade Avenue, Freeport, Ill. 61032, alleging that unfair methods of completition and unfair acts exist in the importation of certain adjustable window shades into the United States, or in their sale, by reason that such adjustable window shades are allegedly covered by claims 1, 2, 7, 8, and 9 of U.S. Letters Patent No. 4,006,770. The complaint alleges that the effect of tendency of the unfair methods of competition and unfair acts is to destroy or substantially injure an industry, efficiently and economically operated, in the United States.

Complainant requests a temporary order of exclusion from entry in the United States of the imports in question. Complainant further requests that, after a full investigation has been conducted, a permanent exclusion of said imports be ordered.

Having considered the complaint, the Commission, on May 6, 1980, ORDERED THAT—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), an investigation be instituted to determine whether there is reason to believe there is a violation and whether there is a violation of this section in the unauthorized importation of certain adjustable window shades, or components thereof, into the United States, or in their sale, by reason that such adjustable window shades are allegedly covered by claims 1, 2, 7, 8, and 9 of U.S. Letters Patent 4,006,770, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Newell Window Furnishings Co., 916 South Arcade Avenue, Freeport, Ill, 61032.

(b) The respondents are the following companies alleged to be engaged in the unauthorized importation of certain adjustable window shades into the United States, or their sale and are the parties upon which the complainant is to be served:

Tony Plastic Co., Room 8, 7th Floor, 489 Chung-San Second Road, Kaohsiung, Taiwan, Republic of China.
Breneman, Inc., 1133 Sycamore Street, Cincinnati, Ohio 45210.
Stanley Drapery Hardware, 135 Cherry Street, Wallingford, Conn. 06492.
Dirkson, Inc., No. 1-98 Hsin Yi Road, Section 4, Taipei, Taiwan, Republic of China.
Joanna Western Mills Co., 2141 S. Jefferson Street, Chicago, Ill. 60616.

(c) Donald R. Dinan, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, is hereby named Commission investigative attorney, a party to this investigation; and

(3) For the investigation so instituted, Chief Administrative Law Judge, Donald K. Duvall, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, shall designate the presiding officer.

Responses must be submitted by the named respondents in accordance with § 210.21 of the Commission's Rules of Practice and Procedure (19 CFR 210.21). Pursuant to §§ 201.16(d) and 210.21(a) of the rules, such responses will be considered by the Commission if received not later than 20 days after the date of service of the complaint. Extensions of time for submitting a response will not be granted unless good and sufficient cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the presiding officer and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both a recommended determination and a final determination containing such findings.

The complaint, except for the confidential information contained therein, is available for inspection by interested persons at the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, and in the Commission's New York City Office, 6 World Trade Center, New York, N.Y. 10048.

Issued: May 19, 1980.

By order of the Commission.
Kenneth R. Mason,
Secretary.
[FR Doc. 80-16306 Filed 5-28-80; 8:45 am]
BILLING CODE 7020-02-M

Receipt of Requests for Review of Certain Countervailing Duty Orders

Section 104(b) of the Trade Agreements Act of 1979 in pertinent part provides:

(b) Other Countervailing Duty Orders.—

(1) Review by Commission Upon Request.—In the case of a countervailing duty order issued under section 303 of the Tariff Act of 1930 (19 U.S.C. 1303)—

(A) which is not a countervailing duty order to which subsection (a) applies,

(B) which applies to merchandise which is the product of a country under the Agreement, and

(C) which is in effect on January 1, 1980, or which is issued pursuant to court order in an action brought under section 516(d) of that Act before that date,

the Commission, upon the request of the government of such a country or of exporters accounting for a significant proportion of exports to the United States of merchandise which is covered by the order, submitted within 3 years after the effective date of title VII of the Tariff Act of 1930 shall make a determination under paragraph (2) of this subsection.

(2) Determination by the Commission.—In a case described in paragraph (1) with respect to which it has received a request for review, the Commission shall commence an investigation to determine whether—

(A) an industry in the United States—

(i) would be materially injured, or

(ii) would be threatened with material injury, or

(B) the establishment of an industry in the United States would be materially retarded,

by reason of imports of the merchandise covered by the countervailing duty if the order were to be revoked.

On March 14, 1980, the Commission published a "Notice of Review of Certain Countervailing Duty Orders" in the Federal Register, stating that it was the intention of the Commission to establish a schedule on or about April 30, 1980, for the conduct of investigations pursuant to section 104(b) encompassing requests for such investigations that had been received by March 28, 1980. The 19 requests for review which were received by the

Commission are listed in attachment A. The Commission will publish notice of the institution of these investigations and will establish hearing dates after receipt from the Department of Commerce of updated information on the amount of the bounty or grant. The tentative dates established by the Department of Commerce for providing this information are also set forth in attachment A.

Attachment A.—*CVD Orders for Which the Commission Has Received Requests for Injury Determinations*

Product and country	Tentative date for subsidy information
1. Float glass/Italy	Oct. 1, 1980.
2. Refrigerators, freezers, and parts/Italy	Oct. 1, 1980.
3. Ski lifts and parts/Italy	Oct. 1, 1980.
4. Steel transmission towers/Italy	Oct. 1, 1980.
5. Compressors and parts/Italy	Oct. 1, 1980.
6. Certain steel products/Italy	Oct. 1, 1980.
7. Steel welded wire mesh/Italy	Oct. 1, 1980.
8. Die presses/Italy	Oct. 1, 1980.
9. Screws/Italy	Oct. 1, 1980.
10. Chains/Italy [1]	Oct. 1, 1980.
11. Optic liquid level sensors/Canada	Jan. 8, 1981.
12. X-radial steel-belted tires/Canada	Jan. 8, 1981.
13. Barley/France	June 19, 1981.
14. Molasses/France	June 19, 1981.
15. Spirits/Ireland	June20, 1981.
16. Sugar/European Communities	July 21, 1981.
17. Glass beads/Canada	Sept. 2, 1981.
18. Spirits/United Kingdom	(2).
19. Textiles/Pakistan	(2).

[1] On April 29, 1980, the National Association of Chain Manufacturers, the petitoner in the Chains from Italy investigation, sent a letter to the Commission requesting that they be allowed to withdraw the petition. The Commission has not yet acted on this request.

[2] The CVD order was revoked by a notice in the FEDERAL REGISTER of February 15, 1977 (42 FR 9168) because the Treasury Department determined that bounties or grants were no longer being paid.

[3] This investigation was instituted by the Commission on May 2, 1980. The Commerce Department informed the Commission that the rates set forth in the FEDERAL REGISTER of July 13, 1979 (44 FR 40884) should be considered the most recent subsidy rates for this investigation.

Issued; May 23, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-16309 Filed 5-28-80; 8:45 am]

BILLING CODE 7020-02-M

[332-73]

Release for Public Comment of U.S. Administration Draft Comments on Draft Chapter of the Harmonized Commodity Description and Coding System

AGENCY: United States International Trade Commission.

ACTION: Release for public comment, pursuant to Commission investigation No. 332-73, under the authority of section 332(g) of the Tariff Act of 1930, as amended, of a draft of, and draft U.S. comments on, the following chapter of the Harmonized Commodity Description and Coding System.

Chapter 73: Articles of Iron and Steel

WRITTEN SUBMISSIONS: Parties wishing to submit written comments should do so by June 16, 1980.

COPIES OF DOCUMENTS: Copies of the draft chapter and draft U.S. comments thereon which are the subject of this notice are available for public inspection at the offices of the Commission, 701 E Street, NW., Washington, D.C. 20436, or at 6 World Trade Center, New York, N.Y. 10048. The Commission will also send copies to interested parties upon request.

FOR FURTHER INFORMATION CONTACT: Eugene A. Rosengarden, Director, Office of Nomenclature, Valuation and Related Activities, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, Telephone: 202/523-0370.

SUPPLEMENTARY INFORMATION: The purpose of this notice is to obtain the comments and views of interested parties with respect to the above mentioned draft chapter of the Harmonized Commodity Description and Coding System, and of the draft U.S. comments thereon.

This notice is being issued pursuant to Commission investigation No. 332-73, instituted on January 31, 1975 (40 FR 6329), under section 332(g) of the Tariff Act of 1930. The investigation was initiated in accordance with section 608(c) of the Trade Act of 1974, which provides, in part, that the Commission shall institute an investigation which would provide the basis for—

(2) full and immediate participation by the United States International Trade Commission in the United States contribution to technical work of the Harmonized Systems [sic] Committee under the Customs Cooperation Council to assure the recognition of the needs of the United States business community in the development of a Harmonized Code reflecting sound principles of commodity identification and specification and modern producing methods and trading practices . . .

The Harmonized Commodity Description and Coding System (Harmonized Code) is being developed by the Customs Cooperation Council (CCC), an 80-member international organization with headquarters in Brussels, as an international commodity classification system which will be adaptable for modernized customs tariff nomenclature purposes and for recording, handling, and reporting of transactions in international trade. The Harmonized Code will be based on, and in many respects will be an extension of, the Customs Cooperation Council Nomenclature (CCCN), formerly known as the Brussels Tariff Nomenclature (BTN).

Currently, the Technical Team working under auspices of the CCC prepares drafts of the various chapters of the Harmonized Code for consideration by the Harmonized System Committee, which was established in order to develop the code. These drafts are forwarded to the members and observers of the Committee for their review and submission of written comments. The Committee meets three times a year to consider these drafts and the written comments and presentations of the various delegations. The review of a particular chapter or group of chapters may extend to more than one meeting.

In 1971, the Department of the Treasury established an Interagency Advisory Committee on Customs Cooperation Council Matters in order to provide a basis for interested Federal agencies to participate with respect to CCC matters. In order to establish and develop U.S. programs and policies with respect to the Harmonized Code, the interagency committee has instituted procedures which take into account the provisions of section 608(c) of the Trade Act of 1974, which call for the Commission to contribute to the U.S. technical input to the Harmonized System Committee. Under these procedures the Commission is preparing technical comments and proposals on the various chapters of the Harmonized Code for consideration by the interagency committee in the determination of U.S. proposals with respect to the Harmonized Code. In making proposals, the Commission is seeking and taking into consideration the views of trade and industry and other interested parties and of interested Government agencies.

The draft U.S. comments on the chapter of the Harmonized Code released for public comment today relate specifically to the Technical Team draft of this chapter and should be read in conjunction therewith.

In its public notices of May 4, 1976 (41 FR 18716 of May 6, 1976), August 9, 1976 (41 FR 34370 of August 13, 1976), December 20, 1976 (41 FR 55948 of December 23, 1976), September 1, 1977 (42 FR 44852 of September 7, 1977), February 7, 1978 (43 FR 5902 of February 10, 1978), October 16, 1978 (43 FR 48723 of October 19, 1978), February 14, 1979 (44 FR 10435 of February 20, 1979), May 16, 1979 (44 FR 29740 of May 22, 1979), September 5, 1979 (44 FR 53112 of September 12, 1979), January 28, 1980 (45 FR 7648), and February 1, 1980 (45 FR 8168), the Commission identified those chapters which have been considered

thus far by the Harmonized System Committee, and the chapters for which a Technical Team draft has been released.

Issued: May 23, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-16310 Filed 5-28-80; 8:45 am]

BILLING CODE 7020-02-M

[332-73]

Release for Public Comment of United States Administration Draft Comments on Draft Chapter of the Harmonized Commodity Description and Coding System

AGENCY. U.S. International Trade Commission.

ACTION: Release for public comment, pursuant to Commission investigation No. 332-73, under the authority of section 332(g) of the Tariff Act of 1930, as amended, of a draft of, and draft U.S. comments on, the following chapter of the Harmonized Commodity Description and Coding System—Chapter 72: Pig iron, iron and steel.

WRITTEN SUBMISSIONS: Parties wishing to submit written comments should do so by June 9, 1980.

COPIES OF DOCUMENTS: Copies of the draft chapter and draft U.S. comments thereon which are the subject of this notice are available for public inspection at the offices of the Commission, 701 E Street, NW., Washington, D.C. 20436, or at 6 World Trade Center, New York, N.Y. 10048. The Commission will also send copies to interested parties upon request.

FOR FURTHER INFORMATION CONTACT. Eugene A. Rosengarden, Director, Office of Nomenclature, Valuation and Related Activities, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, Telephone: 202/523-0370.

SUPPLEMENTARY INFORMATION: The purpose of this notice is to obtain the comments and views of interested parties with respect to the above mentioned draft chapter of the Harmonized Commodity Description and Coding System, and of the draft U.S. comments thereon.

This notice is being issued pursuant to Commission investigation No. 332-73, instituted on January 31, 1975 (40 FR 6329), under section 332(g) of the Tariff Act of 1930. The investigation was initiated in accordance with section 608(c) of the Trade Act of 1974, which provides, in part, that the Commission shall institute an investigation which would provide the basis for—

(2) Full and immediate participation by the United States International Trade Commission in the United States contribution to technical work of the Harmonized Systems [sic] Committee under the Customs Cooperation Council to assure the recognition of the needs of the United States business community in the development of a Harmonized Code reflecting sound principles of commodity identification and specification and modern producing methods and trading practice * * *.

The Harmonized Commodity Description and Coding System (Harmonized Code) is being developed by the Customs Cooperation Council (CCC), an 80-member international organization with headquarters in Brussels, as an international commodity classification system which will be adaptable for modernized customs tariff nomenclature purposes and for recording, handling, and reporting of transactions in international trade. The Harmonized Code will be based on, and in many respects will be an extension of, the Customs Cooperation Council Nomenclature (CCCN), formerly known as the Brussels Tariff Nomenclature (BTN).

Currently, the Technical Team working under auspices of the CCC prepares drafts of the various chapters of the Harmonized Code for consideration by the Haromonized System Committee, which was established in order to develop the code. These drafts are forwarded to the members and observers of the Committee for their review and submission of written comments. The Committee meets three times a year to consider these drafts and the written comments and presentations of the various delegation. The review of a particular chapter or group of chapters may extend to more than one meeting.

In 1971, the Department of the Treasury established an Interagency Advisory Committee on Customs Cooperation Council Matters in order to provide a basis for interested Federal agencies to participate with respect to CCC matters. In order to establish and develop U.S. programs and policies with respect to the Harmonized Code, the interagency committee has instituted procedures which take into account the provisions of section 608(c) of the Trade Act of 1974, which call for the Commission to contribute to the U.S. technical input to the Haromized System Committee. Under these procedures the Commission is preparing technical comments and proposals on the various chapters of the Harmonized Code for consideration by the interagency committee in the determination of U.S. proposals with respect to the Harmonized Code. In making proposals, the Commission is seeking and taking into consideration the views of trade and industry and other interested parties and of interested Government agencies.

The draft U.S. comments on the chapter of the Harmonized Code released for public comment today relate specifically to the Technical Team draft of this chapter and should be read in conjunction therewith.

In its public notices of May 4, 1976 (41 FR 18716 of May 6, 1976), August 9, 1976 (41 FR 34370 of August 13, 1976), December 20, 1976 (41 FR 55948 of December 23, 1976), September 1, 1977 (42 FR 44852 of September 7, 1977), February 7, 1978 (43 FR 5902 of February 10, 1978), October 16, 1978 (43 FR 48723 of October 19, 1978), February 14, 1979 (44 FR 10435 of February 20, 1979), May 16, 1979 (44 FR 29740 of May 22, 1979), September 5, 1979 (44 FR 53112 of September 12, 1979), January 28, 1980 (45 FR 7648), and February 1, 1980 (45 FR 8168), the Commission identified those chapters which have been considered thus far by the Harmonized System Committee, and the chapters for which a Technical Team draft has been released.

Issued: May 20, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-16307 Filed 5-28-80; 8:45 am]

BILLING CODE 7020-02-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Humanities Panel; Meetings

AGENCY: National Endowment for the Humanities.

ACTION: Notice of Meetings.

SUMMARY: Pursuant to the provision of the Federal Advisory Committee Act (Pub. L. 92-463, as amended) notice is hereby given that the following meetings of the Humanities Panel will be held at 806 15th Street, N.W., Washington, D.C. 20506:

1. Date: June 16 and 17, 1980. Time: 9:00 a.m. to 5:30 p.m. Room: 1023. Program: To review NEH Youth Project applications submitted to the National Endowment for the Humanities for projects beginning after October 1, 1980.

2. Date: June 18, 1980. Time: 9:00 a.m. to 5:30 p.m. Room: 1023. Program: To review states humanities committee applications in all of the fields of the humanities submitted to the National Endowment for Humanities for projects beginning after October 1, 1980.

3. Date: June 19 and 20, 1980. Time: 9:00 a.m. to 5:30 p.m. Room: 314. Program: To review NEH Youth Projects applications submitted to the National Endowment for the Humanities for projects beginning after October 1, 1980.

4. Date: June 23 and 24, 1980. Time: 9:00 a.m. to 5:30 p.m. Room: 807. Program: To review NEH Youth Projects applications submitted to the National Endowment for the Humanities for projects after October 1, 1980.

5. Date: June 23 and 24, 1980. Time: 9:00 a.m. to 5:30 p.m. Room: 1023. Program: To review applications for the development of humanities Special Program formats submitted to the National Endowment for the Humanities for projects beginning after October 1, 1980.

The proposed meetings are for the purpose of Panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meetings will consider information that is likely to disclose:

(1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(2) Information of a personal nature the disclousre of which would consitute a clearly unwarranted invasion of personal privacy; and

(3) Information the disclosure of which would significantly frustrate implementation to proposed agency action;

pursuant to authority granted by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that these meetings will be closed to the public pursuant to subsection (c) (4), (6) and (9) (B) of section 552b of Title 5, United States Code.

Further information about these meetings can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, D.C. 20506 or call (202) 724-9367.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 80-16311 Filed 5-28-80; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 80-22]

Safety Recommendation Responses and Closeouts; Availability

Responses to Safety Recommendations

Marine

M-79-67 through -69, from the United States Coast Guard, May 13, 1980.— Response is to recommendations issued by the National Transportation Safety Board last June 25 following investigation into the capsizing and sinking of the clam dredge PATTI-B in the Atlantic Ocean on May 9, 1978. The recommendations asked Coast Guard to: Establish procedures to insure that persons aboard disabled vessels are wearing approved personal flotation devices during rescue operations (M-79-67); publish information aimed at commercial fishermen concerning the adverse effects of anchoring by the stern, the adverse effects of water on deck, and the effective loss of stability due to a boat's being momentarily poised on a wave (M-79-68); and conduct a design study to determine if current published intact stability criteria are adequate for vessels similar in design to the PATTI-B (M-79-69). (See 44 FR 39319, July 5, 1979.)

In response to recommendation M-79-67, Coast Guard notes that the responsibility for the safety of a vessel and her crew resides with the master or operator of the vessel, and Coast Guard has no statutory authority to require personnel aboard a disabled vessel to wear lifejackets. Nonetheless, Coast Guard can make its offer of assistance to a disabled vessel contingent upon the wearing of lifejackets by all persons onboard. However, the disabled vessel cannot be compelled to accept Coast Guard assistance, nor is Coast Guard in a defendable position if it refuses assistance if lifejackets are not worn. Coast Guard states that its analysis of recent vessel capsizings indicates that the wearing of lifejackets may actually hinder egress from a capsized vessel. Attached to the May 13 response letter is a copy of a recent revision to Coast Guard's "Addendum, National Search and Rescue Manual" concerning Coast Guard's towing and salvage policies. Coast Guard routinely stresses the wearing of lifejackets by personnel it assists and belives that these policies are adequate for its statutory responsibilities and are not in need of revision.

Coast Guard concurs with recommendation M-79-68. A boarding and educational program is being developed to include a triennial courtesy dockside boarding for every U.S.-uninspected commercial vessel. Also, Coast Guard intends to develop several media methods (handouts, newsletters, TV spots, magazine articles, etc.) directed toward educating uninspected vessel owners and crews regarding legal requirements, safety layouts, casualty scenarios, and other timely safety topics. Through an established and active liaison with the National Marine Fisheries Service, Coast Guard has already jointly disseminated casualty report information of interest to the fisheries industry.

Coast Guard does not concur with recommendation M-79-69. Coast Guard-sponsored research into the seakeeping characteristics of various hull forms, including fishing vessels, has offered considerable insight into small vessel seakeeping problems. Navigation and Vessel Information Circular Resolution 3-76 conveyed to industry the information contained in IMCO Resoulution A.168 "Reccomendation on Intact Stability in following seas in all loading conditions, especially in the light conditions." Coast Guard notes that the Torremolinos Convention applies only to vessels of 24 meters in length and over (length is defined as 96 percent of the total length or a waterline at 85 percent of the least depth). Coast Guard states that it is questionable then whether it is even appropriate to apply these two criteria to the PATTI-B which the Safety Board said is 82 feet long. Coast Guard's weather criteria has its roots in application to large vessels of unusual proportion and form; its shortcomings to small vessels and certain hull forms are recognized by Coast Guard which applies a righting energy criteria to vessels whose intact stability it questions. Coast Guard considers it inappropriate to initiate a design study into the validity of these criteria based upon the capsizing of the PATTI-B which was beyond or at the extreme limits of the scope of each criterion.

Further in connection with recommendation M-79-69, Coast Guard states that aside from the appropriateness of applying each of three criteria, it is unclear whether the accompanying standards of freeing port area, vent heights, sill heights, watertight closures, free surface considerations, and cargo stowage were also satisfied. Coast Guard states, "As an example, water on deck was considered by the Safety Board as a major factor leading to the capsizing of the PATTI-B. However, since the freeing

port area provided was not included in the report, it is not clear whether this was taken into account." Coast Guard believes it is highly doubtful that definitive criteria which would be practical can be developed. "Implicit here is the question of the practical limit which can be achieved in making a small vessel seaworthy in all environments, and yet perform its function as a vessel efficiently. Implicit here is also the question of seamanship versus trying to make a vessel safe from mishandling by design."

Railroad

R–79–82 through –85, from the Federal Railroad Administration, April 7, 1980.—Response is to recommendations issued last January 10 following investigation of the derailment of a Union Pacific Railroad Company (UPRR) freight train which occurred at Granite, Wyo., July 31, 1979. The recommendations called on FRA to: Enforce the requirements for testing train brakes in accordance with Federal Power Brake Regulations, 49 CFR Part 232, on the UPRR (R–79–82); issue regulations to require railroads to establish a system for regular instruction and testing of employee's knowledge of the operating rules (R–79–83); review the monitoring system for rule compliance on the UPRR to insure that their supervision can adquately enforce the rules to provide a safe and efficient operation (R–79–84); and study the feasibility of requiring locomotives to be equipped with brake pipe flow indicators to enable engineers to measure trainline air flow (R–79–85). (See 45 FR 5832, January 24, 1980.)

With respect to recommendation R–79–82, FRA states that it has a strong enforcement program through which the railroads are monitored for compliance with requirements of 49 CFR Part 232 which prescribes minimum requirements for inspecting and testing air brakes. Items of noncompliance are dealt with through civil penalty claims. Also, FRA adjudges that adherence to regulations is best accomplished through a continuous and vigorous training program in operating rules and proficiency testing—an approach which permits the railroads to address unique conditions and thus affords a more efficient way to achieve enforcement of safe operating procedures.

In response to recommendation R–79–83, FRA reports that it is assisting the industry in its training efforts. In 1977, FRA funded a contract for the purpose of developing a "Proposed Research Plan to Improve Railroad Employee Training (FRA–OPPD–78–14)." As a result of this project, FRA initiated another contract in November 1978 to develop a comprehensive catalogue of railroad employee training programs. The completed catalogue is being readied for distribution in the near future, and will become an integral part of FRA's overall employee training programs. Also, FRA is developing a program to encourage better training through cooperative training research programs which focus on the development of improved training methods for particular railroad skills. FRA has a small pilot project to develop a task analysis of certain maintenance functions, now nearing completion. FRA says the training needs of the industry can best be served through projects of this type. FRA does not plan to promulgate regulations in this area.

Responding to recommendation R–79–84, FRA reports that a review of the annual operational tests submitted in accordance with 49 CFR Part 217, Railroad Operating Rules and Practices, conducted by UPRR during the past 5 years indicates that the number of tests reported remained relatively constant but the train miles and failures observed had increased significantly. FRA will determine if this increase in number of failures is indicative of higher test quality or a degradation of rule compliance. Results of this action are expected to be completed and forwarded to the Safety Board during the summer of 1980.

FRA notes in connection with recommendation R–79–85 that on September 13 and 14, 1978, FRA conducted a public hearing on its present safety regulatory program with respect to power and train brakes. Information gathered from the hearing (Docket No. RRS 1–78–5, Notice No. 3) and recent correspondence with the Canadian railroads indicate that a brake pipe flow indicator on a locomotive can accurately function only when it is linked to specialized equipment and properly calibrated. The brake pipe flow indicator is a useful instrument but its limitations must be considered insofar as regulations are concerned, FRA states. FRA will include the feasibility of requiring locomotives to be equipped with brake pipe flow indicators under the revision of the power brake rules, 49 CFR Part 232. Futhermore, FRA's Safety Board has granted conditional approval for the performance of two separate tests in which the air flow and gradient method (AFM) will be used to qualify train air brake systems. These tests will be performed within the following specified areas of the United States by Canadian railroads: (1) Canadian National Rail trains operating through the State of Minnesota, between Thunder Bay and Winnipeg; and (2) Canadian Pacific Rail trains operating through the State of Maine, between Megantic, Quebec and McAdam, New Brunswick. Each of these railroads will submit test results, detailing the effect that the use of AFM will have on train handling and other safety aspects in normal operations.

R–80–8 and –9, from the Southeastern Pennsylvania Transportation Authority (SEPTA), April 15, 1980.—Response is to recommendations issued last March 13 as a result of investigation into the passenger fatality which occurred January 1, 1980, on SEPTA's Market Street-Frankfort elevated subway line. The recommendations asked SEPTA to: Change the construction of the side doors on its cars so that they cannot be closed and locked on a person and to establish a control circuit which will prevent the train from moving until all doors are in the closed position (R–80–8) and establish a control circuit which will prevent the train from moving until all doors are in the closed position. (R–80–9) (See 45 FR 16367, March 3, 1980.)

In response SEPTA states that after examining possible solutions, SEPTA cars would require an electrical recycling system installed on all cars. This system would require a complete redesign to cars 20 years old, replacing the air controlled door engines with electric motors and interrelating the electrical requirements to the entire electrical system of the car. Estimates in material alone to accomplish this alteration are $3.5 million. As to a control circuit preventing the train from moving until all doors are in a closed position, this recommendation, coupled with a recycling door system, is determined by SEPTA to lead to delays in scheduling beyond a reasonable measure. SEPTA states that this would lead to more unsafe situations relative to the entire riding public than the alterations would correct.

As an alternative proposal, SEPTA is embarking on a major overhaul of the Market-Frankford cars. It is now planned to install an audible signal on the cars to be used as a pre-door-closing warning device to passengers. Present procedures for conductors and motormen at train stations is evaluated as proper if followed. SEPTA notes that in the subject case the employee failed to adhere to procedures. SEPTA says that all high-speed operators and conductors have received remedial instruction on procedures in station. Also, SEPTA reports that in 1977 FRA conducted extensive reviews of operating sliding doors on transit

vehicles in the New York area, inclusive of discussions with car manufacturers. This thorough review on the operation of sliding doors on rail commuter cars concluded that they present a "small safety hazard in terms of overall rail safety." Also, FRA conducted an economic analysis to study relative costs and benefits that a regulation would produce. Their conclusion indicates a regulation would not be sufficient to warrant the increased cost. (A copy of FRA's letter of March 30, 1977, to the Mayor of Rye, N.Y., is provided.)

In conclusion, SEPTA will proceed as planned with the implementation of the sound warning devices and direct that all remedial and new training of high speed operators emphasizes operating procedures in station areas.

Aviation Safety Recommendation Closeouts

During the past 16 months the Safety Board has forwarded letters advising that the recommendations listed below have been classified as "closed." The Federal Aviation Administration was the addressee in each instance. (Date of FAA's last response letter and date of the Safety Board letter and type of closeout action applied are shown in parentheses.)

A–72–171, –173, –174, –175, –176, –180, –181, and –186 re air taxi safety, revisions to 14 CFR Part 135. (FAA, May 29, 1979; NTSB, July 2, 1979, each recommendation "acceptable action" except A–72–175, "acceptable alternate action.")

A–73–41 re stowage of portable, high-intensity lights at cabin attendant stations, amendment of 14 CFR 25.812 and 14 CFR 121.310. (FAA, July 13, 1979; NTSB, August 8, 1979, "acceptable action.")

A–73–53 re expediting passenger evacuation, revision to 14 CFR 23.807 and 14 CFR 25.811(c). (FAA, March 22, 1979; NTSB, April 23, 1979, "acceptable alternate action.")

A–74–30 re development and installation of visibility measuring devices in the approach zone. (FAA, October 12, 1978; NTSB, January 11, 1979, "unacceptable action.")

A–74–114 re "hands-on" training in operating certain emergency equipment. (FAA, July 26, 1979; NTSB, August 30, 1979, "acceptable action.")

A–75–28 re modification of external ground service fluid drains on Boeing 727 series airplanes to prevent overboard leakage in flight of fluid subject to freezing in the flight environment. (FAA, April 11, 1979; NTSB, May 23, 1979, "acceptable alternate action.")

A–75–30 re requirement of each certificate holder to have qualified management personnel to ensure safety in its operations, revision of 14 CFR 135.37. (FAA, December 28, 1978; NTSB, February 23, 1979, "acceptable action.")

A–75–45 and –46 re relocation of the Armel, Va., distance measuring equipment monitor from Washington, D.C., flight service station to Dulles terminal air traffic control facility and review of all terminal air traffic control facilities to assure that controllers at each facility served by a navigational aid will have direct access to the associated monitor for that navigational aid. (FAA, March 20, 1979; NTSB, April 26, 1979, "acceptable alternate action.")

A–75–73 re visual and audible engine-out warning system for turbine-powered helicopters, amendment to 14 CFR 27.33(e) and 29.33(e). (FAA, December 20, 1978; NTSB, February 1, 1979, "acceptable alternate action.")

A–75–74 and –75 re uniformity and standardization of cartographic techniques and specifications used in the aviation industry for approach charts. (FAA, May 9, 1979; NTSB, May 30, 1979, "acceptable action.")

A–76–94 re landing gear malfunction on a Nord 262. (FAA, December 21, 1978; NTSB, February 1, 1979, "reconsidered.")

A–76–109, –114, and –115 re general aviation accidents involving aerobatics and regulatory action to minimize accidents caused by inflight structural failure. (FAA, November 24, 1978; NTSB, January 30, 1979, "unacceptable action.")

A–77–26, –27, and –29 re emergency evacuation, revision to 14 CFR 121.417 (c)(1) and (b)(4), identification and operation of tail cone release handle. (FAA, March 14, 1979; NTSB, May 15, 1979, "acceptable action" for A–77–26 and –27, "acceptable alternate action" for A–77–29.)

A–77–30 re providing operators with more comprehensive data pertaining to inspection and maintenance measures of drive belts and overrunning clutch. (FAA, January 15, 1980; NTSB, February 7, 1980, "acceptable action.")

A–77–42 re revision of 14 CFR 29.923, 29.931, and 29.927 to require helicopter manufacturers to demonstrate 120 percent rotor system overspeed by driving the power train with an external power source, if installed engine power turbine speed (N_2) limits preclude meeting this requirement. (FAA, December 29, 1978; NTSB, March 9, 1979, "acceptable action.")

A–77–52 re amendment of ATP Handbook 7110.65 to require pilots to read back altitudes and vectors. (FAA, January 30, 1980; NTSB, March 11, 1980, "acceptable alternate action.")

A–77–53 re issuance of Notice 8430.293 on January 19, 1978, emphasizing importance of adhering to recommended communications procedures. (FAA, December 12, 1978; NTSB, January 30, 1979, "acceptable action.")

A–77–59 and –60 re emergency exits and passenger briefing on emergency exit procedures prior to takeoff. (FAA, December 29, 1978; NTSB, March 3, 1979, "acceptable action.")

A–78–3 re pilot techniques to minimize the effects of low level wind shear. (FAA, March 20, 1979; NTSB, April 17, 1979, "acceptable action.")

A–78–16 re Airworthiness Directive 78–20–04, McDonnell Douglas, for nondestructive inspection of the outboard slat drive arm and drum shaft. (FAA, December 29, 1978; NTSB, February 23, 1979, "acceptable action.")

A–78–25 re Advisory Circular AC 133–1, rotorcraft external, load operations, 14 CFR Part 133. (FAA, June 27, 1978; NTSB, February 22, 1979, "acceptable action.")

A–78–30, –31, and –32 re requiring corporate/executive flight departments to operate under flight operations manuals, amendment to 14 CFR Part 91. (FAA, July 5, 1978; NTSB, June 15, 1979, "unacceptable action.")

A–78–40 and –41 re revisions to 14 CFR 135.23 prescribing manual content, 135.37 specifying management personnel required, 135.39 specifying personnel qualifications, and 135.77 assigning responsibilities for operational control; 14 CFR Part 135, Subpart J, maintenance, preventive maintenance, and alterations. (FAA, December 29, 1978; NTSB, July 2, 1979, "acceptable action.")

A–78–44 re stall/spin accidents. (FAA, June 18, 1979; NTSB, July 19, 1979, "acceptable action.")

A–78–50 re fuel starvation accidents and incidents involving Piper (Ted Smith) Aerostar Model 600 Series aircraft. (FAA, March 26, 1979; NTSB, April 16, 1979, "acceptable action.")

A–78–51 re requiring Principal Operations Inspectors to assure that their assigned certificate holders provide their pilots and dispatchers with airport analysis data that identifies those runways with displaced thresholds. (FAA, March 14, 1979; NTSB, April 6, 1979, "acceptable action.")

A–78–52 re use of runways with displaced thresholds. (FAA, March 14, 1979; NTSB, April 10, 1979, "unacceptable action.")

A–78–55 re changing minimum equipment list to make the out-of-trim warning system a mandatory requirement for flight. (FAA, May 23, 1979; NTSB, April 9, 1980, "acceptable action.")

A–78–63, –64, and –65 re ensuring free operation of the elevator control system. (FAA, June 7, 1979; NTSB, July 23, 1979, "acceptable action.")

A–78–77 and –78 re establishment of a Terminal Radar Service Area at Lindbergh Airport, San Diego, Calif., and Terminal Control Areas or TRSA's at all airports. (FAA, May 29, 1979; NTSB, July 3, 1979, "acceptable action.")

A–78–79 re procedures for handling consecutive approaches at Memphis, Tenn. (FAA, January 9, 1979; NTSB, February 26, 1979, "acceptable action.")

A–79–6 re runaway pitch trim training and testing. (FAA, November 9, 1979; NTSB, November 29, 1979, "acceptable action.")

A–79–11 re requiring all maintenance logbook sheets to be numbered consecutively. (FAA, September 17, 1979; NTSB, November 8, 1979, "acceptable alternate action.")

A–79–23 re servo drive unit installed on Learjet aircraft. (FAA, November 13, 1979; NTSB, December 5, 1979, "acceptable action.")

A–77–32 re assuring that crew training stresses differences in fuel-quantity measuring instruments and that crews flying with the new system are made aware of the possibility of misinterpretation of gage readings. (FAA, July 23, 1979; NTSB, March 13, 1980, "acceptable action.")

A–79–35 re insuring that air carrier training programs include instructions to crewmembers with respect to availability,

capabilities, and use of floatable seat cushions on their aircraft. (FAA, January 23, 1980; NTSB, April 9, 1980, "acceptable action.")

A-79-40 re improved procedures to enhance the quality control function of the Civil Aeromedical Institute with respect to its capabilities for detecting physical disabilities in airmen and performance deficiencies of Aviation Medical Examiners. (FAA, August 29, 1979; NTSB, October 12, 1979, "acceptable action.")

A-79-41 re issuance of emergency Airworthiness Directive requiring inspection of all pylon attach points on all DC-10 aircraft by approved inspection methods. (FAA, August 23, 1979; NTSB, September 27, 1979, "acceptable action.")

A-79-45 and -46 re issuance of telegraphic Airworthiness Directive to require an immediate inspection of all DC-10 aircraft in which an engine pylon assembly has been removed and reinstalled for damage to the wing-mounted pylon aft bulkhead, including its forward flange and the attaching spar web and fasteners; issuance of Maintenance Alert Bulletin directing FAA Maintenance Inspector to contact their assigned carriers and advise them to immediately discontinue lowering and raising the pylon with the engine still attached. (FAA, July 16, 1979; NTSB, August 8, 1979, "acceptable action.")

A-79-47 re resource management and interpersonal communications training for air carrier flight crewmembers. (FAA, August 22, 1979; NTSB, March 21, 1980, "acceptable action.")

A-79-50 and -51 re notice directing inspectors to review operator's manuals and checklists for proper unfeathering procedures and for emphasis of these procedures in their training. (FAA, September 11, 1979; NTSB, March 27, 1980, "acceptable action.")

A-79-55 re change to Handbook 7110.65, paragraph 1284, to require terrain protection for aircraft flying under visual flight rules, receiving Stage III service, comparable to that given to aircraft flying under instrument flight rules. (FAA, October 2, 1979; NTSB, October 29, 1979, "acceptable action.")

A-79-56 and -57 re performance data of Grumman G-21A aircraft at current operating weights and procedures for proper development, testing, review and quality control for issuance of supplemental type certificates. (FAA, October 10, 1979; NTSB, January 4, 1980, "reconsidered.")

A-79-61 re physical and physiologic conditions of crewmembers involved in aircraft accidents in determining probable cause of accidents and developing possible preventive measures. (FAA, October 26, 1979; NTSB, November 29, 1979, "reconsidered.")

A-79-71 re power loss from an engine of a Grumman G-21A. (FAA, November 27, 1979; NTSB, January 4, 1980, "acceptable alternate action.")

A-79-88 re advisory to owners and operations of Cessna 200 series aircraft alerting them to the hazards associated with the aluminum hinge failure problem. (FAA, February 26, 1980; NTSB, March 21, 1980, "acceptable action.")

A-79-91 re issuance of Airworthiness Directive to require a special inspection of the propeller reversing interconnect linkage of all aircraft equipped with Pratt & Whitney Aircraft of Canada Ltd., PT6-6A, 6B, -6C/20 and -20 series turboprop to assure that these installations conform to the aircraft manufacturer's propeller reversing linkage rigging specifications. (FAA, February 28, 1980; NTSB, March 21, 1980, "acceptable action.")

A-79-92 re immediate inspection of all Boeing 737 aircraft main landing gear upper drag strut attach bolts to ascertain that the correct bolts are installed in the proper locations. (FAA, February 26, 1980; NTSB, March 24, 1980, "acceptable alternate action.")

A-79-108 re issuance of a telegraphic Airworthiness Directive to require a one-time inspection of the engine pylon structure in the area of pylon station 128 for loose or missing fasteners and fatigue damage for B-747 aircraft equipped with P&W JT9D engines. (FAA, March 19, 1980; NTSB, April 9, 1980, "acceptable action.")

Note.—Copies of safety recommendation response letters and related correspondence are provided free of charge. All requests must be in writing, identified by recommendation number and date of correspondence. Address requests to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

May 23, 1980.

[FR Doc. 80-16279 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-58-M

[Docket No. DCA-80-AR-031]

Railroad Accident Investigation Hearing: Oakland, California

Notice is hereby given that the National Transportation Safety Board will convene an accident investigation hearing at 9:00 a.m. (local time) July 1 through July 3, 1980, in the Alameda Room of the Hyatt Oakland Inn, 455 Hegenberger Road, Oakland, California 94621.

The public hearing will be held in connection with the Safety Board's investigation of an accident involving the derailment of Western Pacific Railroad Company Freight Train Extra UP 3734 West, which occurred at Hayward, California, on April 9, 1980.

Elmer Garner,

Hearing Officer.

May 19, 1980.

[FR Doc. 80-16280 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-58-M

Performance Review Board, Senior Executive Service; Appointment of Members

Appointments of Performance Review Board members are required to be published in the Federal Register by 5 U.S.C. 4314(c)(4).

The following persons have been appointed to, and will serve on Performance Review Boards for senior executives in the National Transportation Safety Board:

Elwood T. Driver
Michael C. Cushing
Robert W. Pyle
Lloyd F. Miller
Dennis W. Boyd
B. Michael Levins
Frank T. Taylor
S. Walter Sweet
John M. Stuhldreher
David A. Reyna

Robert W. Pyle,

Chief, Personnel and Training Division.

May 5, 1980.

[FR Doc. 80-16281 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-58-M

Change of Address for Office of Administrative Law Judges

The Office of Administrative Law Judges and the Docket Section of the National Transportation Safety Board will be relocated on May 30, 1980, to the following address: Dodge Center, Suite 301, 1010 Wisconsin Avenue, NW., Washington, D.C. 20007.

An airman who wishes to appeal a Federal Aviation Administration Order or a seaman who wishes to appeal a decision of the Commandant, U.S. Coast Guard, should mail the notice of appeal to the above address.

Dated: May 23, 1980.

John M. Stuhldreher,

General Counsel.

[FR Doc. 80-16282 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-458A]

Gulf States Utilities Co.; Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, the following additional advice from the Attorney General of the United States, dated May 5, 1980, with respect to River Bend Station, Unit No. 1:

"You have requested our advice pursuant to Section 105(c) of the Atomic Energy Act, as amended, regarding a proposed amendment to the construction permit of the above referenced nuclear unit to allow Cajun Electric Power Cooperative, Inc. ("Cajun")

and Sam Rayburn G&T, Inc. ("Sam Rayburn") to become co-owners of that unit. Cajun will acquire a thirty percent interest in the 940 megawatt unit (approximately 282 megawatts) and Sam Rayburn will acquire a seven percent interest (approximately 66 megawatts). Our review of the information submitted for antitrust review purposes, as well as other information available to the Department, provides no basis at this time to conclude that the participation in the River Bend Station, Unit 1, by Cajun and Sam Rayburn would create or maintain a situation inconsistent with the antitrust laws. Accordingly, it is the Department's view that no antitrust hearing is necessary with respect to the proposed amendment to the construction permit."

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's "Rules of Practice," 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by June 30, 1980 either (1) by delivery to the NRC Docketing and Service Branch at 1717 H Street, NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, ATTN: Docketing and Service Branch.

Dated at Bethesda, Md. this 19th day of May 1980.

For the Nuclear Regulatory Commission.

Jerome Saltzman,

Chief, Utility Finance Branch, Division of Engineering, Office of Nuclear Reactor Regulation.

[FR Doc. 80-15935 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-219]

Jersey Central Power & Light Co.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 47 to Provisional Operating License No. DPR-16, issued to Jersey Central Power & Light Company (the licensee), which revised the license for operation of the Oyster Creek Nuclear Generating Station (the facility) located in Ocean County, New Jersey. The amendment is effective as of its date of issuance.

The amendment adds a new license condition (Paragraph 3.G) which requires the replacement of core spray spargers during the 1981 refueling outage.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendment. Prior public notice of this action was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 31, 1980, (2) Amendment No. 47 to License No. DPR-16, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Ocean County Library, Brick Township Branch, 401 Chambers Bridge Road, Brick Town, New Jersey 08723. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 15th day of May, 1980.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch #5, Division of Licensing.

[FR Doc. 80-16267 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[PSRP-3.9.6 (Rev. 2)]

Proposed Revision to the Standard Review Plan; Availability

As a part of the continual maintenance of the Standard Review Plan (SRP), the Nuclear Regulatory Commission's Division of Systems Safety, Office of Nuclear Reactor Regulation, proposes to revise SRP Section 3.9.6. "Inservice Testing of Pumps and Valves," and to add an Appendix A to SRP Section 3.9.6, "Leak Testing of Pressure Isolation Valves." A value-impact statement has also been prepared in support of these proposed changes.

The Standard Review Plan is prepared for the guidance of staff reviewers in the Office of Nuclear Reactor Regulation in peforming safety reviews of applications to construct or operate nuclear power plants. The principal purpose of the SRP is to assure the quality and uniformity of staff reviews, and to present a well-defined base from which to evaluate proposed changes in the scope and requirements of reviews. It is also a purpose of the SRP to make information about regulatory matters widely available and to improve communication and understanding of the staff review process by interested members of the public and the nuclear power industry.

This proposed revision of the Standard Review Plan and the supporting value/impact statement have not received a complete staff review and approval and do not represent an official NRC staff position. Public comments are being solicited on both the revision and the value/impact statement (including any implementation schedules) prior to a review and decision by the Office of Nuclear Reactor Regulation as to whether this revision should be approved. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. All comments received by August 1, 1980, will be considered.

All of the associated documents and comments considered will be made publicly available prior to a decision by the Director, Office of Nuclear Reactor Regulation, on whether to implement this revision.

Copies of this proposed revision and addition to the SRP and the supporting value-impact statement will be available for public inspection at the NRC Public Document Room at 1717 H Street, NW., Washington, D.C. 20555. Requests for single copies of future proposed revisions to the SRP should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Standard Review Plans are not copyrighted, and Commission approval is not required to reproduce them.

Dated at Bethesda, this 18th day of April 1980.

For the U.S. Nuclear Regulatory Commission.

Roger J. Mattson,

Director, Division of Systems Safety, Office of Nuclear Reactor Regulation.

[FR Doc. 80-16265 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Advanced Reactors; Meeting

The ACRS Subcommittee on Advanced Reactors will hold a meeting on Friday, June 13, 1980 in room 1046, 1717 H Street NW., Washington, D.C. 20555. Notice of this meeting was published May 15, 1980.

In accordance with the procedures outlined in the Federal Register on October 1, 1979 (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows:

Friday, June 13, 1980
8:30 a.m. until the conclusion of business.

The Subcommittee may meet in Executive Session, with any of its consultants who may be present, to explore and exchange their preliminary opinions regarding matters which should be considered during the meeting.

At the conclusion of the Executive Session, the Subcommittee will hear presentations by and hold discussions with representatives of the NRC Staff, their consultants and other interested persons regarding NRC funding and program direction or program termination, as appropriate.

The ACRS is required by Section 5 of the 1978 NRC Authorization Act to review the NRC research program and budget and to report the results of the review to Congress. In order to perform this review, the ACRS must be able to engage in frank discussions with members of the NRC Staff and such discussions would not be possible if held in public sessions. In addition, it may be necessary for the Subcommittee to hold one or more closed sessions for the purpose of exploring matters involving proprietary information. I have determined, therefore, in accordance with Subsection 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), that, should such sessions be required, it is necessary to close portions of this meeting to prevent frustration of the above stated aspect of the ACRS' statutory responsibilities and to protect proprietary information. See 5 U.S.C. 552b(c)(9)(B) and 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Dr. Richard Savio (telephone 202/634-3267) between 8:15 a.m. and 5 p.m., e.d.t.

Dated: May 23, 1980.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 80-16286 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Byproduct Material License No. 21-15455-01, EA-80-12]

American X-Ray & Inspection, Inc.; Order Revoking License

I

American X-Ray and Inspection Incorporated, 24030 Haggerty Road, Farmington Hills, Michigan 48024 (the "licensee") is the holder of Byproduct Material License No. 21-15455-01 (the "license") issued by the Nuclear Regulatory Commission (the "Commission"). The present expiration date of the license is December 31, 1983.

II

By Order dated February 28, 1980, the license was suspended, effective immediately, and the licensee was given an opportunity to show cause why the license should not be revoked. In accordance with the Order, all licensed material has been properly transferred. The Order provided the licensee opportunity to file a written answer thereto within twenty-five days days of the date of the Order, and stated that upon the licensee's failure to file answer within the specified time, the Director, Office of Inspection and Enforcement, would issue a subsequent order without further notice revoking the license. No answer has been filed with the Commission by the licensee.

III

Accordingly, in view of the licensee's failure to answer the Order, It is hereby ordered that: Byproduct Material License No. 21-15455-01 is revoked.

Dated at Bethesda, Maryland the 19th day of May, 1980.

Victor Stello, Jr.,

Director, Office of Inspection and Enforcement.

[FR Doc. 80-16289 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

Applications for Licenses To Export Nuclear Facilities or Materials

Pursuant to 10 CFR 110.70(b) "Public Notice of Receipt of an Application", please take notice that the Nuclear Regulatory Commission has received the following applications for export licenses for the period May 1 through May 10, 1980. A copy of each application is on file in the Nuclear Regulatory Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated this day, May 15, 1980, at Bethesda, Maryland.

For the Nuclear Regulatory Commission.

Marvin R. Peterson,

Acting Director, Office of International Programs.

Name of applicant, date of application, date received, application number	Material type	Material in kilograms		End-use	Country of destination
		Total element	Total isotope		
Transnuclear, Inc., Apr. 30, 1980, May 1, 1980, XSNM01678.	4.3% Enriched Uranium	11,054.000	475.343	Fuel for S.E.N.A. Reactor	France.
Transnuclear, Inc., Apr. 30, 1980, May 1, 1980, XSNM01679.	93.3% Enriched Uranium	35 088	32 737	Fuel for R-2 Research Reactor	Sweden.
Transnuclear, Inc., Apr. 30, 1980, May 1, 1980, XSNM01680.	93.3% Enriched Uranium	3 000	2 799	Irradiation test samples in the "Phase II of the Project HBK, in irradiation experiments (Project High Temperature Reactor Fuel Cycle)".	Belgium, Netherlands, Sweden, West Germany, and France.
Edlow International, May 7, 1980, May 8, 1980, XSNM01681.	2.65% Enriched Uranium	13.090	347	Routine Reload Mihama Unit 2	Japan.

[FR Doc. 80-16268 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Byproduct Material License Nos. 29-13985-01, 29-13985-04MD]

Diagnostic Isotopes, Inc.; Order Imposing Civil Monetary Penalties

I

Diagnostic Isotopes, Incorporated, 225 Belleville Avenue, Bloomfiled, New Jersey ("the licensee"), is the holder of Byproduct Material License Nos. 29-13985-01 and 29-13985-04MD ("the licenses") issued by the Nuclear Regulatory Commission ("the Commission"). License No. 29-13985-01 authorizes production, quality control, radiopharmaceutical processing, research and development, and distribution to specifically licensed recipients in accordance with the conditions specified therein, and is due to expire on April 30, 1982. License No. 29-13985-04MD authorizes distribution to persons licensed pursuant to 10 CFR 35.14 and 10 CFR 35.100 for Group I and Group II as described in those sections, and is due to expire on August 31, 1982.

II

An inspection of the licensee's activities under License Nos. 29-13985-01 and 29-13985-04MD was conducted on August 2 and 3, 1979, at the licensee's facility in Bloomfield, New Jersey. As a result of this inspection, it appears that the licensee has not conducted its activities in full compliance with the conditions of its licenses and with the requirements of the Nuclear Regulatory Commission's "Standard for Protection Against Radiation," Part 20, Title 10, Code of Federal Regulations. Written Notices of Violation were served upon the licensee by letters dated October 15, 1979 and January 10, 1980, specifying the items of noncompliance, in accordance with 10 CFR 2.201. Notices of Proposed Imposition of Civil Penalties dated October 15, 1979 and January 10, 1980 were concurrently served upon the licensee in accordance with Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282), and 10 CFR 2.205, incorporating by reference the Notice of Violation, which stated the nature of the items of noncompliance and the provisions of Nuclear Regulatory Commission regulations and license conditions.

Answers dated November 5, 1979 and February 14, 1980, to the Notices of Violation and Proposed Imposition of Civil Penalties were received from the licensee.

III

Upon consideration of the answers received and the statements of fact, explanation, and argument for deferral, compromise, mitigation, or cancellation contained therein, as set forth in Appendix A to this Order, the Director of the Office of Inspection and Enforcement has determined that the penalties proposed for the items of noncompliance designated in the Notices of Violation should be imposed, except for Item F.1, which is withdrawn.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282), and 10 CFR 2.205, it is hereby ordered that:

The licensee pay civil penalties in the total amount of Eight Thousand Dollars ($8,000) within twenty-five days of the date of this Order, by check, draft, or money order, payable to the Treasurer of the United States, and mailed to the Director of the Office of Inspection and Enforcement.

V

The licensee may, within twenty-five days of the date of this Order, request a hearing. If a hearing is requested, the Commission will issue an order designating the time and place of hearing. Upon failure of the licensee to request a hearing within twenty-five days of the date of this Order, the provisions of this Order shall be effective without further proceedings and, if payment has not been made by that time, the matter may be referred to the Attorney General for collection.

VI

In the event the licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the licensee was in noncompliance with the Commission's regulations and the conditions of the licenses as set forth in the Notices of Violation referenced in Section III above; and,

(b) Whether, on the basis of such items of noncompliance, this order should be sustained.

Dated this 15th day of May 1980, at Bethesda, Maryland.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Director, Office of Inspection and Enforcement.

Appendix A.—Evaluations and Conclusions

For each item of noncompliance and associated civil penalty identified in the Notices of Violation (dated October 15, 1979, and January 10, 1980) the original item of noncompliance is restated and the Office of Inspection and Enforcement's evaluation and conclusion regarding the licensee's responses to each item (dated November 5, 1979 and February 14, 1980) is presented.

Statement of Noncompliance

A. 10 CFR 20.101(a), "Exposure of individuals to radiation in restricted areas," limits the extremity dose that an individual working in a restricted area may receive to 18.75 rems per calendar quarter.

1. Contrary to this requirement, one individual working in your restricted area received a hand exposure of 19.9 rems during the first calendar quarter of 1979.

This is an infraction. (Civil Penalty—$1,000).

2. Contrary to this requirement, one individual working in your restricted area received a hand exposure of 29.8 rems during the fourth calendar quarter of 1978.

This is an infraction. (Civil Penalty—$1,000).

Evaluation of Licensee Response

A.1. The licensee denies this item of noncompliance and bases that denial on the assertion that there could be up to a 10% error in its film badge readings, thus reducing the possible dose below 18.75 rems. The intent of 10 CFR 20.101 is to prevent exposures in excess of the stated limits and not to authorize exposures up to the limit. It is recognized that the exposure is only slightly in excess of the limit. However, such cumulative exposures are preventable. The licensee is expected to predict the exposure for a given operation and thus ensure that an individual's exposure for a calendar quarter stays well below the limit. In addition, the licensee has not provided evaluations to establish that the error margin did in fact exist, and that it would show a higher reading than the actual exposure. Therefore, the exposure as determined by the dosimeter and associated records must be accepted as accurate.

A.2. The licensee admits this item and requests remission of the penalty based on the corrective action taken. Corrective action is always required and is therefore not a basis for mitigation. The licensee also maintains the time interval from its report of the overexposure in February 1979, and the proposed penalty make the penalty inappropriate. The fact that the overexposure of item A.1 occurred after this incident demonstrates the lack of effectiveness of the corrective action and the appropriateness of the penalty. Moreover, the licensee has had a history of exposures in excess of 10 CFR 20.101.

Conclusion

The item as stated is an item of noncompliance. The information presented

by the licensee does not provide a basis for modification of this enforcement action. Items A.1 and A.2 are similar to items found in inspections 76–02 and 78–02.

Statement of Noncompliance

B. 10 CFR 20.405(a), "Reports of overexposures and excessive levels and concentrations," requires that you submit within 30 days, a report to the Commission concerning each exposure to radiation in excess of any applicable limit in Part 20 of your license.

Contrary to this requirement, as of August 2, 1979, you failed to report to the Commission the exposure described in item A.1 above.

This is a deficiency. (Civil Penalty—$250).

Evaluation of Licensee Response

B. The licensee denies this item for the reasons given in A.1.

Conclusion

The item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action. Item B is similar to an item found in inspection 76–02.

Statement of Noncompliance

C. 10 CFR 20.201(b), "Surveys," requires that you make such surveys as may be necessary for you to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "Survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal or presence of radioactive materials or other sources of radiation under a specific set of conditions.

1. 10 CFR 20.101, "Exposure of individuals to radiation in restricted areas," limits radiation exposure to the extremities of individuals.

Contrary to this requirement, as of August 2, 1979, you failed to make such surveys as were necessary to assure compliance with 10 CFR 20.101. Specifically, you failed to evaluate the radiation doses to the right hand and fingers of an individual who used that hand to pick up vials and syringes containing millicurie quantities of technetium-99m without wearing a monitoring device on that hand.

This is an infraction. (Civil Penalty—$1,000).

2. 10 CFR 20.106, "Radioactivity in effluents to unrestricted areas," requires that you possess, use, or transfer licensed material in such a manner so as not to release licensed material to an unrestricted area in concentrations which exceed the limits specified in Appendix B, Table II, of Part 20.

Section 4 of the March 17, 1977 application incorporated by reference in license condition 15 of License No. 29–13985–01 specified two specific methods to be used in evaluation (constant air monitoring and material balance) and also that the results be compared to determine the effluent released.

Contrary to these requirements, you failed to make such surveys as were necessary to assure compliance with 10 CFR 20.106. Specifically, you failed to compare the results of the two methods of evaluation and hence failed to evaluate concentrations of xenon-133 released to an unrestricted area for the period January to August 1979.

This is an infraction. (Civil Penalty—$750).

3. 10 CFR 20.105(b), "Permissible levels of radiation in unrestricted areas," requires that radiation levels in unrestricted areas be limited so that if an individual were continuously present in the area, he could not receive a dose in excess of two (2) millirems in any one hour or one hundred (100) millirems in any seven (7) consecutive days.

Contrary to this requirement, on August 2, 1979, you failed to make such surveys as were necessary to assure compliance with 10 CFR 20.105(b). Specifically, radiation levels up to ten (10) milliroentgens per hour existed at a waste dumpster in an unrestricted area behind your facility.

This is an infraction. (Civil Penalty—$750).

Evaluation of Licensee Response

C.1. The licensee denies this item based on data purporting to show an evaluation of the individual's exposure. The licensee's data displays ratios of right to left hand exposures, and he appears to argue that a film badge on the left hand is sufficient to evaluate exposure to the right hand. Four ratios, ranging from 1:1 to 2:1, are inadequate to show a proper evaluation, especially since the licensee's initial response stated the exposures to each hand were approximately equal. Had the licensee relied on these rations for his evaluation, it would have been approximate to require a right hand film badge in order to monitor the hand with the higher exposure.

C.2. The licensee denies this item and has provided dates on which surveys of the air monitoring system were performed by his production manager. This individual has stated to the NRC inspector that he did not follow the procedures for evaluating total activity and concentrations in the effluent as required by the license. The licensee has provided no data or calculations to demonstrate compliance with the methods specified in the license.

C.3. The licensee denies this item based on the observations of his employee that the activity at the waste dumpster was approximately 2 mr/hr. The NRC inspector measured radiation levels up to 10 mr/hr at the dumpster which was in an unrestricted area. The levels were measured using an Eberline Geiger-Mueller Survey Meter, Model E–120, calibrated on June 2, 1979. Following the inspection, the survey meter was satisfactorily checked against a reference source to verify calibration.

Conclusion

The item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action. Item C.1 is similar to items found in inspections 76–01 and 77–02. Item C.2 is similar to items found in inspections 76–01 and 76–02, and is of the same requirement as cited in 76–01 and 76–02, however, in this case the adequacy of the evaluation and not the failure to perform any evaluation was cited. Item C.3 is similar to an item cited in inspection 76–02, and in both instances byproduct material was found in a waste dumpster.

Statement of Noncompliance

D. Condition 12 of License No. 29–13985–04MD requires licensed material be used by, or under the supervision of, a named individual.

Contrary to this requirement, as of August 2, 1979, and for a period of approximately one month prior, licensed materials were dispensed and distributed to Group II licensees by and under the supervision of individuals other than the individual named on the license.

This is an infraction, (Civil Penalty—$500).

Evaluation of Licensee Response

D. The licensee denies this item. He states the named supervisor was present at the facility from July 12 through July 20, 1979, but had not been seen by the midnight to 8 a.m. shift personnel for approximately one month. The intent of the license condition is that the named supervisor be readily available to contact, observe, instruct or otherwise assure that licensed operations are conducted safely and within the limits of NRC requirements.

Conclusion

The item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action.

Statement of Noncompliance

E. Condition 15 of License No. 29–13985–01 requires that licensed materials be possessed and used in accordance with the statements, representations, and procedures contained in your application dated March 17, 1977, letter dated March 24, 1977; application dated July 29, 1977, as amended September 19, 1977, and application dated February 13, 1978.

1. Items A–4, A–14 and B–3 of your "Radiation Safety Manual," attached to your application dated March 17, 1977, requires that individuals wear protective gloves when working with radioactive material, avoid unnecessary exposure to radiation or radioactive materials, and wear laboratory coats before beginning any duties in the restricted area.

Contrary to this requirement, on August 2, 1979, an individual working with millicurie quantities of radioactive materials did not wear protective gloves, did not in all cases use remote handling tools (tongs) or vial and syringe shields to avoid unnecessary exposure to radiation and, in one case, failed to wear a laboratory coat when dispensing millicurie quantities of radioactive materials in your restricted Radiopharmacy area.

This is an infraction. (Civil Penalty—$750).

2. Section 5, "Training Program" of your "Radiation Protection Program," attached to your application dated March 17, 1977, requires that any person whose job requires admittance to the restricted area complete your training program for laboratory personnel.

Contrary to this requirement, on August 2, 1979, truck drivers who entered your restricted area to pick up and deliver packages had not received the required instruction.

This an infraction. (Civil Penalty—$500).

3. Item B–2 of your "Radiation Safety Manual" attached to your application dated

March 17, 1977, requires that personnel monitoring equipment (TLD badge plus one dosimeter) shall be worn by all authorized personnel entering the restricted area.

Contrary to this requirement, on August 2, 1979, truck drivers who entered your restricted areas had not received the required personnel monitoring equipment.

This is an infraction. (Civil Penalty—$500).

Evaluation of Licensee Response

E.1. The licensee admits this item, but argues the presence of NRC inspectors contributed to the noncompliance. Routine, unannounced inspections are standard procedure to ensure licensee compliance. A licensee consents to reasonable inspections by accepting his license. A licensee is expected to follow basic radiation safety practices whether or not there are NRC inspectors present.

E.2. The licensee denies this item based on the employee drivers' previous training and experience gained while working for other companies in this industry. Previous experience or training by other companies does not suffice to assure that the individuals are knowledgeable about the licensee's radiation safety requirements, procedures, or facility.

E.3. The licensee denies this item on the basis that item B–2. of the Radiation Safety Manual only refers to employees and that a badged escort is sufficient. Item B–2. refers to all "authorized personnel," not just employees. Escorted visitors are authorized personnel and are required to wear personnel monitoring equipment.

Conclusion

The item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action. Item E.1 is similar to an item cited in inspection 76–01. In both instances, required protective clothing was not worn.

Statement of Noncompliance

F. Condition 14 of License No. 29–13985–04MD requires that licensed material be used in accordance with the statements, representations, and procedures contained in your application dated May 27, 1977, and in letters dated July 19, 1977 and August 10, 1977.

1. Item 2.a of the supplement of your application dated May 27, 1977, requires that you check each batch of generator eluate for molybdenum-99 breakthrough and alumina content.

Contrary to this requirement, on August 2, 1979, you failed to check each batch of generator eluate for molybdenum content.

This is an infraction. (Civil Penalty—$500).

2. Item 2.c of this supplement requires that your dose calibrator be checked daily using cesium-137 and cobalt-57 standards as specified in Appendix E, item c of your application dated March 17, 1977.

Contrary to this requirement, you had failed to check your dose calibrator with cesium-137 and colbalt-57 standards during the period July 26, to August 2, 1979.

This is an infraction. (Civil Penalty—$500).

Evaluation of Licensee Response

F.1. The licensee denies this item on the basis that each batch of generator eluate was checked for molybdenum-99 breakthrough and alumina content. This item is unresolved and the records of August 2, 1979, showing the checks of each batch will be reviewed during the next inspection.

F.2. The licensee admits this item but argues that his checks on Monday, Wednesday and Friday were sufficient. He states that an overwhelming body of data supports the reproducibility of his checks on the Monday through Friday performance. In a facility of this sort, with numerous patient doses prepared each day, a daily check is essential. This view is supported by the American National Standards Institute standard N42, 13–1978, which requires a calibration check on each work shift during which the instrument is used.

Conclusion

F.1. The licensee's response, if verified, forms a basis for remitting the civil penalty. Accordingly, this item is withdrawn pending a future inspection.

F.2. This item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action.

Statement of Noncompliance

G. Condition 14 of License No. 29–13985–04MD requires that licensed material be used in accordance with the statements, representations, and procedures contained in your application dated May 27, 1977, and in letters dated July 19, 1977, and August 10, 1977.

Item 3.b of the supplement to your application dated May 27, 1977, requires that you distribute radiopharmaceuticals in compliance with all applicable federal and state regulations. Item 1 of your letter dated July 19, 1977, assigns to your Radiopharmacy responsibility to assure that reports from the customer are submitted to the sponsor.

Contrary to this requirement, as of August 3, 1979, you failed to obtain the reports required by the United States Food and Drug Administration under your Notice of Claimed Investigational Exemption of a New Drug (IND) from your customers who received technetium-99m as pertechnetate eluted from your technetium-99m generating system, the "Union Carbide Master Milker."

This is an infraction. (Civil Penalty—$500).

Evaluation of Licensee Response

G. The licensee denies this item on the basis that patient reports are not required for drugs dispensed under prescription and whose monographs appear in the United States Pharmacopoeia (U.S.P.). It has been the FDA's consistent position that all radioactive drugs are new drugs and must be dispensed under an IND or New Drug Application. There is nothing in FDA regulations that suggests a USP monograph exempts a holder of an IND from the duty of obtaining patient reports, whether the drug is dispensed under prescription or not.

Conclusion

The item as stated is an item of noncompliance. The information presented by the licensee does not provide a basis for modification of this enforcement action.

Dates of Inspection

76–01 March 19, 1976.
76–02 December 29, 1976 and January 2, 1977.
77–01 April 28–29, 1977.
77–02 October 28, 1977.
78–01 May 25, 1978.
78–02 August 8, 1978.

[FR Doc. 80–16276 Filed 5–28–80; 8:45 am]
BILLING CODE 7590–01–M

Draft Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a new guide planned for its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft guide, temporarily identified by its task number, OH 902–1 (which should be mentioned in all correspondence concerning this draft guide), is entitled "Instruction Concerning Risk from Occupational Radiation Exposure" and is intended for Division 8, "Occupational Health." This guide is being developed to describe the instruction that should be provided workers subject to occupational exposure to radiation concerning the biological risks of such exposure.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Comments on both drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by July 21, 1980.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1)

items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 20th day of May 1980.

For the Nuclear Regulatory Commission.

Karl R. Goller,

Director, Division of Siting, Health and Safeguards Standards, Office of Standards Development.

[FR Doc. 80-16272 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-250 and 50-251]

Florida Power and Light Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 57 to Facility Operating License No. DPR-31, and Amendment No. 50 to Facility Operating License No. DPR-41 issued to Florida Power and Light Company (the licensee), which revised Technical Specifications for operation of Turkey Point Nuclear Generating, Unit Nos. 3 and 4 (the facilities) located in Dade County, Florida. The amendments are effective as of the date of issuance.

The amendments incorporate the results of a revised ECCS analysis for a steam generator tube plugging level of 25%.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated April 29, 1980, (2) Amendment Nos. 57 and 50 to License Nos. DPR-31 and DPR-41, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida 33199. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 15th day of May, 1980.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch #1, Division of Licensing.

[FR Doc. 80-16273 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-316]

Indiana and Michigan Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-74 issued to Indiana and Michigan Electric Company (the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit No. 2 (the facility) located in Berrien County, Michigan. The amendment is effective as of the date of issuance.

The amendment revises the maximum T_{avg} at Rated Thermal Power used for the overtemperature and overpower delta T trips and departure from nucleate boiling (DNB) limits. The amendment also deletes license conditions which required modifications for leak testing certain containment isolation valves and installation of qualified 600 volt containment power penetration circuits. These modifications and installations have been completed.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

For further details with respect to this action, see (1) the application for amendment dated November 2, 1979 as supplemented December 11, 1979 and March 18, 1980, (2) Amendment No. 19 to License No. DPR-74, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 13th day of May, 1980.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 80-16273 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-298]

Nebraska Public Power District; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 62 to Facility Operating License No. DPR-46, issued to Nebraska Public Power District, which revised the Technical Specifications for operation of the Cooper Nuclear Station, located in Nemaha County, Nebraska. The amendment is effective as of its date of issuance.

The amendment changes the Technical Specifications to (1) include prepressurized 8 x 8 retrofit fuel and revise Technical Specification limits of operation to accommodate operation with the fifth core reload, (2) revise limiting conditions of operation to accommodate modifications in conjunction with the Mark I Long-Term Program, (3) delete certain surveillance requirements for the diesel generators which are not necessary now that system design has been verified, and (4) incorporate certain administrative improvements.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated February 8, 1980, March 17, 1980, as revised April 18, 1980; February 26, 1980; and October 9, 1978, (2) Amendment No. 62 to License No. DPR-46, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland this 20th day of May, 1980.

For the Nuclear Regulatory Commission.

Thomas A. Ippolito,

Chief, Operating Reactors Branch #2, Division of Licensing.

[FR Doc. 80-16278 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued a revision to a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 5.14, Revision 1, "Use of Observation (Visual Surveillance) Techniques in Material Access Areas," describes measures the NRC staff considers acceptable for implementing the requirements of surveillance or observation within material access areas to ensure safeguarding of strategic special nuclear material. This guide was revised as a result of public comment and additional staff review.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Docketing and Service Branch.

Regulatory guided are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of active guides may be purchased at the current Government Printing Office price. A subscription service for future guides in specific divisions is available through the Government Printing Office. Information on the subscription service and current prices may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Publications Sales Manager.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 19th day of May 1980.

For the Nuclear Regulatory Commission.

Robert B. Minogue,

Director, Office of Standards Development.

[FR Doc. 80-16270 Filed 5-28-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-206]

Southern California Edison Co. and San Diego Gas & Electric Co.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 47 to Provisional Operating License No. DPR-13, issued to Southern California Edison Company and San Diego Gas and Electric Company (the licensees), which revised the Appendix B (Environmental) Technical Specifications for operation of the San Onofre Nuclear Generating Station Unit No. 1 (the facility) located in San Diego County, California. The amendment is effective as of its date of issuance.

The amendment deletes subsection 3.1.2.a(1)C.2, "Settling Plates", from the Appendix B Technical Specifications.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 7, 1979, and (2) Amendment No. 47 to License No. DPR-13, including the Commission's transmittal letter. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Mission Viejo Branch Library, 24851 Chrisanta Drive, Mission Viejo, California. A single copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 15th day of May 1980.

For the Nuclear Regulatory Commission.
Dennis M Crutchfield,
Chief, Operating Reactors Branch #5, Division of Licensing.
[FR Doc. 80-16271 Filed 5-28-80; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-281]

Virginia Electric & Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 58 to Facility Operating License No. DPR-37 issued to Virginia Electric and Power Company, which revised Technical Specifications for operation of the Surry Power Station, Unit No. 2 (the facility) located in Surry County, Virginia. The amendment is effective as of the date of issuance.

This amendment revises the Technical Specifications to change the heat flux hot channel factor (F_Q) to 2.19 based on a LOCA-ECCS analysis with a steam generator tube plugging limit of 3%.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since it does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 31, 1979, as supplemented October 16 and 25, 1979, and January 11 and February 20, 1980, (2) Amendment No. 58 to License No. DPR-37, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and the Swem Library, College of William and Mary, Williamsbug, Virginia. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md. this 16th day of May 1980.

For the Nuclear Regulatory Commission.
A. Schwencer,
Chief, Operating Reactors Branch #1, Division of Operating Reactors.
[FR Doc. 80-16274 Filed 5-28-80; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-338]

Virginia Electric and Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. NPF-4 issued to the Virginia Electric and Power Company (the licensee) for operation of the North Anna Power Station, Unit No. 1 (the facility) located in Louisa County, Virginia.

The amendment incorporates changes in the Administrative Control Section of the Technical Specifications to reflect the licensee's management reorganization of April 1, 1980. The reorganization divides the fossil and nuclear organizations into separate groups, each with its own operations and technical staff.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action see (1) the application for amendment dated March 27, 1980; (2) Amendment No. 17 to Facility Operating License No. NPF-4; and (3) the Commission's related Safety Evaluation. These items are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C. 20555 and at the Board of Supervisor's Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22901. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 19th day of May, 1980.

For the Nuclear Regulatory Commission.
Robert A Clark,
Chief, Operating Reactors Branch #3, Division of Licensing.
[FR Doc. 80-16277 Filed 5-28-80; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Trade Policy Staff Committee; Generalized System of Preferences (GSP): Notice of Deadline of Petitions Requesting Modifications of the List of Articles Eligible for Duty-Free Treatment Under the GSP

Notice is hereby given that, in order to be considered in the GSP, petitions for modification of the list of articles eligible for duty-free treatment under the GSP must be received no later than the close of business on Tuesday, July 15, 1980. The GSP provides for the duty-free importation of qualifying eligible articles when imported from designated beneficiary developing countries. The GSP was established by Title V of the Trade Act of 1974 and implemented by Executive Order 11888.

Requests should be submitted in English, in 20 copies, in conformance with regulations codified in 15 CFR Chapter XX, especially Part 2007 (published in the September 9, 1977 Federal Register, 42 FR 45532), and addressed to the Chairman, GSP Subcommittee, Trade Policy Staff Committee, Office of the United States Trade Representative, Room 711, 1800 G Street, N.W., Washington, D.C. 20506. Further information can be obtained from Tim Bennett, Executive Director, GSP Subcommittee, telephone 202-395-6971.

As part of this review a special effort will be made to include on the GSP list products of special export interest to low income beneficiaries, including handicraft items. In addition, to provide increaded opportunities for less developed, less competitive countries limitations on GSP benefits will be considered for the more developed beneficiary developing countries in specific products where they have demonstrated competitiveness. Such limitations will also be considered when new products are added to the GSP eligible list. The development level of

individual beneficiaries, their competitive position in the product concerned and the overall economic interests of the United States will be taken into account when any such action is considered. Any such modifications may be requested by interested parties, subject to the above mentioned requirements. For additional information on this point, reference should be made to the Report to the Congress on First Five Years' Operation of the U.S. Generalized System of Preferences (GSP), Transmitted by the President of the United States on April 17, 1980, for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The Notice of petitions accepted for review will be published in the Federal Register on or about Friday, August 8, 1980. Public hearings on accepted petitions will begin at 10:00 a.m., Monday, September 29th in Room 2008 of the New Executive Office Building (entrance on 17th Street between Pennsylvania Avenue and H Street, N.W.), Washington, D.C., and will continue on that and subsequent days until all witnesses wishing to appear have been heard. The hearings of Friday, October 3 will be held in Room 2010 in the New Executice Office Building.

Ann Hughes,

Chairman, Trade Policy Staff Committee.

[FR Doc. 80-16259 Filed 5-28-80; 8:45 am]

BILLING CODE 3190-01-M

SECURITIES AND EXCHANGE COMMISSION

Tishman Liquidating Corp.; Application and Opportunity for Hearing

[File No. 81-613]

May 22, 1980.

Notice is hereby given that Tishman Liquidating Corporation ("Applicant"), has filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934 (the "1934 Act"), for an order granting Applicant an exemption from Sections 13 and 15(d) of the 1934 Act.

The Applicant states, in part:

On November 7, 1977, the Applicant's shareholders approved a plan of complete liquidation and dissolution. As a result, the only asset remaining is a reserve fund for liabilities. There is no longer any market for the Applicant's securities.

For a more detailed statement of the information presented, all persons are referred to the application which is on file in the offices of the Commission at 1100 L Street, N.W., Washington, D.C. 20549.

Notice is further given that any interested person not later than June 16, 1980, may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, N.W., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16357 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[File No. 81-621]

Wagner Electric Corp.; Application and Opportunity for Hearing

May 22, 1980.

Notice is hereby given that Wagner Electric Corporation ("Applicant") has filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), for an order exempting Applicant from the provisions of Sections 13 and 15(d) of the 1934 Act.

The Application states, in part:

1. In October 1979, by virtue of a corporate merger, the Applicant became an indirect wholly owned subsidiary of McGraw-Edison Company ("McGraw-Edison").

2. The Applicant is the issuer of $12,000,000 principal amount of 6⅞% Subordinated Debentures Due 1977–1986.

3. The 6⅞% Debentures are unconditionally guaranteed by McGraw-Edison.

4. McGraw-Edison is subject to the reporting requirements of Section 13 of the 1934 Act.

5. The Applicant's financial statements will be consolidated into the financial statements of McGraw-Edison.

In the absence of an exemption, Applicant is required to file annual and periodic reports with the Commission pursuant to Sections 13 and 15(d) of the 1934 Act.

Applicant contends that the exemptive order requested is appropriate in view of the facts that since the debentures are fully guaranteed by McGraw-Edison Company, it is the reports of that Company in which investors will be primarily interested; and that the time, effort, and expense involved in preparation of the reports would be disproportionate to any benefit to the public.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 1100 L Street, N.W., Washington, D.C. 20549.

Notice is further given that any interested person not later than June 16, 1980 may submit to the Commission in writing his views on any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegate authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16358 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-0-M

Midwest Stock Exchange, Inc.; For Unlisted Trading Privileges in Certain Securities; Application for Unlisted Trading Privileges and of Opportunity for Hearing

May 22, 1980.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Dome Petroleum, Ltd. Common Stock, $2.50 Par Value (File No. 5543).

This security is listed and registered on one or more other national securities exchanges.

Interested persons are invited to submit on or before June 13, 1980 written data, views and arguments concerning the above-referenced application.

Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16359 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 34-16825; File No. SR-NSCC-80-16]

Self-Regulatory Organizations; Proposed Rule Change By National Securities Clearing Corporation

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b)(1), as amended by Pub. L. 94-29, 16 (June 4, 1975), notice is hereby given that on May 21, 1980 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change.

Amend National Securities Clearing Corporation SCC Division ("NSCC") Rule 7 by adding a new Section 4 thereto as follows:

OTC trade data submitted by members which is uncompared may be resubmitted to the Corporation through the Demand As Of Service. A Member may submit to the Corporation a Demand As Of in the form and manner and at such time as prescribed by the procedures. A Demand As Of which matches another Demand As Of or a Regular As Of shall enter the settlement process in the same manner as a compared As Of trade. A Demand As of which does not match another Demand As Of or a Regular As Of shall generate a Demand Advisory. Members who receive a Demand Advisory must accept or reject the trade in the form and manner and at such time as prescribed by the procedures. A property submitted rejection must indicate the reason(s) for the rejection and will constitute a release of the orginating Member from any further liability to complete the transaction. Accepted trades will enter the Balance Order Accounting Operation or the CNS Accounting Operation in the same manner as Stamped Advisories. A properly submitted Demand As Of which is properly rejected will be dropped from the comparison system. Failure on the part of the Member to accept or reject the Demand Advisory shall automatically generate a compared trade in the comparison system which trade shall be entered into the Balance Order Accounting Operation or the CNS Accounting Operation for settlement and shall be subject to all rules and procedures pertaining to the Balance Order or CNS Accounting Operation.

Amend NSCC Procedures, Roman Numberal II, Section C, by adding a new item No. 7 to the end thereto as follows:

The Corporation also provides a comparison service for aged uncompared OTC trades through use of the Demand As OF service. Members may submit trade data on a Demand As Of form if an advisory from a T+1 or As Of trade has gone unanswered. Trade data shall include the same information as supplied for T+1 trade input.

A Demand As Of which matches another Demand As Of or a Regular As Of as well as Accepted Demand Advisories shall enter the Balance Order Accounting System or the CNS Accounting System. If a Demand As Of does not match another Demand As Of or a Regular As Of, the Corporation shall generate a Demand Advisory. A Demand Advisory must be accepted or rejected prior to the cut-off time specified by the Corporation by marking the appropriate box and, in the case of a rejection, indicating the reason(s) for the rejection. A properly submitted rejection will constitute a release of the originating Member from any further liability to complete the transaction. A copy of the returned Demand Advisory will be sent by the Corporation to the originating Member. A properly submitted Demand As Of which is properly rejected will be dropped from the comparison system.

Demand Advisories which are not returned to the Corporation prior to the time specified by the Corporation will result in the Corporation automatically entering a compared trade into the comparison system.

At any time prior to the cut-off time for acceptance or rejection of the Demand Advisory, the originating Member may correct an erroneously entered Demand As Of by submitting a deletion form to the Corporation.

Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change is as follows:

At the present time, the only way to obtain release from liability on unresolved OTC transactions prior to the close out of these transactions is by use of the NASD Form 101. The procedure necessary for use of the form is both time consuming and labor intensive. The proposed rule change will provide a more timely and efficient alternative. The proposed rule change will facilitate the prompt and accurate clearance and settlement of securities transactions by means of an additional comparison opportunity.

No comments on the proposed rule change have been solicited or received. NSCC does not perceive that the proposed rule change would constitute a burden on competition.

On or before July 3, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before June 19, 1980.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

May 22, 1980.

[FR Doc. 80-16360 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 34-16832; File No. SR-MSE-80-7]

Self-Regulatory Organizations; Proposed Rule Change by Midwest Stock Exchange, Incorporated

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. 94-29, 16 (June 4, 1975), notice is hereby given that on May 9, 1980, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

The Exchange's Statement of the Terms of Substance of the Proposed Rule Change

The amendments to Article IV, Rules 3 and 5 would require that a member who

wishes to appeal a summary fine to the Committee on Floor Procedure of either the Equity or Options Floor, must file a request specifically stating the action complained of, the specific exceptions taken and the relief sought. Any action not specifically appealed would be considered an admission to the charge and an acceptance of the sanction imposed.

The amendments to Article XII, Rules 2(a) and 3 require that a member's appeal from the summary action of the Chairman of the Committee or one of the Committees on Floor Procedure for an infraction of exchange constitution or rules, or for improper conduct, must specifically admit or deny each charge, state exceptions taken and relief sought. Any change not specifically denied will constitute an admission of that charge. In a trial proceeding any charge not admitted or denied in a written statement will be deemed an adminission, pursuant to Rule 5(a).

The imposition of a penalty upon review by the Judiciary Committee or the Board of Governors may be affirmed, reversed or modified. Modifications may include an increase or decrease of the penalty imposed, pursuant to Rule 6(a), (b) and (c).

The Exchange's Statement of Basis and Purpose of Proposed Rule Change

The proposed amendments to Article IV and Article XII, regarding disciplinary proceedings, are fair to the membership and will provide a more effective means for the Midwest Stock Exchange, Incorporated to enforce the Rules of the Exchange.

The Midwest Stock Exchange, Incorporated has neither solicited nor received any comments on the Proposed Rule Change. The Midwest Stock Exchange, Incorporated believes that no burdens have been placed on competition.

On or before July 3, 1980, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) by order approve such proposed rule change, or

(b) institute proceedings to determine whethe the proposed rule change should be disapproved. Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of all such filings with respect to the foregoing and of all written submissions will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before June 19, 1980.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

May 22, 1980.

[FR Doc. 80-16361 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 11182; 812-4636]

Neuberger & Berman Management Inc.; and Neuberger & Berman; Filing of Application Pursuant to Section 6(c) of the Act for Order Exempting Applicants From Section 15(a) of the Act

Notice is hereby given that Neuberger & Berman Management Incorporated ("Management"), a New York corporation, and Neuberger & Berman ("N&B"), 522 Fifth Avenue, New York, New York 10036, a New York limited partnership (Management and N&B are hereinafter referred to collectively as "Applicants"), filed an application on March 21, 1980, for an order pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") exempting Applicants from the provisions of Section 15(a) of the Act to the extent that certain transactions in the shares of Management might result in (1) the termination of the investment advisory contracts between Management and the investment companies it advises ("Investment Companies"), and (2) the termination of sub-advisory contracts between Management and N&B for the benefit of the Investment Companies (the investment advisory contracts and sub-advisory contracts are hereinafter referred to collectively as "Advisory Contracts"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicants are both investment advisers registered under the Investment Advisers Act of 1940. Management and N&B serve as investment adviser and sub-adviser, respectively, to the following Investment Companies: Guardian Mutual Fund, Inc., Energy Fund Incorporated, The Partners Fund, Inc., Schuster Fund, Inc., Fundex, Inc., Hemisphere Fund, Inc. ("Hemisphere"), and CL Assets, Inc. ("CL Assets"). All of the Investment Companies are registered under the Act as diversified, open-end, management investment companies except Hemisphere and CL Assets are registered under the Act as diversified, closed-end, management investment companies.

Applicants state that in January 1975, as a result of a restructuring of the stock ownership of Management: (1) N&B, through a wholly owned subsidiary, held approximately 52% of Management's outstanding common stock; (2) Mr. Bernard Stein ("Mr. Stein"), a general partner of N&B, held approximately 19% of Management's common stock; and (3) Mr. Donald C. Samuel ("Mr. Samuel"), also a general partner of N&B, held approximately 29% of Management's common stock. At the time of the restructuring, the shareholders of the Investment Companies voted on and approved the Advisory Contracts between Management and the Investment Companies.

According to the application, an agreement among the three shareholders of Management provided that upon Mr. Samuel's death his shares of Management would convert from voting shares into non-voting shares. Thus, upon Mr. Samuels death on February 20, 1980, N&B's, percentage ownership of Management's voting stock increased to approximately 73% and Mr. Stein's percentage ownership of Management's voting stock increased to approximately 27%. Applicants state that Mr. Stein intends to convert his voting shares of Management to non-voting shares and that such action would further increase N&B's ownership of Management's voting stock to 100%. Mr. Stein and Mr. Samuel's estate each plan to sell their stock of Management either to Management or to N&B.

Section 15(a) of the Act provides, in part, that it shall be unlawful for any person to serve or to act as an investment adviser of a registered investment company except pursuant to a written contract which has been approved by a vote of a majority of the outstanding voting securities of such registered investment company, and unless such contract provides for its automatic termination in the event of its assignment. Section 2(a)(4) of the Act defines "assignment" to include any direct or indirect transfer of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor but does not include an assignment of partnership interests incidental to the death or withdrawal of a minority of the

members of the partnership having only a minority interest in the partnership business. Section 2(a)(9) of the Act defines "control" to mean the power to exercise a controlling influence over the management or policies of a company, unless such power is solely the result of an official position with such company, and creates a presumption that any person who owns beneficially more than 25% of the voting securities of a company controls that company.

Applicants assert that the conversion into non-voting interests of Mr. Samuel's and Mr. Stein's voting interests in Management, and the contemplated sale of such stock to N&B or Management, has not and will not result in assignments of the Advisory Contracts. However, Applicants note that because Mr. Samuel held approximately 29% of the voting stock of Management and because Mr. Stein's ownership of the voting stock of Management increased to approximately 27% upon Mr. Samuel's death, the transaction described above could be deemed to result in the transfer of controlling interests in Management and thereby constitute assignments under Section 2(a)(4) of the Act.

Applicants assert that the usual presumption of control created by Section 2(a)(9) of the Act is, in this case, rebutted by N&B's continued ownership of a majority of the voting stock of Management and that, therefore, no assignment of a controlling block of voting stock occurred or will occur as a result of the transactions described above. In support of this position, Applicants state that: (1) N&B continues to exert actual control of Management; (2) the transactions arising in this case in a corporate context are analogous to the types of partnership transactions excluded from the definition of "assignment" by Section 2(a)(4) of the Act; (3) no significant changes with regard to officers, directors, portfolio managers or employees have occurred other than changes that have occurred directly from the need to fill positions previously held by Mr. Samuel; and (4) subsequent to Mr. Samuel's death, the Board of Directors of each of the Investment Companies confirmed the continuance of the Advisory Contracts. The Boards of Directors also approved new provisional contracts on identical terms to be submitted to shareholders of the Investment Companies in the event that the requested exemptive order is not granted.

Applicants state that although the uncertainty created by the above transactions could be removed by conducting special shareholder meetings of each of the Investment Companies to vote on new advisory contracts, the costs and expenses of such meetings would be burdensome to the Investment Companies. Applicants further state that they are unable to rely upon Rule 2a-6 under the Act with respect to the transaction. Rule 2a-6 provides, in part, that a transaction which does not result in a change of actual control or management of the investment adviser to an investment company is deemed not to be an assignment for purposes of Section 15(a) of the Act. Because Mr. Samuel was active in the management of the Investment Companies' investment adviser, Applicants believe that it might be argued that a change of actual management of the investment adviser has occurred. Although to the extent that an assignment has occurred Rule 15a-4 under the Act would provide a temporary exemption of 120 days from the requirement that new investment advisory contracts be approved by shareholders. Applicants state that they have applied for an exemption to obviate the need for special meetings of shareholders of the Investment Companies.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision of the Act or of any rule thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants assert that the granting of the requested exemption from the provisions of Section 15(a) of the Act would be consistent with Section 6(c) of the Act because, in their view, there has been no actual assignment of the Advisory Contracts, and because the granting of an exemptive order would avoid incurring the expenses inherent in treating the Advisory Contracts as terminated and securing shareholder approval of new advisory contracts.

Notice is further given that any interested person may, not later than June 17, 1980, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing theron. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and order issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16362 Filed 5-28-80; 8:45 am]
BILLING CODE 8010-01-M

[Rel. No. 21589, 70-6151]

General Public Utilities Corp.; GPU Service Corp.; Proposed Issuance and Sale of Long-Term, Secured Note

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and its service company subsidiary, GPU Service Corporation ("Service Company"), 100 Interpace Parkway, Parsippany, New Jersey 07054 have filed with the Commission a post-effective amendment to its declaration in this proceeding pursuant to Sections 6(a), 7, and 12(b) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 45 thereunder regarding the following proposed transactions. All interested persons are referred to the amended declaration, which is summarized below, for a complete statement of the proposed transactions.

By orders dated May 18, 1978 (HCAR No. 20550) and July 31, 1978 (HCAR No. 20652), this Commission authorized (a) Service Company to issue its unsecured promissory notes maturing on December 31, 1979, evidencing borrowings of up to $13,000,000 from Hartford National Bank and Trust Company ("Hartford") and Citibank, N.A., and (b) GPU to guarantee the payment of principal and interest on such borrowings. Such promissory notes were to bear interest of 105% of the banks' prime rate for commercial borrowings in effect from time to time. The proceeds from such

borrowings were to be used to finance the construction and partial equipping of a 125,000 sq. ft. headquarters office building to be constructed by Service Company on a 25 acre site in Parsippany, New Jersey, or to reimburse Service Company's treasury for funds previously expended therefrom for such purposes. By order dated June 5, 1979 (HCAR No. 21082), the Commission authorized Service Company further to secure such borrowings by granting Hartford a first mortgage on the 25 acre site and office building.

Thereafter, and pending the making by GPU and Service Company of more permanent financing arrangements for the building, by order dated December 31, 1979 (HCAR No. 21372), the Commission (a) extended the time during which Service Company could issue, and GPU could guarantee, notes evidencing borrowings from Hartford and Citibank, as well as the maturity date of such notes, to December 31, 1980, and (b) permitted such notes to bear interest at 108% of the prime rate, in effect from time to time.

GPU and Service Company have conducted discussions with Teachers Insurance and Annuity Association of America ("TIAA"), regarding permanent mortgage financing for Service Company's headquarters office building and the related real estate. As a result of these discussions, GPU and Service Company now propose that Service Company issue and sell to TIAA Service Company's first mortgate note due 2005 in the principal amount of up to $15,500,000 ("Note"). The Note would bear interest at 13.25% per annum and would be secured by a first mortgage lien on the headquarters office building, land, and improvements. In addition, GPU propose unconditionally to guarantee Service Company's payment of principal and interest on the Note.

The Note will provide for level monthly payments of principal and interest designed to retire the Note at maturity. In addition, the Note would be redeemable beginning in 1987 at specified redemption prices; provided that prior to 10 years following the date of issuance, the Note could not be redeemed by Service Company from certain indebtedness or preferred stock, including indebtedness or preferred stock obtained at an interest cost or dividend rate of less than 13.25% per annum.

Service Company will apply $13,000,000 of the proceeds of the sale of the Note to repay all its outstanding indebtedness to Hartford and the balance for general working captial purposes or to repay outstanding indebtedness to GPU. No further short-term notes will be issued pursuant to the authorization in this proceeding.

The fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment. It is stated that no state or federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 19, 1980, request in writing that a hearing be held in respect of such matter, stating the nature of this interest, the reasons for such request, and the issues of fact of law raised by said post-effective amendment to the declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as now amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or adivce as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16363 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 21590; 70-6466]

Colonial Gas Energy System et al; Reduction of Number of Outstanding Shares of Common Stock and Termination of Dividend Waiver; Issuance and Sale of Holding Company Common Stock and Request for Exception From Competitive Bidding; Issuance and Sale of Subsidiary Common Stock to Parent

In the matter of Colonial Gas Energy System, 73 East Merrimack Street, Lowell, Massachusetts 01853; Lowell Gas Company, 95 East Merrimack Street, Lowell, Massachusetts 01853; Cape Cod Gas Company, P.O. Box 1360, Hyannis, Massachusetts 02601.

Notice is hereby given that Colonial Gas Energy System ("Colonial"), a holding company, Lowell Gas Company ("Lowell"), and Cape Cod Gas Company ("Cape Cod"), public utility subsidiaries of Colonial, have filed a declaration designating Sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("Act"), and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration for a complete statement of the proposed transactions.

The declaration deals with a proposed offer to holders of approximately 58½% of the outstanding common stock of Colonial, which are subject to a dividend restriction ("Restricted Stock"), of release from that restriction in consideration of substitution of 4.5 shares of unrestricted stock for each 7 shares of Restricted Stock. Such an offer must be authorized by a vote of at least two-thirds of the holders of the presently unrestricted common shares as well as by a majority of the holders of all outstanding shares of common stock. The shareholders' authorization would terminate one year from the date of shareholder approval. Colonial is seeking authorization from this Commission to solicit approval of the proposed offer or such other offer as may be appropriate from the holders of the unrestricted common shares and to make such offer to the holders of the restricted shares.

In 1975, Colonial had its initial public offering of 495,000 shares of common stock at $12 per share. Prior to that time, all of Colonial's outstanding 709,000 shares of common stock were closely held. In connection with the public issuance of common stock, the six existing shareholders agreed to a restriction through the year 1980 on dividends paid upon their shares. The dividend restriction was extended through calendar year 1988 in connection with a public offering in 1978 of 370,000 shares of $1.80 Cumulative Convertible Preferred Stock of Colonial. Colonial has 1,204,000 shares of common stock outstanding which is presently held by approximately 1600 shareholders.

The dividend restriction, relates to the $.87 a share, in each fiscal year, of common dividends between $.45 a share and $1.32 a share. The Restricted Stock shares on a parity with the other common stock in the first $.45 of common dividends and in dividends

above the $1.32 level. The other common stock receives all common dividends in a fiscal year, exceeding $.45 until it has received $1.32 a share. The effect of the restriction has been to give the unrestricted common shares a preference of about $600,000 a year which permitted payment of $1.32 per share each year to the unrestricted common shares.

There are several limitations on the restrictions. The restricted shareholders reserved the right to sell up to 10% of the restricted shares free of the restriction. Only 5,100 of the shares have been so sold, leaving 703,900 restricted shares, of which 65,800 may be sold.

The restriction is relaxed in any fiscal year in which annual earnings available for common stock exceed the following amounts and $1.32 in dividends has been paid the other shares:

Earnings	Authorized additional dividend
$2,250,000-$2,499,000	$.29
$2,500,000-$2,750,000	$.58
Over $2,750,000	$.87

The restriction expires December 31, 1988.

Upon consummation of the proposed exchange or an exchange on such other terms as are considered appropriate, Colonial will seek to raise approximately $7,000,000 by a public offering of additional common stock. The net proceeds from such sale would be invested in new common stock of Lowell and Cape Cod. Authorization of such transactions is also sought. The terms of such transactions will be supplied by amendment. With respect to the issuance and sale of Colonial's common stock, Colonial requests exception from the competitive bidding requirements of Rule 50(b) pursuant to paragraph (a)(5).

The fees and expenses to be incurred in connection with this proposal will be filed by amendment. No state or federal commission, other than this Commission, has jurisdiction over the proposed exchange. The Massachusetts Department of Public Utilities has jurisdiction over the issuance and sale of common stock to Colonial by Lowell and Cape Cod. No other state or federal commission, other than this Commission, has jurisdiction over the issuance and sale of common stock by the utility subsidiaries.

Notice is further given that any interested person may, not later than June 18, 1980, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants, at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, may order a hearing thereon or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. Colonial shall enclose a copy of this notice with the notice of its annual meeting to be mailed to shareholders.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16364 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 21591; 70-6460]

New England Power Co.; Proposed Charter Amendment to Extend Short-Term Debt Authorization and to Increase Authorized Preferred Stock; Order Authorizing Solicitation of Proxies in Connection Therewith

Notice is hereby given that New England Power Company ("NEP"), 25 Research Drive, Westborough, Massachusetts 01581, a subsidiary of New England Electric System ("NEES"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a), 7(e), and 12(e) of the Act and Rules 62 and 65 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

The terms of the Cumulative Preferred Stock as set forth in the Articles of Organization and By-Laws provide that, except as voted by the holders of such stock, the short-term unsecured indebtedness of NEP shall not exceed 10% of the sum of the principal amount of all bonds and other secured indebtedness and the capital, premium and surplus of NEP (the "capitalization"), and that all unsecured indebtedness of NEP shall not exceed 20% of such sum. By votes in 1970, 1973, 1975 and 1976 pursuant to Commission approval (HCAR Nos. 16653, 17853, 19095 and 19595), preferred stockholders authorized the issue by NEP of short-term unsecured indebtedness in excess of the 10% limitation, provided that all unsecured indebtedness would not exceed 20% of the capitalization of NEP and that such short-term indebtedness would be issued within limited periods after said votes. The current authority expires July 1, 1980.

In the instant filing, NEP proposes to submit two Board of Director's proposals to its stockholders at a special meeting in lieu of the annual meeting to be held June 25, 1980. The first proposal is to obtain authority from stockholders for the continued issue by NEP of short-term unsecured indebtedness in excess of the 10% limitation provided (i) such indebtedness shall be issued not later than July 31, 1985, (ii) such indebtedness shall have a maturity not later than July 31, 1986, and (iii) the 20% limitation on all unsecured indebtedness of NEP shall remain in effect. This proposal requires the favorable vote, at a meeting called for that purpose, of a majority of the Cumulative Preferred stockholders. On April 30, 1980, NEP had $27,800,000 of short-term debt outstanding, NEP estimates that short-term debt requirements during 1980 will reach a maximum of about $141,000,000, which amount may be reduced by permanent financing.

The second proposal seeks to amend the Articles of Organization and By-Laws to increase from $150,000,000 to $250,000,000 the aggregate outstanding par value of cumulative preferred stock that may be issued without a vote of two thirds of the total number of shares of said stock then outstanding. This amendment will require the affirmative vote of at least two thirds of the Cumulative Preferred Stock, the 6% Cumulative Preferred Stock and Common Stock, each voting as one class.

NEP proposes to solicit proxies from its shareholders, through the use of proposed soliciting material, to obtain the required approval for the proposed

amendments. Proceeds from the issuance of short-term debt and preferred stock will be used for planned construction projects, cash sinking fund requirements and payment of maturing bonds. NEP's 1980–1984 construction program is expected to cost approximately $1,018,000,000, including allowance for funds used during construction. Included in the construction program are $948,000,000 for generation facilities, $66,000,000 for transmission lines and substations, and $4,000,000 for other facilities. In addition, NEP will have $132,000,000 of maturing bonds and $6,250,000 of cash sinking fund requirements between now and July 1985.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at $12,525, including $5,000 in printing fees and $4,000 of services to be performed at cost by New England Power Service Company, an affiliate of NEP. It is stated that no state or federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than June 17, 1980, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It appearing to the Commission that the declaration, insofar as it proposes the solicitation of proxies from NEP's stockholders, should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered that the declaration, regarding the proposed solicitation of proxies of NEP's stockholders be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16365 Filed 5-28-80; 8:45 am]
BILLING CODE 8010-01-M

[File No. 22-10330]

World Airways, Inc.; Application and Opportunity for Hearing

May 22, 1980.

Notice is hereby given that World Airways, Inc. ("Applicant") has filed an application under clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Commission that the trusteeships of Manufacturers Hanover Trust Company ("Manufacturers Hanover"), under (a) an existing indenture qualified under the Act in 1977 and (b) an existing indenture that is not qualified under the Act, are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers Hanover from acting as trustee under the qualified indenture.

The Application alleges that:

1. A registration statement was declared effective on August 11, 1977, covering $65,000,000 principal amount of 10% Equipment Trust Certificates Due December 15, 1993 (the "1977 Owner Trustee") for benefit of certain independent equity investors (the "1977 Equipment Certificates"). The 1977 Equipment Certificates were issued pursuant to an indenture dated August 11, 1977 among Applicant, Manufacturers Hanover as indenture trustee, and a trustee (the "1977 Owner Participants"). The proceeds from the sale of the 1977 Equipment Certificates were used to provide financing for approximately 53.5% of the cost of three aircraft (including engines therefor and related equipment) purchased by the 1977 Owner Trustee and leased to Applicant. The balance of the financing was provided by the 1977 Owner Participants. The principal and interest on the 1977 Equipment Certificates (other than payments in connection with an optional redemption) is payable out of rentals paid by Applicant on the equipment.

2. Applicant has now entered into another financing arrangement under which a trustee (the "1980 Owner Trustee") for the benefit of certain equity investors (the "1980 Owner Participants"), none of whom is affiliated with Manufacturers Hanover or with the 1977 Owner Participants, has acquired one aircraft (including three engines therefor) and leased it to Applicant. $24,702,982.74 in aggregate principal amount of 10.875% Equipment Trust Loan Certificates Due January 1, 1997 (the "1980 Loan Certificates") have been issued to finance approximately 55% of the purchase price of the aircraft, pursuant to an indenture between the Owner Trustee and Manufacturers Hanover, as indenture trustee. The principal and interest on the 1980 Loan Certificates (other than payments in connection with an optional redemption and except with respect to a portion of the first interest payment) will be payable out of rentals paid by Applicant on the related aircraft.

3. The 1977 Equipment Certificates and the 1980 Loan Certificates are secured exclusively under separate indentures by a security interest in separate and distinct property. The respective equipment financed in part through the issuance of the 1977 Equipment Certificates and the 1980 Loan Certificates is beneficially owned by equity investors independent of each other and of Applicant and Manufacturers Hanover. Should Manufacturers Hanover have occasion to proceed against the security under one of the indentures, such action would not affect the security or the use of any security under the other indenture. Since the existence of the trusteeship under one indenture should in no way inhibit, discourage or otherwise influence Manufacturers Hanover's actions under the other indenture, Applicant believes that the indentures are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers Hanover from acting as trustee under either indenture.

The 1977 indenture contains the provisions permitted by the proviso of Section 310(b)(1) of the Act which allow Applicant to make the application under Section 310(b)(1)(ii).

Applicant has waived (a) notice of hearing, (b) hearing on the issues raised by the application, and (c) all rights of specified procedures under the rules of practice of the Commission.

For a more detailed account of the matters of fact and law asserted, all persons are referred to the application, which is a public document on file in the offices of the Commission at the Public Reference Room, 1100 L Street N.W., Washington, D.C. 20549.

Notice is further given that any interested person may, not later than June 16, 1980, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of law or fact raised by such application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the protection of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16366 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 11180, 812-4518]

Nationwide Life Insurance Co.; and Nationwide DC Variable Account; Filing of Application Pursuant to Section 6(c) of the Act for an Order Exempting Proposed Transactions From Sections 2(a)(32), 2(a)(35), 22(c), 26(a)(2)(C), 27(c)(1), 27(c)(2), 27(d) and Rule 22c-1

May 22, 1980.

Notice is hereby given that Nationwide Life Insurance Company ("Nationwide"), a stock life insurance company organized under the laws of the State of Ohio, and Nationwide DC Variable Account ("DCVA"), One Nationwide Plaza, Columbus, OH 43216, a separate account of Nationwide registered under the Investment Company Act of 1940 ("Act") as a unit investment trust (collectively "Applicants"), filed an application on August 14, 1979, and an amendment thereto on May 14, 1980, pursuant to Section 6(c) of the Act, for an order exempting from Sections 2(a)(32), 2(a)(35), 22(c), 26(a)(2)(C), 27(c)(1), 27(c)(2), 27(d) and Rule 22c-1 of the Act, to the extent necessary, a proposed change in the pricing of one of their existing variable annuity contracts. All interested persons are referred to the Application on file with the Commission for a statement of the representations contained therein, which are summarized below.

DCVA, a separate account of Nationwide, was organized as a unit investment trust pursuant to a custodian agreement between Nationwide, as sponsor-depositor, and the Huntington National Bank of Columbus ("Huntington"), as custodian, and registered under the Act. DCVA was established for the purpose of funding Group Flexible Fund Retirement Contracts ("Contracts") issued by Nationwide. Purchase payments under the Contracts are allocated to the DCVA and invested in shares of one or more of five mutual funds which are registered under the Investment Company Act of 1940.

The Contracts are designed for use in connection with supplemental retirement plans for public employees established by their employers. Contracts will be issued to employers who are exempt from taxation to fund plans for which the employee is exempt from tax on purchase payments until income is received. The employer, as owner of the Contract, makes purchase payments representing the income deferrals of all employee-participants who have designated the Contract as a funding index. The Contracts provide for the accumulation of such purchase payments with any accrued earnings until the annuity commencement date requested by a participant, at which time annuity payments begin as directed by the contract owner.

As currently structured, gross purchase payments designated to DCVA are assessed a sales charge which compensates the depositor, Nationwide, for its sales related expenses, prior to allocation of the net purchase payment to the requested series (one of five mutual funds) comprising the DCVA. Presently the sales charge deducted from purchase payments is not more than 5%. On Contracts for which a sales charge of less than 5% is negotiated and assessed, such reduced charge will reflect actual variations in sales expenses, which will usually result from reduced agents' commissions.

Applicants seek this exemption to permit the implementation of a change in the pricing of the Contracts. Applicants propose to eliminate the assessment of sales charges from the gross purchase payments under the Contracts. Instead, the Applicants propose to assess a contingent deferred sales charge, which will be applied in the case of certain withdrawals from contract value by the contract owners or those made on behalf of the participants. The contingent deferred sales charge will be imposed against the withdrawal of contract value representing participant accounts that have been established under the Contract and held in the DCVA for less than sixteen (16) years. No contingent deferred sales charge will be imposed against the withdrawal of contract value representing participant accounts that have been established under the Contract and held in the DCVA for sixteen (16) years or more.

The contingent deferred sales charge will equal not more than 5% of the *lesser of:* (1) the amount surrendered; or (2) all purchase payments received on behalf of the surrendering participant or the withdrawing contract owner prior to the date on which the surrender is requested. The cumulative sum of all such charges, per participant, will never exceed 5% (or such lesser percentage, if applicable) of the total purchase payments made on behalf of such participant during the period of up to sixteen years prior to the date on which the surrender is requested. On Contracts for which a contingent deferred sales charge of less than 5% is negotiated, such reduced charge will reflect actual variations in sales expense, which will usually result from reduced agents' commissions.

No contingent deferred sales charge will be imposed on contract value that is annuitized under any life-contingent payment option or, if the participant's account has been established in the DCVA for five years or more, a period—certain payment option of five or more years.

When a redemption is requested to effect a cash withdrawal, Nationwide would then surrender accumulation units equal in value to the amount of the cash withdrawal requested by the contract owner or on behalf of a participant, plus the applicable contingent deferred sales charge. The requested cash withdrawal would then be remitted to the contract owner or, upon instructions from the owner, to the participant. The contingent deferred sales charge would be retained by Nationwide to reimburse it for the expenses incurred in connection with the sale of the Contracts. These expenses include commissions, promotional costs, sales administration, and similar sales-related expenses.

Other charges which would be assessed by Nationwide under the Contracts include an annual administrative charge of $12 per participant and an asset charge equal, on an annual basis, to 0.95% of the daily net asset value of the assets of the DCVA. The asset charge is composed of a mortality risk premium, equal to approximately 0.35%, an expense risk charge, equal to approximately 0.15%,

and a charge equal to approximately 0.45% for administration of the DCVA. Applicants state that these charges are calculated to reimburse Nationwide for costs related to administration of the DCVA and the Contracts and the assumption of mortality and expense risks.

Applicants submit that the proposed pricing change in the Contracts is consistent with all provisions of the Act and that no exemptive relief is required in order to implement the transaction. However, to avoid any possibility that questions may be raised as to the potential applicability of various definitional and regulatory sections of the Act, Applicants have requested an order of the Commission exempting the proposed transaction, to the extent necessary, from the provisions of the Act detailed below.

Section 2(a)(35)

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested or held for investment by the issuer, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes or administrative expenses or fees which are not properly chargeable to sales or promotional activities. Applicants assert that the proposed contingent deferred sales charge is consistent with the intent of the definition of "sales load" contained in the Act. While eliminating the usual initial sales load deduction from purchase payments, Nationwide would continue to incur expenses related to the sale of the Contracts, including commissions paid to sales personnel and the costs of promotion and sales administration. The contingent deferred sales charge would be retained by Nationwide to reimburse it solely for expenses related to the sale of the Contracts, which Applicants maintain is within the Section 2(a)(35) definition of sales load, but for the timing of the imposition of the charge. Applicants assert that the deferral of the sales charge, and its contingency upon the occurrence of an event which might not occur, does not change the basic nature of this charge, which is in every other respect a sales charge. However, Applicants have requested an exemption from the provisions of Section 2(a)(35), to the extent necessary, to implement their proposed change in the pricing of the Contracts.

Sections 27(c)(2) and 26(a)(2)(C)

Section 27(c)(2) of the Act, in pertinent part, makes it unlawful to sell any periodic payment plan certificate unless the proceeds of all payments on such certificate are deposited with a custodian having the qualifications described in Section 26(a)(1), and are held by such custodian under an agreement containing substantially the provisions required in Sections 26(a) (2) and (3) of the Act. Section 26(a)(2)(C) provides essentially that no payment to the depositor of, or a principal underwriter for, a registered unit investment trust shall be allowed the trustee or the custodian as an expense except a fee, not exceeding such reasonable amount as the Commission may prescribe, as compensation for performing bookkeeping and other administrative duties normally performed by the custodian.

Applicants assert that the proposed contingent deferred sales charge is not the typical kind of expense contemplated by Section 26(a)(2). Applicants submit that Section 26 of the Act was enacted to deal with certain abuses by requiring the trust instrument of a unit investment trust to: (1) designate as trustee or custodian a bank of a specified minimum size; (2) require that all funds and property of the trust be held by a trustee; and (3) provide that the trustee is entitled to reimburse itself out of the trust property for its expenses incurred and fees actually earned. Applicants submit that these requirements were not intended to preclude the depositor of a unit investment trust from taking a sales load. They assert that the contingent deferred sales charge is intended specifically and solely to reimburse Applicants for sales related expenses. Applicants maintain that the deferral of the imposition of this charge, and its contingency upon an event which may never occur, do not change the basic nature of this charge as a sales charge to which Section 26(a)(2)(C) was not intended to apply. Furthermore, Applicants contend that Section 27(c)(2) excepts deductions for sales load from the requirement that the proceeds be deposited with a custodian. Applicants assert that the contingent deferred sales charge is a sales load to which this exception should apply, and that deferring the imposition of the charge and making it contingent upon an event which might never occur should in no way be construed as violative of Section 27(c)(2). However, Applicants have requested an exemption from the provisions of Sections 27(c)(2) and 26(a)(2)(C), to the extent necessary, to implement their proposed change in the pricing of the Contracts.

Applicants have consented that the foregoing requested exemption may be made subject to the following conditions: (1) that the deductions under the Contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe and the Commission may reserve jurisdiction for such purpose; and (2) that the payment of sums and charges out of the assets of the DCVA shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that Applicants consent to this condition shall not be determined to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets, other than the charges for administrative services, and Applicants reserve the right in any proceeding before the Commission, or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

Sections 2(a)(32) and 27(d)

Section 2(a)(32) of the Act, in pertinent part, defines "redeemable security" as any security under the terms of which the holder, upon its presentation to the issuer, is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Section 27(d) of the Act, in pertinent part, requires that the holder of a periodic payment plan certificate be able to surrender the certificate under certain circumstances with the recovery of certain initial sales charges. Applicants submit that the imposition of the contingent deferred sales charge does not violate Section 2(a)(32) or Section 27(d). Applicants assert that Sections 2(a)(32) and 27(d) both contemplate the assessment of an initial sales load. However, Applicants assert that, with a contingent deferred sales charge, the entire purchase payment is invested. Thus, the owner's proportionate share or account value would be the gross purchase payments, plus or minus any increase or decrease in value, less the contingent deferred sales charge. Applicants assert that deferring the imposition of the sales charge in no way restricts the contract owner or participant from receiving his proportionate share or the value of his account on redemption. Rather, Applicants maintain that the contingent deferred sales charge will merely be deducted at the time of redemption in determining that proportionate share, instead of being deducted from purchase payments. Applicants contend that the

contingent deferred sales charge merely defers the timing of the imposition of the sales charge and makes the charge contingent upon an event which might never occur. Applicants submit that this method of assessing sales charges permits the purchaser's net amount invested to be increased, thus providing a benefit to the purchaser. However, Applicants have requested an exemption from the provisions of Sections 2(a)(32) and 27(d), to the extent necessary, to implement their proposed change in the pricing of the Contracts.

Section 27(c)(1)

Section 27(c)(1) of the Act, in pertinent part, makes it unlawful for any registered investment company issuing periodic payment plan certificates, or for an depositor or underwriter of such company, to sell any such certificate unless such certificate is a redeemable security. Applicants submit that the assessment of a contingent deferred sales charge upon certain redemptions, which is fully disclosed in the prospectus, should not be construed as such a restriction on redemption. Applicants assert that the Contracts are still redeemable securities, whether the sales charge is imposed against the purchase payment at the time of purchase, or whether such charge is deferred and made contingent upon an occurrence at a later instant during the contract period. Applicants assert that this is particularly true where the deferral of the contingent deferred sales charge until a redemption is effected has the general effect of increasing the contract value that is available for redemption, as compared with the contract value that would be available for redemption were the sales charge deducted from the purchase payment before investment on behalf of a participant. However, Applicants have requested an exemption from the provisions of Section 27(c)(1), to the extent necessary, to implement their proposed change in the pricing of the Contracts.

Section 22(c) and Rule 22c-1

Rule 22c-1, promulgated under Section 22(c) of the Act, in pertinent part, prohibits a registered investment company issuing a redeemable security from selling, redeeming, or repurchasing any such security except at a price based on the current net asset value of such security. Applicants submit that implementation of the contingent deferred sales charge is in no way violative of Section 22(c) or Rule 22c-1 promulgated thereunder. When a redemption is requested to effect a cash withdrawal, the price on redemption will be based on the current net asset value. The contingent deferred sales charge will merely be deducted at the time of redemption in arriving at the contract owner's or participant's proportionate share or account value. However, Applicants have requested an exemption from the provisions of Section 22(c) and Rule 22c-1 thereunder, to the extent necessary, to implement their proposed change in the pricing of the Contracts.

Section 6(c)

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities or transactions from any provision of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 16, 1980, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following June 16, 1980, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-16367 Filed 5-28-80; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Johnson County, Tex.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Johnson County, Texas.

FOR FURTHER INFORMATION CONTACT: George H. Nelson, P.E., District Engineer, Federal Highway Administration, 826 Federal Building, Austin, Texas 78701, Telephone: (512) 397-5988.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Texas State Department of Highways and Public Transportation (DHT), intends to prepare an environmental impact statement (EIS) on a proposal regarding State Highway 174 in Johnson County. The proposed project is to begin at State Highway 174 approximately 5 miles north of downtown Cleburne and bypass the CBD of Cleburne proper, either to the east or west, to junction again with State Highway 174 approximately 4 miles south of the downtown area. Because of difficulty in predicting availability of funds, the State Department of Highways and Public Transportation has not decided whether to use State or Federal funds to finance construction of this project.

The proposed highway section will have an adequate number of driving lanes to accommodate the anticipated 2000 AD traffic volumes and consideration will be given to possible grade separations with all intersecting county roads and State highways. As a loop around the City, it will serve the local citizens by segregating the short local trips from the local long-distance trips and through trips, the access to and the safety of local housing and businesses in the CBD will be improved.

Several alternates will be considered for this proposed project: 1) an alternate to the east of Cleburne crossing State Highways 67 and 171, FM Highways 110 and 2135 as well as several county roads

and the Atchison, Topeka and Santa Fe Railroad, 2) an alternate to the west of Lake Pat Cleburne crossing the AT&SF Railroad, State Highways 171 and 67 and FM Highways 1192 and 916, junctioning with existing State Highway 174 south of Rio Vista, 3) an alternate to the west of Cleburne and east of Lake Pat Cleburne crossing State Highways 171 and 67, FM Highways 1192 and 1718, 4) a no-build alternate.

There are currently no plans to hold a formal scoping meeting for this proposal. A public meeting will be held during the early stages of project planning. Adequate public notice will be given through news media as to the time and place that the meeting will be held.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued on May 19, 1980.

George H. Nelson, P.E.,

District Engineer, Austin, Tex.

[FR Doc. 80-16130 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-22-M

Materials Transportation Bureau

Applications for Renewal or Modification of Exemptions or Applications To Become a Party to an Exemption

In FR Doc. 80-15108 in the issue of Monday, May 19, 1980, appearing on page 32823, make the following correction:

In the first column, in the "Dates:" line, "June 18, 1980." should be changed to read "June 2, 1980."

BILLING CODE 1505-01-M

Research and Special Programs Administration

Technical Pipeline Safety Standards Committee; Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 1), notice is hereby given of a meeting of the Technical Pipeline Safety Standards Committee on June 17-20, 1980, at 9 a.m. in Room 3442, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

The purpose of the meeting is to discuss the following:

A. Notices of proposed rulemaking:

1. Docket OPSO-46, Notice 5, LNG Facilities; Federal Safety Standards (45 FR 9220, February 11, 1980).

2. Docket PS-65, Notice 1, Incorporation by Reference (45 FR 16226, March 13, 1980).

B. Matters being considered for future rulemaking: Maps and Records, Linemarking at Navigable Waterways, Leak Classifications, and Blasting Near Pipelines.

Attendance is open to the public, but limited to the space available. With approval of the chairman of the Committee, members of the public may present oral statements on any items scheduled for discussion. Due to the limited time available, each person who wants to make an oral statement is requested to notify Toni Reed, Room 8101, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202-426-2392, of the topics to be addressed and the time requested to address each topic. The chairman may deny any request to present an oral statement and may limit the time of any oral presentation. Members of the public may present written statements to the Committee before or after any session of the meeting.

The opportunity for public participation at the meeting is intended to provide information for the Committee to consider in formulating its recommendations to the Materials Transportation Bureau, and not as an extension of the respective times allowed for public participation in the above proceedings.

Dated: May 22, 1980.

Cesar De Leon,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

[FR Doc. 80-16283 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-60-M

Urban Mass Transportation Administration

Intent To Prepare an Environmental Impact Statement for Proposed Downtown People Mover (DPM), Jacksonville, Fla.

Pursuant to the National Environmental Policy Act (83 Stat. 852) and the Council on Environmental Quality's implementing regulations (40 CFR Parts 1500-1508) the Urban Mass Transportation Administration gives notice that an environmental impact statement is being prepared for a proposed downtown people mover (DPM) for Jacksonville, Florida.

The Jacksonville Transportation Authority proposes to construct with Federal capital grant assistance an elevated double guideway DPM utilizing single vehicles operating on two minute headways at 30 mph. The periphery stations are proposed to provide pedestrian access to and serve as transfer facilities for the bus system and have parking spaces for park and ride patrons. The proposed project will use Automated Guideway Transit (AGT) technology to provide circulation trips throughout the central business district and interface with the existing bus system. The alternatives to be studied inlcude alternative DPM alignments, the no build alternative, and an expanded bus service alternative. Scoping meetings for the proposed project are tentatively scheduled for Thursday evening, June 26, 1980 and Friday, June 27, 1980 in Jacksonville, Florida. The Urban Mass Transportation Administration invites the participation of agencies and individuals with expertise or interest to comment on the scope of this environmental impact statement.

Comments and questions regarding the proposed action and the environmental impact statement should be referred to: Joel Widder, Environmental Protection Specialist, Planning and Analysis Division, Urban Mass Transportation Administration, Washington, D.C. 20590, telephone number (202) 472-7100.

Dated: May 20, 1980.

Peter Benjamin,

Acting Associate Administrator for Transit Assistance.

[FR Doc. 80-16313 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-57-M

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1979 Rev., Supp. No. 19]

Surety Companies Acceptable on Federal Bonds

A certificate of authority as an acceptable surety on Federal bonds is hereby issued to the following company under Section 6 to 13 of Title 6 of the United States Code. An underwriting limitation of $477,000 has been established for the company.

Name of Company, Business Address, and State in Which Incorporated

FLORIDA FARM BUREAU MUTUAL INSURANCE COMPANY
P.O. Box 730
Gainesville, Florida 32602
Florida

Certificates of authority expire on June 30 each year, unless renewed prior to that date or sooner revoked. The

certificates are subject to subsequent annual renewal so long as the companies remain qualified (31 CFR, Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Federal bond-approving officers should annotate their reference copies of Treasury Circular 570, 1979 Revision, at page 38091 to reflect this change. Copies of the 1980 Revision, when issued, may be obtained from the Audit Staff, Bureau of Government Financial Operations, Department of the Treasury, Washington, D.C. 20226.

Dated: May 19, 1980.

Gerald Murphy,

Acting Commissioner, Bureau of Government Financial Operations.

[FR Doc. 80-16301 Filed 5-28-80; 8:45 am]

BILLING CODE 4810-35-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 105
Thursday, May 29, 1980

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Friday, June 6, 1980.

PLACE: 2033 K Street NW., Washington, D.C., eighth floor conference room.

STATUS: closed.

MATTERS TO BE CONSIDERED: Surveillance briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-1054-80 Filed 5-27-80; 1:24 pm]

BILLING CODE 6351-01-M

2

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE.

TIME AND DATE: 5 p.m., Wednesday, May 28, 1980. The business of the Committee requires that this meeting be held with less than one week's advance notice to the public and no earlier announcement of the meeting was practicable.

PLACE: Offices of the Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Policy options on rate ceilings and terms for various deposit instruments.

2. Any agenda items carried forward from a previously announced meeting.

Note.—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board of Governors of the Federal Reserve System's Freedom of Information Office, and copies may be ordered for $5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board of Governors of the Federal Reserve System (202) 452-3204.

Dated: May 27, 1980.

Normand R. V. Bernard,

Executive Secretary of the Committee.

[S-1053-80 Filed 5-27-80; 11:28 am]

BILLING CODE 6210-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Change in Time of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that the open meeting of the Corporation's Board of Directors scheduled for 2:00 p.m. on Tuesday, May 27, 1980, will be held instead at 3:00 p.m. that day in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, N.W., Washington, D.C. No earlier notice of the change in the time of the meeting was practicable.

Dated: May 23, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1049-80 Filed 5-27-80; 10:39 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Change in Time of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that the closed meeting of the Corporation's Board of Directors scheduled for 2:30 p.m. on Tuesday, May 27, 1980, will be held instead at 3:30 p.m. that day in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C. No earlier notice of the change in the time of the meeting was practicable.

Dated: May 23, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1050-80 Filed 5-27-80; 10:41 am]

BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, June 2, 1980, to consider the following matters:

Disposition of minutes of previous meetings.

Memorandum and Resolution re: Uniform Guideline on Internal Control for Foreign Exchange Activities in Commercial Banks.

Reports of committees and officers:

Minutes of the actions approved by the Committee on Liquidations, Loans and Purchases of Assets pursuant to authority delegated by the Board of Directors.

Reports of the Director of the Division of Bank Supervision with respect to applications or requests approved by him and the various Regional Directors pursuant to authority delegated by the Board of Directors.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550, 17th Street NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: May 23, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1051-80 Filed 5-27-80; 10:43 am]

BILLING CODE 6714-01-M

6

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C.552b), notice is hereby given that at 2:30 p.m. on Monday, June 2, 1980, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii) and (c)(9)(B) of Title 5, United States Code, to consider the following matters:

Applications for Federal Deposit insurance:

Charter Bank and Trust, a proposed new bank, to be located at 9699 East County Line Road, Unincorporated Arapahoe County (P.O. Englewood), Colorado, for Federal deposit insurance.

People's Bank, a proposed new bank, to be located on the southwest corner of the intersection of Fourth and F Streets, Chula Vista, San Diego County, California, for Federal deposit insurance.

Application for consent to establish a branch:

BayBank Middlesex, Burlington, Massachusetts, for consent to establish a branch at 300 Elliot Street, Ashland, Massachusetts.

Appeal, pursuant to the Freedom of Information Act, from the Corporation's earlier denial of a request for records.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 44,239-SR (Addendum)—American Bank & Trust Company, New York, N.Y.

Memorandum re: Southern National Bank, Birmingham, Ala.

Memorandum re: American Bank & Trust Company, New York, N.Y.

Reports of committees and officers:

Memorandum Bids re: Reports Required Under Delegated Authority—Foreclosure.

Memorandum re: Reports Required Under Delegated Authority—Status of Approved Committee Cases.

Memorandum re: Reports Required Under Delegated Authority—Release of Collateral Security for Fair Market Value.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessments of civil money penalties) against certain insured banks or officers, directors, employees, agents, or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550, 17th Street NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: May 23, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1052-80 Filed 05-27-80; 10:43 am]

BILLING CODE 6714-01-M

7

[FR No. 1020]

FEDERAL ELECTION COMMISSION.

PREVIOUSLY ANNOUNCED DATE AND TIME: 10 a.m., Thursday, May 29, 1980.

CHANGES IN MEETING:

1. The following item has been deleted from the Executive Session: Audit and Review Policy.

2. The following item has been added to the Executive Session: Threshold Audit.

3. The following matters have been continued from the open meeting of May 22, 1980:

a. March Management Report.

b. Clearinghouse Project Review.

c. Impact of Free Distribution of Regulatons.

d. Proposed General Election Financing Regulations.

e. FEC Forms 4, 5, and 7.

* * * * *

DATE AND TIME: 10 a.m., Tuesday, June 3, 1980.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Compliance. Personnel. Litigation. Audit and Review Policy. Threshold Audit (continued).

* * * * *

DATE AND TIME: 10 a.m., Wednesday, June 4, 1980.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTER TO BE CONSIDERED: Audit and review policy.

* * * * *

DATE AND TIME: 10 a.m., Thursday, June 5, 1980.

PLACE: 1325 K Street NW., Washington, D.C. (5th floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings.
Correction and approval of minutes.
Certifications.
Advisory opinions:
Draft AO 1980-15—Norman Leventhal, Attorney for Spanish International Network.
Draft AO 1980-40—William L. Hudson, TRANSPAC.
Draft AO 1980-45—Laurie R. Rockett, PPNYC.
Draft AO 1980-48—A. Thomas Wurst, Mid-States Distributing Co., Inc.
1980 Election and related matters.
Appropriations and budget.
Pending legislation.
Classification actions.
Routine adminstrative matters.

PERSON TO CONTRACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer, Telephone: 202-523-4065.

Marjorie W. Emmons,

Secretary to the Commission.

[S-1058-80 Filed 5-27-80; 3:34 pm]

BILLING CODE 6715-01-M

8

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 35475, May 27, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., May 28, 1980.

CHANGE IN THE MEETING: The following items have been added:

Item Number, Docket Number, and Company

ER-8—EL79-10, Wisconsin River Power Co.

ER-8—ER80-297, Wisconsin Power & Light Co.

M-2—Department of Transportation's Docket No. OPSO-46, Proposed Department of Transportation Safety Standards Governing the Operation, Maintenance, Fire Protection, and Corrosion Control of LNG Facilities.

M-3(C)—RP75-106 (Appalachian Production), Columbia Gas Transmission Corp.

RP-3—RP78-36, Southern Natural Gas Co.

CP-6—CP75-140, *et al.*, Pacific Alaska LNG Co. *et al.*; CP74-160, *et al.*, Pacific Indonesia LNG Co. *et al.*; C178-453, Pacific Lighting Gas Development Co.; C178-452, Pacific Simpco Partnership.

CAG-17(B)—CP69-180, Cities Service Gas Co.

Kenneth F. Plumb,

Secretary.

[S-1047-80 Filed 5-27-80; 10:33 am]

BILLING CODE 6450-85-M

9

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10 a.m., Monday, June 2, 1980.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposal by the Federal Reserve Bank of Atlanta to increase the construction contingency budget for the new building of the Miami Branch.
2. Procedures relating to verification and destruction of currency at Federal Reserve Banks.
3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
4. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: May 23, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[S-1046-80 Filed 5-27-80; 10:33 am]

BILLING CODE 6210-01-M

10

[Form 1]

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 10 a.m., June 17, 1980.

PLACE: Room 1101, 1825 K Street NW., Washington, D.C.

STATUS: Because of the subject matter, it is likely that this meeting will be closed.

MATTERS TO BE CONSIDERED: Discussion of specific cases in the Commission adjudicative process.

CONTACT PERSON FOR MORE INFORMATION: Ms. Patricia Bausell (202) 634-4015.

Dated: May 27, 1980.

[S-1055-80 Filed 5-27-80; 2:21 pm]

BILLING CODE 7600-01-M

11

[Form 1]

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 10 a.m., June 11, 1980.

PLACE: Room 1101, 1825 K Street NW., Washington, D.C.

STATUS: Because of the subject matter, it is likely that this meeting will be closed.

MATTERS TO BE CONSIDERED: Discussion of specific cases in the Commission adjudicative process.

CONTACT PERSON FOR MORE INFORMATION: Ms. Patricia Bausell (202) 634-4015.

Dated: May 27, 1980.

[S-1056-80 Filed 5-27-80; 2:21 pm]

BILLING CODE 7600-01-M

12

RAILROAD RETIREMENT BOARD.

TIME AND DATE: 9 a.m., June 5, 1980.

PLACE: Board's meeting room, eighth floor, headquarters building, 844 Rush Street, Chicago, Illinois, 60611.

STATUS: Part of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portion open to the public:

(1) Reinstatement of widow's annuities based upon annulment.
(2) Windfall accounting.
(3) Interview by industrial psychologist.
(4) Continuing control of travel by Board employees.
(5) Office of Personnel Management survey of Bureau of Unemployment and Sickness Insurance.
(6) Waivers and recovery of overpayments.

Portion closed to the public:

(A) Appeal from referee's denial of widow's insurance annuity, Virginia J. Higgins.
(B) Intra-Board personnel matter.

CONTACT PERSON FOR MORE INFORMATION: R. F. Butler, Secretary of the Board, COM No. 312-751-4920, FTS No. 387-4920.

[S-1057-80 Filed 5-27-80; 3:10 pm]

BILLING CODE 7905-01-M

13

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENTS:
TO BE PUBLISHED.

STATUS: Closed meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATES PREVIOUSLY ANNOUNCED: Wednesday May 21, 1980.

CHANGES IN THE MEETING: Rescheduling/ additional items.

The following closed item scheduled for Tuesday, May 27, 1980, at 9:00 a.m., has been rescheduled for Wednesday, May 28, 1980, following the 10:00 a.m. open meeting:

Institution of administrative proceeding of an enforcement nature.

The following additional items will be considered at a closed meeting scheduled for Wednesday, May 28, 1980, following the 10:00 a.m. open meeting:

Formal order of investigation.
Institution of injunctive action.
Freedom of Information Act appeal.

Commisioners Loomis, Evans, Pollack, and Friedman determined that Commission business required the above changes 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: Nancy Wojtas at (202) 272-2178.

May 27, 1980.

[S-1048-80 Filed 5-27-80; 10:37 am]

BILLING CODE 8010-01-M

Federal Register

Thursday
May 29, 1980

Part II

Department of Transportation

Coast Guard

Equipment, Construction, and Materials

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 80-39]

Equipment, Construction, and Materials

AGENCY: Coast Guard, DOT.
ACTION: Approval Notice.

1. Certain laws and regulations (46 CFR Chapter 1) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artifical islands and fixed structures on the outer Continental Shelf be of the types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from 7 May 1979 to 11 April 1980 (List No. 1-80). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

Buoyant Apparatus

Approval No. 160.010/70/0, 48"×48"×9" buoyant apparatus, 12 person capacity, box type, polyethylene foam covering, manufactured by Cal-June, Inc., Jim-Buoy Marine Division, P.O. Box 9551, N. Hollywood, CA 91609, effective 12 December 1979. (It is an extension of Approval No. 160.010/70/0 dated 20 January 1975.)

Approval No. 160.010/73/0, 51"×37"×9" buoyant apparatus, 10 person capacity, rectangular type, Model B series, polystyrene core, vinyl foam or polyethylene foam covering, manufactured by Cal-June, Inc., Jim-Buoy Marine Division, P.O. Box 9551, N. Hollywood, CA 91609, effective 12 December 1979. (It is an extension of Approval No. 160.010/73/0 dated 20 January 1975.)

Gas Mask

Approval No. 160.011/16/0, "P/N 601112-80" all purpose gas mask, Bureau of Mines Approval No. BM-1136, consisting of BM-1436 canister, BM-1435 timer, BM-1435 canister harness, and BM-1418 facepiece with BM-1418 head harness or BM-1418A facepiece with BM-1418A head harness, manufactured by Scott Aviation, Division of ATO, Inc., 225 Erie Street, Lancaster, NY 14080, effective 13 July 1979. (It supersedes Approval No. 160.011/16/0 dated 17 October 1977 to show change in name of manufacturer.)

Approval No. 160.011/38/0, M-S-A Ammonia Mask, Part No. 84869 having the Oval Ammonia Canister and the Clearvue Facepiece Assembly, or Part No. 86199 having the All-Vision Facepiece Assembly, or Part No. 86200 having the All-Vision Speaking Diaphragm Assembly which may be used in conjunction with M-S-A Maskfone; Bureau of Mines Approval No. BM-14F-58, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, PA 15208, effective 4 February 1980. (It is an extension of Approval No. 160.011/38/0 dated 7 April 1970.)

Self-Contained Breathing Apparatus

Approval No. 160.011/49/0, Bio Pak 45 minute self-contained oxygen breathing apparatus, manufactured by BioMarine Industries, Inc., 303 West Lancaster Avenue, Devon, PA 19333, effective 25 July 1979. (It is an extension of Approval No. 160.011/49/0 dated 11 June 1974.)

Hatchet (Lifeboat and Life Raft)

Approval No. 160.013/5/0, Hatchet steel handle, Estwing Model E-3-24A, Type 1, Class 1, Design E, Style 2, manufactured by Revere Supply Co., Inc., 603-607 West 29th Street, New York, NY 10001, effective 11 April 1980. (It is an extension of Approval No. 160.013/5/0 dated 11 April 1975.)

Approval No. 160.013/6/0, Hatchet steel handle, Vaughn Model A 1 1/4, Type 1, Class 1, Design E, Style 2, manufactured by Revere Supply Company, Inc., 603-607 West 29th-Street, New York, NY 10001, effective 11 April 1980. (It is an extension of Approval No. 160.013/6/0 dated 11 April 1975.)

Lifeboat Winch

Approval No. 160.015/109/0, Type 33-M lifeboat winch; approval limited to mechanical components only, and for a maximum working load of 6,600 lbs. pull at the drums (3,300 lbs. per fall), manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 4 February 1980. (It supersedes Approval No. 160.015/109/0 dated 9 January 1975 to provide for drawing consolidation.)

Approval No. 160.015/127/0, Model W1400 survival capsule launching winch; approval limited to mechanical components only and for a maximum working load of 8,000 lbs. on a single-part fall, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa, CA 92041, effective 15 January 1980.

Approval No. 160.015/128/0, Type USW/5.52 lifeboat winch; approval limited to mechanical components only and for a maximum working load of 12,635 lbs. pull at the drums (6,813 per fall), manufactured by Watercraft America, Inc., P.O. Box 130, Edgewater, FL 32780, effective 20 March 1980.

Ladder, Embarkation-Debarkation

Approval No. 160.017/40/1, Model 12 PL-S, Type II embarkation-debarkation ladder, chain suspension, (8-0 lock link chain), steel ears, approval limited to ladders 100 feet or less in length, manufactured by H.K. Metalcraft Manufacturing Corp., 35 Industrial Road, P.O. Box 275, Lodi, NJ 07644, effective 7 January 1980. (It supersedes Approval No. 160.017/40/0 to show approval for longer ladder.)

Approval No. 160.017/53/0, Type I embarkation-debarkation ladder, dacron-jacketed polyethylene rope suspension, one piece reaction injection molded (RIM) polyurethane steps, COMAR Mark/1 Pilot Ladder, experimental design, approval is limited to construction of three ladders, not more than 50' long, manufactured by Coast Marine and Industrial Supply, Inc., 398 Jefferson St., San Francisco, CA 94133, effective 26 March 1980.

Hand Red Flare Distress Signal

Approval No. 160.021/16/0, Bristol marine and hand red flare distress signal, 500 candlepower, 2 minute buring time, manufactured by Standard Railway Fusee Corp., P.O. Box 178, Boonton, NJ 07005, effective 18 March 1980. (It is an extension of Approval No. 160.021/16/0 dated 18 March 1975.)

Container for Emergency Provisions

Approval No. 160.026/40/2, Container for emergency provisions, manufactured by F & L Packing Corp., 681 Main Street, Belleville, NJ 07109, effective 15 November 1979. (It supersedes Approval No. 160.026/40/1 dated 14 September 1979 to show revision of contents.)

Life Float

Approval No. 160.027/60/3, 5.0'×2.67' (7½"×10" body section) peripheral-body type life float, fibrous glass reinforced plastic (FRP) shell with unicellular polyurethane core, 6 person capacity, manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn, NY 11201, effective 13 July 1979. (It supersedes Approval No. 160.027/60/2 dated 3 August 1977 to show change in construction.)

Approval No. 160.027/75/0, 50½"×36½×8½" life float, 8 person capacity, rectangular type, Model A Series, polystyrene core, vinyl foam or polyethylene foam covering, manufactured by Cal-June, Inc., Jim-Buoy Marine Division, P.O. Box 9551, North Hollywood, CA 91609, effective 12 December 1979. (It is an extension of Approval No. 160.027/75/0 dated 20 January 1975.)

Approval No. 160.027/79/0, 50½"×36½"×8" life float, 6 person capacity, rectangular type, Model A Series, polystyrene core, vinyl foam or polyethylene foam covering, manufactured by Cal-June, Inc., Jim-Buoy Marine Division, P.O. Box 9551, North Hollywood, CA 91609, effective 12 December 1979. (It is an extension of Approval No. 160.027/79/0 dated 9 June 1975.)

Lifeboat Davit

Approval No. 160.032/198/1, type SS 2801 survival capsule launching system (winch type); approved as an alternate to a lifeboat davit for a maximum working load of 11,000 lbs. on a single fall, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa, CA 92401, effective 4 February 1980. (It supersedes Approval No. 160.032/198/0 dated 4 February 1975 to provide for minor design changes.)

Approval No. 160.032/213/2, Type MIR/26 gravity davit and launching cradle; approved for a maximum working load of 16,576 lbs. per set (8,288 lbs. per davit head) using single-part falls, manufactured by Watercraft America, Inc., P.O. Box 1130, Edgewater, FL 32032, effective 25 March 1980. (It supersedes Approval No. 160.032/213/1 dated 12 June 1978 to show load change and drawing revisions.)

Approval No. 160.032/230/0, Type 3400 fixed (outrigger) gravity davit; approved for a maximum working load of 14,000 lbs. using a single-part fall, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa, CA 92401, effective 19 March 1980.

Approval No. 160.032/231/0, Type WP21/10.5 gravity pivot davit; approved for a maximum working load of 9,928 lbs. per set (4,964 lbs. per arm) using single-part falls, manufactured by Watercraft America, Inc., P.O. Box 1130, Edgewater, FL 32032, effective 15 January 1980.

Approval No. 160.032/232/0, type PL 5001 fixed (outrigger) gravity davit; approved for a maximum working load of 18,000 lbs. using a single-part fall, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa, CA 92041, effective 25 February 1980.

Approval No. 160.032/234/0, Type WP-26 gravity pivot davit; approved for a maximum working load of 16,500 lbs. per set (8,250 lbs. per arm) using 2-part falls, manufactured by Watercraft America, Inc., P.O. Box 1130, Edgewater, FL 32780, effective 20 March 1980.

Mechanical Disengaging Apparatus (For Lifeboats)

Approval No. 160.033/39/4, Rottmer Type S-1 releasing gear, approved for a maximum working load of 21,300 lbs. per set (10,650 lbs. per hook), manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 25 February 1980. (It supersedes Approval No. 160.033/39/4 dated 15 November 1977 to show updated drawing list.)

Approval No. 160.033/67/0, Whittaker disengaging apparatus, approved for a maximum working load of 20,800 lbs., used only as a single hook, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa CA 92041, effective 6 March 1980.

Lifeboat

Approval No. 160.035/286/4, 24.0' × 8.0' × 3.5' steel oar propelled lifeboat, 40 person capacity, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 11 April 1980. (It is an extension of Approval No. 160.035/286/4 dated 11 April 1975.)

Approval No. 160.035/459/0, 26.0' × 9.0' × 3.83' fibrous glass reinforced plastic (FRP), oar-propelled lifeboat, 53 person capacity, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 11 April 1980. (It is an extension of Approval No. 160.035/459/0 dated 11 April 1975.)

Approval No. 160.035/461/0, 26.0' × 9.0' × 3.83' fibrous glass reinforced plastic (FRP), hand-propelled lifeboat, 53 person capacity, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 11 April 1980. (It is an extension of Approval No. 160.035/461/0 dated 11 April 1975.)

Approval No. 160.035/490/0, 25.74' × 9.0' × 3.71' fibrous glass reinforced plastic lifeboat, oar-propelled, 53 person capacity, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 25 February 1980.

Approval No. 160.035/491/1, 25.74' × 9.0' × 3.71' fibrous glass reinforced plastic lifeboat, without radio cabin or searchlight, (Class 1), 48 person capacity, with Lister ST-2 engine, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 6 March 1980. (It supersedes Approval No. 160.035/491/0 dated 2 August 1979 to show addition of Westerbeke LB-40 engine.)

Approval No. 160.035/495/0, Model CA 3400, 19.0' × 12.5' × 4.54' fibrous glass reinforced plastic (FRP) motor propelled, totally enclosed survival capsule, manufactured by Whittaker Corp. 5159 Baltimore Drive, La Mesa, CA 92041, effective 20 February 1980.

Approval No. 160.035/499/0, 25.74' × 9.0 × 3/71' fibrous glass reinforced plastic lifeboat, hand-propelled, 53 person capacity, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 25 February 1980.

Hand Orange Smoke Distress Signal

Approval No. 160.037/12/0, Bristol marine hand held orange smoke distress signal, manufactured by Standard Railway Fusee Corp., P.O. Box 178, Boonton, NJ 07005, effective 18 March 1980. (It is an extension of Approval No. 160.037/12/0 date 18 March 1975.

Kapok Buoyant Cushions

Approval No. 160.048/264/0, Special approval for 15" × 15" × 2" buoyant cushion, Type IV PFD, manufactured by Kent Sporting Goods Co., 719 Orange Street, Ashland, OH 44805, effective 17 January 1980.

Inflatable Life Raft

Approval No. 160.051/101/0, 8 person inflatable life raft with boarding ramp and conventional water pockets, manufactured by Switlik Parachute Co., Inc., 1325 East State Street, Trenton, NJ 08607, effective 5 July 1979.

Unicellular Plastic Form Life Preserver

Approval No. 160.055/126/0, Adult, Model ILJ-100, Type I PFD, manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 13 March 1980.

Unicellular Polyethylene Buoyant Vest

Approval No. 160.060/37/0, Adult Universal, Model 301, Type II PFD, manufactured by Miltco Products Corp.,

139 Emerson Place, Brooklyn, NY 11205, effective 21 January 1980.

Fishing Tackle Kit

Approval No. 160.061/4/2, Model RSCF-182 emergency fishing tackle kit, manufactured by Revere Supply Co., Inc., 603-607 West 29th Street, New York, NY 10002, effective 29 November 1979. (It supersedes Approval No. 160.061/4/1 dated 15 February 1978 to show revised container drawing.)

Launching Device for Life Rafts

Approval No. 160.063./3/2, Type FR-50 (MK-1) fixed-arm launching device with Type R-50H-1 (MK-1) winch; approved for a maximum working load of 5,000 lbs. on a one-part fall, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 20 March 1980. (It supersedes Approval No. 160.063/3/1 dated 25 May 1978 to provide for brake release design revisions.)

Approval No. 160.063/5/0, Type FR-50 (20/25) fixed arm-launching device with Type R-50H-1 (MK-1) winch; approved for a maximum working load of 5,000 lbs. on a one-part fall, manufactuted by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, NJ 07727, effective 20 March 1980.

Marine Buoyant Device

Approval No. 160.064/14/0, 18 ½" ring buoy, Model A1820, Type IV PFD, manufactured by Aquality, Inc., 8938 Mason Avenue, Chatsworth, CA 91311, effective 17 January 1980. (It supersedes Approval No. 160.064/14/0 dated 8 June 1978 to show change in ownership.)

Approval No. 160.064/226/0, Adult, Model No. 211-VF-17.5, Type II PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 May 1979. (It is an extension of Approval No. 160.064/226/0 dated 17 April 1974.)

Approval No. 160.064/327/1, Adult X-Small, Model VAXS, Type III PFD, manufactured by Texas Recreation Corp., Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, TX 76307, effective 21 January 1980. (It supersedes Approval No. 160.064/327/0 dated 26 January 1977 to show change in size.)

Approval No. 160.064/573/0, Adult Small, Model Skiguard, Type III PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 May 1979 (It is an extension of Approval No. 160.064/573/0 dated 10 April 1974.)

Approval No. 160.064/649/0, Adult Small, Style Seamaster, Type III PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 May 1979. (It is an extension of Approval No. 160.064/649/0 dated 24 April 1974.)

Approval No. 160.064/650/0, Child Medium, Style Seamaster, Type III PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 May 1979. (It is an extention of Approval No. 160.064/650/0 dated 24 April 1974.)

Approval No. 160.064/775/0, Adult, Model No. SSV-160, Type III PFD, manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 7 January 1980. (It is an extension of Approval No. 160.064/775/0 dated 5 December 1974.)

Approval No. 160.064/776/0, Adult, Model No. SSV-165, Type III PFD, manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 7 January 1980. (It is an extension of Approval No. 160.064/776/0 dated 5 December 1974.)

Approval No. 160.064/1460/0, Child (30 to 50 lbs.), Model No. CTXS, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1461/0, Youth Medium (50 to 90 lbs.), Model No. CTSS, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1462/0, Adult X-Small, Model No. ATMS, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1463/0, Adult Small, Model No. ATS, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1464/0, Adult Medium, Model No. ATM, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1465/0, Adult Large, Model No. ATL, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1466/0, Adult X-Large, Model No. ATXL, Type III PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 8 January 1980.

Approval No. 160.064/1638/0, Youth (50 to 90 lbs.) Model No. SSV-262, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1639/0, Adult X-Small, Model No. SSV-260, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1640/0, Adult Small, Model No. SSV-260, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No., 160.064/1641/0, Adult Medium, Model No. SSV-260, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1642/0, Adult Large, Model No. SSV-260, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1643/0, Adult X-Large, Model No. SSV-260, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1658/0, Slimfit, Model Nos. 707, 725, 726, 727, 750, 751, Type III PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 January 1980.

Approval No. 160.064/1659/0, Slimfit, Model Nos. 730, 731, 740-742, 752, 760, 772, 775, 776, Type III PFD, manufactured by Gentex Corp., Carbondale, PA 18407, effective 17 January 1980.

Approval No. 160.064/1660/0, Youth (50 to 90 lbs.), Model No. 2001, Type III PFD, manufactured by H. H. Bremen Mfg. Co., Inc., P.O. Box 243, Bremen, IN 46506, effective 17 January 1980.

Approval No. 160.064/1661/0, Adult Small, Model No. 2002, Type III PFD, manufactured by H. H. Bremen Mfg. Co., Inc., P.O. Box 243, Bremen, IN 46506, effective 17 January 1980.

Approval No. 160.064/1662/0, Adult Medium, Model No. 2004, Type III PFD, manufactured by H. H. Bremen Mfg. Co., Inc., P.O. Box 243, Bremen, IN 46506, effective 17 January 1980.

Approval No. 160.064/1663/0, Adult Large, Model No. 2005, Type III PFD, manufactured by H. H. Bremen Mfg. Co., Inc., P.O. Box 243, Bremen, IN 46506, effective 17 January 1980.

Approval No. 160.064/1664/0, Adult X-Large, Model No. 2006, Type III PFD, manufactured by H. H. Bremen Mfg. Co., Inc., P.O. Box 243, Bremen, IN 46506, effective 17 January 1980.

Approval No. 160.064/1672/0, Adult Small, Model No. 2020, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1675/0, Adult X-Small, Model No. 1040, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1693/0, Adult Ladies-XS, Model No. LVXS, Type III PFD, manufactured by Texas Recreation Corp., Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, TX 76307, effective 17 January 1980.

Approval No. 160.064/1725/0, Adult Universal, Model No. VN-5860, Type III PFD, manufactured by Toyomenka (America), Inc., Suite 4011, One World Trade Center, New York, NY 10048, effective 17 January 1980.

Approval No. 160.064/1739/0, Pee Wee (30 to 50 lbs.), Model No. 1015, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1740/0, Youth (50 to 90 lbs.), Model No. 15, Type III PFD, manfuactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1741/0, Adult Universal, Model No. U-1, Type III PFD, manufactured by Fabrionics, Inc., P.O. Box 1061, Tolono, IL 61880, effective 17 January 1980.

Approval No. 160.064/1742/0, Adult X-Small, Model No. SSV-101, Type III PFD, manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1743/0, Adult Small, Model No. SSV-101, Type III PFD manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1744/0, Adult Medium Model No. SSV-101, Type III PFD manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1743/0, Adult Large, Model No. SSV-101, Type III PFD manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1746/0, Adult X-Large, Model No. SSV-101, Type III PFD manufactured by Stearns Manufacturing Co., 30th and Division Streets, P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1747/0, Youth (50 to 90 lbs.), Model No. YTP, Type II PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 14 January 1980.

Approval No. 160.064/1748/0, Child (30 to 50 lbs.), Model No. CTP, Type II PFD, manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 14 January 1980.

Approval No. 160.064/1749/0, Infant (under 30 lbs.), Model No. ITP, Type PFD, Manufactured by Taperpro U.S.A., 558 Library Street, San Fernando, CA 91341, effective 14 January 1980.

Approval No. 160.064/1750/0, Pee Wee (30 to 50 lbs.), Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1751/0, Youth (50 to 90 lbs.), Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1752/0, Adult X-Small, Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1753/0, Adult Small, Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1754/0, Adult Medium Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1755/0, Adult Small, Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1756/0, Adult X-Large,Model No. 1042, Type III PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, CA 92121, effective 17 January 1980.

Approval No. 160.064/1767/0, Adult Small, Model No. FV-9, Type III PFD, manufactured by Gladding Corp., Floatation Division, P.O. Drawer 9038, Station A, Greenville, SC 29604, effective 17 January 1980.

Approval No. 160.064/1768/0, Adult Medium Model No. FV-9, Type III PFD, manufactured by Gladding Corp., Floatation Division, P.O. Drawer 9038, Station A, Greenville, SC 29604, effective 17 January 1980.

Approval No. 160.064/1769/0, Adult Large, Model No. FV-9, Type III PFD, manufactured by Gladding Corp., Floatation Division, P.O. Drawer 9038, Station A, Greenville, SC 29604, effective 17 January 1980.

Approval No. 160.064/1770/0, Adult X-Large, Model No. FV-9, Type III PFD, manufactured by Gladding Corp., Floatation Division, P.O. Drawer 9038, Station A, Greenville, SC 29604, effective 17 January 1980.

Approval No. 160.064/1771/0, Adult Small/Medium, Model No. SSV-113 or SSV-114, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1772/0, Adult Large/X-Large, Model No. SSV-113 or SSV-114, Type III PFD, manufactured by Stearns Manufacturing Co., P.O. Box 1498, St. Cloud, MN 56301, effective 17 January 1980.

Approval No. 160.064/1789/0, 15" × 15" × 2¾", Model MKF, Type IV PFD, manufactured by Gladding Corp., Floatation Division, P.O. Drawer 9038, Station A, Greenville, SC 29604, effective 17 January 1980.

Approval No. 160.064/1791/0, 16" × 16" × 3½", Model No. BC-1, Type IV PFD, manufactured by Fabrionics, Inc., P.O. Box 1061, Tolono, IL 61880, effective 17 January 1980.

Exposure Suit

Approval No. 160.071/1/1, Adult, exposure suit, manufactured by Imperial Manufacturing Corp., P.O. Box 4119, Airport Industrial Park, Bremerton, WA 98310, effective 16 July 1979. (It supersedes Approval No. 160.071/1/0 dated 11 August 1977 to show alternate foot valve.

Floating Electric Waterlight

Approval No. 161.010/5/2, Model S1307 Seamaster Distress Marker, floating electric waterlight, manufactured by Soderberg Manufacturing Co., Inc., 20821 Carnier Road, Walnut, CA 91789, effective 7 January 1980. (It supersedes Approval No. 161.010/5/1 dated 26 May 1976 to show revision.

Class A EPIRB

Approval No. 161.011/1/0, Model EB-2BW Whaler (P/N 750082), Class A, float tree, emergency position indicating radio beacon, manufactured by Martech, Inc., P.O. Box 14070, Fort Lauderdale, FL 33302, effective 22 January 1980. (It is an extension of Approval No. 161.011/1/0 dated 7 January 1975.)

Personal Floatation Device Light

Approval No. 161.012/6/0, Model 378-C Incandescent Personal Light, manufactured by The Guest Corp., 17 Culbro Drive, West Hartford, CT 06110, effective 6 March 1980.

Approval No. 161.012/7/0, Model 450 "Jim-Bouy" PFD light, manufactured by Cal-June, Inc., P.O. Box 9551, North Hollywood, CA 91609, effective 25 February 1980.

Safety Valve (Power Boilers)

Approval No. 162.001/216/1, Style HNB-MS38 drum pilot actuated valve, allow steel body, maximum pressure of 900 p.s.i. maximum temperature 1000

degrees F., approved for sizes 1½", 2", and 2 ½". Maximum pressure of 800 p.s.i., maximum temperature 1000 degrees F., approved for size 3", manufactured by Crosby Valve and Gage Co., 45 Kendrick Street, Wrentham, MA 02093, effective 22 January 1980. (It supersedes Approval No. 162.001/216/1 dated 8 November 1979.)

Pressure-Vacuum Relief Valve

Approval No. 162.017/84/0, Model MV–250 pressure-vacuum relief valve, manufactured by J.M. Huber Corp., Staylite dept., P.O. Box 2871, Borger, TX 79007, effective January 1980. (It supersedes Approval No. 162.017/84/0 dated 18 July 1975 to reflect change in company name.)

Approval No. 162.017/118/2, Waukesha Bearings Type HS–M venting valve, pressure setting from 1.0 to 3.0 p.s.i.g. and vacuum settings from 0.5 to 1.0 p.s.i.g. vacuum are acceptable; sizes 2½", 3", 4", 6", 8", and 10", manufactured by Waukesha Bearings Corp., P.O. Box 798, Waukesha, WI 53186, effective 6 March 1980. (It supersedes Approval No. 162.017/118/1 dated 20 July 1977 to include new sizes and materials of construction.)

Approval No. 162.017/122/0, PRES–VAC automatic weight loaded pressure-vacuum relief valve, Type DA, acceptable pressure setttings from 1 to 3 p.s.i.g.; vacuum settings from 0.5 to 1.0 p.s.i.g. vacuum in sizes 4", 8", and 10", manufactures by PRES–VAC, Svanevang 3, 3450 Allerod, Denmark, Effective 13 March 1980.

Liquified Compressed Gas Safety Relief Valve

Approval No. 162.018/68/0, Type 3106 safety relief valve for liquified compressed gas service, maximum set pressure of 300 p.s.i. for 5", 6", and 8" sizes, manufactured by Midland Manufacturing Corp., 7733 Gross Point Road, Shokie, IL 60076, effective 7 January 1980. (It supersedes Approval No. 162.018/68/0 dated 25 October 1979 to include interim set pressure.)

Halon 1301 Fixed Fire Extinguishing System

Approval No. 162.029/3/0, FiQuench Model 10–BC1301-M, pre-engineered Halon 1301 extinguishing system unit, stored pressure type, manufactured by Fike Metal Products Corp., 704 South 10th Street, Blue Springs, MO 64015, effective 13 July 1979. (It is an extension of Approval No. 162.029/3/0 dated 11 April 1974.)

Approval No. 162.029/12/0, Model FRX–3T, pre-engineered Halon 1211 extinguishing system unit, stored pressure type, manufactured by AD-X Corp., P.O. Box 272, Littleton, CO 80160, effective 31 October 1979.

Fixed Fire Extinguishing Systems

Approval No. 162.029/13/0, Size 10 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/14/0, Size 15 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/15/0, Size 20 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/16/0, Size 25 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/17/0, Size 35 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/18/0, size 50 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Approval No. 162.029/19/0, Size 75 lbs., carbon dioxide marine type fire extinguishing system, manufactured by Automatic Sprinkler Corp. of America, P.O. Box 180, 1000 East Edgerton Road, Cleveland, OH 44147, effective 22 January 1980.

Foam-Type Fire Extinguishing Systems

Approval No. 162.033/13/0, National Aer-O-Foam marine foam fire extinguishing systems with universal foam liquids, manufactured by National Foam Systems, Inc., 150 Gordon Drive, Lionville, PA 19353, effective 22 January 1980. (It is an extension of Approval No. 162.033/13/0 dated 15 October 1974.)

Carbon Dioxide-Type Fire Extinguishing Systems

Approval No. 162.038/7/0, C-O-Two carbon dioxide type fire extinguishing systems, manufactured by the Ansul Company, Marinette, Wisconsin 54143, effective 22 January 1980. (It is an extension of Approval No. 162.038/7/0 dated 14 January 1975.)

Backfire Flame Arrester for Gasoline Engines

Approval No. 162.041/190/4, Barbron all brass flame arresters Model No. suffixed by "B" Barbron all aluminum flame arresters. Model No. suffixed by "AA" indicates unit's size, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective 13 February 1980. (It supersedes Approval No. 162.041/190/4 dated 1 August 1982 to show modification in watershield cover.)

Approval No. 162.041/195/0, Facet Type A175–64 backfire flame arrester; Facet Type A175–68 backfire flame arrester, manufactured by Fuel Devices Division, Facet Enterprises, Inc., 696 Hart Avenue, Detroit, MI 48214, effective 13 February 1980. (It supersedes Approval No. 162.041/195/0 dated 26 April 1983 to show additional Model Number.)

Approval No. 162.041/197/0, Facet Type A175–65 backfire flame arrester; Facet Type A175–67 backfire flame arrester, manufactured by Fuel Devices Division, Facet Enterprises, Inc., 696 Hart Avenue, Detroit, MI 48214, effective 13 February 1980. (It supersedes Approval No. 162.041/197/0 dated 26 April 1983 to show additional Model Number.)

Approval No. 162.041/203/0, Barbron Model 91205, size 9 inch diameter, BMW Model 1326895, 2 inches high, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective 27 July 1979.

Cargo Monitors

Approval No. 162.050/0325/1, Cargo deballasting meter, Model 5E, Type OTM 1411C. Total system known as Type OTM–17, includes automatic calibration device (Model "A", Type "ALL", automatic injections unit AIU) and "Bailetronic Computer" automatic recording device, manufactured by Sasakura Engineering Co., Ltd., 7–5 Mitejima 6-Chrome, Nishiyodogawa-Ku, Osaka 555, Japan, effective 9 January 1980.

Deck Covering

Approval No. 164.006/50/0, "Insulite 1", perlite aggregate exychloride cement deck covering, manufactured by E.H. O'Neil Co., Inc., 5515 Belair Road, Baltimore, MD 21206, effective 14 February 1980. (It supersedes Approval No. 164.006/50/0 dated 4 November 1974 to show change in name of product.)

Approval No. 164.006/52/0, "Selbalith 7K–FR" magnesium oxychloride cement type deck covering, manufactured by Selby Battersby and Co., 5220 Whitby Avenue, Philadelphia, PA 19143, effective 7 January 1980. (It is an extension of Approval No. 164.006/52/0 dated 30 December 1969.)

Bulkhead Panel

Approval No. 164.008/64/1, E.F. Hauserman's "Double Wall" marine bulkhead panel system, manufactured by the E.F. Hauserman Co., 5711 Grand Avenue, Cleveland, OH 44105, effective 10 December 1979. (It is an extension of Approval No. 164.008/64/1 dated 14 November 1974.)

Noncombustible Material

Approval No. 164.009/164/1, Marine veneer, unperforated, Inorganic heavy density sheets, manufactured by Johns-Manville Sales Corp., Denver, Colorado 80217, effective 12 December 1979. (It is a reinstatement of Approval No. 164.009/164/0 terminated 25 May 1978 as requested by manufacturer.)

Approval No. 164.009/211/0, Conwed Type 061, ceramic panels manufactured by Conwed Corp., 332 Minnesota Street, P.O. Box 43237, St. Paul, MN 55164, effective 13 July 1979. (It supersedes Approval No. 164.009/212/0 dated 14 May 1979 to correct model type.)

Interior Finish

Approval No. 164.012/29/0, Type 604 melamine laminate, manufactured by Ralph Wilson Plastics Co., 600 General Drive, Temple, TX 76501, effective 17 March 1980. (It supersedes Approval No. 164.012/29/0 to correct name and add remarks.)

Approval No. 164.012/30/0, Type 607 melamine laminate, manufactured by Ralph Wilson Plastics Co., 600 General Drive, Temple, TX 76501, effective 17 March 1980. (It supersedes Approval No. 164.012/30/0 to correct name and add remarks.)

Approval No. 164.012/41/0, No. 332 perforated glass fabric, manufactured by KWS Co., 111 North Mines Road, Livermore, CA 94550, effective 20 February 1980.

Approval No. 164.012/46/0, Type 264 plastic laminate, manufactured by Ralph Wilson Plastics Co., 600 General Drive, Temple, TX 76501, effective 17 March 1980.

Retroreflective Material

Approval No. 164.018/1/0, Type 1, "SCOTCHLITE" Brand Reflective Sheeting, SOLAS Grade, 3150 (Adhesive Type) and 6750 (Fabric backed, sewable Type), manufactured by Minnesota Mining and Mfg. Co. (3–M), Safety and Security Systems Division, 3M Center, 209–S31, St. Paul, MN 55101, effective 25 February 1980. (It supersedes Approval No. 164.018/1/0 dated 10 December 1979 to show unlimited approval for adhesive.)

W.D. Markle, Jr.,

Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR. Doc. 80-16169 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-14-M

[CGD 80-39a]

Equipment, Construction, and Materials

AGENCY: Coast Guard, DOT.

ACTION: Termination of approval notice.

1. Certain laws and regulations (46 CFR Chapter 1) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artifical islands and fixed structures on the outer Continental Shelf be of the types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been terminated as herein described during the period from 7 May 1979 to 7 January 1980 (List No. 1–80). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75–1 to 2.75–50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (46 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard, for certain types of equipment construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. Notwithstanding the termination of approval listed in this document, the equipment affected may be used as long as it remains in good and serviceable condition.

Kapok Life Preserver

Approval No. 160.002/88/0, Model 3, Adult kapok life preserver, Type I PFD, manufactured by Noble Products Co., Box 327, Caldwell, OH 43724, no longer manufacturers certain kapok life preserver and Approval No. 160.002/88/0 dated 5 August 1974 was therefore termianted, effective 22 January 1980.

Approval No. 160.002/89/0, Model 5, Child kapok life preserver, Type I PFD, manufactured by Noble Products Co., Box 327, Caldwell, OH 43724, no longer manufacturers certain kapok life preserver and Approval No. 160.002/89/0 dated 5 August 1974 was therefore termianted, effective 22 January 1980.

Lifeboat Davit

Approval No. 160.032/199/1, type SS 1404 small survival capsule launching system (winch type); approved as an alternate to a lifeboat davit for a maximum working load of 6,000 lbs. on a single fall, manufactured by Whittaker Corp., 5159 Baltimore Drive, La Mesa, CA 92041, Approval No. 160.032/199/1 dated 7 March 1975 was terminated effective 17 January 1980.

Inflatable Life Raft

Approval No. 160.051/62/0, Inflatable life raft, 10 person capacity, manufactured by B.F. Goodrich, Engineered Systems Co., Union WV 24983, no longer manufacturers certain inflatable life raft and Approval No. 160.051/62/0 dated 1 April 1975 was therefore terminated, effective 20 February 1980.

First Aid Kit for Inflatable Life Raft

Approval No. 160.054/4/1, Model M–3 first aid kit for inflatable life rafts, manufactured by E. D. Bullard Co., 2680 Bridgeway, Sausalito, CA 94965, Approval No. 160.054/4/1 dated 3 September 1974 was terminated effective 22 January 1980.

Special Purpose Water Safety Buoyant Device

Approval No. 160.064/591/0, Adult Medium, Model No. SKV–2, Type III PFD, manufactured by Nova Products, Inc., 205 Johnson Avenue, Carrollton, GA 30117, Approval No. 160.064/591/0 dated 8 October 1974 was terminated effective 22 January 1980.

Approval No. 160.064/592/0, Adult Large, Model No. SKV–3, Type III PFD, manufactured by Nova Products, Inc., 205 Johnson Avenue, Carrollton, GA 30117, Approval No. 160.064/592/0 dated 8 October 1974 was terminated effective 22 January 1980.

Approval No. 160.064/593/0, Adult X-Large, Model No. SKV–4, Type III PFD, manufactured by Nova Products, Inc., 205 Johnson Avenue, Carrollton, GA 30117, Approval No. 160.064/593/0 dated 8 October 1974 was terminated effective 22 January 1980.

Marine Buoyant Device

Approval No. 160.064/1708/0, Child (30 to 50 lbs.), Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1708/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1709/0, Youth (50 to 90 lbs.), Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1709/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1710/0, Adult X-Small, Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1710/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1711/0, Adult Small, Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1711/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1712/0, Adult Medium, Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1712/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1713/0, Adult Large, Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1713/0 dated 10 October 1979 was terminated effective 22 January 1980.

Approval No. 160.064/1714/0, Adult X-Large, Model No. 100, Type III PFD, manufactured by Solor Sports, 15005 58th Lane, N.E., Bothell, WA 98011, Approval No. 160.064/1714/0 dated 10 October 1979 was terminated effective 22 January 1980.

Safety Valve (Power Boilers)

Approval No. 162.001/220/0, Type 1910FC, consolidated safety valve, steel body, 300 p.s.i., 450 degrees F., manufactured by DRESSER, Industrial Valve and Instrument Division, P.O. Box 1430, Alexandria, LA 71301, Approval No. 162.001/220/0 dated 8 November 1974 was terminated effective 31 March 1980.

Approval No. 162.001/221/1, Style HNB-MS-27 drum pilot actuated safety valve, maximum pressure of 600 p.s.i., maximum temperature of 900 degrees F., approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., 45 Kendrick Street, Wrentham, MA 02093, Approval No. 162.001/221/1 dated 7 January 1980 was terminated effective 2 April 1980.

Approval No. 162.001/262/0, Type 1910 GC consolidated safety relief valve, manufactured by DRESSER, Industrial Valve and Instrument Division, P.O. Box 1430, Alexandria, LA 71301, Approval No. 162.001/262/0 dated 21 October 1975 was terminated effective 31 March 1980.

Approval No. 162.001/294/0, Safety valve Type 1905, L orifice, maxmium pressure 235 p.s.i.g., maximum temperature 450 degrees p.s.i.g., manufactured by DRESSER, Industrial Valve and Instrument Division, P.O. Box 1430, Alexandria, LA 71301, Approval No. 162.001/294/0 dated 24 June 1976 was terminated effective 31 March 1980.

Approval No. 162.001/295/0, Safety valve Type 1905, P orifice, maxmium pressure 235 p.s.i.g., maximum temperature 450 degrees p.s.i.g., manufactured by DRESSER, Industrial Valve and Instrument Division, P.O. Box 1430, Alexandria, LA 71301, Approval No. 162.001/295/0 dated 24 June 1976 was terminated effective 31 March 1980.

Bromotrifluoromethane Type Fire Extinguishing Systems

Approval No. 162.035/1/1, Kidde Bromotrifluoromethane (CBrF3) fire extinguishing system for Hydrofoil Craft, manufactured by Walter Kidde and Co., Inc., Belleville, New Jersey 07109, Approval No. 162.035/1/1 dated 12 November 1974 was terminated effective 22 January 1980.

Deck Covering

Approval No. 164.006/17/1, Kompolite Plastic Composition Flooring magnesite type deck covering, manufactured by Weatherguard/Marbleloid Products, Inc., 2515 Newbold Avenue, Bronx, NY 10462, Approval No. 164.006/17/1 dated 6 June 1979 was terminated effective 31 March 1980.

Approval No. 164.006/38/1, Marbleloid, magnesite type deck covering, manufactured by Weatherguard/Marbleloid Products, Inc., 2515 Newbold Avenue, Bronx, NY 10462, Approval No. 164.006/38/1 dated 6 June 1979 was terminated effective 31 March 1980.

Structural Insulation

Approval No. 164.007/31/1, "Cafco Blaze Shield Type DC/F", sprayed fiber type structural insulation, manufactured by United States Mineral Products Co., Stanhope, New Jersey 07874, Approval No. 164.007/31/1 dated 10 June 1974 was terminated effective 22 January 1980.

Approval No. 164.007/47/1, "Cafco Deck-Shield DC/F", sprayed fiber type structural insulation, manufactured by United States Mineral Products Co., Stanhope, New Jersey 07874, Approval No. 164.007/47/0 dated 10 June 1974 was terminated effective 22 January 1980.

Bulkhead Panel

Approval No. 164.008/15/1, Marine Veneer, an inorganic heavy density panel, manufactured by Johns-Manville Sales Corp., Denver, Colorado 80217, Approval No. 164.008/15/1 dated 7 May 1974 was terminated effective 22 January 1980.

Approval No. 164.08/56/1, Cape Boards and Panels Ltd. bulkhead panel "U.K. Marinite-36", manufactured by Cape Boards and Panels Limited, Cape Universa; House Exchange Road, Watford Herts, England, Approval No. 164.008/56/1 dated 11 September 1974 was terminated effective 22 January 1980.

Approval No. 164.008/62/1, Cape Boards and Panels Ltd. bulkhead panel "U.K. Marinite-45", manufactured by Cape Boards and Panels Limited, Cape Universa; House Exchange Road, Watford Herts, England, Approval No. 164.008/62/1 dated 11 September 1974 was terminated effective 22 January 1980.

Approval No. 164.008/72/0, "Firewall Asbestos Ships Board" bulkhead panel, manufactured by TAC Construction Materials Ltd., Building and Insulation Division, P.O. Box 22, Trafford Park, Manchester M17 1RU, England, Approval Number 164.008/72/0 dated 15 October 1974 was terminated effective 31 March 1980.

Incombustible Material

Approval No. 164.009/16/1, "No. 100 Ultralite MC Insulation", glass wool insulation type incombustible material, manufactured by Certain-Teed Products Corp., CSG Group, Suite 610, 1627 K St. NW, Washington, D.C. 20006, Approval No. 164.009/16/1 dated 5 November 1974 was terminated 22 January 1980.

Approval No. 164.009/23/0, "No. 75 Ultralite MC Insulation", glass wool insulation type incombustible material, manufactured by Certain-Teed Products Corp., CSG Group, Suite 610, 1627 K St. NW, Washington, D.C. 20006, Approval No. 164.009/23/0 dated 5 November 1974 was terminated 22 January 1980.

Approval No. 164.009/24/0, "No. 150 Ultralite MC Insulation", glass wool insulation type incombustible material, manufactured by Certain-Teed Products Corp., CSG Group, Suite 610, 1627 K St. NW, Washington, D.C. 20006, Approval No. 164.009/24/0 dated 5 November 1974 was terminated 22 January 1980.

Approval No. 164.009/31/1, "Johns-Manville Marine Acoustical Unit", incombustible material, manufactured

by Johns-Manville Sales Corp., Denver, Colorado 80217, Approval No. 164.009/31/1 dated 19 December 1974 was terminated effective 22 January 1980.

Approval No. 164.009/61/0, "Cafco Heat-shield", sprayed asbestos fiber type incombustible material, manufactured by United States Mineral Products Co., Stanhope, New Jersey 07874, Approval No. 164.009/61/0 dated 11 April 1975 was terminated effective 22 January 1980.

Approval No. 164.009/62/0, "Cafco Blaze-Shield type H", sprayed asbestos fiber type incombustible material, manufactured by United States Mineral Products Co., Stanhope, New Jersey 07874, Approval No. 164.009/62/0 dated 11 April 1975 was terminated effective 22 January 1980.

Approval No. 164.009/82/2, "Ultrafine CG 1 through CG 7, fibrous glass type incombustible material, manufactured by Certain-Teed Products Corp., CSG Group, Suite 610, 1627 K St. NW, Washington, D.C. 20006, Approval No. 164.009/82/2 dated 16 December 1974 was terminated effective 22 January 1980.

Approval No. 164.009/126/0, "Reef Hullboard" fibrous glass cloth faced thermal insulation board type incombustible material, manufactured by New Orleans Division of Shook and Fletcher Insulation Co., 4735 River Road, P.O. Box 10564, Jefferson, LA 70181, Approval No. 164.009/126/0 dated 7 May 1974 was terminated effective 31 May 1980.

W. D. Markle, Jr.,

Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc. 80-16170 Filed 5-28-80; 8:45 am]

BILLING CODE 4910-14-M

Federal Register

Thursday
May 29, 1980

Part III

Department of the Interior

Fish and Wildlife Service

Proposal To Determine Hudsonia Montana (Mountain Golden-Heather) To Be a Threatened Species and To Determine Its Critical Habitat

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposal To Determine "Hudsonia montana" (mountain golden-heather) To Be a Threatened Species and To Determine Its Critical Habitat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to determine a plant, *Hudsonia montana* (mountain golden-heather), to be a Threatened species and to determine its Critical Habitat under the authority contained in the Endangered Species Act. This plant occurs in North Carolina, on land owned by the U.S. Forest Service and is threatened by trampling and other factors. This proposal, if finalized, would implement Federal protection provided by the Endangered Species Act of 1973, as amended.

DATES: Comments from the public must be received by July 28, 1980. Comments from the Governor of North Carolina must be received by August 27, 1980. A public meeting on this proposal will be held on Tuesday, July 1 at 7:00 p.m.

ADDRESS: Public meeting location: Western Piedmont Community College auditorium, Morganton, North Carolina.

Comments and materials concerning this proposal, preferably in triplicate, should be sent to the Director (FWS/OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Comments and materials received will be available for public inspection during normal business hours, by appointment, at the Service's Office of Endangered Species, 1000 N. Glebe Road, Fifth Floor, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Chief, Office of Endangered Species, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 703/235-2771.

SUPPLEMENTARY INFORMATION: *Hudsonia montana* (mountain golden-heather) was first discovered on the summit of Table Rock, North Carolina in 1816, by Thomas Nuttall. Today all known populations of the species occur within an eight kilometer radius of Table Rock, and all are on U.S. Forest Service land. The plant is a low perennial shrub with needle-leaves and yellow flowers which measure about two centimeters across. The plants occur on open wind-swept rock ledges.

The continued existence of this plant and the fragile plant communities in which it occurs are being threatened by trampling. This rule proposes to determine *Hudsonia montana* to be a threatened species and would implement the protection provided by the Endangered Species Act. The following paragraphs further discuss the actions to date involving this plant, the threats to the plant, and effects of the proposed action.

Background

Section 12 of the Endangered Species Act of 1973 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, was presented to Congress on January 9, 1975. On July 1, 1975, the Director published a notice in the Federal Register (40 FR 27823-27924) of his acceptance of the report of the Smithsonian Institution as a petition within the context of Section 4(c)(2) of the Act, and of his intention thereby to review the status of the plant taxa named within. On June 16, 1976, the Service published a proposed rulemaking in the Federal Register (41 FR 24523-23472) to determine approximately 1,700 vascular plant species to be Endangered species pursuant to Section 4 of the Act. This 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. *Hudsonia montana* was included in the July 1, 1975, notice of review and the June 16, 1976, proposal. The notice of review and the proposal included *Hudsonia ericoides* ssp. *montana* rather than *Hudsonia montana*. Treatment of this taxon as a subspecies by Skog and Nickerson (1972) was followed by the Smithsonian Institution and thus the derived Federal Register publications. Since 1972, however, this taxon has been treated as a species by various authors. Recent morphological, cytological, and population studies by Morse (1979) have confirmed the distinctness of *Hudsonia montana* from *Hudsonia ericoides*.

The Endangered Species Act Amendments of 1978 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 withdrawing the June 16, 1976, proposal along with four other proposals which had expired. At this time the Service has sufficient new information to warrant reproposing *Hudsonia montana*. Critical Habitat is being proposed for *Hudsonia montana* for the first time.

The Department has determined that this is not a significant rule and does not require the preparation of a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Summary of Factors Affecting the Species

Section 4(a) of the Endangered Species Act (16 U.S.C. 1531 et seq.) states that the Secretary of the Interior shall determine whether any species is an Endangered species or a Threatened species due to one or more of the five factors described in Section 4(a) of the Act. These factors and their application to *Hudsonia montana* Nuttall (mountain golden-heather) are as follows:

(1) *Present or threatened destruction, modification or curtailment of its habitat or range. Hudsonia montana* was originally collected by Thomas Nuttall in 1816, from the summit of Table Rock Mountain in Burke County, North Carolina. Since its discovery, it has been collected at infrequent intervals from this and several other locations all within an eight kilometer radius of Table Rock Mountain, all within Burke County, North Carolina. The species was assumed extinct by various recent treatments due to the failure of botanists to relocate the populations. However, all populations were still extant in 1978 (Morse 1980).

Although all populations are still extant, two populations have shown declines in the number of individuals present (Morse 1980). Nuttall, in 1816, described *Hudsonia montana* as abundant and forming extensive caespitose patches on Table Rock (Pennell 1936). In 1978, approximately 21 plants (including juveniles and seedlings) were observed to be present on Table Rock (Morse, 1980).

This reduction is, in part, due to trampling and soil compaction by human visitors. One location receives heavy use by hikers and campers and one camp fire circle resulted in the partial charring of one large clump of *Hudsonia montana*. The other populations have not been monitored, so changes in the populations cannot be readily determined. All populations are threatened by the heavy use the area receives from hikers and rock climbers and all populations show impact from trampling. Misplaced trails or inadequately regulated hiking and climbing could destroy entire

populations or population segments in a short period.

Hudsonia montana grows on exposed quartzite ledges in an ecotone between bare rock and *Leiophyllum*—dominated heath balds which merge into pine-oak forest. All populations occur on land owned by the U.S. Forest Service in the North Fork Catawba River Planning Unit, Pisgah National Forest, North Carolina.

Efforts to develop a habitat management and monitoring plan are being initiated for the *Hudsonia montana* populations by the U.S. Forest Service personnel. Possible measures which this plan could incorporate include:

(a) Regulations restricting climbing, campfires, and off-trail hiking on designated ledges;

(b) Consideration of *Hudsonia* requirements in trail maintenance operations;

(c) Realignment of trails at locations where these pose a threat to the plant and implementation of erosion control measures at these locations; and

(d) Monitoring studies to evaluate the maintenance and reproduction of *Hudsonia montana.*

(2) *Overutilization for commercial, sporting, scientific, or educational purposes.* Not applicable to this species.

(3) *Disease or predation (including grazing).* Not applicable to this species.

(4) *The inadequacy of existing regulatory mechanisms.* During the summer of 1979, North Carolina passed new legislation to protect its Endangered plants. At this time, the State is in the process of developing a list of species to be included under that legislation and *Hudsonia montana* could be protected under the State law in the future.

The Forest Service's regulations prohibit removing, destroying, or damaging any plant that is classified as a Threatened, Endangered, rare, or unique species (36 CFR Part 261). These regulations, however, may be difficult to enforce. The Endangered Species Act will offer additional protection to this species.

(5) *Other natural or man-made factors affecting its continued existence. Hudsonia montana* is an early pioneer species and evidence indicates that overtopping by taller shrubs may result in the death of the *Hudsonia* plants. Removal of these taller shrubs overtopping the *Hudsonia* should be incorporated into the management plan for the species. Seedlings have been noted most often in disturbed substrates so preparation of seed beds perhaps by fire or other means may also be necessary.

The small size and number of the populations cause this species to be in greater danger of extinction due to natural fluctuations of populations, especially in the case of the three smaller populations.

Critical Habitat

The Act defines "Critical Habitat" as (i) the specific areas within the geographical area occupied by the species, at the time it is listed, in accordance with the provisions of Section 4 of the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographic area occupied by the species at the time it is listed, in accordance with the provisions of Section 4 of this Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

Section 4(f)(4) of the Act requires, to the maximum extent practicable that any proposal to determine Critical Habitat be accompanied by a brief description and evaluation of those activities which, in the opinion of the Secretary, may adversely modify such habitat if undertaken, or may be impacted by such designation.

Any activity which would result in increased trampling or disturbance of the fragile areas where *Hudsonia montana* occurs would adversely modify the Critical Habitat. The long-term solution on how to best protect *Hudsonia montana* may be to greatly reduce the human traffic in the immediate areas where this plant occurs. In this respect, Critical Habitat designation may affect Federal activities as this may require prohibiting the development of new trails in areas where the plant occurs, relocating old trails, or other steps by the Forest Service.

Critical Habitat for *Hudsonia montana* is being determined to include all known populations of this species in North Carolina. Adjacent suitable habitat is being included as essential to the conservation of the species because it provides an area for natual expansion. Modifications of this Critical Habitat designation may be proposed in the future.

Section 4(b)(4) of the Act requires the Service to consider economic and other impacts of specifying a particular area as Critical Habitat. The Service has prepared a draft impact analysis and believes at this time that economic and other impacts of this action are not significant in the foreseeable future. As stated above, designation would impact only Forest Service practices relating to controlling recreational land usage. The Service has been in contact with the Forest Service and others who had input into the economic analysis of this proposed Critical Habitat. This economic analysis served as part of the basis for the Service's decisions as to whether or not to exclude any area from the Critical Habitat for *Hudsonia montana.* The Service will prepare a final impact analysis prior to the time of final rulemaking.

Effects of This Proposal if Published as a Final Rule

In addition to the effects discussed above, the effects of this proposal if published as a final rule would include, but would not necessarily be limited to, those mentioned below.

The Act and implementing regulations found at 50 CFR 17.61 set forth a series of general prohibitions and exceptions which apply to all Endangered plant species. All of those prohibitions and exceptions also apply to any Threatened species, excluding seeds of cultivated plants treated as Threatened, unless a special rule pertaining to that Threatened species has been published and indicates otherwise. The regulations referred to above, which pertain to Endangered and Threatened plants, are found at §§ 17.61 and 17.71, of 50 CFR and are summarized below.

With respect to *Hudsonia montana,* all prohibitions of Section 9(a)(2) of the Act, as implemented by § 17.71 would apply. These prohibitions, in part, would 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, or sell or offer for sale this species in interstate or foreign commerce. Certain exemptions would apply to agents of the Service and State conservation agencies. The Act and § 17.72 also provide for the issuance of permits to carry out otherwise prohibited activities involving Threatened species under certain circumstances.

Section 7(a) of the Act requires all Federal agencies to evaluate their actions with respect to Endangered and Threatened species. Provisions for Interagency Cooperation are codified at 50 CFR Part 402. If published as a final rule this proposal would require Federal agencies not nly to insure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existance of *Hudsonia montana,* but also to insure that their actions are not likely to result in the destruction or adverse modification of its Critical

Habitat which has been determined by the Secretary.

In addition, if listed, the Service will review the status of this species to determine whether it should be proposed to the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora for placement upon the appropriate Appendices to that Convention or whether it should be considered under other appropriate international agreements.

National Environmental Policy Act

A draft environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1000 North Glebe Road, Arlington, Virginia, and may be examined, by appointment, during regular business hours. A determination will be made at the time of final rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

Public Comments Solicited

The Director intends that the rules finally adopted will be as accurate and effective as possible in the conservation of any Endangered or Threatened species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposed rules are hereby solicited. Comments particularly are sought concerning:

(1) Biological or other relevant data concerning any threat (or the lack thereof) to the species included in this proposal;

(2) The location of *Hudsonia montana* and the reasons why any of its habitat should or should not be determined to be Critical Habitat as provided for by Section 7 of the Act;

(3) Additional information concerning the range and distribution of this species;

(4) Current or planned activities in the subject areas and the probable impacts of such activities on the area designated as Critical Habitat; and

(5) The foreseeable economic and other impacts of the Critical Habitat designation on Federal activities.

Final promulgation of the rules on *Hudsonia montana* will take into consideration the comments and any additional information received by the Director, and such communications may lead him to adopt final rules that differ from this proposal.

Public Meetings

The Service hereby announces that a public meeting will be held on this proposed rule. The public is invited to attend this meeting and to present opinions and information on the proposal. Specific information relating to the public meeting is set out below: Place: 1. Western Piedmont Community College auditorium Morganton, N.C.; date: July 1, 1980; time: 7 p.m.; and subject: Proposal of *Hudsonia montana* to be threatened.

This proposal is being published under the authority contained in the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; 87 Stat. 884). The primary author of this proposed rule is Ms. E. LaVerne Smith, Washington Office of Endangered Species (703/235–1975).

Literature Cited

Morse, Larry E. 1980. Report on the Conservation Status of *Hudsonia montana*, a Candidate Endangered Species. In: Geographical Data Organization for Rare Plant Conservation, edited by Larry E. Morse and Mary Sue Henifin, The New York Botanical Garden, Bronx, N.Y. (In Press).

Morse, L. E. 1979. Systematics and Ecological Biogeography of the Genus *Hudsonia* (Cistaceae), the Sand Heathers. Ph. D. dissertation. Harvard University, Cambridge, Mass.

Pennel, F. W. 1936. Travels and scientific publications of Thomas Nuttall. Bartonia 18:1–51.

Skog, J. T. and N. H. Nickerson. 1972. Variation and Speciation in the genus *Hudsonia*. Ann. Missouri Botanical Gardens 59:454–464.

Regulations Promulgation

Accordingly, it is hereby proposed to amend Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, as set forth below.

1. It is proposed to amend § 17.12 by adding, in alphabetical order, the following to the list of plants:

§ 17.12 Endangered and threatened plants.

Species		Historic range	Status	When listed	Critical habitat	Special rules
Scientific name	Common name					
Cistaceae—Rockrose Family:						
Hudsonia montana	Mountain golden-heather	U.S.A. North Carolina	T		Yes	NA

2. Also, the Service proposes to amend § 17.96(a) by adding the Critical Habitat of *Hudsonia montana* after that of *Erysimum capitatum* var. *angustatum* (Contra Costa wallflower) as follows:

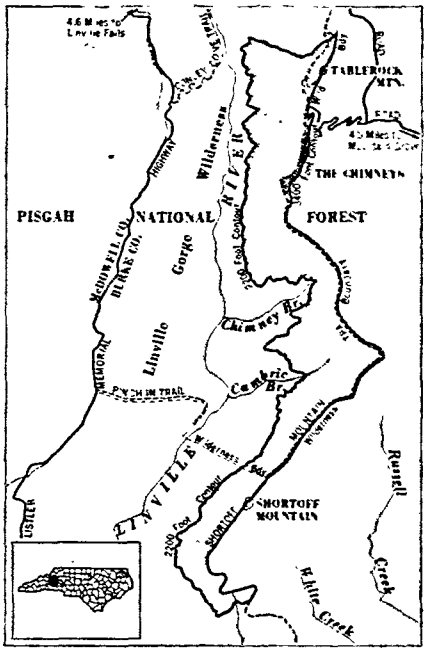
§ 17.96 Critical habitat-plants.

(a) * * *

Family Cistaceae: Mountain golden-heather *(Hudsonia montana). North Carolina,* (Burke County) the area bounded on the west by the 2200' contour, and on the east by a line extending from the intersection of the 2200' contour and the Shortoff Mountain Trail north to the eastern boundary of the Linville Gorge Wilderness; following the boundary northward until it intersects the 3400' contour at "The Chimneys;" then north along the 3400' contour until it rejoins the Wilderness Boundary; then north to the intersection with the 3200' contour north of Tablerock Mountain; then westward along the 3200' contour until the contour turns south. At this point the line extends west until its intersection with the 2200' contour.

* * * * *

Mountain Golden Heather, Burke Co., North Carolina



Dated: April 10, 1980.

Robert S. Cook,

Acting Director, Fish and Wildlife Service.

[FR Doc. 80-16316 Filed 5-28-80; 8:45 am]

BILLING CODE 4310-55-M

Federal Register

Thursday
May 29, 1980

Part IV

Federal Trade Commission

Organization; General Procedures; Nonadjudicative Procedures; and Miscellaneous Rules

FEDERAL TRADE COMMISSION

16 CFR Parts 0, 1, 2, and 4

Organization; General Procedures; Nonadjudicative Procedures; and Miscellaneous Rules

AGENCY: Federal Trade Commission.

ACTION: Interim rules.

SUMMARY: The Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended by the Federal Trade Commission Improvement Act of 1980, is revising its rules of practice to conform its procedures to the amendments made by the FTC Improvement Act of 1980, and to make other changes.

EFFECTIVE DATE: These interim rules are effective on May 28, 1980. The Commission will accept Comments on these rules received on or before July 28, 1980, and may re-evaluate them in light of those comments.

ADDRESS: Comments should be submitted to Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, NW., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Barry R. Rubin, Assistant General Counsel, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3520.

SUPPLEMENTARY INFORMATION: On May 28, 1980, the Federal Trade Commission Improvement Act (Pub. L. 96-252), was enacted. That law amended the Federal Trade Commission Act, 15 U.S.C. 41, *et seq.* These rules are designed to implement those amendments. Additional rule amendments will be published shortly.

1. *Presiding Officers at Rulemaking Proceedings.* Section 9 of the Act amends section 18(c) of the Federal Trade Commission Act, 15 U.S.C. 57a(c), by redesignating section 18(c)(1) through section 18(c)(4) as section 18(c)(2) through section 18(c)(5), respectively, and by adding a new section 18(c)(1). New section 18(c)(1) requires that presiding officers be responsible to a chief presiding officer who shall not be responsible to any other officer or employee of the Commission. The legislative history of Pub. L. 96- , makes clear, however, that periodic evaluations of the performance of presiding officers may be conducted by the Commission through the Office of the Executive Director. New section 18(c)(1) further requires that the officer who presides over the rulemaking proceeding shall make a recommended decision based upon the findings and conclusions of such officer as to all relevant and material evidence, except that such recommended decision may be made by another officer if the officer who presided over the proceeding is no longer available to the Commission. Finally, it prohibits the presiding officer, except, as required for the disposition of *ex parte* matters as authorized by law, from consulting any person or party with respect to any fact in issue unless such officer gives notice and opportunity for all parties to participate.

The Commission's Rules of Practices have been amended in the following respects so as to conform with the requirements of new section 18(c)(1):

a. Part 0 of the Commission's Rules of Practice has been amended to reflect the establishment of an "Office of Presiding Officers."

b. Section 1.13(c) has been amended to provide for: (a) the appointment of a presiding officer by the chief presiding officer upon commencement of a proposed trade regulation rule proceeding; (b) a time limit within which any motion may be filed that is predicated upon the substitution of a new presiding officer for the one originally appointed; (c) the independence of presiding officers from any officer or employee of the Commission other than the chief presiding officer, except that periodic evaluations of the performance of presiding officers may be conducted by the Commission through the Office of the Executive Director; and (d) a prohibition on *ex parte* communications by presiding officers.

c. Section 1.13(d)(6) is amended to reflect the fact that compulsory process can only be issued by a Commissioner, acting pursuant to a Commission resolution (except for matters in adjudication). Presiding officers are thus empowered only to recommend to the Commission that it issue compulsory process. Conforming changes are made in § 1.13(c).

d. Section 1.13(f) has been redesignated § 1.13(g) and amended to reflect the requirement that the officer who presides over the rulemaking proceeding shall make a recommended decision based upon the findings and conclusions of such officer as to all relevant and material evidence, except that such recommended decision may be made by another officer if the officer who presided over the proceeding is no longer available to the Commission.

That section and the following sections have also been amended to change the order of the post-record procedures. Henceforth, the presiding officer's recommended decision will follow the staff report. After the close of the hearing process the staff will prepare its report. The presiding officer would then prepare his recommended decision, taking into account the record of the proceeding as well as the staff report. Interested persons could address both reports in the post-record comment period. This will effectuate the intent of Congress that the presiding officer consider all relevant information in making his decision.

e. Section 1.13(g) has been redesignated § 1.13(f). The first sentence of redesignated § 1.13(f) is amended by substituting the phrase "presiding officer's recommended decision" for the phrase "presiding officer's findings of fact."

f. The first sentence of § 1.13(h) is amended by substituting the phrase "The presiding officer's recommended decision" for the phrase "The findings and conclusions of the presiding officer."

2. *Civil Investigative Demands and Custodial Treatment of Documents.* Section 13 of the Act inserts a new section 20 of the FTC Act which provides that all forms of compulsory process must now be signed by a Commissioner acting pursuant to a Commission resolution. Further, as to investigations "with respect to unfair or deceptive acts or practices" the only form of compulsory process available is a civil investigative demand. This new requirement is modeled after the Department of Justice's authority under the Antitrust Civil Process Act, 15 U.S.C. 1311, *et seq.* The following changes have been made in the Commission's rules:

a. Section 2.4 has been amended to reflect the requirement, contained in amended section 20(i) of the FTC Act that a subpoena or civil investigative demand must be signed by a Commissioner acting pursuant to a Commission resolution. Conforming changes are made in § 2.5.

b. Section 2.6 is amended to reflect the requirement of section 20(c)(2) of the FTC Act that each civil investigative demand shall state the nature of the conduct constituting the alleged violation which is under investigation and the provision of law applicable to such violation.

c. Section 2.7 has been amended to reflect the requirement of amended section 20(i) that the Commission shall have no authority to issue compulsory process unless such process is signed by a Commissioner acting pursuant to a Commission resolution. The previous delegation to certain staff members to issue subpoenas has been revoked.

d. Section 2.7(b) is entirely new. The section provides that in investigations performed with respect to unfair or deceptive acts or practices, civil investigative demands as prescribed by amended section 20 of the FTC Act shall

be the only form of compulsory process issued. Subsection (1) of § 2.7(b) adopts the requirements of amended section 20(c)(3) of the FTC Act. Subsection (2) of § 2.7(b) adopts the requirements of amended section 20(c)(4) of the FTC Act. Subsection (3) of section 2.7(b) adopts the requirements of section 20(c)(5) of the FTC Act. Appropriate conforming changes are made in §§ 4.2 and 4.4.

e. Section 2.7(c) continues the existing practice by which the Director, Deputy Director, Assistant Director, Regional Director or Assistant Regional Director in charge of investigating any matter is authorized to negotiate and approve the terms of satisfactory compliance with subpoenas and civil investigative demands, including the authority to approve extensions of the time prescribed for compliance.

f. Section 2.7(d) has been revised to adopt, with respect to both subpoenas and civil investigative demands, several of the procedures required by amended section 20 of the FTC Act. Specifically, the term "motion to quash" has been changed to "petition to quash" per section 20(f) of the FTC Act. Such petitions shall be filed with the Secretary of the Commission within 20 days after service of the subpoena or demand, or, if the return date is less than 20 days after service of the subpoena or demand, prior to the return date. The 20-day period is adopted for both civil investigative demands and subpoenas, although section 20(f) mandates the 20-day period only for civil investigative demands. A uniform period is adopted to avoid confusion. Appropriate changes conforming to the statutory requirements have been made in §§ 2.7(e), 2.7(f), 2.8(b), 2.8(c), 2.8A(a), 2.9, 2.10, 2.11, 2.12, 2.13, and 2.15. The Director, Deputy Director, Assistant Director, Regional Director or Assistant Regional Director in charge of the investigation has been delegated the authority to grant extensions of time within which to file petitions to limit or quash.

g. Section 2.16 implements the statutory requirement that the Commission designate a custodian and where necessary a deputy custodian for all information provided to it pursuant to compulsory process in an investigation a purpose of which is to determine whether a violation of law has occurred. The custodial provisions of the rules apply only to documents obtained by the Commission pursuant to compulsory process issued after the effective date of Pub. L. 96– . They are modeled after the Department of Justice's procedures under the Antitrust Civil Process Act, 28 CFR Part 49. The duties and powers of custodians and deputy custodians are as prescribed in FTC Act section 21.

3. *Requests to Reopen Commission Orders.* Section 2 of the Act, amends section 5(b) of the Federal Trade Commission Act, 15 U.S.C. 45(b), by adding a provision which requires the Commission to reopen any order issued under section 5 to consider whether such order (including any affirmative relief provision contained in the order) should be altered, modified, or set aside, in whole or in part, if the person, partnership, or corporation involved files a request with the Commission which makes a satisfactory showing that changed conditions of law or fact require such order to be altered, modified, or set aside, in whole or in part. The provision further requires that the Commission determine whether to alter, modify, or set aside such order not later than 120 days after the date of the filing of such request.

Section 2.51 has been amended to conform to the requirements of amended section 5(b). At the same time the rule has been restructured. Specifically, paragraph (a) of § 2.51 sets forth the scope of the rule to include requests to reopen any "Commission decision containing a rule or order which has become effective, or an order to cease and desist which has become final," as did previous § 2.51; the rule therefore applies not only to requests to reopen orders issued under section 5 but also to those issued under other statutory authority, *e.g.*, Clayton Act 11(b), as well as to rules issued after adjudicative hearings under the Fair Packaging and Labeling Act. Paragraph (b) incorporates the requirement of amended section 5(b) that a request contain a satisfactory showing that changed conditions of law or fact require the rule or order to be altered, modified, or set aside in whole or in part. Paragraph (c) sets forth the provisions concerning opportunity for public comment, as did previous § 2.51. And paragraph (d) provides, in conformity with amended section 5(b), that not later than 120 days after the date of the filing of a request, the Commission shall determine whether such request contains the showing required by § 2.51(b) and whether the rule or order should be altered, modified, or set aside as requested.

4. *Confidentiality.*[1] Section 14 of the Act inserts a new section 21 of the FTC Act. Section 21(f) exempts from disclosure under the Freedom of Information Act, 5 U.S.C. 552, material received by the Commission in any investigation, a purpose of which is to determine whether any person may have violated the law if the information is provided under compulsory process or voluntarily in lieu of compulsory process. This exemption applies to all such documents in the Commission's possession on the date of enactment of the Act. Furthermore, documents subject to the custodial requirements of section 21(b) (other than documents which are public such a advertisements) may not be disclosed without the consent of the submitter except to a Commission employee or a contractor, or consultant who has signed a non-disclosure agreement. Such material may, however, be disclosed to a committee or subcommittee of either House of Congress. The Commission is required to notify the owner or provider of the information on receipt of such a request. Further, such information may be disclosed to state and federal law enforcement agencies if they certify that the material will be maintained in confidence and will be used only for official law enforcement purposes. The custodial provisions apply only to documents obtained by the Commission after the effective date of the Act.

Material obtained by the Commission not subject to the custodial provisions described above will not be disclosed if marked confidential without first giving the submitter ten days' notice of the intended disclosure except for congressional disclosure and state and federal law enforcement disclosures as described above. The Commission's authority to make information public is restricted by an amendment to section 6(f) of the FTC Act which precludes the Commission from making public trade secrets or commercial or financial information which is obtained from any person and which is privileged or confidential but expressly authorizes disclosures to state and federal law enforcement agencies if they certify that the material will be maintained in confidence and used only for official law enforcement purposes. Such information obtained in accordance with the Federal Reports Act, 44 U.S.C. § 3512, including information obtained under the Commission's Quarterly Financial Reports Program may be disclosed to other federal agencies for economic, statistical or policymaking purposes only, and the receiving agency shall not disclose such information in an individually identifiable form. The Act does not affect the Commission's ability to disclose information in Commission administrative proceedings or court

[1] These rules also represent the completion of the rulemaking proceeding commenced by the Commission on January 26, 1978, regarding confidentiality of business documents submitted to the Commission. See 43 FR 3571.

proceedings subject appropriate Consumer or court protective or *in camera* orders. Cf. 16 CFR 1.18(b), 3.45. Appropriate implementing changes are made in §§ 4.9, 4.10 and 4.11.

5. *Disposition of Documents Submitted to the Commission.* In the past, it has been the Commission's policy to return original documents on request at the close of a proceeding. This policy was based on the Commission's belief that original documents remain the property of the submitter. The Commission is entitled to retain copies of all documents submitted where the documents constitute "agency records" under the Federal Records Act, 44 U.S.C. 3301. The new legislation expressly requires the return of originals not received into the record of a proceeding (while preserving the right of the Commission to make and retain copies) of documents submitted to the Commission under compulsory process in an investigation, a purpose of which is to determine whether any person may have violated any provision of the laws administered by the Commission. Accordingly, a new § 4.12 (the former 4.12 is being redesignated as section 4.16) is added to explain the Commission's policy on treatment of documents at the close of a proceeding or in cases where no proceeding is commenced within a reasonable time after the staff has completed its examination and analysis of the materials assembled in the investigation. It should be noted that although the new legislation only requires return of original documents that have been obtained pursuant to compulsory process, § 4.12 provides for the return of all originals, however obtained, at the close of the proceeding or where a proceeding has not been commenced within a reasonable time after staff has completed its analysis of all documents assembled in the investigation.

Copies of documents will be returned only in extraordinary circumstances and upon a showing that the public interest require return. The procedures described in the rule will be the only way documents submitted to the Commission may be returned and no commitments to return documents will be entered into at any other time.

6. *LB and QFR Programs.* The Line of Business confidentiality provision, an addition to Section 6(f) of the FTC Act, in essence enacts into permanent law restrictions which were contained in the Commission's appropriations riders for fiscal years 1975, 1976, and 1977. Indeed, the Senate Report explains that the Line of Business provision "eliminates the need to re-enact annually what is meant to be a continuing protection." Two sets of LB confidentiality rules (those for 1974 reports and for 1975/76 reports) explicitly are based on these former appropriations riders, so that those rules are not inconsistent with the new legislation. The 1973 LB rules were in effect during the time the riders were effective and are also consistent with the new LB Section.

The Line of Business provision is different from the prior riders in one respect, in providing that "[n]o one other than designated sworn officers and employees of the Commission may examine the line-of-business reports from individual firms." The following officers and employees are so designated: (1) Employees of the Division of Financial Statistics of the Bureau of Economics; (2) Employees of the Data Processing and Information Systems Division of the Office of the Executive Director, but only during and for the purpose of electronic processing of information and data contained in LB reports; and (3) Employees of the General Counsel's office and Commissioners and their assistants, upon notification to the General Counsel by the Assistant Director for Financial Statistics of a refusal or failure of the reporting company to file an adequate LB report. These persons shall have access to such portions of that company's LB report required to evaluate the noncompliance and to advise and represent the Commission with respect to any proceeding initiated because of the noncompliance. All of these uses are directly parallel to the Commission's current LB confidentiality rules.

Proposed revisions to 1973–76 LB rules, and proposed 1977 rules, have been published in the Federal Register and comment received; 44 FR 59552 (1979); 45 FR 18446 (1980). The Commission anticipates that all of these rules will shortly be revised, and 1977 rules issued, to be based directly on this statute. In the interim the statutory confidentiality restrictions are effective according to their terms.

The QFR confidentiality rules are consistent with the new legislation. The statute puts new limits—Section 6(f), Sections 21(c)–(e)—on disclosure of information obtained by the Commission including QFR information. The QFR rules already provide, however, that data obtained from the reporting companies will not be disclosed outside the Commission and that no individual company data will be disclosed in aggregate reports.

The QFR rules provide few exceptions to this blanket confidentiality: One is that individual company data may be released to other federal agencies under condition of confidentiality. This exception is currently used only for disclosure to the Bureau of Economic Analysis of the Department of Commerce for statistical purposes. It thus is consistent with the new legislation, which permits release of disaggregated confidential commercial or financial information to other federal agencies for economic, statistical or policymaking purposes under confidentiality restrictions.

The QFR rules also except from certain of their prohibitions legal action initiated because of a company's failure to submit reports. This exception, which must be read also to encompass disclosures necessary in the court filing of an action, is consistent with the new legislation's provision for disclosure of confidential commercial or financial information in judicial proceedings to which the Commission is a party.

The QFR rules do not explicitly refer to disclosures to Congress of individual company data. Disclosures of confidential commercial information for this purpose is permitted by the legislation under stated conditions. Because these provisions formally reflect Congress' inherent authority to require the production of information, they are not inconsistent with QFR confidentiality rules as they would likely be construed if a Congressional request were received.

The Commission has proposed, and has received comments on revisions to the QFR rules. See 44 FR 59552 (1979). The Commission anticipates that it will shortly revise the rules, in part to make them more directly parallel with the statute. In the interim, the statutory confidentiality restrictions are effective according to their terms.

In consideration of the foregoing, the Commission hereby amends its rules of practice as follows:

PART 0—ORGANIZATION

1. Section 0.9 is revised to read as follows:

§ 0.9 Organization structure.

The Federal Trade Commission comprises the following principal units:

Office of the Executive Director
Office of the General Counsel
Office of the Secretary
Office of the Policy Planning
Office of Administrative Law Judges
Office of Presiding Officers
Bureau of Competition
Bureau of Consumer Protection
Bureau of Economics
The Regional Offices

§§ 0.15 through 0.18 [Redesignated as §§ 0.16–0.19]

2. Sections 0.15 through 0.18 are redesignated §§ 0.16 through 0.19 respectively. New § 0.15 is added to read as follows:

§ 0.15 Office of Presiding Officers.

Presiding Officers are employees assigned to conduct rulemaking proceedings under section 18(a)(1)(B) of the Federal Trade Commission Act as amended and other rulemaking proceedings as directed.

PART 1—GENERAL PROCEDURES

§ 1.13 [Amended]

3. Section 1.13(c)(1)(vi) is deleted. Sections 1.13(c)(1) (vii), (viii) and (ix) are renumbered 1.13(c)(1) (vi), (vii), and (viii) respectively.

4. Sections 1.13(c) (1) and (2) are redesignatd §§ 1.13(c) (2) and (3) respectively, and new §§ 1.13(c) (1), (4), (5) and (6) are added to read as follows:

§ 1.13 Rulemaking proceeding.

* * * * *

(c) *Presiding Officer.* * * *

(1) *Assignment.*—Upon commencement of a trade regulation rule proceeding, a presiding officer shall be appointed by the chief presiding officer.

* * * * *

(4) *Substitution of presiding officer.*—In the event of the substitution of a new presiding officer for the one originally appointed, any motion predicated upon such substitution shall be made within five (5) days thereafter.

(5) *Organization.*—In the performance of their rulemaking functions, presiding officers shall be responsible to the chief presiding officer who shall not be responsible to any other officer or employee of the Commission, *provided, however,* that periodic evaluations of the performance of presiding officers may be conducted by the Commission through the Office of the Executive Director.

(6) *Ex parte communications.*—Except as required for the disposition of *ex parte* matters as authorized by law, no presiding officer shall consult any person or party with respect to any fact in issue unless such officer gives notice and opportunity for all parties to participate.

5. Section 1.13(d)(6) is revised to read as follows:

* * * * *

(d) *Requests to compel the attendance of persons or the production of documents or to obtain responses to written questions.*—During the course of the rulemaking proceeding the presiding officer shall entertain requests from interested persons to compel the attendance of persons or the production of documents or to obtain responses to written questions on behalf of the Commission's staff or any interested person. Requests to compel the attendance of persons or the production of documents or to obtain reponses to written questions shall contain a statement showing the general relevancy of the material, information or presentation, and the reasonableness of the scope of the request, together with a showing that such material, information or presentation is not available by voluntary methods and cannot be obtained through examination, including cross-examination, of oral presentations or the presentation of rebuttal submissions, and is appropriate and required for a full and true disclosure with respect to the issues designated for consideration in accordance with paragraphs (d)(5) and (d)(6) of this section. If the Presiding Officer determines that a request should be granted he shall transmit his determination to the Commission which shall determine whether to issue an order under rule 2.7.

6. Sections 1.13 (f), (g) and (h) are revised to read as follows:

§ 1.13 Rulemaking proceeding.

* * * * *

(f) *Staff recommendations.*—The staff shall make recommendations to the Commission in a report on the rulemaking record. Such report shall contain its analysis of the record and its recommendations as to the form of the final rule.

(g) *Recommended decision.*—After publication of the staff report, the presiding officer shall make a recommended decision based upon his or her findings and conclusions as to all relevant and material evidence, and taking into account the staff report. The recommended decision shall be made by the presiding officer who presided over the rulemaking proceeding except that such recommended decision may be made by another officer if the officer who presided over the proceeding is no longer available to the Commission.

(h) *Post record comment.*—The staff report and the presiding officer's recommended decision shall be the subject of public comment for a period of sixty (60) days after it is placed in the rulemaking record. Such comments shall be confined to information already in the record and may include requests for review by the Commission of determinations made by the presiding officer.

7. Section 1.18(a) is revised to read as follows:

§ 1.18 Rulemaking record.

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

PART 2—NONADJUDICATIVE PROCEDURES

8. Section 2.4 is revised to read as follows:

§ 2.4 Investigational policy.

The Commission encourages voluntary cooperation in its investigations. Where the public interest requires, however, the Commission may, in any matter under investigation adopt a resolution authorizing the use of any or all of the compulsory processes provided for by law.

9. Section 2.5 is revised to read as follows:

§ 2.5 By whom conducted.

Inquiries and investigations are conducted under the various statutes administered by the Commission by Commission representatives designated and duly authorized for the purpose. Such representatives are "examiners" or "Commission investigators" within the meaning of the Federal Trade Commission Act and are authorized to exercise and perform the duties of their office in accordance with the laws of the United States and the regulations of the Commission. Included among such duties is the administration of oaths and affirmations in any matter under investigation by the Commission.

10. Section 2.6 is revised to read as follows:

§ 2.6 Notification of purpose.

Any person under investigation compelled or requested to furnish information or documentary evidence shall be advised with respect to the purpose and scope of the investigation. When such information or documentary evidence is compelled pursuant to a civil investigative demand issued under Section 20 of the Federal Trade Commission Act, the person served with such demand shall be advised, in the demand, of the nature of the conduct constituting the alleged violation which

is under investigation and the provisions of law applicable to such violation.

11. Section 2.7 is revised to read as follows:

§ 2.7 Compulsory process in investigations.

(a) *In general*—The Commission or any member thereof may, pursuant to a Commission resolution, issue a subpoena or a civil investigative demand directing the person named therein to appear before a designated representative at a designated time and place to testify or to produce documentary evidence, or both, or, in the case of a civil investigative demand, to provide a written report or answers to questions relating to any matter under investigation by the Commission. Material for which a civil investigative demand has been issued but which is still in the physical possession of the person upon whom the demand has been served, may by agreement between such person and the custodian designated pursuant to rule 2.16, be reproduced by such person, in which case the custodian may require that the copies so produced be duly certified as true copies of the original of the materials involved.

(b) *Civil Investigative Demands*—Civil investigative demands shall be the only form of compulsory process issued in investigations with respect to unfair or deceptive acts or practices within the meaning of FTC Act section 5(a)(1).

(1) Civil investigative demands for the production of documentary material shall describe each class of material to be produced with such definiteness and certainty as to permit such material to be fairly identified, prescribe a return date or dates which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction, and identify the custodian to whom such material shall be made available. Production of documentary material in response to a civil investigative demand shall be made in accordance with the procedures prescribed by section 20(c)(10) of the Federal Trade Commission Act.

(2) Civil investigative demands for written reports or answers to questions shall propound with definiteness and certainty the reports to be produced or the questions to be answered, prescribe a date or dates at which time written reports or answers to questions shall be submitted, and identify the custodian to whom such reports or answers shall be submitted. Response to a civil investigative demand for a written report or answers to questions shall be made in accordance with the procedures prescribed by section 20(c)(11) of the Federal Trade Commission Act.

(3) Civil investigative demands for the giving of oral testimony shall prescribe a date, time, and place at which oral testimony shall be commenced, and identify a Commission investigator who shall conduct the investigation and the custodian to whom the transcript of such investigation shall be submitted. Oral testimony in response to a civil investigative demand shall be taken in accordance with the procedures prescribed by section 20(c)(12) of the Federal Trade Commission Act.

(c) Bureau Directors, Deputy Directors, Assistant Directors, Regional Directors, or Assistant Regional Directors, are authorized to negotiate and approve the terms of satisfactory compliance with subpoenas and civil investigative demands and for good cause shown, may extend the time prescribed for compliance. Specifically, the subpoena power conferred by Section 329 of the Energy Policy and Conservation Act (42 U.S.C. 6299) is included within this delegation.

(d) *Petitions to limit or quash.*—Any petition to limit or quash any investigational subpoena or civil investigative demand shall be filed with the Secretary of the Commission within twenty (20) days after service of the subpoena or civil investigative demand, or, if the return date is less than twenty (20) days after service prior to the return date. Such petition shall set forth all assertions of privilege or other factual and legal objections to the subpoena or civil investigative demand, including all appropriate arguments, affidavits and other supporting documentation. All petitions to limit or quash any investigational subpoena or civil investigative demand shall be ruled upon by the Commission itself, but Bureau Directors, Deputy Directors, Assistant Directors, Regional Directors or Assistant Regional Directors are delegated, without power or redelegation, the authority to rule upon requests for extensions of time within which to file such petitions.

(e) The timely filing of a petition to limit or quash any investigational subpoena or civil investigative demand shall stay the time permitted for compliance with the portion challenged. If the Commission denies the petition in whole or in part, the Commission shall specify a new return date.

(f) All petitions to limit or quash investigational subpoenas or civil investigative demands and the Commission's responses thereto, are part of the public records of the Commission, except for information exempt from disclosure under § 4.10(a) of this chapter.

12. Paragraph 2.8 (b) and (c) are revised to read as follows:

§ 2.8 Investigational hearings.

* * * * *

(b) Investigational hearings shall be presided over by the Commission, one or more of its members, or a duly designated representative, for the purpose of hearing the testimony of witnesses and receiving documents and other data relating to any subject under investigation; and the term "presiding official," as used in this part, means and applies to the Commission or any of its members or designated representative when so presiding and the "Commission investigator" designated in a civil investigative demand for the giving of oral testimony. Such hearings shall be stenographically reported and a transcript thereof shall be made a part of the record of the investigation.

(c) Unless otherwise ordered by the Commission, investigational hearings shall not be public. In investigational hearings conducted pursuant to a civil investigative demand for the giving of oral testimony, the Commission investigators shall exclude from the hearing room all other persons except the person being examined, his counsel, the officer before whom the testimony is to be taken, and the stenographer recording such testimony. A copy of the transcript shall promptly be forwarded by the Commission investigator to the custodian designated in section 2.16.

13. Section 2.8A(a) is revised to read as follows:

§ 2.8A Withholding requested material.

(a) Any person withholding material responsive to an investigational subpoena or civil investigative demand issued pursuant to § 2.7, an access order issued pursuant to § 2.11, an order to file a report issued pursuant to § 2.12, or any other request for production of material issued under this Part, shall assert a claim of privilege or any similar claim not later than the date set for the production of material. Such person shall, if so directed in the subpoena, civil investigative demand or other request for production, submit, together with such claim, a schedule of the items withheld which states individually as to each such item the type, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific grounds for claiming that the item is privileged.

* * * * *

14. Sections 2.9(a), (b)(2), and (b)(4) are revised to read as follows:

§ 2.9 Rights of witnesses in investigations.

(a) Any person compelled to submit data to the Commission or to testify in an investigational hearing shall be entitled to retain a copy or, on payment of lawfully prescribed costs, procure a copy of any document submitted by him and of his own testimony as stenographically reported, except that in a nonpublic hearing the witness may for good cause be limited to inspection of the official transcript of his testimony. Where the investigational hearing has been conducted pursuant to a civil investigative demand issued under Section 20 of the Federal Trade Commission Act, upon completion of transcription of the testimony of the witness, the witness shall be offered an opportunity to read the transcript of his testimony. Any changes in form or substance which the witness desires to make shall be entered and identified upon the transcript by the Commission investigator with a statement of the reasons given by the witness for making such changes. The transcript shall then be signed by the witness unless the witnesss cannot be found, is ill, waives in writing his right to signature or refuses to sign. If the transcript is not signed by the witness within thirty days of his being afforded a reasonable opportunity to review it, the Commission investigator shall take the actions prescribed by Section 20(c)(12)(E)(ii) of the Federal Trade Commission Act.

(b) * * *

(2) Where it is claimed that the testimony or other evidence sought from a witness is outside the scope of the investigation, or that the witness is privileged to refuse to answer a question or to produce other evidence, counsel for the witness may object on the record to the question or requirement and may state briefly and precisely the ground therefor. The witness and his counsel shall not otherwise object to or refuse to answer any question, and they shall not otherwise interrupt the oral examination.

* * * * *

(4) Counsel for a witness may not, for any purpose or to any extent not allowed by subparagraphs (1) and (2) of this paragraph, interrupt the examination of the witness by making any objections or statements on the record. Petitions challenging the Commission's authority to conduct the investigation or the sufficiency or legality of the subpoena or civil investigative demand must have been addressed to the Commission in advance of the hearing. Copies of such petitions may be filed with the presiding official or Commission investigator as part of the record of the investigation, but no arguments in support thereof will be allowed at the hearing.

* * * * *

15. Section 2.10 is revised to read as follows:

§ 2.10 Depositions.

In investigations other than those conducted under Section 20 of the Federal Trade Commission Act, the Commission may order testimony to be taken by deposition at any stage of such investigation. Such depositions may be taken before any person having power to administer oaths who may be designated by the Commission. The testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed to by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence as provided in §§ 2.7 through 2.9.

16. Section 2.11(a) is revised to read as follows:

§ 2.11 Orders requiring access.

(a) In investigations other than those conducted under Section 20 of the Federal Trade Commission Act, the Commission may issue an order requiring any person, partnership or corporation being investigated to grant access to files for the purpose of examination and the rights to copy any documentary evidence. The Directors, Deputy Directors, and Assistant Directors of the Bureau of Competition, Consumer Protection, and Economics, and the Regional Directors and Assistant Regional Directors of the Commission's regional offices, pursuant to delegation of authority by the Commission, without power of redelegation, are authorized, for good cause shown, to extend the time prescribed for compliance with orders requiring access issued during the investigation of any matter.

* * * * *

17. Sections 2.12 (a) and (b) are revised to read as follows:

§ 2.12 Reports.

(a) In investigations other than those covered by Section 20 of the Federal Trade Commission Act the Commission may issue an order requiring a person, partnership, or corporation to file a report or answers in writing to specific questions relating to any matter under investigation, study or survey, or under any of the Commission's reporting programs.

(b) The Assistant Director for Financial Statistics, Bureau of Economics, pursuant to delegation of authority by the Commission, without power of redelegation, is authorized to issue notices of default under the Commission's quarterly financial reporting program.

18. Section 2.13(b)(1) is revised to read as follow:

§ 2.13 Noncompliance with investigational processes.

* * * * *

(b) * * *

(1) to institute, on behalf of the Commission, an enforcement proceeding in connection with the failure or refusal of a person, partnership, or corporation to comply with, or to obey, a subpoena, or civil investigative demand if the return date or any extension thereof has passed;

19. Section 2.15(a) is revised to read as follows:

§ 2.15 Orders requiring witnesses to testify or provide other information and granting immunity.

(a) The Bureau Directors, Deputy Directors, Assistant Directors, Regional Directors or Assistant Regional Directors are hereby authorized to request, through the Commission's liaison officer, approval from the Attorney General for the issuance of an order requiring a witness to testify or provide other information and granting immunity under Title 18, section 6002, of the United States Code. The presiding officials or Commission investigators at investigational hearings or depositions are hereby authorized to issue such an order upon the Attorney General's approval. Approval of such an order may be sought only upon determinations by the party requesting approval (1) that the testimony or other information sought from a witness or deponent, or prospective witness or deponent, may be necessary to the public interest, and (2) that such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination. Such order shall be issued upon the approval of the Attorney General where it cannot be determined that a witness or deponent has improperly invoked his privilege against self-incrimination.

* * * * *

20. Section 2.16 is added as follows:

§ 2.16 Custodians.

(a) *Designation.*—The Commission shall designate a custodian and deputy custodian for material to be delivered

pursuant to compulsory process in an investigation, a purpose of which is to determine whether any person may have violated any provision of the laws administered by the Commission. The custodian shall have the powers and duties prescribed by Section 21 of the FTC Act. Deputy custodians may perform all of the duties assigned to custodians. The appropriate Bureau Directors, Deputy Directors, Regional Directors or Assistant Directors shall take the actions required by section 21(b)(7) of the FTC Act if it is necessary to replace a custodian or deputy custodian.

(b) *Copying of custodial documents.*—The custodian designated pursuant to Section 21 of the Federal Trade Commission Act (subject to the general supervision of the Executive director) may, from among the material submitted, select the material the copying of which is necessary or appropriate for the official use of the Commission, and shall determine, the number of copies of any such material that are to be reproduced. Copies of material in the physical possession of the custodian may be reproduced by or under the authority of an employee of the Commission designated by the custodian.

(c) Material produced pursuant to the Federal Trade Commission Act, while in the custody of the Custodian, shall be for the official use of employees of the Commission in accordance with the Act, but such material shall upon reasonable notice to the Custodian, be made available for examination by the person who produced such material or his duly authorized representative during regular office hours established for the Commission.

21. Section 2.51 is revised to read as follows:

§ 2.51 Requests to reopen.

(a) *Scope.*—Any person, partnership, or corporation subject to a Commission decision containing a rule or order which has become effective, or an order to cease and desist which has become final may file with the Secretary a request that the Commission reopen the proceeding to consider whether the rule or order, including any affirmative relief provision contained therein, should be altered, modified, or set aside in whole or in part.

(b) *Contents.*—A request under this section shall contain a satisfactory showing that changed conditions of law or fact require the rule or order to be altered, modified, or set aside, in whole or in part or that the public interest so requires. This requirement shall not be deemed satisfied if a request is merely conclusory or otherwise fails to set forth specific facts demonstrating in detail the nature of the changed conditions and the reasons why these changed conditions require the requested modifications of the rule or order.

(c) *Opportunity for public comment.*—A request under this section shall be placed on the public record except for material exempt from public disclosure under rule 4.10(a). Unless the Commission determines that earlier disposition is necessary, the request shall remain on the public record for thirty (30) days from the date that the request was filed. During this period the public is invited to comment on the request.

(d) *Determination.*—After the period for public comment on a request under this section has expired and no later than one-hundred and twenty (120) days after the date of the filing of the request, the Commission shall determine whether the request complies with subsection (b) and whether the rule or order should be altered, modified, or set aside as requested. In doing so, the Commission may, in its discretion, issue an order reopening the proceeding and modifying the rule or order as requested, issue and order to show cause pursuant to Section 3.72, or take such other action as is appropriate.

PART 4—MISCELLANEOUS RULES

22. Section 4.2(a) is revised to read as follows:

§ 4.2 Requirements as to form, and filing of documents other than correspondence.

(a) *Filing.* (1) Except as otherwise provided, all documents submitted to the Commission including those addressed to the Administrative Law Judge shall be filed with the Secretary of the Commission; provided, however, that in any instance informal applications or requests may be submitted directly to the official in charge of any office of the Commission or to the Director, Deputy Director, or Assistant Director of the appropriate bureau or office or to the Administrative Law Judge. Copies of all documents filed with the Secretary of the Commission by parties in adjudicative proceedings shall, at or before the time of filing, be served by the party filing the documents or person acting for that party on all other parties pursuant to § 4.4. (2) Documents submitted to the Commission in response to a Civil Investigative Demand under § 20 of the FTC Act shall be filed with the custodian or deputy custodian named in the demand.

* * * * *

23. Section 4.4(a)(2) is revised to read as follows:

§ 4.4 Service.

(a) * * *

* * * * *

(2) All other orders and notices, including subpoenas, orders requiring access, orders to file annual and special reports, and notices of default, may be served by any method reasonably certain to inform the affected person, partnership, corporation or unincorporated association, including any method specified in paragraph (a)(1), except that civil investigative demands may only be served in the manner provided by section 20(c)(7) of the FTC Act (in the case of service on a partnership, corporation, association, or other legal entity) or section 20(c)(8) of the FTC Act (in the case of a natural person).

* * * * *

24. Section 4.9(b)(22) is revised to read as follows:

§ 4.9 Public records.

* * * * *

(b)(22) Motions or Petitions to limit or quash compulsory process, and the rulings thereon, except for information exempt from disclosure under § 4.10(a) of this chapter;

* * * * *

25. Introductory text of § 4.10(a), paragraphs (a)(2) and (a)(8) are revised, and paragraphs (a)(9) and (d) are added to read as follows:

§ 4.10 Confidential information.

(a) Except as provided in paragraph (b) of this section, the following records of the Commission are exempt from availability for public inspection and copying pursuant to 5 U.S.C. 552; however, records exempt from disclosure by the provisions of this section may be made available to a requester for inspection and copying upon requests for records under the procedures set forth in § 4.11 or by the Commission upon its own motion, except where prohibited by law:

* * * * *

(2) Trade secrets and commercial or financial information obtained from a person and privileged or confidential. As provided in section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), this exemption applies to competitively sensitive information such as costs or various types of sales statistics and inventories. It includes trade secrets in the nature of formulas, patterns, devices, and processes of manufacture, as well as names of customers in which there is proprietary

or highly competitive interest. Assurances of confidentiality given by Commission staff are not binding upon the Commission.

(8) Material which is received by the Commission (i) in any investigation, a purpose of which is to determine whether any person may have violated any provision of the laws administered by the Commission, and (ii) which is provided pursuant to any compulsory process under the Federal Trade Commission Act, 15 U.S.C. 41, *et seq.*, or which is provided voluntarily in place of compulsory process in such an investigation. This material is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. 552. Except as provided in section 21 of the FTC Act and § 4.11 (b), (c) and (d) of this part, no material received pursuant to compulsory process, in an investigation, a purpose of which is to determine whether any person may have violated any provisions of the laws administered by the Commission, that is not otherwise public shall be made available to any individual other than a duly authorized officer or employee of the Commission without the consent of the person who produced the material or transcripts. Such material may, however, be used in connection with the taking of oral testimony.

(9) Such other records of the Commission as may from time to time be designated by the Commission as confidential pursuant to statute or Executive Order. This exempts from disclosure any information which has been designated nonpublic pursuant to criteria and procedures prescribed by Executive Order and which has not subsequently been declassified in accordance with applicable procedures. The exemption also preserves the full force and effect of statutes which restrict public access to specific government records.

* * * * *

(d) No document submitted to the Commission and marked confidential by the submitter pursuant to section 21(c) of the FTC Act will be released, except as provided in section 21(d) of the FTC Act and in § 4.11 (b), (c) and (d) of this Part, unless it is determined that the document is not a trade secret or commercial or financial information which is obtained from a person and which is privileged or confidential within the meaning of section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and unless the submitter is provided at least 10 days' notice of the intent to disclose the document involved.

§ 4.11 [Amended]

26. Paragraphs 4.11 (b) and (c) are revised, and paragraph 4.11(d) is added, to read as follows:

* * * * *

(b) *Requests from congressional committees and subcommittees.*—Requests from congressional committees and subcommittees shall be referred to the General Counsel for presentation to the Commission, subject to the provisions in 5 U.S.C. 552(c) and FTC Act § 21(b) that neither the Freedom of Information Act, 5 U.S.C. 552, nor the Federal Trade Commission Act, 15 U.S.C. 41, *et seq.*, is authority to withhold information from Congress. Upon receipt of a request from a congressional committee or subcommittee, the General Counsel will notify the owner or provider or any material marked confidential that is responsive to the request, that the request has been received. No other notice need be provided prior to granting the request.

(c) *Requests from Federal and State law enforcement agencies.*—Requests from law enforcement agencies of the Federal Government should be addressed to the liaison officer for the requesting agency, or if there is none, to the General Counsel. Requests from state agencies should be addressed to the General Counsel. The appropriate liaison officer or the General Counsel may grant the request or where appropriate may authorize the custodian to grant the request, or refer it to the Commission for determination. Prior to granting access under this section to any material submitted to the Commission, the General Counsel or liaison officer will obtain from the requestor a certification that such information will be maintained in confidence and will be used only for official law enforcement purposes.

(d) *Requests from Federal agencies for purposes other than law enforcement.*—Requests from Federal agencies for access not related to law enforcement should be addressed to the General Counsel. Disclosure of nonpublic information will be made consistent with section 21 of the FTC Act.

§ 4.12 [Redesignated as § 4.16].

27. Section 4.12 is redesignated as § 4.16, and a new § 4.12 is added to read as follows:

* * * * *

§ 4.12 Disposition of documents submitted to the Commission.

(a) *Original documents.*—Any person who has submitted documentary material to the Commission may file a written request for the return of original documents which have not been received into evidence, (1) after the close of the proceeding in connection with which the documents were submitted, or (2) when no proceeding in which the material may be used has been commenced within a reasonable time after completion of the examination and analysis of all such material and other information assembled in the course of the investigation. Such request shall be in writing, addressed to the Custodian designated pursuant to 15 U.S.C. § 61(b)(2)(A) or the Secretary of the Commission in all other circumstances, and shall reasonably describe the documents requested. Request for return of documents shall not be made nor commitments to return documents entered into prior to the time described in this subsection. The Commission is expressly permitted to make the retain copies of documents submitted to it.

(b) *Non-original documents.*—The Commission will not return non-original documents to the submitter unless, upon a showing of extraodinary circumstances made at the time described in subsection (a), the Commission determines that return would be required in the public interest.

(c) *Disposition of documents not returned.*—At the time prescribed in subsection (a), the staff will examine all submitted documents and will determine, pursuant to the Federal Records Act, 44 U.S.C. § 3301, which documents are appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Commission or because of the information value of data in them. The Commission will dispose of all documents determined under paragraph (b) of this section not to be appropriate for preservation in accordance with applicable regulations of the General Services Administration.

(Sec. 6(g), 38 Stat. 721 (15 U.S.C. 46); 80 Stat. 383, as amended (5 U.S.C. 552))

By direction of the Commission dated May 22, 1980.

Carol M. Thomas,

Secretary.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
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Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

Rules Going Into Effect Today

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

28318 4-29-80 / Procedures for prohibiting substances for use in animal food or feed

INTERSTATE COMMERCE COMMISSION

28341 4-29-80 / Redefinition and expansion of Washington, D.C. commercial zone

PERSONNEL MANAGEMENT OFFICE

28301 4-29-80 / Reduction in force; employees in supervisory or managerial positions; probationary period; retention preference

TREASURY DEPARTMENT

Internal Revenue Service—

28319 4-29-80 / Income tax; application for recognition as qualified group legal services plan

List of Public Laws

Last Listing May 28, 1980

This is a continuing listing of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-275-3030).

S. 1309 / Pub. L. 96-249 "Food Stamp Act Amendments of 1980". (May 26, 1980; 94 Stat. 357) Price $1.25.

S.J. Res. 175 / Pub. L. 96-250 To extend the expiration date of the Defense Production Act of 1950. (May 26, 1980; 94 Stat. 371) Price $1.

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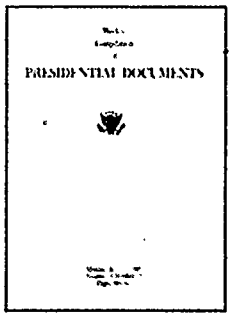

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