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# federal register

Wednesday
September 22, 1982

## Selected Subjects

**Accounting**
Securities and Exchange Commission

**Air Carriers**
Civil Aeronautics Board

**Air Pollution Control**
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**Grant Programs—Social Programs**
Human Development Services Office

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Defense Department

**Hunting**
Fish and Wildlife Service

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# Selected Subjects

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

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**Meat and Meat Products**
Agricultural Marketing Service

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# Presidential Documents

Title 3—

## The President

Memorandum of September 20, 1982

## Determination Under the Bus Regulatory Reform Act of 1982

**Memorandum for the United States Trade Representative**

The Bus Regulatory Reform Act of 1982 addresses in Section 6 the issue of transborder trucking. It imposes a moratorium on the issuance of certificates or permits to motor carriers domiciled in, or owned or controlled by persons of, a contiguous foreign country. I am authorized to remove the moratorium in whole or in part for any country or political subdivision thereof upon determining that such action is in the national interest. I must also provide written notice to the Congress of such removal or modification before it becomes effective. Sixty days' advance notice to the Congress is required whenever the removal or modification applies to a foreign contiguous country or political subdivision thereof which substantially prohibits the granting of motor carrier authority to persons from the United States. I hereby determine that this sixty-day advance notification provision is not now applicable to Canada.

The transborder trucking issue has been the subject of extensive discussions between the United States and Canada and between the United States and Mexico. Because of the importance of fair and open competition in this important service sector, I am today instructing you, as my Trade Representative, to intensify our efforts to negotiate a fair and equitable resolution of this issue with both Canada and Mexico.

I regret that with respect to Mexico there has not yet been progress sufficient to justify a modification of the moratorium. A substantial disparity remains between the relatively open access afforded Mexican trucking service coming into the United States and the almost complete inability of United States trucking interests to provide service into Mexico.

In the case of Canada, our trucking industry is not now, nor has it been, precluded from providing services into that country. However, our regulatory schemes do now differ. Since the United States deregulation legislation, Canadian trucking interests could have an opportunity to provide single-line service into the United States more easily than their United States counterparts can provide into Canada. In addition, United States firms seeking to become established in Canada may be subjected to investment restrictions not facing their Canadian competitors.

I believe that our national interest is best served by fair and equitable competition between United States and Canadian trucking interests in our two markets.

Therefore, under my authority to remove in whole or in part the moratorium imposed in Section 6 of the Bus Regulatory Reform Act which prohibits issuance of certificates or permits to motor carriers domiciled in, or owned or controlled by persons of, a contiguous foreign country, I hereby find that it is in the national interest to modify the moratorium by suspending it insofar as Canada is concerned as set forth below.

Accordingly, you are directed to notify the Congress today on my behalf that, effective tomorrow: (1) The moratorium for Canada is suspended insofar as necessary to permit the Interstate Commerce Commission (ICC) to grant authority to motor carriers under the appropriate sections of 49 U.S.C. subtitle IV. This suspension is expressly conditioned upon the Commission, in making determinations on whether the proposed transportation serves a "useful

public purpose" or is in the "public interest," according great weight to the national transportation policy, particularly the mandates to promote "economical and efficient transportation," and "to encourage sound economic conditions in transportation including sound economic conditions among carriers." Such determinations by the Commission shall be consistent with the directives of the United States Trade Representative concerning the international trade policy of the United States; (2) The moratorium in regard to Canadian applicants is further modified by suspending it to permit the ICC to issue temporary and emergency temporary authority, and to issue certificates in motor carrier merger, consolidation, and acquisition of control proceedings, and motor carrier restriction removal proceedings; (3) The moratorium is further modified by suspending it insofar as issuance of ICC authorities to Canadian carriers for domestic traffic in the United States under the appropriate sections of 49 U.S.C. subtitle IV is concerned. Canadian-owned, controlled, or domiciled firms will be able to apply for and receive ICC authority for operations wholly within the United States.

Finally, having directed you to seek an understanding with Canada that will ensure the fair and equitable treatment of both Canadian and United States trucking interests on both sides of the border, I further direct you to report back to me within sixty days on those discussions. It is my expectation that such time should be sufficient for an appropriate understanding to allow me to finally remove the moratorium.

This determination shall be published in the **Federal Register**.

Ronald Reagan

THE WHITE HOUSE,
*Washington, September 20, 1982.*

[FR Doc. 82-26262
Filed 9-20-82; 5:01 pm]
Billing code 3195-01-M

# Presidential Documents

**Presidential Determination No. 82-20 of September 7, 1982**

## The Sale to Lebanon of Communications Equipment

**Memorandum for the Secretary of Defense**

Pursuant to your recommendation, I determine, pursuant to the provisions of Title 10 United States Code, Section 975, that there is an international crisis in Lebanon affecting the security of the United States and that the sale to the Government of Lebanon of four AN/TRC-145 radio terminals from U.S. Army Prepositioned War Reserves is in the best interests of the United States. You are authorized and directed to report to the Congress on my behalf not later than 60 days after the transfer of such radio terminals to Lebanon a plan for the prompt replenishment of stocks of such radio terminals using the proceeds of the sale for the replenishment.

This determination shall be published in the **Federal Register** pursuant to Section 654 of the Foreign Assistance Act of 1961.

Ronald Reagan

THE WHITE HOUSE,
*Washington, September 7, 1982.*

[FR Doc. 82-26306
Filed 9-21-82; 11:38 am]
Billing code 3195-01-M

# 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.

## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

### 7 CFR Part 2

### Revision of Delegations of Authority

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document revises the delegations of authority from the Secretary of Agriculture and general officers of the Department to reflect the transfer of responsibilities of Title III of the Federal Seed Act, as amended, from the Administrator, Agricultural Marketing Service to the Administrator, Animal and Plant Health Inspection Service.

**EFFECTIVE DATE:** October 1, 1982.

**FOR FURTHER INFORMATION CONTACT:** John C. Frey, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Hyattsville, MD 20782 (301-436-5591).

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Agriculture is responsible for controlling and/or preventing the entry of noxious weeds into the United States under the Federal Seed Act (FSA) and the Federal Noxious Weed Act (FNWA). The FSA, currently, is administered by the Agricultural Marketing Service while the Federal Noxious Weed Act is administered by the Animal and Plant Health Inspection Service. In order for the Department to carry out its mission more effectively and efficiently, it has been determined that the responsibility contained in Title III of the FSA for inspection of imported seeds should be transferred from the Agricultural Marketing Service to the Animal and Plant Health Inspection Service, thus allowing APHIS to sample all imported seed shipments and to inspect such samples for noxious weeds.

This rule relates to internal agency management, and therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to internal agency management, it is exempt from the provision of E.O. 12291. Finally, this action is not a rule as defined by Pub. L. 96-354, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

**List of Subjects in 7 CFR Part 2**

Authority delegations (Government agencies).

Accordingly, Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended as follows:

## PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

1. The authority citation for Part 2 reads as follows:

**Authority:** 5 U.S.C. 301 and Reorganization Plan No. 2 of 1953, unless otherwise noted.

2. Section 2.17 is amended by revising paragraph (a)(3)(xii) and by adding a new paragraph (b)(36) to read as follows:

**§ 2.17 Delegations of authority to the Assistant Secretary for Marketing and Inspection Services.**

* * * * *

(a) * * *

(3) * * *

(xii) Titles I, II, IV, and V of the Federal Seed Act, as amended (7 U.S.C. 1551-1575, 1591-1611).

* * * * *

(b) * * *

(36) Title III (and Title IV to the extent that it relates to activities under Title III,) of the Federal Seed Act, as amended (7 U.S.C. 1581-1610).

* * * * *

3. Section 2.50 is amended by revising paragraph (a)(3)(xii) to read as follows:

**§ 2.50 Administrator, Agricultural Marketing Service.**

(a) * * *

(3) * * *

(xii) Titles I, II, IV, and V of the Federal Seed Act, as amended (7 U.S.C. 1551-1575, 1591-1611).

* * * * *

4. Section 2.51 is amended by adding a new paragraph (a)(37) to read as follows:

**§ 2.51 Administrator, Animal and Plant Health Inspection Service.**

(a) * * *

(37) Title III (and Title IV to the extent that it relates to activities under Title III) of the Federal Seed Act, as amended (7 U.S.C. 1581-1610).

* * * * *

For Subpart C:

Dated: August 27, 1982.

**John R. Block,**

*Secretary of Agriculture.*

For Subpart F:

Dated: August 27, 1982.

**C. W. McMillan,**

*Assistant Secretary for Marketing and Inspection Services.*

[FR Doc. 82-26154 Filed 9-21-82; 8:45 am]
BILLING CODE 3410-01-M

## Commodity Credit Corporation

### 7 CFR Part 1427

### Loans, Purchases, and Other Operations; Specifications for Bale Packaging Materials Used in Wrapping Cotton

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Final rule.

**SUMMARY:** This rule removes unnecessary regulations codified at 7 CFR 1427.1901 through 1427.1905 which previously have set forth detailed specifications for bale packaging materials used in wrapping cotton which is pledged to the Commodity Credit Corporation (CCC) as collateral for a price support loan. The CCC has incorporated by reference in price support regulations for cotton the specifications which are approved and published by the Joint Cotton Industry Bale Packaging Committee for each crop of cotton.

**DATES:** Effective September 21, 1982

**FOR FURTHER INFORMATION CONTACT:** Carolyn E. Cozart, Cotton, Grain, and Rice Price Support Division, ASCS, U.S. Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013, (202) 447-7987.

**SUPPLEMENTARY INFORMATION:** This final rule has been reviewed in conformance with Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been classified "not major." It has been determined that this rule will not result in (1) an annual effect on the economy of $100 million or more; (2) major increases in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity innovation or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program that this rule applies to are: Commodity Loans and Purchases; 10.051, as found in the catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

On July 1, 1982, a final rule was published at 47 FR 28605 amending the regulations governing the CCC cotton loan program for the 1980 and subsequent crops to incorporate by reference these specifications for bale packaging materials used in wrapping cotton which were approved and published by the Joint Cotton Industry Bale Packaging Committee (JCIBPC) for the 1982 crop of cotton. Under this final rule, CCC now requires that the packaging of 1982 crop cotton pledged as collateral for a price support loan must meet such specifications.

Since this rule makes no substantive change but merely deletes certain provisions from the Code of Federal Regulations setting forth the detailed specifications for bale packaging materials for cotton which is pledged to CCC for a price support loan, it has been determined that no further public rulemaking is required. The provisions previously appearing at 7 CFR 1427.1901 through 1427.1905 shall remain in effect with respect to those crop years to which they are applicable.

**List of Subjects in 7 CFR Part 1427**

Cotton, Loan Programs—agriculture.

**Final Rule**

## PART 1427—COTTON

**§§1427.1901-1427.1905 [Removed]**

Accordingly, the regulations at 7 CFR § 1427.1901 through 1427.1905 and the Subpart heading thereto are hereby removed from the Code of Federal Regulations.

(Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714(b) and (c); secs. 101, 103, 401, 63 Stat. 1051, as amended (7 U.S.C. 1441, 1444, 1421))

Signed at Washington, D.C. on September 15, 1982.

**Everett Rank,**

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 82-26098 Filed 9-21-82; 8:45 am]

BILLING CODE 3410-05-M

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## Animal and Plant Health Inspection Service

## 9 CFR Part 94

**[Docket No. 82-035]**

## Change in Disease Status of Great Britain (England, Scotland, Wales, and Isle of Man) Because of Foot-and-Mouth Disease

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

**ACTION:** Affirmation of interim rule.

**SUMMARY:** This document makes final the interim rule which added Great Britain (England, Scotland, Wales, and Isle of Man) to the list of countries declared to be free of rinderpest and foot-and-mouth disease. This action is necessary to permit importation of cattle, sheep, or other ruminants, or swine, or fresh, chilled or frozen meats of such animals into the United States from Great Britain (England, Scotland, Wales, and Isle of Man).

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Dr. D. E. Herrick, USDA, APHIS, VS, Import/Export Animals and Products Staff, Room 821, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8530.

**SUPPLEMENTARY INFORMATION:**

### Executive Order 12291

The final rule has been determined to be not a "major rule" under Executive Order 12291. Based on information received by the Department, it has been determined that this rule will have an annual effect on the economy of less than $100 million, will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, and will not have any significant adverse effects on competition, employment, investment, productivity, or innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. For this rulemaking action, the Office of Management and Budget has waived their review process required by Executive Order 12291, and the Department of Agriculture has waived the requirements of Secretary's Memorandum No. 1512-1.

### Certification Under the Regulatory Flexibility Act

Dr. Harry C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action will lift restrictions that were imposed on March 25, 1981, on the importation of cattle, sheep, or other ruminants, or swine, or fresh, chilled, or frozen meats and other products of such animals into the United States from Great Britain (England, Scotland, Wales, and Isle of Man). In recent years approximatley 50-100 cattle, sheep, other ruminants and swine have been imported from Great Britain into the United States annually. Further, in recent years there has been no fresh, chilled, or frozen meat of such animals and a negligible quantity of other animal products imported into the United States from Great Britain. Therefore, it does not appear that this action will have a significant economic impact on a substantial number of small entities.

### Background

A document published in the **Federal Register** on December 31, 1981 (46 FR 63206-63208) amended, on an interim basis, the regulations (9 CFR Part 94, § 94.1(a)(2)), to add Great Britain (England, Scotland, Wales, and Isle of Man) to the list of countries declared to be free of rinderpest and foot-and-mouth disease. This action was based upon a review of evidence submitted to APHIS by authorities of Great Britain (England, Scotland, Wales, and Isle of Man) on the health conditions of livestock in Great Britain. However, since Great Britain (England, Scotland, Wales, and Isle of Man) supplements its national meat supply through importations of fresh, chilled or frozen meat of ruminants or swine from countries designated in § 94.1(a)(1) of the regulations under

conditions less restrictive than would be acceptable for importation of such meat into the United States, the possibility exists that meat from Great Britain (England, Scotland, Wales, and Isle of Man) may be commingled with meat from infected countries resulting in an unacceptable risk of introducing rinderpest or foot-and-mouth disease into the United States. Therefore, the interim rule also requires that meat of ruminants or swine and other animal products from Great Britain (England, Scotland, Wales, and Isle of Man) be imported into the United States only under restrictions specified in § 94.11(a) of the regulations.

This document became effective on the date of publication. The document provided that the amendment was necessary as an emergency measure to relieve unnecessary restrictions on the importation of cattle, sheep, or other ruminants or swine or fresh, chilled, or frozen meats of such animals imported into the United States from Great Britain (England, Scotland, Wales, and Isle of Man).

Written comments were solicited for 60 days after publication of the amendments. No comments were received in response to the amendments. The factual situation which was set forth in the document of December 31, 1981, still provides a basis for the amendments. After careful consideration of all relevant information available to the Department, the Deputy Administrator has determined that the interim rule revising §§ 94.1(a)(2) and 94.11(a) should be made a permanent regulation as it appeared in the **Federal Register** on December 31, 1981.

**List of Subjects in 9 CFR 94**

*Additional Terms*

Animal diseases, Imports, Livestock and livestock products, Meat and meat products, Milk, Poultry and Poultry products.

African swine fever, Exotic newcastle disease, Foot-and-mouth disease, Fowl pest, Garbage, Hog cholera, Rinderpest, Swine vesicular disease.

(Sec. 2, 32 Stat. 792, as amended; sec. 306, 46 Stat. 689, as amended; secs. 4 and 11, 76 Stat. 130, 132; 19 U.S.C. 1306; 21 U.S.C. 111, 134c, 134f; 47 FR 28464, 28477; 38 FR 19141)

Done at Washington, D.C., this 16th day of September 1982.

**K. R. Hook,**

*Acting Deputy Administrator, Veterinary Services.*

[FR Doc. 82-26144 Filed 9-21-82; 8:45 am]

BILLING CODE 3410-34-M

## SECURITIES AND EXCHANGE COMMISSION

## 17 CFR Part 211

**[Release No. SAB-47]**

## Staff Accounting Bulletin No. 47

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Publication of Staff Accounting Bulletin.

**SUMMARY:** The interpretations in this Staff Accounting Bulletin express certain views of the staff concerning (i) the preparation of financial statements of oil and gas exchange offers included in filings with the Commission and (ii) the application of the Commission's rules for oil and gas producing activities, particularly with respect to the determination of future net revenues and various full cost accounting matters.

**DATE:** September 16, 1982.

**FOR FURTHER INFORMATION CONTACT:** M. Elizabeth Rader or John W. Albert (202-272-2130), Office of the Chief Accountant, or James W. Ford, Jr., (202-272-2553), Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549.

**SUPPLEMENTARY INFORMATION:** The statements in Staff Accounting Bulletins are not rules or interpretations of the Commission nor are they published as bearing the Commission's official approval. They represent interpretations and practices followed by the Division of Corporation Finance and the Office of the Chief Accountant in administering the disclosure requirements of the Federal securities laws.

**Lists of Subjects in 17 CFR Part 611**

Accounting, Reporting requirements, Securities.

**George A. Fitzsimmons,**

*Secretary.*

September 16, 1982.

**Staff Accounting Bulletin No. 47**

The staff hereby adds new major Topic 12 "Oil and Gas Producing Activities" and Topic 2-d "Financial Statements of Oil and Gas Exchange Offers" to the staff accounting bulletin series. In addition, the staff hereby deletes Topic 6-J, redesignates Topics 6-D and 6-E as Topics 12-A and 12-B, respectively, adds Question 11 to redesignated Topic 12-A-2, adds Subsection 3-e to Topic 12-A and adds Topics 12-C, 12-D and 12-E.

Topic 2-D describes the staff's administrative policies with respect to the financial statements of oil and gas exchange offers included in filings with the Commission. Question 11 of Topic 12-A-2 sets forth the staff's view on the impact of natural gas deregulation on the determination of estimates of future net revenues. Topic 12-C updates the guidance previously provided in Topic 6-J concerning the selection of accounting methods for oil and gas producing activities. Topic 12-D set forth the staff's views on questions pertaining to the application of the Commission's rules for the full cost method of accounting for oil and gas producing activities. Topic 12-E discusses financial statements of royalty trusts. The purpose of the redesignation under Topic 12 is to centralize the staff's interpretations of matters involving oil and gas producing activities within one topic of the staff accounting bulletin series.

**Topic 2.—Business Combinations**

* * * * *

*D. Financial Statements of Oil and Gas Exchange Offers*

*Facts.*—Recently, the staff has noted increasing use of "exchange offers" (also referred to as "roll-ups" or "put-togethers") by companies in the oil and gas industry to form a publicity held company, take an existing private company public, or increase the size of an existing publicly held company. An exchange offer transaction involves a swap of shares in a corporation for interests in properties, typically limited partnership interests. Such interests could include direct interests such as working interests and royalties related to developed or undeveloped properties and indirect interests such as limited partnership interests or shares of existing oil and gas companies. Generally, such transactions are structured to be tax-free to the individual or entity trading the property interest for shares of the corporation. Under certain circumstances, however, part or all of the transaction may be taxable.

The fundamental accounting issues in exchange transactions involve determining the basis at which the properties exchanged should be recorded and deciding what prior financial results of the entities should be reported. In this regard, generally accepted accounting principles (GAAP) outline two possible accounting treatments: (1) purchase accounting under which the properties are recorded at their estimated fair value at the date on which the transaction is consummated, or (2) pooling accounting under which the properties are reported at the historical cost to their predecessor owners. The choice between the two methods is not optional but is strictly determined based on the particular circumstances involved in a given transaction. Accounting Principles Board Opinion No. 16 (APBO 16) establishes certain criteria which must be met if pooling accounting is to be used; in all other instances the purchase method must be applied. APBO 16 speaks specifically to business combinations between nonaffiliated enterprises. When affiliated enterprises (under common control) are involved, the transaction may be considered a reorganization and, according to the AICPA staff interpretations of APBO 16, should be recorded in a manner similar to pooling accounting even though the transaction may not meet the technical requirements for pooling treatment.

Because of the recent proliferation in the number of exchange offers and because existing GAAP do not clearly address the accounting for such transactions, the staff has developed administrative policies which it has followed with respect to the financial statements of oil and gas exchange offers included in filings with the Commission.

*Question 1.*—What are the staff's general guidelines in determining the appropriate basis of accounting in an exchange transaction?

*Interpretative Response.*—The staff believes the basis of accounting should be determined pursuant to the provisions of APBO 16, if it is applicable. However, since these transactions typically involve the exchange of interests in selected assets or operations, rather than the combining of entities in their entirety, the prerequisite conditions for pooling accounting are rarely met. Accordingly, where unrelated parties are involved, it is usually appropriate to apply purchase accounting based on the fair value of either the stock issued or the properties involved.

The following chart shows the method of accounting to be used under some relatively simple sets of circumstances.

| Condition | Accounting—based on status of issuing entity | |
|---|---|---|
| | Public Company [1] | Nonpublic [2] |
| Pooling of interests conditions are met (extremely rare) | Pooling of interests accounting. | Same. |
| High degree of common ownership or common control between issuing corporation and offerees. [3] | Purchase accounting based on fair value of stock. [4] | Reorganization of entities under common control. |
| All other, i.e., without common ownership or control | Purchase accounting based on fair value of stock. | Purchase accounting based on fair value of properties. |

[1] Issuing corporation is an existing public company before the exchange offer with an established market for its stock (includes situations involving use of a shell company established by a public company).

[2] Issuing corporation is not public prior to the exchange offer and thus has no established market for its stock.

[3] Common control ordinarily exists where the issuing corporation acts as general partner for the offeree partnership(s). Where all the following conditions apply, common control will be considered to exist between the issuing corporation and the offerees even though the issuer does not exercise the same legal powers as a general partner:

a. The issuer or its survivor initially acquired the property for exploration and development;

b. Other investors were of a passive nature, solicited to provide financing with the hope of a return on their investment; and

c. The issuer or its survivor has continued to exercise day-to-day managerial control.

[4] In rare instances, such as when the property interest owners accepting the exchange offer acquire a majority of the voting shares of the company emerging from the exchange transaction, reorganization accounting may be considered appropriate. In such cases, the particular facts and circumstances should be reviewed with the Commission staff.

This chart reflects the staff's view that purchase accounting is generally appropriate except in situations where the APBO 16 pooling criteria are met or where the principles for transactions involving common control apply. When a non-public entity acts as offeror to a group of related entities, the transaction is essentially a reorganization, and thus there is no basis for a change in the cost basis of the properties involved. If an existing public company (with an established market for its stock) has common ownership or control with the offerees, and the offerees acquire a majority interest in the emerging company, a question may arise as to whether the transaction is a reorganization.

*Question 2.*—In some situations, a non-public issuer may be affiliated with some but not all of the offerees. Assuming the nonaffiliated offerees are not deemed "co-promoters" of the new entity, how should such a transaction be accounted for?

*Interpretive Response.*—The property interests acquired from affiliated and nonaffiliated parties should each be accounted for as though acquired in separate exchange offer transactions. Thus in some circumstances, it may be necessary to record the interests owned by affiliated persons at predecessor cost while recording the interests of nonaffiliated persons as a purchase.

**Example**

Facts—D Company (a non-public company) forms a shell, E Company, to become its successor and to sponsor an exchange offer. E makes the exchange offer to four entities: A, B, C, and D. A and B are unaffiliated; C is a limited partnership sponsored by D. The shareholders of D will become the principal or controlling shareholders of E.

Basis of Accounting—Since there is no market for E's stock, it should record the properties received from C and from D at their predecessor cost. The properties received from A and B should be recorded at their fair market value.

*Question 3.*—How should "reorganization accounting" be applied to the specific assets and liabilities of the new exchange company?

*Interpretive Response.*—Under "reorganization accounting" the various accounting methods followed by the offeree entities should be conformed to the methods adopted by the new exchange company. It is not appropriate to combine assets and liabilities accounted for on different bases. Accordingly, as in the case of any merger between oil and gas companies, all of the oil and gas properties of the new entity must be accounted for on the same basis (either full cost or successful efforts) applied retroactively.

*Question 4.*—If an exchange transaction is tax-free, the book basis (carrying amount) of the net assets acquired often exceeds their tax basis. In such circumstances, if the transaction is *not* being accounted for as a purchase, is it appropriate to establish (and reflect in the pro forma statements) deferred tax credits for the tax effects of such differences between book and tax basis?

*Interpretive Response.*—The staff will not object to the recording of deferred tax credits in these circumstances. Although the current accounting literature does not address this situation directly, the deferred taxes can be viewed as an adjustment necessary to conform the accounting of the combining entities.

*Question 5.*—In Form 10-K filings with the Commission, the staff has permitted limited partnerships to omit certain of the oil and gas reserve data disclosures required by paragraphs (5) through (8) of Rule 4-10(k) in some circumstances. Is it permissible to omit these disclosures from the financial statements included in an exchange offering?

*Interpretive Response.*—No. Normally full disclosures of reserve data and related information are required. The exemptions previously allowed relate *only* to partnerships where value-oriented data are otherwise available to the limited partners pursuant to the partnership agreement. The staff has previously stated that it will require all of the Rule 4-10(k) disclosures for partnerships which are the subject of merger or exchange offers.[1] These disclosures may, however, be presented on a combined basis.

The staff believes that the financial statements in an exchange offer registration statement should provide sufficient historical reserve quantity and value-based disclosures to enable offerees and secondary market public investors to evaluate the effect of the exchange proposal. Accordingly, in all cases, it will be necessary to present information as of the latest year-end on reserve quantities and the future net revenues associated with such quantities.[2] In certain circumstances, where the exchange is accounted for as a purchase, the staff will consider, on a case-by-case basis, granting exemptions from (i) the disclosure requirements for year-to-year reconciliations of reserve quantities, and (ii) the requirements in Rules 4-10(k)(7) and (8) for a summary of oil and gas producing activities and a summary of changes in the net present value of reserves. For instance, the staff may consider requests for exemptions in cases where the properties acquired in the exchange transaction are fully explored and developed, particularly if the management of the emerging company has not been involved in the exploration and development of such properties.

*Question 6.*—Assume an exchange transaction is to be accounted for as a purchase and recorded at the fair value of the properties. If the exchange company will use the full cost method of accounting, does the full cost ceiling limitation apply as of the date

[1] See Staff Accounting Bulletin No. 40, Topic 6-D-3-c [46 FR 11533] (February 9, 1981), redesignated in this Staff Accounting Bulletin as Topic 12-A-3-c.

[2] In Securities Act Release 6412 [47 FR 28684] (July 1, 1982), the Commission proposed to delete Rule 4-10(k), and to relocate its requirements for supplemental oil and gas disclosures in Item 302 of Regulation S-K. Under this proposal, registrants would be required to comply with the provisions of a Statement of Financial Accounting Standards expected to be issued. It is anticipated that the interpretive guidance provided in this response would continue to apply if reserve information is ultimately required by the FASB standard.

of the financial statements reflecting the exchange?

*Interpretive Response.*—Yes. The full cost ceiling limitation on costs capitalized does apply. However, as discussed under Topic 12-D-3, the Commission has stated that in unusual circumstances, registrants may request an exemption if as a result of a major purchase, a write-down would be required even though it can be demonstrated that the fair value of the properties clearly exceeds the unamortized costs.[3]

*Question 7.*—What pro forma financial information is required in an exchange offer filing?

*Interpretive Response.*—The requirements for pro forma financial information in exchange offer filings are the same as in any other filings with the Commission and are detailed in Article 11 of Regulation S-X.[4] Rule 11-02(b) specifies the presentation requirements, including periods presented and types of adjustments to be made. The general criteria of Rule 11-02(b)(6) are that pro forma adjustments should give effect to events that are (i) directly attributable to the transaction, (ii) expected to have a continuing impact on the registrant and (iii) factually supportable. In the case of an exchange offer, such adjustments typically are made to:

(1) Show varying levels of acceptance of the offer.

(2) Conform the accounting methods used in the historical financial statements to those to be applied by the new entity.

(3) Recompute the depreciation, depletion and amortization charges, in cases where the new entity will use full-cost accounting, on a combined basis. If this computation is not practicable, and the exchange offer is accounted for as a reorganization, historical depreciation, depletion and amortization provisions may be aggregated, with appropriate disclosure.

(4) Reflect purchase cost in the pro forma statements (where the exchange offer is accounted for on the purchase basis), including depreciation, depletion and amortization based on the purchase cost.

(5) Provide pro forma reserve information.

(6) Reflect significant changes, if any, in levels of operations (revenues or costs), or in income tax status and to reflect debt incurred in connection with the transaction.

In addition, the depreciation, depletion and amortization rate which will apply for the initial period subsequent to consummation of the exchange offer should be disclosed.

*Question 8.*—Are there conditions under which the presentation of other than full historical financial statements would be acceptable?

*Interpretive Response.*—Generally, full historical financial statements as specified in Rules 3-01 and 3-02 of Regulation S-X are considered necessary to enable offerees and secondary market investors to evaluate the transaction. Where securities are being registered to offer to the security holders (including limited partners and other ownership interests) of the businesses to be acquired, such financial statements are normally required pursuant to Rule 3-05 of Regulation S-X, either individually for each entity or, where appropriate, separately for the offeror and on a combined basis for other entities, generally excluding corporations. However, certain exceptions may apply as explained in the outline below:

*A. Purchase Accounting*

1. If the registrant can demonstrate that full historical financial statements of the offeree partnerships are not reasonably available, the staff may permit presentation of audited Statements of Combined Gross Revenues and Direct Lease Operating Expenses for all years for which an income statement would otherwise be required. In these circumstances, the registrant should also disclose in an unaudited footnote the amounts of total exploration and development costs, and general and administrative expenses along with the reasons why presentation of full historical financial statements is not practicable.

2. The staff will consider requests to waive the requirement for prior year financial statements of the offeree partnerships and instead allow presentation of only the latest fiscal year and interim period, if the registrant can demonstrate that the prior years' data would not be meaningful because the offeree partnerships had no material quantity of production.

*B. Reorganization Accounting*

The staff would expect that full historical financial statements as specified in Rules 3-01 and 3-02 of Regulation S-X would be included in the registration statement for exchange offers accounted for as reorganizations, including all required supplemental reserve information. The presentation of individual or combined financial statements would depend on the circumstances of the particular exchange offer.

Registrants are also reminded that wherever historical results are presented, it may be appropriate to explain the reasons why historical costs are not necessarily indicative of future expenditures.

* * * * *

**Topic 12: Oil and Gas Producing Activities**

*A. Accounting Series Release No. 257—Requirements for Financial Accounting and Reporting Practices for Oil and Gas Producing Activities*

* * * * *

2. Estimates of Future Net Revenues

* * * * *

*Question 11.*—Under the Natural Gas Policy Act, (NGPA), certain categories of natural gas will be deregulated as of January 1, 1985. In computing estimates of future net revenues pursuant to Rule 4-10(k)(6) of Regulation S-X,[5] what price should be used for estimated gas production after the decontrol date?

*Interpretive Response.*—Companies should base pricing of production subsequent to the date a particular category of gas is scheduled to be decontrolled on the price applicable to the gas immediately prior to the decontrol date, *i.e.*, at the current sales price at the end of the fiscal year for that category of gas, adjusted only for fixed and determinable escalation (provided in all cases the company can reasonably expect to receive the price used). Such pricing should be used even if the applicable gas sales contracts contain escalation provisions such as area-rate escalator clauses or clauses tied to the prices of competitive fuels.

This practice differs from the circumstances involved with the decontrol of crude oil prices in 1980 and 1981 (see Question 7 in this section), because the market and regulatory conditions affecting natural gas differ substantially from those relating to crude oil during the earlier period. The current decontrolled price of gas may not prevail as a market clearing price under deregulated conditions, and accordingly the staff does not consider it appropriate to apply the current decontrolled price to production subsequent to the decontrol date.

Registrants are also reminded that the current instability in the natural gas market may require increased scrutiny of both (1) the expected timing of estimated future production and (2) the appropriate prices to be applied to all future production for purposes of the future net revenue calculation. The estimates of future production should take into account the known or reasonably likely impact of reduced takes by purchasers, pursuant to contractual rights or otherwise. Similarly, as noted in the response to Question 2 in this section, whether the gas in question is eligible for current market prices or is subject to some lower ceiling, the use of the maximum eligible price is appropriate *only* provided the company can reasonably expect to sell the gas at that price.

3. Disclosure of Reserve Information

* * * * *

*e. Rate Regulated Companies*

*Question.*—If a company has cost-of-service oil and gas producing properties, how should they be treated in the supplemental disclosures of reserve quantities and related future net revenues provided pursuant to Rule 4-10(k) of Regulation S-X?

*Interpretive Response.*—Rule 4-10 provides that registrants may give effect to differences arising from the ratemaking process for cost-of-service oil and gas properties. Accordingly, in these circumstances, the staff believes that the company's supplemental reserve quantity disclosures should indicate separately the quantities associated with properties subject to cost-of-service ratemaking, and that it is appropriate to exclude those quantities from

[3] See Financial Reporting Release No. 1, "Codification of Financial Reporting Policies." § 406.01.c.iii [47 FR 21028] (May 17, 1982).

[4] As announced in Financial Reporting Release No. 2 [47 FR 29832] (July 9, 1982).

[5] In Securities Act Release 6412 [47 FR 28684] (July 1, 1982), the Commission proposed to delete Rule 4-10(k), and to require instead the presentation in Item 302 of Regulation S-K of the supplemental oil and gas disclosures specified in the Statement of Financial Accounting Standards on disclosures of oil and gas producing activities expected to be issued. It is anticipated that the interpretive guidance provided herein would continue to apply if reserve information is ultimately required by the FASB standard.

the future net revenue disclosures. The company should also disclose the nature and impact of its cost-of-service ratemaking, including the unamortized cost included in the balance sheet.

* * * * *

*C. Methods of Accounting by Oil and Gas Producers*

1. First-time Registrants

*Facts:* In Accounting Series Release No. 300, the Commission announced that it would allow registrants to change methods of accounting for oil and gas producing activities so long as such changes were in accordance with generally accepted accounting principles. Accordingly, the Commission stated that changes from the full cost method to the successful efforts method would not require a preferability letter because of the position expressed in Statement of Financial Accounting Standards No. 25 that successful efforts is considered preferable by the FASB for accounting changes. Changes *to* full cost, however, would require justification by the company making the change and filing of a preferability letter from the company's independent accountants.

*Question.*— How does this policy apply to a nonpublic company which changes its accounting method in connection with a forthcoming public offering or initial registration under either the 1933 Act or 1934 Act?

*Interpretive Response.*—The Commission's policy that first time registrants may change their previous accounting methods without filing a preferability letter is applicable. Therefore, such a company may change to the full cost method without filing a preferability letter.

2. Consistent Use of Accounting Methods Within a Consolidated Entity

*Facts.*—Rule 4-10(i) of Regulation S-X states that "a reporting entity that follows the full cost method shall apply that method to all of its operations and to the operations of its subsidiaries."

*Question 1.*—If a parent company uses the successful efforts method of accounting for oil and gas producing activities, may a subsidiary of the parent use the full cost method?

*Interpretive Response.*—No. The use of different methods of accounting in the consolidated financial statements by a parent company and its subsidiary would be inconsistent with the full cost requirement that a parent and its subsidiaries all use the same method of accounting.

The staff's general policy is that an enterprise should account for all its like operations in the same manner. However, Rule 4-10 of Regulation S-X provides that oil and gas companies with cost-of-service oil and gas properties may give effect to any differences resulting from the ratemaking process, including regulatory requirements that a certain accounting method be used for the cost-of-service properties.

*Question 2.*—Must the method of accounting (full cost or successful efforts) followed by a registrant for its oil and gas producing activities also be followed by any fifty percent or less owned companies in which the registrant carries its investment on the equity method (equity investees)?

*Interpretive Response.*—No. Conformity of accounting methods between a registrant and its equity investees, although desirable, may not be practicable and thus is not required. However, if a registrant proportionately consolidates its equity investees, it will be necessary to present them all on the same basis of accounting.

*D. Application of Full Cost Method of Accounting*

1. Treatment of Income Tax Effects in the Computation of the Limitation on Capitalized Costs

*Facts.*—Item (D) of Rule 4-10(i)(4) of Regulation S-X states that the income tax effects related to the properties involved should be deducted in computing the full cost ceiling.

*Question 1.*—What specific types of income tax effects should be considered in computing the income tax effects to be deducted from estimated future net revenues?

*Interpretative Response.*—The rule refers to income tax effects generally. Thus, the computation should take into account (i) the tax basis of oil and gas properties, (ii) net operating loss carryforwards, (iii) foreign tax credit carryforwards, (iv) investment tax credits, (v) minimum taxes on tax preference items, and (vi) the impact of statutory (percentage) depletion.

It may often be difficult to allocate net operating loss carryforwards (NOL's) between oil and gas assets and other assets. However, to the extent that the NOL's are clearly attributable to oil and gas operations and are expected to be realized within the carryforward period, they should be added to tax basis.

Similarly, to the extent that investment tax credit (ITC) carryforwards and foreign tax credit carryforwards are attributable to oil and gas operations and are expected to be realized within the carryforward period, they should be considered as a deduction from the tax effect otherwise computed. Consideration of NOL's and ITC or foreign tax credit carryforwards should not, of course, reduce the total tax effect below zero.

*Question 2.*—How should the tax effect be computed considering the various factors discussed above?

*Interpretative Response.*—Theoretically, taxable income and tax could be determined on a year-by-year basis and the present value of the related tax computed. However, the "short-cut" method illustrated below is also acceptable.

Assumption

| | | |
|---|---|---|
| Capitalized costs of oil and gas assets | | $500,000 |
| Accumulated DD&A | | (100,000) |
| Book basis of oil and gas assets | | 400,000 |
| Related deferred income taxes | | 35,000 |
| Net book basis to be recovered | | 365,000 |
| NOL carryforward [1] | | $20,000 |
| Foreign tax credit carryforward [1] | | $1,000 |
| ITC-Carryforward [1] | $2,000 | |
| Present value of ITC relating to future development costs | 1,500 | $3,500 |
| Estimated preference (minimum) tax on percentage depletion in excess of cost depletion | | $500 |
| Tax basis of oil and gas assets | | $270,000 |
| Present value of statutory depletion attributable to future deductions | | $10,000 |
| Statutory tax rate (percent) | | 46 |
| Present value of future net revenues from proved oil and gas reserves | | $272,000 |
| Cost of properties not being amortized | | $55,000 |
| Lower of cost or estimated fair value of unproved properties included in costs being amortized | | $49,000 |

Calculation

| | | | |
|---|---|---|---|
| Present value of future net revenue | | | $272,000 |
| Cost of properties not being amortized | | | 55,000 |
| Lower of cost or estimated fair value of unproved properties included in costs being amortized | | | $49,000 |
| Tax effects: Total of above items | $376,000 | | |
| Less: | | | |
| Tax basis of properties | (270,000) | | |
| Statutory depletion | (10,000) | | |
| NOL carry forward | (20,000) | (300,000) | |
| Future taxable income | | 76,000 | |
| Tax rate (percent) | | ×46 | |
| Tax payable at statutory rate | | (34,960) | |
| ITC | | 3,500 | |
| Foreign tax credit carryforward | | 1,000 | |
| Estimated preference tax | | (500) | |
| Total tax effects | | | (30,960) |
| Cost Center Ceiling | | | $345,040 |
| Less: Net book basis | | | 365,000 |
| Required write-off, net of tax [2] | | | ($19,960) |

[1] All carryforward amounts in this example represent amounts which are available for tax purposes and which relate to oil and gas operations.

[2] For accounting purposes, the gross write-off should be recorded to adjust both the oil and gas properties account and the related deferred income taxes.

2. Exclusion of Costs from Amortization

*Facts.*—Rule 4-10(i)(3)(ii) indicates that the costs of acquiring and evaluating unproved properties may be excluded from capitalized costs to be amortized if the costs are unusually significant in relation to aggregate costs to be amortized. Costs of major development projects may also be excluded if unusually significant development costs must be incurred prior to ascertaining the quantities of proved reserves attributable to such properties.

*Question.*—At what point should amortization of previously excluded costs commence—when proved reserves have been established or when those reserves become marketable? For instance, a determination of proved reserves may be made before completion of an extraction plant necessary to process sour crude or a pipeline necessary to market the reserves. May the costs continue to be excluded from amortization until the plant or pipeline is in service?

*Interpretive Response.*—No. The proved reserves and the costs allocable to such reserves should be transferred into the amortization base on an ongoing (well-by-well or property-by-property) basis as the project is evaluated and proved reserves are established.

Once the determination of proved reserves has been made, there is no justification for continued exclusion from the full cost pool, regardless of whether other factors prevent immediate marketing. Moreover, at the same time that the costs are transferred into the amortization base, it is also necessary in accordance with FASB Interpretation No. 33

and Statement of Financial Accounting Standards No. 34 to terminate capitalization of interest on such properties.

In this regard, registrants are reminded of their responsibilities not to delay recognizing reserves as proved once they have met the engineering standards.

3. Full Cost Ceiling Limitation

*a. Exemptions for Purchased Properties*

*Facts.*—During 1981, a registrant purchases proved oil and gas reserves in place ("the purchased reserves") in an arm's length transaction for the sum of $9.8 million. Primarily because the registrant expects oil and gas prices to escalate, it paid $1.2 million more for the purchased reserves than the "Present Value of Estimated Future Net Revenues" computed as defined in Rule 4-10(k)(6)(ii) of Regulation S-X. An analysis of the registrant's full cost center in which the purchased reserves are located at December 31, 1981 is as follows:

[Amounts in 1,000]

| | Total | Purchased reserves | Other proved properties | Unproved properties |
|---|---|---|---|---|
| Present value of estimated future net revenues | $14,100 | 8,600 | 5,500 | |
| Cost, net of amortization | 16,300 | 9,800 | 5,500 | 1,000 |
| Related deferred taxes | 2,300 | | 2,000 | 300 |
| Income tax effects related to properties | 2,500 | | 2,500 | |

| | Including purchased reserves | Excluding purchased reserves |
|---|---|---|
| Comparison of capitalized costs with limitation on capitalized costs at December 31, 19x1: | | |
| Capitalized costs, net of amortization | $16,300 | $6,500 |
| Related deferred taxes | (2,300) | (2,300) |
| Net book cost | 14,000 | 4,200 |
| Present value of estimated future net revenues | 14,100 | 5,500 |
| Lower of cost or market of unproved properties | 1,000 | 1,000 |
| Income tax effects related to properties | (2,500) | (2,500) |
| Limitation on capitalized costs | 12,600 | 4,000 |
| Excess of capitalized costs over limitation on capitalized costs net of tax [1] | 1,400 | 200 |

[1] For accounting purposes, the gross write-off should be recorded to adjust both the oil and gas properties account and the related deferred income taxes.

*Question.*—Is it necessary for the registrant to write down the carrying value of its full cost center at December 31, 1981 by $1,400,000?

*Interpretative Response.*—Although the net carrying value of the full cost center exceeds the cost center's limitation on capitalized costs, the text of Accounting Series Release No. 258 provides that a registrant may request an exemption from the rule if as a result of a major purchase of proved properties, a write down would be required even though the registrant believes the fair value of the properties in a cost center clearly exceeds the unamortized costs.[6]

Therefore, to the extent that the excess carrying value relates to the purchased reserves, the registrant may seek a temporary waiver of the full-cost ceiling limitation from the staff of the Commission. Registrants requesting a waiver should be prepared to demonstrate that the additional value exists beyond reasonable doubt.

To the extent that the excess costs relate to properties *other than* the purchased reserves, however, a write-off should be recorded in the current period. In order to determine the portion of the total excess carrying value which is attributable to properties other than the purchased reserves, it is necessary to perform the ceiling computation on a "with and without" basis as shown in the example above. Thus in this case, the registrant must record a write-down of $200,000 applicable to other reserves. An additional $1,200,000 write-down would be necessary unless a waiver were obtained.

b. Effect of Subsequent Events on the Computation of the Limitation on Capitalized Costs.

*Facts.*—Rule 4-10(i)(4)(ii) of Regulation S-X provides that an excess of unamortized capitalized costs within a cost center over the related cost ceiling shall be charged to expense in the period the excess occurs.

*Question.*—Assume that at the date of a company's fiscal year-end, its capitalized costs of oil and gas producing properties exceed the limitation prescribed by Rule 4-10(i)(4) of Regulation S-X. Thus, a write-down is indicated. Subsequent to year-end but before the date of the auditors' report on the company's financial statements, assume that one of two events occurs: (1) additional reserves are proved up on properties owned at year-end, or (2) price increases become known which were not fixed and determinable at year-end. The present value of future net revenues from the additional reserves or from the increased prices is sufficiently large that if the full cost ceiling limitation were recomputed giving effect to those factors as of year-end, the ceiling would more than cover the costs. Is it necessary to record a write down?

*Interpretative Response.*—No. In these cases, the proving up of additional reserves on properties owned at year-end or the increase in prices indicates that the capitalized costs were not in fact impaired at year-end. However, for purposes of the revised computation of the "ceiling," the net book costs capitalized as of year-end should be increased by the amount of any additional costs incurred subsequent to year-end to prove the additional reserves or by any related costs previously excluded from amortization.

The registrant's financial statements should disclose that capitalized costs exceeded the limitation thereon at year end and should explain why the excess was not charged against earnings. In addition, the registrant's supplemental disclosures of estimated proved reserve quantities and related future net revenues and costs should *not* give effect to the reserves proved up or costs incurred after year-end or to the price increases occurring after year-end. However, such quantities and amounts may be disclosed separately, with appropriate explanations.

Registrants should be aware that oil and gas reserves related to properties acquired after year-end would *not* justify avoiding a write-off indicated as of year-end. Such acquisitions do not confirm situations existing at year-end.

4. Mineral Property Conveyances and Related Transactions

*Facts.* Rule 4-10(i)(6)(i) of Regulation S-X provides that sales of oil and gas reserves in place shall, with limited exceptions, be accounted for as *adjustments of capitalized costs, with no gain or loss recognized.* Rule 4-10(i)(6)(iii) relating to drilling arrangements *permits recognition of income* from sales of unproved properties when (A) the cash consideration received from the sale of unproved properties exceeds the total cost of the properties plus any exploration and development costs to be subsequently incurred or (B) the cash received represents reimbursement for amounts currently charged to expense.

*Question 1.*—These two provisions appear inconsistent. How do they relate to each other?

*Interpretive Response.* These two rules relate to two different classes of costs: costs included in the full cost pool (whether or not being amortized currently) and costs segregated in an inventory account for contribution or sale to limited partnerships or other forms of drilling arrangements. These two classes of costs have certain distinct features which require different accounting treatments, one based on a concept of significant alteration of relationships within the full cost pool and the other based on a cost recovery concept.

Rule 4-10(i)(6)(i) states the general rule for both proved and unproved properties included in a full cost center. Under the concept of full cost accounting, all costs in a cost center are considered to relate to a single operating asset, the proved reserves within a cost center. It is the staff's view that once costs are charged to a cost center, they lose their identity for all future accounting purposes. No further tracking of costs is appropriate. All future accounting must be based on an allocation of the net carrying value of the full cost account. Consistent with this concept, it is not appropriate to recognize a loss upon drilling an unsuccessful well, nor is it appropriate to recognize a gain (or loss) on the sale or partial sale of a single property.

As the rule states, the only exception to this treatment arises when such sales *significantly* alter the relationship between

[6] See Accounting Series Release No. 258, as codified in *Financial Reporting Release* No. 1, Section 406.01.c.iii. [47 FR 21028] (May 17, 1982).

capitalized costs and proved reserves attributable to a cost center. The rule further states that such a significant alteration ordinarily would not be expected to occur for sales of less than 25 percent of the reserves of a cost center. A significant alteration could also occur in other cases, for instance, if 10 percent of the reserves were sold for an amount equal to 50 percent of the capitalized costs or if an unproved property within the cost center were sold for an amount significant to the total cost center. In all cases where a significant alteration occasions recognition of gain or loss, the amount of the gain or loss should be determined based on an allocation of total costs within the cost center. Such allocation should be calculated on the same basis used to compute amortization unless there are substantial economic differences between the properties sold and those retained. In that case, the allocation should be based on relative fair values.

Rule 4-10(i)(6)(iii) relates to drilling arrangements only. It contemplates that leases held for contribution or sale to limited partnerships or drilling arrangements will be identified and segregated upon acquisition and carried in an inventory account separate from the full cost center. The rules further limit income recognition to the cost recovery method, that is, to cases where the company transferring the lease receives cash proceeds in excess of the total of its costs incurred to date plus any additional costs it expects to incur in connection with the properties transferred. This determination with respect to recovery of total costs shall be made on a partnership-by-partnership basis. Any abandonment or impairment of leases segregated in the inventory account should be charged directly to expense (not to the full cost pool).

Management fees should be accounted for in the same way as sales proceeds. Thus, income should not be recognized unless the cash compensation received exceeds total costs incurred and to be incurred or unless the fees represent reimbursement of amounts currently incurred and charged to expense.

Whenever gain or loss is recognized pursuant to Rule 4-10(i)(6)(i) or Rule 4-10(i)(6)(iii), the registrant should explain the rationale for such treatment in a footnote to the financial statements.

*Question 2.*—Assume a company engaged in oil and gas producing activities has excluded the costs of certain unevaluated properties from the full cost amortization base because they are unusually significant relative to total capitalized costs of the cost center. If these properties are sold, may gain be recognized?

*Interpretive Response.*—Although the properties are excluded from amortization, they are still part of the full cost pool. Therefore, gain or loss should not be recognized on such sales unless the sale would otherwise result in a significant alteration of the relationship between costs and reserves being amortized, as stated in subparagraph (i) of Rule 4-10(i)(6) of Regulation S-X, and as discussed in the response to Question 1 above.

*Question 3.*—In determining whether a gain can be recognized from a transfer of unproved properties to a drilling arrangement, Rule 4-10(i)(6)(iii) indicates that it is necessary to consider the amount of any exploration and development costs estimated to be subsequently incurred with respect to an interest retained by the company in the property or in properties related by common contractual provision. Assuming that the cash proceeds have already been received, at what point in time may gain be recognized?

*Interpretive Response.*—Gain should be recognized only at such time as it is possible to determine costs actually incurred and to estimate remaining costs to be incurred. Until such time as future exploration and development costs can be reasonably estimated, it is not appropriate to recognize any gain on the transaction. If a reasonable estimate is made and must subsequently be revised, the revision should be accounted for as a change in estimate. In this regard, the staff believes that significant revisions of estimates should be rare and that frequent revisions may indicate a lack of basis to reasonably estimate remaining costs.

*Question 4.*—Registrants engaged in oil and gas producing activities occasionally also engage in putting together lease prospects for resale to others. Such lease rights may be sold outright, or in other instances, a royalty interest or a small working interest may be retained. These activities are commonly referred to as lease brokerage. Under what circumstances may an oil and gas producing company acting also as a lease broker recognize gain on the sale of unproved leases?

*Interpretive Response.*—When a registrant is also involved in oil and gas producing activities, it is permissible to recognize gain on the sale of unproved leases *only* if the registrant can establish that its lease brokerage activities are separate and distinct from its oil and gas producing activities. The registrant must be able to demonstrate and document on a continuing basis that it is engaged in the separate activities of lease brokerage on the one hand, and exploration and production on the other. The oil and gas properties and other assets associated with each of those separate activities must be identifiable. Oil and gas properties deemed to be associated with lease brokerage activities should be identified upon acquisition by the company and segregated in a lease inventory account. They should not be included in any full cost pool.

Where the company retains any form of interest in the leases, the rules for drilling arrangements apply. Thus, as discussed in the response to Question 1 above, gain or loss should be recognized only on the cost recovery basis. Whether or not the transactions represent drilling arrangements, the lease inventory account should be subject to a lower of cost or current market value assessment at least annually, and the cost of any properties abandoned from the inventory account should be charged directly to income in the period in which the decision is made to abandon the leases.

Properties should not be transferred from a full cost pool to the inventory account. Transfers from the inventory account to a full cost pool should be rare. They should occur only when the company has definite and immediate plans for exploration and development, as the result of a major decision by management. Such transfers should be appropriately disclosed. The staff feels strongly that the discipline of strictly segregating lease brokerage activities from oil and gas producing activities is of paramount importance in the justification for excluding leases held for resale from the full cost pool.

*Question 5.*—May an individual lease be split between brokerage and producing categories?

*Interpretive Response.*—An individual lease may be split between brokerage and producing classifications *provided that* (i) the split is made at the date of acquisition, (ii) the split involves a physical division of interests in the lease, and (iii) there is a reasonable basis for allocation of cost between the two pieces. It follows that such a split may not be made based on actual or intended retention of an undivided interest in the entire lease.

*Question 6.*—How should leases held in a brokerage inventory account be classified on the balance sheet?

*Interpretive Response.*—As noted in the response to Question 4 above, the properties associated with lease brokerage should be segregated and reported separately from the full cost pool and should be assessed periodically for cost recoverability based on current market values. The staff recognizes that such leases held for sale or transfer to drilling arrangements may often constitute current assets. However, the appropriate balance sheet classification should be determined in each case based on the timing considerations and liquidity characteristics relevant in the circumstances.

*Question 7.*—Assuming that a registrant can demonstrate that it is engaged in lease brokerage activities, how should the gain to be recognized on sales of unproved leases by a lease broker be computed?

*Interpretive Response.*—In order to determine whether gain should be recognized when unproved properties held in inventory are sold or transferred to drilling arrangements, it is first necessary to allocate the proceeds received between the interest sold to related partnerships and the interest sold to unaffiliated third parties. Then, for each portion of the transaction, gain may be recognized only to the extent that all costs, including estimated future exploration and development costs, have been recovered. The estimation of costs to be incurred includes consideration of minimum investments required pursuant to partnership agreements (assessed on a partnership-by-partnership basis), plus any estimated additional costs to be incurred by the registrant in connection with the prospect. The portion of the excess proceeds allocated to the estimated additional future costs should be credited to the full cost pool, and any remaining excess recognized as gain. Where the proceeds are inadequate to cover total costs, including any additional costs yet to be incurred, no gain should be recognized and the net unrecovered cost should be charged to the pool. A series of sample computations are provided below, based on the following assumptions:

*Assumptions*

Registrant acquires an unproved prospect, held for sale to third parties and/or related partnerships at a cost of $200,000; such prospect is later sold for $350,000.

*Case I*

The entire interest in the prospect is sold to third parties (non-affilated companies), with the registrant or a related partnership retaining no economic interest.

*Conclusion*

In this instance, the entire excess of proceeds over book cost ($150,000) would be credited to income.

*Case II*

The entire interest is sold as follows:

| | | *Percent* |
|---|---|---|
| Sold to third parties | | 75 |
| Sold to a related partnership | | 25 |
| | | 100 |
| Gain associated with sale to third parties ($350,000–$200,000)×.75 | $112,500 | |
| Gain associated with sale to related partnership ($350,000–$200,000) ×.25 | | 37,500 |
| | 150,000 | |

*Conclusion*

In this instance, the $112,500 gain associated with sales to third parties would be credited to income in its entirety. The amount associated with the sale to the related partnership ($37,500) would be credited to income, to the extent it exceeds estimated costs to be incurred.

*Case III*

The prospect is sold as shown in Case II above, but registrant retains an overriding royalty interest of 5% on the sale to third parties. Registrant will not be liable for any exploration or development costs as a result of retaining the override. Assume further that estimated costs to be incurred by registrant are $12,000 associated with its completion costs as a general partner through the related partnership and $20,000 associated with registrant's minimum remaining required capital investment in the partnership.

*Conclusion*

The amount of gain to be recognized as income is as follows:

| | Associated with— | |
|---|---|---|
| | Sale to third parties | Sale to partnership |
| Allocation of excess proceeds | $112,500 | $37,500 |
| Less: | | |
| (A) Estimated completion costs to be incurred | | (12,000) |
| (B) Capital cost contingency | | (20,000) |
| | 112,500 | 5,500 |
| Gain recognized as income ($112,500+$5,500) | | 118,000 |
| Amount credited to Registrant's full-cost pool | | 32,000 |
| | | 150,000 |

*Case IV*

The prospect is sold as shown in Case II above, but registrant retains a "carried working interest" of 18.75% with respect to the sale to third parties. Third parties will carry the registrant's share of drilling costs, and the related partnership will pay an amount of all costs equal to its "straight working interest". An analysis of the division of interest is as follows:

| | Division of interest | |
|---|---|---|
| | Drilling cost (percent) | Completion cost (percent) |
| Partnership | 25.00 | 25.00 |
| Third Parties | 75.00 | 56.25 |
| Registrant | | 18.75 |

Assume further that estimated costs to be incurred by registrant are $50,000 for completion costs associated with the carried working interest, $12,000 associated with registrant's completion costs as general partner through the partnership and $20,000 associated with registrant's minimum remaining required capital investment in the partnership.

*Conclusion*

The amount of gain to be recognized as income is as follows:

| | Associated with— | |
|---|---|---|
| | Sale to third parties | Sale to partnership |
| Allocation of excess proceeds | $112,500 | $37,500 |
| Less: | | |
| (A) Estimated completion costs to be incurred | (50,000) | (12,000) |
| (B) Capital cost contingency | | (20,000) |
| | 62,500 | 5,500 |
| Gain recognized as income ($62,500+$5,500) | | 68,000 |
| Amount to be credited to Registrant's full-cost pool | | 82,000 |
| | | 150,000 |

*Case V*

The prospect is sold as in Case IV; however, the capital cost contingency associated with the registrant's minimum remaining required capital investment in the partnership is $30,000.

*Conclusion*

The amount of gain to be recognized as income is as follows:

| | Associated with— | |
|---|---|---|
| | Sale to third parties | Sale to partnership |
| Allocation of excess proceeds | $112,500 | $37,500 |
| Less: | | |
| (A) Estimated completion costs to be incurred | (50,000) | (12,000) |
| (B) Capital cost contingency | | (30,000) |
| | 62,500 | (4,500) |
| Gain recognized as income | | 62,500 |
| Amount to be credited to registrant's full-cost pool ($50,000 and $37,500) | | 87,500 |
| | | 150,000 |

In this case, the proceeds related to the sale to the partnership are inadequate to cover total costs including costs yet to be incurred. Thus, the $37,500 excess proceeds over book cost should be credited in its entirety to the full cost pool. As additional costs are incurred, they should be charged to the pool so that ultimately the net unrecovered costs will be charged to the pool.

*Question 8.*—Certain registrants are involved in the organization and management of limited partnerships which purchase proved producing oil and gas properties and subsequently distribute the income from production of the properties to the investors in the partnership. Such arrangements are typically known as "income funds." The company managing the fund may receive, as part of their compensation, an interest in the fund or in the properties acquired by it. Alternatively, this interest may be acquired through the investment of a management fee paid to the company out of the the capital contributed by the limited partners.

May companies recognize income from the management fees received in these circumstances?

*Interpretive Response.*—The full cost rules in Rule 4–10(i)(6)(iii) relating to drilling arrangements are directed toward transactions involving unproved properties where additional drilling is necessary to evaluate the property and the recoverability of related costs. These rules do not explicitly address proved producing properties.

If a company receives or acquires (through investment of a management fee) an interest in an "income fund" owning proved producing properties or an interest in such properties themselves, the staff believes that the recognition of management fee income is acceptable. Although the company will not receive cash until the reserves are produced, the value of the proved reserves on recently purchased producing properties is normally determinable with sufficient reliability to allow for income recognition. However, if the properties received or acquired require substantial future development expenditures before production of the reserves, then the cost recovery method described in Rule 4–10(i)(6)(iii) should be used because the decision to do future drilling is not

independent of considerations related to the realization in cash of the management fee. Accordingly, in such instances, income would be recognized as the properties are produced and cash accrues to the company.

*E. Financial Statements of Royalty Trusts*

*Facts.*—Several oil and gas exploration and production companies have created "royalty trusts." Typically, the creating company conveys a net profits interest in certain of its oil and gas properties to the newly created trust and then distributes units in the trust to its shareholders. The trust is a passive entity which is prohibited from entering into or engaging in any business or commercial activity of any kind and from acquiring any oil and gas lease, royalty or other mineral interest. The function of the trust is to serve as an agent to distribute the income from the net profits interest. The amount to be periodically distributed to the unitholders is defined in the trust agreement and is typically determined based on the cash received from the net profits interest less expenses of the trustee. Royalty trusts have typically reported their earnings on the basis of cash distributions to unitholders. The net profits interest paid to the trust for any month is based on production from a preceding month; therefore, the method of accounting followed by the trust for the net profits interest income is different from the creating company's method of accounting for the related revenue.

*Question.*—Will the staff accept a statement of distributable income which reflects the amounts to be distributed for the period in question under the terms of the trust agreement in lieu of a statement of income prepared under generally accepted accounting principles?

*Interpretive Response.*—Yes. Although financial statements filed with the Commission are normally required to be prepared in accordance with generally accepted accounting principles, the Commission's rules provide that other presentations may be acceptable in unusual situations. Since the operations of a royalty trust are limited to the distribution of income from the net profits interests contributed to it, the staff believes that the item of primary importance to the reader of the financial statements of the royalty trust is the amount of the cash distributions to the unitholders for the period reported. Should there be any change in the nature of the trust's operations due to revisions in the tax laws or other factors, the staff's interpretation would be reexamined.

A note to the financial statements should disclose the method used in determining distributable income and should also describe how distributable income as reported differs from income determined on the basis of generally accepted accounting principles.

[FR Doc. 82-26143 Filed 9-20-82; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

## 18 CFR Part 271

**[Docket No. RM79-76-122 (Colorado—25); Order No. 259]**

## High-Cost Gas Produced from Tight Formations; Final Rule

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Final rule.

**SUMMARY:** The Federal Regulatory Energy Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the Colorado Oil and Gas Conservation Commission that the Codell Formation be designated as a tight formation under § 271.703(d).

**EFFECTIVE DATE:** This rule is effective September 16, 1982.

**FOR FURTHER INFORMATION CONTACT:** Leslie Lawner, (202) 357-8511 or Victor Zabel, (202) 357-8616.

Issued: September 16, 1982.

The Commission hereby amends § 271.703(d) of its regulations to include the Codell Formation in Adams, Boulder, Jefferson, Larimer and Weld Counties, Colorado, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, issued June 18, 1982 (47 FR 27082, June 23, 1982),[1] based on a recommendation by the Colorado Oil and Gas Conservation Commission (Colorado) in accordance with § 271.703, that the Codell Formation be designated as a tight formation.

Evidence submitted by Colorado supports the assertion that the Codell Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Colorado recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

### List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.;* Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. § 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations,* is amended as set forth below, effective September 16, 1982.

By the Commission.

**Kenneth F. Plumb,**

*Secretary.*

## PART 271—CEILING PRICES

Section 271.703(d) is amended by adding a new subparagraph (109) to read as follows:

**§ 271.703 Tight formations.**

* * * * *

(d) Designated tight formations.

* * *

(109) *Codell Formation in Colorado.* RM79-76-122 (Colorado-25).

(i) *Delineation of formation.* The Codell Formation underlies portions of Adams, Boulder, Jefferson, Larimer and Weld Counties, Colorado, and is located on the western flank of the Denver-Julesberg Basin a few miles north of Denver, Colorado. The Codell Formation is found in the following areas: Township 1 South, Ranges 64 through 70 West; Township 2 South, Ranges 69 and 70 West; Township 1 North, Ranges 64 through 70 West; Township 2 North, Ranges 64 through 69 West, all sections, Range 70 West, Sections 1 through 5, and 8 through 36; Township 3 North, Ranges 64 through 69 West, all sections, Range 70 West, Sections 1, 12, 13, 21 through 28, and 33 through 36; Township 4 North, Ranges 64 through 69 West; Township 5 North, Ranges 64 through 68 West, all sections, Range 69 West, Sections 1 through 4, 9 through 16, 20 through 29, and 31 through 36, Township 6 North, Ranges 64 through 68, all sections, Range 69 West, Sections 1

[1] Comments were invited on the proposed rule and one comment supporting the recommendation was received. No party requested a public hearing and no hearing was held.

through 4, 9 through 16, 21 through 28, and 33 through 36.

(ii) *Depth.* The Codell Formation ranges in depth from 3,000 to 8,000 feet, and is generally found at a depth of 7,000 feet, and averages 15 feet in thickness.

[FR Doc. 82-26145 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### 21 CFR Ch. II

### Changes in Titles and Office Designations Pursuant to Internal Reorganization

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Final rule.

**SUMMARY:** This action changes certain office designations and titles which are currently listed in Part 1301 through Part 1316 of Title 21 in order to accurately reflect the internal reorganization of DEA. It contains no substantive changes in any regulation. Therefore, no comments have been solicited and the action is being issued as a final rule.

**EFFECTIVE DATE:** August 8, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard N. Ulrich, Acting Deputy Assistant Administrator, Office of Administration, Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537. Telephone number (202) 633-1373.

**SUPPLEMENTARY INFORMATION:** Therefore, pursuant to the authority vested in the Attorney General by 21 U.S.C. 821 and 871(b) as delegated by 28 CFR 0.100 to the Administrator of the Drug Enforcement Administration, the Administrator hereby orders that Parts 1301 through 1316 of Title 21 of the Code of Federal Regulations be amended as follows:

**§§ 1301.71, 1301.72, 1301.74, 1301.76, 1301.93, 1304.04, 1304.11, 1305.04, 1305.09, 1305.11, 1307.14, 1307.21, 1310.05, 1316.31, 1316.32, 1316.34, 1316.71, 1316.73, 1316.79 [Amended]**

"Regional Director" to "Special Agent in Charge"; "Regional Office" to "Field Division Office"; "Region" to "area"; "Regional Administrator" to "Special Agent in Charge". These changes appear in Sections 1301.71(d); 1301.72(b)(6);1301.72(b)(8)(ii); 1301.74(b); 1301.74(c); 1301.76(b); 1301.93; 1304.04(a); 1304.04(b)(4); 1304.04(c); 1304.04(e); 1304.11(d); 1305.04(f); 1305.09(d); 1305.11(d); 1307.14(b); 1307.21(a); 1307.21(a)(1); 1307.21(a)(2); 1307.21(a)(3); 1307.21(b); 1307.21(b)(4); 1307.21(c); 1310.05; 1316.31; 1316.32; 1316.34; 1316.73; 1316.79. In Subpart E—Section 1316.71 delete paragraph (e).

Dated: September 17, 1982.

**Francis M. Mullen, Jr.,**

*Acting Administrator, Drug Enforcement Administration.*

[FR Doc. 82-26097 Filed 9-21-82; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of the Assistant Secretary for Housing—Federal Housing Commissioner

### 24 CFR Part 882

**[Docket No. R-82-997]**

### Section 8 Housing Assistance Payments Program—Existing Housing—Termination of Tenancy

**AGENCY:** Office of Assistant Secretary for Housing—Federal Housing Commissioner, (HUD).

**ACTION:** Notice of effective date for interim rule.

**SUMMARY:** This document announces the effective date for the interim rule published in the **Federal Register** on August 3, 1982 (47 FR 33497) which amended the Section 8 Existing Housing Program regulation to implement recent statutory changes regarding the lease term and termination of tenancy under the Section 8 Existing Housing Program. The effective date provision of the rule stated that the rule would become effective upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, subject to waiver, and announced that future notice of the effectiveness of the rule would be published in the **Federal Register.**

Thirty calendar days of continuous session of Congress have expired since the rule was published.

**DATE:** The effective date for the interim rule published August 3, 1982, at 47 FR 33497, is September 21, 1982.

**FOR FURTHER INFORMATION CONTACT:** Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10278, 451 7th Street, S.W., Washington, D.C. 20410, Telephone No. (202) 755-7055. This is not a toll-free number.

Dated: September 16, 1982.

**Grady J. Norris,**

*Assistant General Counsel for Regulations.*

[FR Doc. 82-26084 Filed 9-21-82; 8:45 am]

BILLING CODE 4210-27-M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### 26 CFR Part 22

**[T.D. 7833]**

### Executor's Estate Tax Election Relating to Property in Which a Surviving Spouse Receives an Income interest

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Temporary regulation.

**SUMMARY:** This document provides a temporary regulation concerning the new estate tax election to deduct from the gross estate the value of property in which the surviving spouse is granted a life income interest. Changes to the applicable tax law were made by the Economic Recovery Tax Act of 1981.

**DATE:** This regulation applies to estates of decedents dying after December 31, 1981.

**FOR FURTHER INFORMATION CONTACT:** John R. Harman of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224 (Attention: CC:LR:T) 202-566-3238, not a toll-free call.

**SUPPLEMENTARY INFORMATION:**

#### Background

This document contains a temporary regulation concerning an executor's election to deduct from the gross estate the value of certain property in which the decedent gives a surviving spouse a life income interest. This election is permitted under section 2056(b)(7) of the Internal Revenue Code of 1954, as added by section 403(d)(1) of the Economic Recovery Tax Act of 1981 (Pub. L. 97-34; 95 Stat. 302). The temporary regulation provided by this document will remain in effect until superseded by final regulations on the subject.

#### In General

Prior to the Economic Recovery Tax Act of 1981, the estate tax marital deduction was available only with respect to property passing outright to the spouse or in specified forms which gave the spouse control over the transferred property. For estates of decedents dying after 1981, the

Economic Recovery Tax Act of 1981 adopted an exception to this rule for qualified terminable interest property. That exception provides that if certain conditions are met, a marital deduction will be allowed for the value of property in which the surviving spouse is given a qualifying income interest for life. Among the conditions which must be met is the condition that the decedent's executor must elect to treat the property as qualified terminable interest property. The election, once made, is irrevocable.

Estate tax returns for decedents whose estates are subject to the new law will begin to become due after September 30, 1982. Executors of these estates need to know how to make the election. Also, many executors need to know whether the election can be made for a part of property in which the spouse receives a qualifying income interest for life or whether such a partial election will be invalid and disqualify the property from deduction.

This temporary regulation clarifies that an election can be made for a fraction or percentage of property in which the spouse receives a qualifying life interest. However, a partial election is permitted only if it relates to a fractional or percentile share of the property. The fraction or percentage may be determined by means of a formula.

### Executive Order 12291 and Regulatory Flexibility Act

The Commission of Internal Revenue has determined that this temporary rule is not a major rule as defined in Executive Order 12291. Accordingly, a Regulatory Impact Analysis is not required.

This Treasury decision adds a temporary regulation to enable executors to comply with the Economic Recovery Tax Act of 1981. Because this regulation is necessary to provide immediate guidance, it is impractical to issue this Treasury decision with notice and public procedure. Therefore, no general notice of proposed rulemaking is required by 5 U.S.C. 553(b) and no Regulatory Flexibility Analysis is required.

### Drafting Information

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

### List of Subjects in 26 CFR Part 22

Estate tax, Economic Recovery Tax Act of 1981.

### Adoption of Amendment to the Regulations

Accordingly, 26 CFR Part 22 is amended as follows:

## PART 22—TEMPORARY ESTATE TAX REGULATIONS UNDER THE ECONOMIC RECOVERY TAX ACT OF 1981

Paragraph. There is added immediately after § 22.0 the following new § 22.2056–1

**§ 22.2056–1 Qualified terminable interest property elections.**

(a) *In general.* This paragraph (a) applies to the election under section 2056(b)(7)(B)(v) to deduct the value of property in which the surviving spouse receives a qualifying income interest for life. The new election was added to the Code by section 403(d)(1) of the Economic Recovery Tax Act of 1981. The executor shall make this election on the estate tax return. This election is available with respect to estates of decedents dying after 1981. The election, once made, is irrevocable.

(b) *Partial elections allowed.* The election described in paragraph (a) of this section may be made for all or any part of a property that meets the requirements of section 2056(b)(7)(B)(i)(I) and (II), provided that any partial election shall relate to a fractional or percentile share of the property so that the elective part will reflect its proportionate share of the increment or decline in the whole of the property for purposes of applying sections 2044 or 2519. Thus, if the interest of the surviving spouse in a trust (or other property in which the spouse has a life estate) meets the requirements of section 2056(b)(7)(B)(i)(I) and (II), the executor may make an election under paragraph (a) with respect to a part of the trust (or other property) only if the election relates to a defined fraction or percentage of the entire trust (or other property). The fraction or percentage may be defined by means of a formula.

This Treasury decision is issued under the authority contained in section 7805 (68A Stat. 917; 26 U.S.C. 7805) of the Internal Revenue Code.

September 14, 1982.

**James I. Owens,**

*Acting Commissioner of Internal Revenue*

Approved September 16, 1982.

**John E. Chapoton,**

*Assistant Secretary of the Treasury.*

[FR Doc. 82-26096 Filed 9-17-82; 3:46 pm]

BILLING CODE 4830-01-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 162

**[PH-FRL 2208-1; OPP 250011E]**

## Temporary Exemption of Endosulfan and Zineb Combination Dusting Garden Products From Child-Resistant Packaging Requirements

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

**ACTION:** Rule related notice.

**SUMMARY:** The Environmental Protection Agency has granted a non-renewable 365-day exemption from the child-resistant packaging requirements for dusting garden products where the packaging/application system which is one unit is such that the product must be dispensed in the tilt and upright position to treat the upper and lower plant leaf surfaces in an efficacious manner, and containing no more than 4 percent endosulfan and 6.5 percent zineb as the combination active ingredients in a clay-like carrier. This exemption was granted upon the request of one registrant who submitted supporting evidence to the Agency.

**DATE:** This temporary exemption becomes effective on September 22, 1982. All products temporarily exempted by this notice released for shipment on or after September 22, 1983, must be in special packaging and certified accordingly as required by 40 CFR 162.16.

**FOR FURTHER INFORMATION CONTACT:** Rosalind L. Gross, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 307, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7470).

**SUPPLEMENTARY INFORMATION:** EPA issued final regulations, published in the **Federal Register** of March 9, 1979 (44 FR 13022), which require certain toxic pesticides to be in special, i.e., child-resistant, packaging after March 9, 1981. The regulations provide that exemptions from compliance may be requested on a case-by-case basis for specific products for which special packaging is not

technically feasible. The regulations further provide that any such exemption decision will be published in the **Federal Register** and will be applicable to any product with identical or substantially similar composition and intended uses. The regulations allow for the specification of a time schedule for the exemption.

One manufacturer of dusting garden products which contain endosulfan and zineb as combination active ingredients has requested technical feasibility exemptions from the special packaging regulations at 40 CFR 162.16.

The registrant seeking exemption on technical feasibility grounds presented the following evidence, which was confirmed in a telephone survey by EPA conducted in May–June 1982:

1. Both products are dust. The products must be applied to the upper and lower leaf surfaces of a plant. Consequently the package which is the product application system, must dispense the product in the tilt and upright position. The physical-chemical properties of the product and their relationship to the package must be evaluated before a package can be selected (i.e., can the package dispense the product in a manner that permits it to be efficacious?, etc.).

2. There apparently was no child-resistant squeeze duster presently available which could serve as a primary package and dispense these products in a manner such that they are efficacious. The registrant contacted several packaging manufacturers for a suitable child-resistant package for these products and has entered into an agreement with one packaging manufacturer to develop a child-resistant squeeze duster for these products.

3. The length of the exemption initially requested by the product company was 12 months. The packaging companies indicated that they expected package devlopment to take 3–12 months based on stage of design development, production gear-up, materials availability, product packaging compatibility, etc.

The dusting garden products containing endosulfan and zineb as combination active ingredients are granted a 365-day exemption from the special packaging regulations based on a finding that a child-resistant squeeze duster package is not currently available, which could serve as the original product package and could dispense these products in a manner that permits them to be efficacious, and the registrant has made a commitment to have such a package developed.

Therefore, a 365-day exemption from 40 CFR 162.16 is granted for dusting garden products where the packaging which incorporates a ready to use application system is required to dispense the product in the tilt and upright position to treat the upper and lower plant leaf surfaces in an efficacious manner, and containing no more than 4 percent endosulfan and 6.5 percent zineb as the combination active ingredients in a clay-like carrier and containing no other substances subject to § 162.16(c)(2). This exemption is effective September 22, 1982 and will expire September 22, 1983. Products released for shipment on or after this date must be in special packaging and certified accordingly as required by 40 CFR 162.16.

However, the Agency expects industry to begin using the special packaging in the event it becomes available prior to September 22, 1983. This exemption is nonrenewable.

### List of Subjects in 40 CFR Part 162

Intergovernmental relations, Labeling, Packaging and containers, Pesticides and pests, Administrative practice and procedure.

Dated: September 9, 1982.

**Douglas D. Campt,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 82-25784 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

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## 40 CFR Part 180

**[PP 1F2513/R482; FRL 2207-7]**

## Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Hexazinone

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes a tolerance for the combined residues of the herbicide hexazinone and its metabolites in or on the raw agricultural commodity range grasses. This regulation to establish the maximum permissible level for hexazinone in or on the commodity was requested by E.I. du Pont de Nemours and Co.

**EFFECTIVE DATE:** Effective on September 22, 1982.

**ADDRESS:** Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** Richard F. Mountfort, Product Manager (PM) 23, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 237, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1830).

**SUPPLEMENTARY INFORMATION:** EPA issued a notice published in the **Federal Register** of June 19, 1981 (46 FR 32071) that E.I. du Pont de Nemours and Co., Wilmington, DE 19898, had submitted a pesticide petition (PP 1F2513) to EPA proposing that 40 CFR 180.396 be amended by establishing a tolerance for the combined residues of the herbicide hexazinone (3-cyclohexyl-6-(dimethylamino)-1-methyl-1,3,5,-triazine-2,4(1*H*,3*H*)-dione) and its metabolites (calculated as hexazinone) in or on the raw agricultural commodity range grasses at 10 parts per million (ppm).

E.I. du Pont de Nemours submitted a revised Section F petition proposing that the tolerance be amended. This notice, published in the **Federal Register** of December 16, 1981 (46 FR 61326), proposed that the commodity be changed from range grasses to forage grasses with a tolerance for hexazinone at 10 ppm. E.I. du Pont de Nemours subsequently withdrew this amendment. No comments were received in response to the notices of filing.

The data submitted in the petition and other relevant material have been evaluated. The data considered in support of the tolerance included plant and animal metabolism studies; 90-day dog and rat feeding studies with a no-observed-effect level (NOEL) of 1,000 ppm for each study; rat teratology study with no teratogenic effects observed at 5,000 ppm (highest level tested); a rabbit teratology study with a NOEL of 125 milligrams (mg)/kilograms (kg); 2-year rat feeding/oncogenicity study with no oncogenic effects observed at any level tested and a NOEL of 200 ppm; 2-year mouse feeding/oncogenicity study with no oncogenic effects observed at any level tested (highest dose was 10,000 ppm) and a NOEL of 200 ppm; a 3-generation rat reproduction study with a NOEL of 2,500 ppm and a negative Ames mutagenicity test. A rat metabolism study was submitted and is currently under review. No additional data are required.

Tolerances have previously been established for residues of hexazinone ranging from 0.1 ppm in meat, milk, and eggs to 8.0 ppm in alfalfa hay. The established meat and milk tolerances will adequately cover the residues resulting from this use. Previously established tolerances utilize 10.5

percent of the acceptable daily intake (ADI) and will not change as a result of establishing the tolerance in range grasses.

There are no regulatory actions pending against the registration of this chemical. The metabolism of hexazinone in plants and animals is adequately understood and an adequate analytical method (nitrogen selective gas chromatography) is available for enforcement purposes.

The pesticide is considered useful for the purpose for which the tolerance is sought, and it is concluded that the tolerance will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this notice in the **Federal Register**, file written objections with the Hearing Clerk at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances, or raising tolerance levels, or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950). (Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2))).

**List of Subjects in 40 CFR Part 180**

Administrative practice and procedure, Raw agricultural commodities, Pesticides and pests.

Dated: September 7, 1982.

**Edwin L. Johnson,**

*Director, Office of Pesticide Programs.*

## PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, 40 CFR 180.396 is amended by adding and alphabetically inserting the commodity grasses, range to read as follows:

**§ 180.396 Hexazinone; tolerances for residues.**

* * * * *

| Commodity | Parts per million |
|---|---|
| * * * * * | |
| Grasses, range | 10 |
| * * * * * | |

[FR Doc. 82-25795 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

## 40 CFR Part 420

**[WH-FRC 2205-5]**

## Iron and Steel Manufacturing Point Source Category Effluent Limitations Guidelines; Correction

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of correction of final rule.

**SUMMARY:** EPA is correcting coding and other minor errors in the May 27, 1982, **Federal Register** (47 FR 23258) notice of effluent limitations for the Iron and Steel Manufacturing Point Source Category which was amended as to the effective date on June 7, 1982 (47 FR 24554).

**FOR FURTHER INFORMATION CONTACT:** Mr. Ernst P. Hall, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, Telephone (202) 426-2726.

*Corrections*

In the **Federal Register** notice published on May 27, 1982, (47 FR 23258), corrections are required as follows:

1. On page 23258, column 1, **ADDRESSES:** replace entire paragraph (9 lines) with the following: The technical information may be obtained from Mr. Ernst P. Hall at: Effluent Guidelines Division (WH-552) Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. The technical support document is available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22151 (telephone: (703) 487-4600). The economic analysis may be obtained from Mr. Robert Greene, Office of Policy Analysis (PM-220), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

2. On page 23258, column 2, line 6 from the bottom; change: the three asterisks "* * *" to periods ". . .".

3. On page 23259, column 1, lline 35; change: "biological" to "biochemical".

4. On page 23259, column 3, line 9; change: "Kolene" to Kolene®"

5. On page 23289, column 3, line 36; (a) Change: "FR 27936-2773" to "FR 27736-27773". (b) After "403)." insert: "See also 46 FR 9404 (January 28, 1981).".

6. On page 23260, column 2, line 39; change: "insuring" to "ensuring".

7. On page 23260, column 3, line 40; change: "nonwater" to "non-water".

8. On page 23261, column 3, line 40; after "selected" insert "129".

9. On page 23262, column 1, line 12 from the bottom; change: "amendable" to "amenable".

10. On page 23262, column 1, line 8 from the bottom; change: "difraction" to "diffraction".

11. On page 23262, column 2, line 14 from the bottom; change: "because" to "because of".

12. On page 23264, column 2, line 5: delete "(40 CFR Part 403),".

13. On page 23264, column 2, line 8: after "at" insert: "40 CFR Part 403. See".

14. On page 23264, column 2, line 9: delete period after "(June 26, 1978)" and add "and 46 FR 9404 (January 28, 1981).".

15. On page 23264, column 2, line 11: replace "metals" with "toxic and nonconventional pollutants".

16. On page 23264, column 2, line 12, delete: ", may limit POTW sludge disposal alternatives".

17. On page 23264, column 2, (a) line 16: replace "metals include:" with "toxic pollutants include the following metals:", (b) line 39: delete "and other".

18. On page 23265, column 1, line 21 from the bottom; change: "because of" to "because".

19. On page 23266, column 1, line 25 from the bottom; change: "3" to "4".

20. On page 23266, column 1, line 10 from the bottom; and on page 23275, column 2, line 15; change: "insure" to "ensure".

21. On page 23269, column 2, line 1: Change "consumes" to "consumers".

22. On page 23272, column 3, line 34: replace "a bubble" with "the bubble policy".

23. On page 23274, column 3, line 23 from the bottom: insert "not" after "has" and delete "no" after "limitations".

24. On page 23275, column 3, line 27; change: "kolene" to "Kolene®".

25. On page 23276, column 2, line 3 from the bottom; change: "categories" to subcategories".

26. On page 23277, column 1, lines 6 and 24; change: "insure" to "ensure".

27. On page 23277, column 1, lines 7 and 8; delete: ", to prevent contamination of POTW sludges".

28. On page 23277, column 3, line 37; add: "million" after "$420".

29. On page 23278, column 3, line 28; change: "Table 3-5" to "Tables 3 through 5".

30. On page 23280, column 3; replace lines five through eight with: "see 40 CFR Part 125, Subpart D.".

31. On page 23281, column 2, line 22; change: "12991" to "12291".

32. On page 23281, column 3, after line 5; add: "Environmental Protection Agency".

33. On pages 23281, column 3, line 34; change: "into waters" to "into navigable waters".

34. On pages 23281, 23282 and 23283, Appendix B Column 3 heading; change: "Not deleted" to "Not Detected".

35. On page 23282, No. 033; change: "1,2 Di . . ." to "1,3–Di . . .".

36. On Page 23282, No. 063; change: "N-Nitrosod-n- . . . to "N-Nitrosodi-n- . . .".

37. On page 23282, No. 079; change: "Benzo (ghi) . . ." to "Benzo (g,h,i) . . .".

38. On page 23282, No. 081; change: "Phenathrene" to "Phenanthrene".

39. On page 23283, No. 101; change: "Heptachlorepoxide" to "Heptachlor epoxide".

40. On page 23283, line two after No. 130; change: "Ammonia-n" to "Ammonia-N".

41. On page 23283, Appendix C: (a) C Ironmaking: delete item 6 "Benzene". (b) "H Scale Removal": change to "H Salt Bath Descaling".

42. On page 23284; column 1, after line 43; add: "Appendix D" (Attached).

43. On page 23285; subpart H, and in § 420.80; change: "Scale Removal . . ." to "Salt Bath Descaling . . .".

44. On page 23285; subpart L, § 420.120; delete: "-galvanizing".

45. On page 23285, column 3, line 1; (a) change: "Control . . ." to "Central . . ."; (b) after "Facilities:" add "(1)".

46. On page 23285, column 3: change the NPDES permit number for item 13 National Steel, Portage, IN from: "IN 0002445" to "0000337".

47. On page 23286, column 3, line 31; change: "though" to "through".

48. On page 23290, column 3, § 420.32: the table headings under "(b) Ferromonganese blast furnace" should match the table headings under "(a) Iron blast furnace".

49. On page 23291, column 1, § 420.33; the table headings under "(a) Iron blast furnace" should match the table headings under "§ 420.32, (a) Iron blast furnace".

50. On page 23291, column 1, § 420.34 opposite pH in the table; change: "(1)" to "(2)".

51. On page 23292, column 3, § 420.46(a); change: "steelingmaking" to "steelmaking".

52. On page 23293, column 1, § 420.46(b); (a) For Lead; change: "0.000626" to "0.0000626". (b) For Zinc; change: "0.000939" to "0.0000939".

53. On page 23297, column 1, last line and at § 420.77(d); change: "speciality" to "specialty".

54. On page 23297, column 3, § 420.82(a) (1) and (2) table headings; change: "Maximum of any 1 day" to "Maximum for any 1 day".

55. On page 23297, column 3, § 420.82(a)(2): For TSS: change "0.0123" to "0.123".

56. On page 23298, column 1, § 420.82(b)(2) for TSS; change: "0.0532" to "0.532".

57. On page 23299, column 3, § 420.85(a)(4); for Nickel; change: "0.00413" to "0.000413".

58. On page 23300, column 2, § 420.86(b)(2): For Cyanide: change "0.000190." to "0.00190". For Chromium: change "0.000304" to "0.00304". For Nickel: change "0.000228" to "0.00228".

59. On page 23301, column 1, § 420.87(b)(2), for TSS; change: "0.0532" to "0.532".

60. On page 23302; column 2, § 420.92(b)(5); and on page 23304; column 1, § 420.93(b)(5); and on page 23307; column 1, § 420.95(b)(5); and on page 23309; column 3, § 420.97(b)(5); change: "Acid regeneration" to "Acid regeneration (absorber vent scrubber)".

61. On page 23306, column 2, § 420.95(a)(2); change: "Bar, billett, and bloom" to "Bar, billet, and bloom".

62. On page 23306, column 2, § 420.95(a)(3), for Lead; change: "0.0000113" to "0.000113".

63. On page 23307, column 3, § 420.96(a)(4), for Lead; change: "0.0000131" to "0.000131".

64. On page 23308, column 3, § 420.96(c)(6): Add this note following the table:

"Note.—The above limitations shall be applicable for each fume scrubber associated with combination acid pickling operations."

65. On page 23312, column 1, § 420.104 change word in section reference from: "perfrmance" to "performance".

66. On page 23316, column 1, § 420.122(c) change: "any or" to "any of".

Dated: August 20, 1982.

**Frederic A. Eidsness, Jr.,**

*Assistant Administrator for Water.*

BILLING CODE 6560-50-M

# APPENDIX D
## CONTROL AND TREATMENT TECHNOLOGY SUMMARY
## IRON AND STEEL INDUSTRY

| SUBCATEGORY/SUBDIVISION | DIRECT DISCHARGERS | | | | | | | | | | | | | | | | | | | | | | | | POTW DISCHARGERS | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | PROCESS | BPT | | | | | | | | | | | | BAT | | | | | | | BCT | | NSPS | | PSES | | PSNS | |
| | | EQUALIZ-ATION | GF/OS | AERATION | NEUT. W/ACID | LIME ADDITION | POLYMER ADDITION | SEDIMEN-TATION | VACUUM FILTER | RECYCLE (%) | COOLING TOWER | OTHER | ALT. No. | EQUAL TO BPT | LIME ADDITION | PRESSURE FILTER | COOLING TOWER | RECYCLE (%) | OTHER | EQUAL TO BPT | RESERVED | EQUAL TO BPT | BPT PLUS: | EQUAL TO BPT | BPT PLUS: | EQUAL TO BPT | BPT PLUS: |
| A. COKEMAKING | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biological | (1) ASF,DP,CT | ● | ● | ● | ● | ● | | CL | ● | | | ASL, BOA | 1 | | | | ●(2) | 96(3) | BOA, C&C | ● | | | BAT | (4) | | (4) | |
| Physical Chemical | (1) ASF,DP,CT | ● | ● | | ● | ● | | | | | | ASL | 1 | | | ● | | 96(3) | ACG | ● | | | | | | | |
| B. SINTERING | | | | | ● | | ● | T | ● | 92 | | | 1 | | | ● | | | | | ● | | BAT | | BAT | | BAT |
| C. IRONMAKING | | | | | | | ● | T | ● | 96 | ● | | 4 | | ● | | | 98 | TP,CLB SDA | | ● | | BAT, FP | | BAT | | BAT |
| D. STEELMAKING | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Semi-Wet | | | | | | | ● | DT | | 100 | | | - | ● | | | | | | ● | | ● | | ● | | ● | |
| Wet | | | | | ● | ● | ● | T | ● | 90-95 | | | 2 | | ● | | | | TP | | ● | | BAT | | BAT | | BAT |
| E. VACUUM DEGASSING | | | | | | | | PSP | | 98 | ● | | 2 | | ● | | | | TP, NA | | ● | | BAT | | BAT | | BAT |
| F. CONTINUOUS CASTING | | | | | | | | DT | | 96 | ● | FF, SS | 2 | | ● | | | 99 | TP, NA | | ● | | BAT(5) | | BAT | | BAT(5) |
| G. HOT FORMING | | | | | | | | PSP/ CLR | ● | 58-77 | | FP, SS | - | ● | | | | | | ● | | | CT RTP (96) | (6) | | (6) | |
| H. SALT BATH DESCALING | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Oxidizing | | ● | | | ● | ● | ● | CL | ● | | | SDA | - | ● | | | | | | ● | | | FP | ● | | | FP |
| Reducing | | ● | | | | | ● | CL | ● | | | CLB | - | ● | | | | | | ● | | | FP | ● | | | FP |
| I. ACID PICKLING | | ● | | ● | | ● | ● | CL | ● | 89(7) | | SS | - | ● | | | | | | ● | | | RR | ● | | | RR |
| J. COLD FORMING | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cold Rolling | RTP | ● | ● | | | ● | ● | | ● | | | | - | ● | | | | | | ● | | ● | | ● | | ● | |
| CF-Pipe & Tube | | | | | | | | PSP | | 100 | | SS | - | ● | | | | | | ● | | ● | | ● | | ● | |
| K. ALKALINE CLEANING | | ● | | | ● | | ● | CL | ● | | | SS | - | ● | | | | | | ● | | ● | | (6) | | (6) | |
| H HOT COATING | | ● | | | ● | ● | ● | CL | ● | | | SDA(8) | 1 | | | | | 85(7) | | ● | | | BAT, RR | | BAT | | BAT, RR |

NOTES:

● - Designates a component contained in the treatment model for the particular subcategory.
(1) Cooling towers on final cooler wastewaters.
(2) Indirect heat exchanger installed at biological reactor to optimize temperature.
(3) Applies to barometric condenser on crystallizer only.
(4) BPT without BOA, vacuum filter, and aeration. Includes recycle on barometric condenser.
(5) Based upon pressure filters prior to recycle step.
(6) No specific pretreatment standards. Only general pretreatment standards apply.
(7) Recycle of fume scrubber water.
(8) Only for those coating operations which discharge wastewaters from a chromate rinse step.

KEY TO ABBREVIATIONS

ACG - Granular Carbon Adsorption
ASF - Free Ammonia Still
ASL - Fixed Ammonia Still
BOA - Biological Oxidation
C & C - Caustic and Carbonate Add.
CL - Clarifier
CLB - Breakpoint Chlorination
CLR - Roughing Clarifier
CT - Cooling Tower
DP - Dephenolizer
DT - Drag Tank
E - Equalization
FF - Flatbed Filter
FP - Pressure Filter
GF - Gas Flotation
OS - Oil Separator
PSP - Primary Scale Pit
RR - Rinse Reduction
RTP - Recycle Treated Process
RTP(96) - 96% Recycle
SDA - Sulfur Dioxide Add.
SS - Surface Skimmer
T - Thickener
TP - Tube Plate Settler

[FR Doc. 82-26094 Filed 9-21-82; 8:45 am]
BILLING CODE 6560-50-C

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

**[Docket No. FEMA-6418]**

### List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** This rule lists communities participating in the National Flood Insurance Program (NFIP) and eligible for second layer insurance coverage. These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the regular program authorizes the sale of flood insurance to owners of property located in the communities listed.

**EFFECTIVE DATES:** The date listed in the fourth column of the table.

**ADDRESSES:** Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (202) 287-0270, 500 C Street Southwest, Donohoe Building—Room 505, Washington, DC 20472.

**SUPPLEMENTARY INFORMATION:** The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A-95.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

## PART 64—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

**§ 64.6 List of eligible communities.**

| State and county | Location | Community No. | Effective date of authorization of sale of flood insurance for area [1] | Hazard area identified |
|---|---|---|---|---|
| Arkansas: | | | | |
| Independence County | Batesville, city of | 050091 | 750409, emergency; 820816, regular | 731123 |
| Jackson County | Jackson County [2] | 050096 | 750505, emergency; 820816, regular | 770603 |
| Arizona: Yavapai County | Prescott Valley, town of | 040121 | 800326, emergency; 820816, regular | 800311 |
| California: Tehama County | Corning, city of | 060398 | 750509, emergency; 820816, regular | 740524 |
| Connecticut: Hartford County | Manchester, town of | 090031 | 740205, emergency; 820816, regular | 740524 |
| Illinois: | | | | |
| Schuyler County | Browning, village of | 170606 | 740823, emergency; 820816, regular | 740823 |
| Cook County | Matteson, village of | 170123 | 740625, emergency; 820816, regular | 740412 |
| Indiana: | | | | |
| Johnson County | New Whiteland, town of | 180116 | 750930, emergency; 820816, regular | 740116 |
| Wayne County | Richmond, city of | 180287 | 750401, emergency; 820816, regular | 740510 |
| Kentucky: | | | | |
| Carter County | Grayson, city of | 210051 | 750710, emergency; 820816, regular | 740201 |
| Do | Olive Hill, city of | 210052 | 750729, emergency; 820816, regular | 740201 |
| Louisiana: Ascension Parish | Gonzales, city of | 220015 | 730406, emergency; 820816, regular | 730914 |
| Michigan: | | | | |
| Wayne County | Brownstown, chartered township of | 260218 | 740823, emergency; 820816, regular | 740823 |
| Isabella County | Mount Pleasant, city of | 260104 | 750514, emergency; 820816, regular | 740405 |
| Missouri: | | | | |
| Bone County | Hartsburg, village of | 290037 | 751215, emergency; 820816, regular | 741227 |
| Ray County | Henrietta, city of | 290308 | 740408, emergency; 820816, regular | 741018 |
| New Hampshire: Strafford County | Somersworth, city of | 330151 | 760206, emergency; 820816, regular | 750221 |
| New Jersey: | | | | |
| Middlesex County | Edison, township of | 340261 | 721006, emergency; 820816, regular | 740109 |
| Gloucester County | Glassboro, borough of | 340203 | 750605, emergency; 820816, regular | 740628 |
| Warren County | Washington, borough of | 340495 | 750624, emergency; 820816, regular | 750103 |
| New York: | | | | |
| Onondaga County | Baldwinsville, village of | 360569 | 740812, emergency; 820816, regular | 740315 |
| Do | Elbridge, village of | 360576 | 750218, emergency; 820816, regular | 740531 |
| Do | Jordon, village of | 360580 | 741203, emergency; 820816, regular | 740412 |
| Do | Marcellus, town of | 360585 | 750319, emergency; 820816, regular | 740503 |
| Do | Salina, town of | 360591 | 740730, emergency; 820816, regular | 750411 |

| State and county | Location | Community No. | Effective date of authorization of sale of flood insurance for area [1] | Hazard area identified |
|---|---|---|---|---|
| Pennsylvania: | | | | |
| Berks County | Lower Heidelberg, township of | 421077 | 750718, emergency; 820816, regular | 741108 |
| Do | Perry, township of | 421093 | 750912, emergency; 820816, regular | 740913 |
| Do | Sinking Spring, borough of | 420150 | 740530, emergency; 820816, regular | 740329 |
| Tennessee: | | | | |
| Trousdale County | Hartsville, town of | 470093 | 740702, emergency; 820816, regular | 740607 |
| Do | Trousdale County [2] | 470192 | 751212, emergency; 820816, regular | 771028 |
| Texas: Chambers County | Mont Belvieu, city of | 480122 | 790801, emergency; 820816, regular | 761224 |
| Virginia: Buchanan County | Grundy, town of | 510025 | 741108, emergency; 820816, regular | 740524 |
| Washington: Grays Harbor County | McCleary, town of | 530062 | 750430, emergency; 820816, regular | 740531 |
| Oklahoma: Tillman County | Tipton, town of | 400206 | 761105, emergency; 820817, regular | 760813 |
| New York: | | | | |
| Allegany County | Caneadea, town of | 360028 | 750617, emergency; 820820, regular | 740531 |
| Monroe County | East Rochester, village of | 360414 | 800618, emergency; 820820, regular | 770114 |
| Cattaraugus County | Machias, town of | 360084 | 800805, emergency; 820820, regular | 741018 |
| Allegany County | New Hudson, town of | 361102 | 800910, emergency; 820820, regular | 760903 |
| Arkansas: | | | | |
| Randolph County | Biggers, town of | 050388 | 751120, emergency; 820824, regular | 750822 |
| Benton County | Centerton, city of | 050399 | 750814, emergency; 820824, regular | 750418 |
| Washington County | Farmington, city of | 050215 | 750630, emergency; 820824, regular | 740412 |
| Benton County | Gravette, city of | 050327 | 760517, emergency; 820824, regular | 750502 |
| Lawrence County | Lynn, town of | 050263 | 760506, emergency; 820824, regular | 750418 |
| Randolph County | Reyno, town of | 050283 | 760226, emergency; 820824, regular | 750711 |
| Texas: | | | | |
| Hale County | Abernathy, city of | 480271 | 750606, emergency; 820824, regular | 740510 |
| Hockley County | Anton, city of | 480353 | 751223, emergency; 820824, regular | 740329 |
| Crosby County | Crosbyton, city of | 480159 | 750618, emergency; 820824, regular | 740510 |
| Foard County | Crowell, city of | 480819 | 760510, emergency; 820824, regular | 750627 |
| Crosby County | Lorenzo, city of | 480160 | 750730, emergency; 820824, regular | 740412 |
| Hardeman County | Quanah, city of | 480283 | 741030, emergency; 820824, regular | 740809 |
| Georgia: Greene County | Greensboro, city of | 130220 | 780807, emergency; 820827, regular | 741220 |
| New York: | | | | |
| Livingston County | Geneseo, village of | 361452 | 800430, emergency; 820827, regular | 741115 |
| Ulster County | Kingston, town of | 361218 | 750721, emergency; 820827, regular | 71020 |
| Livingston County | Leicester, village of | 361456 | 800915, emergency; 800827, regular | 750110 |
| Albany County | Rensselaerville, town of | 360014 | 770513, emergency; 820827, regular | 741206 |
| Livingston, County | Sparta, town of | 361288 | 800306, emergency; 820827, regular | 741108 |
| Sullivan, County | Tusten, town of | 360831 | 750513, emergency; 820827, regular | 740809 |
| Arkansas: | | | | |
| Clay County | Pollard, city of | 050036 | 750411, emergency; 820831, regular | 740823 |
| Lawrence County | Portia, city of | 050121 | 750505, emergency; 820831, regular | 740823 |
| Clay County | Rector, city of | 050366 | 760315, emergency; 820831, regular | 750718 |
| Do | Success, town of | 050289 | 751212, emergency; 820831, regular | 750725 |
| Total is: 61. | | | | |

[1] Key for reading fourth column (Effective Date): First two digits designate the year, the middle two digits designate the month, and the last two digits designate the day.
[2] Unincorporated areas.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 14, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25936 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 65

**[Docket No. FEMA-6404]**

## Communities With No Special Hazard Areas for the National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency Management Agency, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities would not be inundated by the 100-year flood. Therefore, the Associate Director, State and Local Programs and Support is converting the communities listed below to the Regular Program of the National Flood Insurance Program (NFIP) without a map.

**EFFECTIVE DATE:** Date listed in third column of List of Communities with no Special Flood Hazards.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, National Flood Insurance Program, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** In these communities, there is no reason not to make full limits of coverage available. The entire community is now classified as zone C. In a zone C, insurance coverage is available on a voluntary basis at low actuarial nonsubsidized rates. For example, under the Emergency Program in which your community has been participating the rate for a one-story 1–4 family dwelling is $.25 per $100 per coverage. Under the Regular Program, to which your community has been converted, the equivalent rate is $.01 per $100 coverage. Contents insurance is also available under the Regular Program at low actuarial rates. For example, when all contents are located on the first floor of a residential structure, the premium rate is $.05 per $100 of coverage.

In addition to the less expensive rates, the maximum coverage available under the Regular Program is significantly

greater than that available under the Emergency Program. For example, a single family residential dwelling now can be insured up to a maximum of $185,000 coverage for the structure and $60,000 coverage for contents.

Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community.

The effective date of conversion to the Regular Program will not appear in the Code of Federal Regulations except for the page number of this entry in the **Federal Register.**

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notices stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 65**

Flood insurance, Flood plains.

The entry reads as follows:

**§ 65.8 Lists of communities with no special flood hazard areas.**

| State and county | Community name | Date of conversion to regular program |
|---|---|---|
| California: | | |
| Fresno | City of Coalinga | Aug. 23, 1982. |
| Kern | City of Delano | Do. |
| Fresno | City of Firebaugh | Do. |
| Monterey | City of Greenfield | Do. |
| Los Angeles | City of Hermosa Beach. | Do. |
| San Bernardino. | City of Montclair | Do. |
| Kern | City of Taft | Do. |
| Utah: | | |
| Washington | City of Ivins | Do. |

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

Issued: August 13, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25916 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

**44 CFR Part 65**

**[Docket No. FEMA-6403]**

## Communities With Minimal Flood Hazard Areas for the National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency Management Agency, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities' Special Flood Hazard Areas are small in size, with minimal flooding problems. Because existing conditions indicate that the area is unlikely to be developed in the foreseeable future, there is no immediate need to use the existing detailed study methodology to determine the base flood elevations for the Special Flood Hazard Areas.

Therefore, the Agency is converting the communities listed below to the Regular Program of the National Flood Insurance Program (NFIP) without determining base flood elevations.

**EFFECTIVE DATE:** Date listed in third column of list of Communities with Minimal Flood Hazards Areas.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

**SUPPLEMENTARY INFORMATION:** In these communities, the full limits of flood insurance coverage are available at actuarial, non-subsidized rates. The rates will vary according to the zone designation of the particular area of the community.

Flood insurance for contents, as well as structures, is available. The maximum coverage available under the Regular Program is significantly greater than that available under the Emergency Program.

Flood insurance coverage for property located in the communities listed can be purchased from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program. The effective date of conversion to the Regular Program will not appear in the Code of Federal Regulations except for the page number of this entry in the **Federal Register.**

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have significant economic impact on a substantial number of small entities. This rule provides routine legal notice regarding the completed stage of engineering tasks in delineating the special flood hazards areas of the specified community and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 65**

Flood insurance, Flood plains.

The entry reads as follows:

**§ 65.7 List of communities with minimal flood hazard areas.**

| State and county | Community | Date of conversion to regular program |
|---|---|---|
| Pennsylvania: | | |
| Huntingdon | Borough of Three Springs. | Oct. 1, 1982. |
| Arkansas: | | |
| Lonoke | Town of Allport | Oct. 5, 1982. |
| Desha | City of Arkansas City | Do. |
| Georgia: | | |
| Bartow | City of Emerson | Oct. 8, 1982. |
| New Jersey: | | |
| Sussex | Township of Green | Do. |
| Pennsylvania: | | |
| Cumberland | Township of Lower Mifflin. | Do. |
| Washington | Township of Mount Pleasant. | Do. |
| Northampton | Borough of Nazareth | Do. |
| Virginia: | | |
| Halifax | Town of Halifax | Do. |
| Greensville and Sussex. | Town of Jarratt | Do. |
| Arkansas: | | |
| Woodruff | City of Cotton Plant | Oct. 12, 1982. |
| Lincoln | City of Grady | Do. |
| Prairie | City of Hazen | Do. |
| Cleveland | City of Kingsland | Do. |
| St. Francis | City of Palestine | Do. |
| Arkansas | Town of St. Charles | Do. |
| Saline | City of Traskwood | Do. |
| Drew | City of Wilmer | Do. |
| Louisiana: | | |
| Allen | Town of Oberlin | Do. |
| Pennsylvania: | | |
| Washington | Township of Donegal | Oct. 15, 1982. |
| Dauphin | Township of Jefferson | Do. |
| Chester | Township of New Garden. | Do. |
| Mercer | Township of New Vernon. | Do. |
| Arkansas: | | |
| St. Francis | Town of Caldwell | Oct. 19, 1982. |
| Bradley | Town of Hermitage | Do. |
| Desha | City of Watson | Do. |
| Louisiana: | | |
| Beauregard | City of DeRidder | Do. |
| Vernon | Village of Rosepine | Do. |
| Oklahoma: | | |
| Bryan | Town of Bokchito | Do. |
| Wagoner | City of Wagoner | Do. |
| Texas: | | |
| San Augustine | City of San Augustine | Do. |
| New York: | | |
| Ulster | Town of Marbletown | Oct. 22, 1982. |
| Pennsylvania: | | |
| Bradford | Township of Tuscarora | Do. |
| Oklahoma: | | |
| Seminole | City of Konawa | Oct. 26, 1982. |
| Grady | Town of Verden | Do. |
| Texas: | | |
| Marion | City of Jefferson | Do. |
| Tyler | City of Woodville | Do. |
| Wood | Town of Yantis | Do. |
| Michigan: | | |
| Emmet | City of Petoskey | Oct. 29, 1982. |

| State and county | Community | Date of conversion to regular program |
|---|---|---|
| New York: | | |
| Chautauqua | Town of Carroll | Do. |
| Schuyler | Town of Dix | Do. |
| Steuben | Town of Fremont | Do. |
| Pennsylvania: | | |
| Franklin | Township of Fannett | Do. |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25915 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 65

**[Docket No. FEMA-6400]**

## List of Withdrawal of Flood Insurance Maps Under the National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** This rule lists communities where Flood Insurance Rate Maps or Flood Hazard Boundary Maps published by the Director, Federal Emergency Management Agency, have been temporarily withdrawn for administrative or technical reason. During that period that the map is withdrawn, the insurance purchase requirement of the National Flood Insurance Program is suspended.

**EFFECTIVE DATE:** The date listed in the fifth column of the table.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, National Flood Insurance Program, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The list includes the date that each map was withdrawn, and the effective date of its republication, if it has been republished. If a flood-prone location is now being identified on another map, the community name for the effective map is shown.

The Flood Disaster Protection Act of 1973 (Pub. L. 93–234), as amended, requires, at Section 102, the purchase of flood insurance as a condition of Federal financial assistance if such assistance is:

(1) For acquisition and construction of buildings, and

(2) For buildings located in a special flood hazard area identified by the Director of Federal Emergency Management Agency.

The insurance purchase requirement with respect to a particular community may be altered by the issuance or withdrawal of the Federal Emergency Management Agency's (FEMA) official Flood Insurance Rate Map (FIRM) or the Flood Hazard Boundary Map (FHBM). A FHBM is usually designated by the letter "E" following the community number. If the FEMA withdraws a FHBM for any reason the insurance purchase requirement is suspended during the period of withdrawal. However, if the community is in the Regular Program and only the FIRM is withdrawn but a FHBM remains in effect, then flood insurance is still required for properties located in the identified special flood hazard areas shown on the FHBM, but the maximum amount of insurance available for new applications or renewal is first layer coverage under the Emergency Program, since the community's Regular Program status is suspended while the map is withdrawn. (For definitions see 44 CFR Part 59 et seq.).

This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities. As the purpose of this revision is the convenience of the public, notice and public procedure are unnecessary, and cause exists to make this amendment effective upon publication.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities.

### List of Subjects in 44 CFR Part 65

Flood insurance, Flood plains.

Accordingly, Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations is amended as follows:

1. Present § 65.6 is revised to read as follows:

### § 65.6 Administrative withdrawal of maps.

(a) *Flood Hazard Boundary Maps (FHBM's).*—The following is a cumulative list of withdrawals pursuant to this Part: 40 FR 5149, 40 FR 17015, 40 FR 20798, 40 FR 46102, 40 FR 53579, 40 FR 56672, 41 FR 1478, 41 FR 50990, 41 FR 13352, 41 FR 17726, 42 FR 8895, 42 FR 29433, 42 FR 46226, 42 FR 64076, 43 FR 24019 , 44 FR 815, 44 FR 6383, 44 FR 18485, 44 FR 25636, 44 FR 34120, 44 FR 52835, 44 FR 57094, 45 FR 12421, 45 FR 26051, 45 FR 31318, 45 FR 34120, 45 FR 49570, 45 FR 52385, 46 FR 13695, 46 FR 20176, 46 FR 26776, 46 FR 46810, 47 FR 3121, 47 FR 18869, 47 FR 28657. (Enter page number of this notice in **Federal Register.**)

(b) *Flood Insurance Rate Maps (FIRM's).*—The following is a cumulative list of withdrawals pursuant to the Part: 40 FR 17015, 41 FR 1478, 42 FR 49811, 42 FR 64076, 43 FR 24019, 44 FR 25636, 45 FR 12421, 45 FR 49570, 46 FR 20176, 46 FR 46810, 47 FR 3121, 47 FR 18869, 47 FR 41744.

2. The following additional entries (which will not appear in the Code of Federal Regulations) are made pursuant to § 65.6:

| State | Community name, number | County | Hazard ID date | Rescission date | Reason |
|---|---|---|---|---|---|
| CA | City of Coalinga, 060045(E) | Fresno | Sept. 26, 1978 | Aug. 23, 1982 | 2 |
| CA | City of Delano, 060078(E) | Kern | May 24, 1974 | do | 2 |
| CA | City of Firebaugh, 060046(E) | Fresno | Apr. 1, 1974 | do | 2 |
| CA | City of Greenfield, 060446(E) | Monterey | Aug. 6, 1976 | do | 2 |
| CA | City of Hermosa Beach, 060124(E) | Los Angeles | June 28, 1974 | do | 2 |
| CA | City of Montclair, 060276(E) | San Bernardino | Aug. 22, 1975 | do | 2 |
| CA | City of Taft, 065063(E) | Kern | Mar. 26, 1976 | do | 2 |
| MI | Village of Ravenna, 260464(R) | Muskegon | June 1, 1982 | do | 2 |
| UT | City of Ivins, 490173(E) | Washington | Sept. 12, 1975 | do | 1 |
| WI | City of St. Francis, 550281(R) | Milwaukee | July 7, 1978 | do | 2 |
| MI | City of Norway, 260332 | Dickinson | July 11, 1975 | do | 2 |

Key to symbols:
E The community is participating in the Emergency Program. It will remain in the Emergency Program without a FHBM.
R The community is participating in the Regular Program.
1. The Community appealed its flood-prone designation and FIA determined the Community would not be inundated by a flood having a one-percent change of occurrence in any given year.
2. FIA determined the Community would not be inundated by a flood having a one-percent chance of occurrence in any given year.
3. The Flood Hazard Boundary Map (FHBM) contained printing errors or was improperly distributed. A new FHBM will be prepared and distributed.
4. The community lacked land-use authority over the special flood hazard area.
5. The FHBM does not accurately reflect the Community's special flood hazard areas (i.e., sheet flow flooding, extremely inaccurate map, etc.). A new FHBM will be prepared and distributed.
6. The Flood Insurance rate Map was rescinded because of inaccurate flood elevations contained on the map.
7. The Flood Insurance Rate Map was rescinded in order to re-evaluate the mudslide hazard in this Community.
8. The T&E or H&E Map was rescinded.
9. A revision of the FHBM within a reasonable period of time was not possible. A new FHBM will be prepared and distributed.
10. Miscellaneous.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968); effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: August 13, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25917 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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**44 CFR Part 70**

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for Dade County, Florida; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Dade County, Florida. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Dade County, Florida, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquistion purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP), P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 125098, Panel 0275 D published on October 6, 1980, in 45 FR 66058 indicates that Lot 6 in Block 4 of Mango Terrace in Dade County, Florida, also known as 6861 S.W. 76th Terrace, recorded in Official Records 11349, Page 1555 in the Public Records of Dade County, is located within the Special Flood Hazard Area.

Map Number H and I 125098, Panel 0275 D is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on November 14, 1980. The existing structure is located in Zone B.

The map amendments listed below are in accordance with § 70.7(b):

Map number H & I 125098, Panel 0275 D published on October 6, 1980, in 45 FR 66058 indicates that Lots 3 through 14 of Block 1; Lots 2 through 6 of Block 2; Lots 2 through 7 of Block 3; Lots 1 through 11 of Block 4; Lot 1 of Block 5; Lots 1 through 17 of Block 6; and Lots 1 through 31 of Block 7, all in the subdivision known as Live Oak of the Hammocks, in Dade County, Florida, as recorded in Book 114 of Plats at Page 56 of the Public Records of Dade County, are located within the Special Flood Hazard Area.

Map Number H & I 125098, Panel 0275 D is hereby corrected to reflect that the existing structures located on the above-mentioned lots are not within the Special Flood Hazard Area identified on November 14, 1980. The structures are in Zone C. However, portions of the lots would still be inundated by a flood having a one-percent of occurrence in any given year.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 125098, Panel 0275 D published on October 6, 1980, in 45 FR 66058, indicates that Lots 1 through 11 of Block 1; Lots 1 through 19 of Block 2; Lots 1 through 16 of Block 3; Lots 1 through 9 of Block 4; Lots 1 through 8 of Block 5; Lots 1 through 19 of Block 6; Lots 1, 2, and 5 through 8 of Block 7; Lots 1 through 6 of Block 8; Lots 1 through 22, and 24 through 38 of Block 9; Lots 1 through 4, and 6 through 9 of Block 10; Lots 1 through 5, 9, and 10 of Block 11; and Lots 1 through 4, 8 through 16, and 18 through 24 of Block 12, and all in the subdivision known as Sun Fish at the Hammocks, in Dade County, Florida, as recorded in Book 115 of Plats at Page 21 of the Public Records of Dade County, are located within the Special Flood Hazard Area.

Map Number H and I 125098, Panel 0275 D is hereby corrected to reflect that the existing structures located on the above-mentioned lots are not within the Special Flood Hazard Area identified on November 14, 1980. The structures are in Zone C. Howerver, portions of the lots would still be inundated by a flood having a one-percent chance of occurrence in any given year.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 125098, Panel 0275 D published on October 6, 1980, in 45 FR 66058, indicates that Lots 1 through 8, 15, and 16 of Block 1; Lots 1 through 15 of Block 2; Lots 2 through 8 of Block 3; Lots 2 through 7 of Block 4; Lots 4 through 10 of Block 5; Lots 2 through 7, and 9 through 11 of Block 6; Lots 2 through 12 of Block 7; Lots 1 through 6 of Block 8; Lots 1 through 11, 19 through 23, and 25 through 54 of Block 9; Lots 1 through 8 of Block 10; Lots 1 through 6 of Block 11; Lots 1 through 8 of Block 12, all in the subdivision known as Juniper at the Hammocks, in Dade County, Florida, as recorded in Book 115 of Plats at Page 17 of the Public Records of Dade County, are located within the Special Flood Hazard Area.

Map Number H and I 125098, Panel 0275 D is hereby corrected to reflect that the existing structures located on the above-mentioned lots are not within the Special Flood Hazard Area identified on November 14, 1980. The structures are in Zone C. However, portions of the lots would still be inundated by a flood having a one-percent chance of occurrence in any given year.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 125098, Panel 0275 D published on October 6, 1980, in 45 FR 66058 indicates that Lots 1, 2, and 9 through 14 of Block 24; Lots 4 through 11 of Block 25; Lots 1 through 8 of Block 26; Lots 1 through 9 of Block 27; Lots 1 through 10, and 12 of Block 28; Lots 1 through 3 of Block 29; Lots 1 through 6, and 16 through 19 of Block 30; Lots 1 through 14, and 16 through 19 of Block 31; Lots 24 and 25 of Block 32, Lots 1 through 9, 15, and 16 of Block 33; Lots 1 through 5, and 8 through 12 of Block 34;

Lots 1, 2, and 17 through 20 of Block 35; Lots 1 and 2 of Block 36; Lots 1 through 6, and 9 through 20 of Block 37; Lots 3 and 4 of Block 38; Lots 1 through 8 of Block 39; Lots 1 through 6 of Block 40; Lot 1 of Block 41; Lots 1, and 3 through 7 of Block 42; and Lots 1 through 7, 9, and 10 of Block 43, all in Section 3 of the subdivision known as The Hammocks, in Dade County, Florida, as recorded in Book 115 of Plats at Page 60 of the Public Records of Dade County, are located with the Special Flood Hazard Area.

Map Number H & I 125098, Panel-0275 D is hereby corrected to reflect that the existing structures located on the above-mentioned lots are not within the Special Flood Hazard Area identified on November 14, 1980. The structures are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25903 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for Maricopa County, Arizona, Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Maricopa County, Arizona. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Maricopa County, Arizona, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 040037 Panel 0935A, published on October 6, 1980, in 45 FR 66116, indicates that Lots 1 through 92, North Valley View-Unit One, Phoenix, Arizona, as recorded in Book 232, Page 36, in the Office of the Recorder, Maricopa County, Arizona, are located within the Special Flood Hazard Area.

Map No. H & I 040037 Panel 0935A is hereby corrected to reflect that the above-mentioned lots are not within the Special Flood Hazard Area identified on July 2, 1979. These lots are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support)

Issued August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25904 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for the City of Eagle, Idaho, Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Eagle, Idaho. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Eagle, Idaho, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquistion purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency

Management Agency, Washington, D.C. 20472 (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 160003 Panel 0001B, published on October 6, 1980, in 45 FR 66123, indicates that Eagle Manor, being a 1.7884 acre tract of land located in Section 9, T4N, R1E, Eagle, Idaho, recorded as Instrument Number 8060737, in the Office of the Recorder, Ada County, Idaho, is located within the Special Flood Hazard Area.

Map No. H & I 160003 Panel 0001B is hereby corrected to reflect that the existing structure located on the above-mentioned property is not within the Special Flood Hazard Area identified on March 4, 1980. This structure is in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25905 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for the City of Tulsa, Oklahoma, Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Tulsa, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Tulsa, Oklahoma, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition or Federal of federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b ):

Map No. H & I 405381D Panel 82, published on October 6, 1980, in 45 FR 66095, indicates that Lot 4, Block 4, Turner Park Addition, Tulsa, Oklahoma, recorded as Plat No. 1176, Record No. 631538, in the Office of the Clerk, Tulsa County, Oklahoma, is located within the Special Flood Hazard Area.

Map No. H & I 405381D Panel 82 is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on August 14, 1979. This lot is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 20, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25906 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for Harris County, Texas Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas

have been published. This list included Harris County. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Harris County, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related fianancial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480287 Panels 0050C and 0175C, published on October 6, 1980, in 45 FR 66098, indicates that Lots 1 and 17 through 19, Block 1; Lots 6 through 19, 28, 29, and 35 through 44, Block 2; Lots 9 through 38, Block 3; Lots 5, 6, 12, 13, 22, 23, and 29, Block 4; and Reserve A, Replat Shannon Forest, Section One, Harris County, Texas, recorded as Document No. H019094 in Volume 303, Page 2 of Map Records, in the Office of the Clerk, Harris County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 480287 Panels 0050C and 0175C is hereby corrected to reflect that the above-mentioned lots are not within the Special Flood Hazard Area identified on February 24, 1981. These lots are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 13, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82–25907 Filed 9–21–82; 8:45 am]

BILLING CODE 6718–03–M

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## 44 CFR Part 70

**[Docket No. FEMA–5909]**

## Letter of Map Amendment for the City of Amory, Mississippi, Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Amory, Mississippi. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Amory, Mississippi, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 280116 Panel 0001 C published on October 6, 1980, in 45 FR 66065 indicates that Lot 25, Hedgemoor Subdivision, Amory, Mississippi, as recorded in Plat Book 3, Page 25 in the Office of the Chancery Clerk of Monroe County, Mississippi, is located within the Special Flood Hazard Area.

Map Number H and I 280116, Panel 0001 C is hereby corrected to reflect that the existing structure is not within the Special Flood Hazard Area identified on May 30, 1980. The structure is in Zone B. However, portions of the property would still be inundated by the base flood.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support).

Issued: August 16, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25908 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for the City of Rochester, Minnesota, Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the City of Rochester, Minnesota. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Rochester, Minnesota, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620 toll free.

The Map amendments listed below are in accordance with § 70.7(b):

Map No. 275246, Panel No. 0007B, published on October 6, 1980, in 45 FR 66083, indicates that Lots Nos. 1 through 4 and Lots No. 7, Block 1, with the exception of the 30-foot Utility Easement, Replat of Lot 1, Block 1, Compustown Subdivision, City of Rochester, Olmstead County, Minnesota, recorded as Document No. 402385, in the Office of the Recorder of Olmstead County, Minnesota, are located within the Special Flood Hazard Area.

Map No. 275246, Panel No. 0007B, is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on February 4, 1981. The property is in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated Special Flood Hazard Areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 17, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25909 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for Libertyville, Illinois Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map amendment.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Libertyville, Illinois. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Libertyville, Illinois, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. John T. Anderson, Regional Director, Federal Emergency Management Agency, 300 South Wacker Drive, 24th Floor, Chicago, Illinois 60606 (312) 353–1500.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number 170377, Panel 0005B published on October 6, 1980, in 45 F.R. 66074 indicates that Lot 130 in Red Top Farm of Libertyville, Unit 3, according to the plat thereof, recorded August 29, 1978, as Document 1942331, in Book 67 of

Plats, page 18, in the Office of the Recorder of Deeds of Lake County, Illinois in located within the Special Flood Hazard Area.

Map Number 170377, Panel 0005B is hereby corrected to reflect that the above-mentioned property in not located within the Special Flood Hazard Area identified on January 16, 1980. The property is located in Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support).

Issued: August 17, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25910 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-5906]**

## Letter of Map Amendment for the City of Hickory Hills, Illinois, Under National Flood Insurance Program; Correction

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map correction.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the City of Hickory Hills, Illinois. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Hickory Hills, Illinois, that a certain structure is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject structure is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that structure as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620 toll free.

The Map amendments listed below are in accordance with § 70.7(b):

Map No. 170103, Panel No. 0001C, published on October 7, 1980, in 45 FR 66456, indicates that the existing structure located on Lot No. 7, K. and K. Industrial Park Subdivision, City of Hickory Hills, Cook County, Illinois, recorded as Document No. 25045447, in the Office of the Recorder of Deeds of Cook County, Illinois, is located within the Special Flood Hazard Area.

Map No. 170103, Panel No. 0001C, is hereby corrected to reflect that the existing structure located on the above-mentioned property is not within the Special Flood Hazard Area identified on July 16, 1980. The structure is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated Special Flood Hazard Areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 70**

Flood Insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 17, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25911 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 70

**[Docket No. FEMA-6048]**

## Letter of Map Amendment for Downers Grove, Illinois, Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule, map amendment.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Downers Grove, Illinois. It has been determined by the Assocate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Downers Grove, Illinois, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for contruction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. John T. Anderson, Regional Director, Federal Emergency Management Agency, 300 South Wacker Drive, 24th Floor, Chicago, Illinois 60606 (312) 353–1500.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial

assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment. the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained though the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Maps Number 170204, Panel 0006B published on May 12, 1981, in 46 FR 26307 26307 indicates that Lot 15 in Deer Creek Subdivision according to the plat thereof, recorded April 8, 1970, as Document R70-10321, in the Office of the Recorder of Deeds of DuPage County, Illinois is located within the Special Flood Hazard Area.

Map Number 170204 Panel 0006B is hereby corrected to reflect that the aboved-mentioned property is not located within the Special Flood Hazard Area identified on April 15, 1981. The property is located in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulaged will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 70

Flood insurance, Floodplains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support.)

Issued: August 17, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25912 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 70

**[Docket No. FEMA-5909]**

## Letter of Map Amendment for Cobb County, Ga., Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Cobb County, Georgia. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Cobb County, Georgia, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 130052, Panel 0100 A published on October 6, 1980 in 45 FR 66062 indicates that a property located in Land Lot 279, First District, Second Section, Cobb County, Georgia, as recorded in Deed Book 1059, Page 589 in the Cobb County Records is located within the Special Flood Hazard Area.

Map Number H and I 130052, Panel 0100 A is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on January 3, 1979. The property is located in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: August 30, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25913 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

# DEPARTMENT OF HEALTH AND HUMAN SERVICES

## Office of the Secretary

## 45 CFR Part 5

## Availability of Information to the Public

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Department's regulations implementing the Freedom of Information Act (FOIA). The rule increases fees for FOI searches and copying to reflect increased costs to the Department. It also establishes guidelines for the waiver or reduction of fees.

**DATE:** The regulations are effective on September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Russell M. Roberts, Freedom of Information Officer, U.S. Department of

Health and Human Services, Room 118-F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201, (202) 472-7453.

**SUPPLEMENTARY INFORMATION:** HEW issued and adopted regulations implementing the Freedom of Information Act (FOIA) on June 30, 1967, including the fees to be charged for duplication, certification, and searches for records. Although the regulations were amended in 1967, 1968, 1973, 1974 and 1975, the schedule of fees has remained unchanged since 1967. At that time we assumed that the task of identifying and locating the records sought by FOIA requesters could be accomplished by clerical employees at relatively low levels. Experience has shown, however, that records searches sometimes must be made by mid-level program staff more familiar with the content of records and where related documents may be found or by professional staff having still greater knowledge and expertise. The new fees take into account this experience concerning the cost of records searches. Moreover, the effects of inflation on the costs of records searches are reflected in the new fees. We considered, and discarded, multi-tier fee systems. In such systems either separate charges would be made for clerical, mid-level, and professional staff time, or else actual salaries of persons performing searches would be charged. We believe that such multi-tier systems are too cumbersome to administer. We, therefore, are imposing a standard charge—$10.00 an hour—which represents a median salary for Departmental employees. We believe that this figure is a reasonable approximation of the actual direct cost to the Department of identifying and locating the records requested under the FOIA.

We also are expanding that portion of Subpart E that addresses the waiver or reduction of fees. A provision for such waiver or reduction when the government's furnishing information is considered as "primarily benefiting the general public" was included in the FOIA amendments of 1974 and added to our fee schedule in 1975. In this final regulation we are including guidelines based on several years experience implementing FOIA. We believe that the statutory standard of "primarily benefiting the general public" can best be implemented by applying flexible, commonsense guidelines, rather than a rigid formula. We are publishing these guidelines at this time in order to give the public guidance concerning our policy toward waiver and reduction of fees. Each FOIA request will be individually considered and any requester may call to our attention circumstances that might warrant special consideration.

**DISCUSSION OF COMMENTS:** On page 15610 of the **Federal Register** dated April 12, 1982, the Department of Health and Human Services published a Notice of Proposed Rule Making to amend its regulations implementing the Freedom of Information Act. Six comment letters were received. Individual comments and suggestions are summarized and discussed below.

Comment: The revised regulation should retain the provisions of the current regulation providing that there will be no charge for the first half hour of searching for records and no charge when the total amount of the fee would not exceed $5.00.

Response: We have decided not to establish a threshold amount in either dollars, pages, or hours below which there will be no charge. Instead, our policy will be that we will not charge for processing a FOIA request when the cost of collecting the fee would exceed the amount of the fee. We believe this new policy will be both more practical for the Department to administer, as well as fairer to FOIA requesters. This is because the Department is made up of different component agencies, which have different types of records and retrieval methods, and which accordingly incur different costs in responding to FOIA requests. In most cases, however, there would be no fee charged that would be less than $5.00. An exception to this might be, for example, when a component of the Department receives numerous small requests from a repeat requester which can easily be aggregated on a monthly bill. The regulation has been changed to reflect this policy at § 5.60.

Comment: Change § 5.61(a)(5) to indicate that there is a $10 certification charge only when we are asked to certify that records are true copies.

Response: We have made this change.

Comment: Include in § 5.61(a)(4) the time of computer programmers in the computation of fees.

Response: We have made this change.

Comment: There should be no charge for postage unless several pounds of material are to be mailed.

Response: The cost of mailing thousands of FOIA letters and packages each year is significant. The average FOIA request involves 90 pages of records weighing one pound and costing $3.20 in postage. With more than 60,000 FOIA requests each year, our annual postage costs are almost $200,000. If we were to charge for postage only where the materials mailed weighed several pounds, we would not be able to recover a large portion of our costs. As indicated in the regulation, the fees we will charge for mailing each item will be the actual cost of postage, which we are able to compute without difficulty.

Comment: Modify § 5.61(b) to indicate that there will be a charge for time spent on a fruitless search for records only when the requester has been advised that the search is unlikely to be productive yet still wishes us to continue the search.

Response: We have made this change.

Comment: Change § 5.62(a) to establish an amount for search and copy fees up to which we will assume the requester is willing to pay, unless the request specifies a different limit.

Response: We prefer not to establish such a limit because of the diversity and varied financial resources of those making requests. A flexible approach allows us to use our past experience with organizations and individual requesters, and eliminates the need for burdensome correspondence and telephone calls. When, in our judgment, it is appropriate, we will promptly contact requesters and give them an estimate of the fees to be charged.

Comment: Modify the first sentence of § 5.62(c) to read "* * * costs will be substantially larger than you have agreed to pay,* * *" rather than "* * *costs will be very large,* * *"

Response: We have made this change.

Comment: Modify § 5.62(c) so there is a limit to the amount of time the Department has for making a decision on a request for a reduction or waiver of fees.

Response: This is not practical since we frequently must go back to a requester for additional justification for the reduction or waiver. Once we receive all necessary information, we will make a prompt decision on the reduction or waiver request.

Comment: Section 5.62(c) should indicate that we will commence a record search as soon as a request is received, even in those cases when we think advance payment or a deposit is advisable.

Response: Again, our experience with thousands of FOIA requests indicates a need for latitude here. In many instances it simply is not cost effective to commence a search before the requester is advised of the likely search and copy fee and given an opportunity to make a decision as to whether we should start searching.

Comment: Paragraphs (c) and (d) of § 5.63 appear to be in conflict: (c) leans toward charging a fee to someone who

would benefit financially from the release of records; (d) appears to favor fee waiver or reduction for those who might obtain economic benefit from the release.

Response: Paragraph (d) is meant to apply to indigents or to those for whom it would be a hardship of payment if a fee were required. We have modified the text to reflect our intent more clearly.

Comment: Someone seeking records would not necessarily know if the information has already been made available to others and that, because of this, fee waiver or reduction may be unlikely.

Response: Before denying a request for fee waiver or reduction on this basis, we will make certain that the information is readily available from another source and notify the requester of this. If the information is already public knowledge, then it is not in the public interest to provide it free of charge to someone else.

Comment: There should be no fee charged an office or organization acting on behalf of indigent individuals.

Response: We do not think it appropriate to grant a blanket waiver to such offices and organizations, or to non-profit or tax-exempt establishments generally. We do, however, recognize that many groups providing beneficial services operate on limited budgets and cannot always afford to pay the full search and copy costs. In examining their requests, we will consider, as a factor in our determination, whether a refusal to waive or reduce fees might deprive the clientele served by the office or organization of the benefits of the information. The approach we have adopted will allow us to evaluate each request for information on its own merits and will thereby permit a better founded determination of whether fee waiver or reduction is appropriate.

Comment: The guidelines in § 5.63 do not make clear whether we will waive or reduce fees where the records requested contain information which is likely to be used to actually benefit people, even if the individuals who will benefit do not specifically know about the records themselves or directly receive the information they contain.

Response: We have revised the text of § 5.63(b) to clarify that, in making fee waiver or reduction determinations, we will consider whether the records to be released could be used to benefit people, even when the information contained in the records is not conveyed directly to those who will benefit.

Comment: Section 5.64 should be expanded to include appeals as to agency fee determinations as well as appeals relating to fee waiver or reduction.

Response: We have revised the text to accommodate this suggestion.

Cost/Regulatory Impact Analysis: These regulations do not meet the criteria for a major regulation and a regulatory impact analysis under Executive Order 12291 is not necessary.

Regulatory Flexibility Analysis: These regulations will not have a significant economic impact on small entities. Therefore, a regulatory flexibility analysis as required in Pub. L. 96-354, the Regulatory Flexibility Act, is not necessary.

**List of Subjects in 45 CFR Part 5**

Freedom of information.

Subpart E of 45 CFR Part 5, is revised as follows:

## PART 5—AVAILABILITY OF INFORMATION TO THE PUBLIC

### Subpart E—Fees

Sec.
5.60 Policy on fees.
5.61 Fee schedule.
5.62 Procedures on assessing and collecting fees.
5.63 Waiver or reduction of fees.
5.64 Review of a denial of request to waive or reduce fees.

Authority: 5 U.S.C. 552.

### Subpart E—Fees

**§ 5.60 Policy on fees.**

The fees described in this Part apply to FOIA requests. They reflect direct search and duplication costs which the FOIA permits us to collect. The fee schedule is not intended to imply that fees must be charged for responding to FOIA requests nor is it meant as a substitute for any other schedule of fees. Our policy is that we will not charge for processing a FOIA request when the cost of collecting the fee would exceed the amount of the fee.

**§ 5.61 Fee schedule.**

(a) Our fee schedule is: (1) Manual searching for records—$10 an hour;

(2) Photocopying standard-size pages—10¢ per page;

(3) Photocopying odd-size pages, such as punch cards, or blueprints, or reproducing other records, such as magnetic tapes—actual cost of the operator's time up to $10 an hour, plus the cost of the machine time and the materials used;

(4) Use of electronic data processing equipment to obtain records—our actual cost for the service, including computer search time, runs, printouts, and time of computer programmers and operators, or other employees;

(5) Certifying that records are true copies whenever we are asked to do so—$10 per certification;

(6) Postage—actual cost;

(7) Sending records to you by special methods that you request, such as Express Mail, actual cost of the special service;

(8) Performing other special services that you request and that we agree to do—actual cost to us of the time of our employee who performs the service, plus the cost of any machine time and materials that the employee uses;

(9) Search and reproduction of records of Social Security number holders, wage earners, employers and claimants—full cost as determined under section 1106(c) of the Social Security Act.

(b) We may charge you for search time, even though we fail to find the records, if you request that we continue the search after we have informed you that it is unlikely to be productive. We also may charge you for search time if the records we locate are exempt from disclosure.

**§ 5.62 Procedures on assessing and collecting fees.**

(a) We will generally assume that when you send us a request, you agree to pay search and copy fees. You may specify a limit on the amount you are willing to spend. We will notify you if it appears that the fee will exceed the limit and ask whether you nevertheless want us to go ahead.

(b) Normally, we will send you a bill along with or following our delivery of the records you asked for. However, in order to avoid sending numerous small bills to frequent requesters, or businesses representing requesters, we may aggregate the charges for certain periods. For example, we might send a bill to such a requester once a month.

(c) If you have failed to pay previous bills, or if it appears likely that the search and duplication costs will be substantially larger than you have agreed to pay, we may ask you to pay the estimated fee, or a deposit, before we start searching for the records you requested, or before we send them to you. If so, we will let you know promptly upon receiving your request. In such cases, the administrative time limits prescribed in section (a)(6) of the FOIA (i.e., ten working days from receipt of initial requests and twenty working days from receipt of appeals from initial denials, plus permissable extensions of these time limits) will begin only after we have come to an agreement with you over payment of the fee, or have decided that fee waiver or

reduction would be appropriate (see § 5.63).

(d) Payment of fees will be made by check or money order payable to "U.S. Department of Health and Human Services" or to the unit stated in the billing and will be sent to the billing unit.

**§ 5.63 Waiver or reduction of fees.**

Only Freedom of Information Officers as designated at § 5.32 above may waive or reduce a fee where they determine that furnishing the information will primarily benefit the general public. They will consider factors such as those listed below. The existence of one of the factors standing alone, however, would not mean we would automatically waive or reduce the fee.

(a) Whether it is probable that you will disseminate the information to a large number of people. For example, we might waive or reduce the fee if you are a newspaper reporter, have a contract for a book with a publisher, or have often written material that was later published.

(b) Whether the records that you requested contain information which could actually be used to benefit people. We would be more disposed than otherwise to waive or reduce fees when there was strong need for public attention to matters that the records concerned. Records in that category would, for example, include those that bore on the safety, health, or economic well-being of the public, or the integrity and efficiency of government. In such cases, individuals who will benefit need not know about the records themselves or directly receive the information they contain.

(c) Whether release of the records would result primarily in your financial benfit. For example, we would usually expect you to pay the fees if you are engaged in commercial or financial activities in which you normally pay for goods and services in the conduct of business. In such circumstances, taxpayers ordinarily should not be expected to pay the FOIA fees for you. Even in these situations, however, if release of the information would otherwise benefit the general public, and if payment would impose a hardship on you such that you and the public would not receive the information if the full fee were to be charged, we may waive or reduce the fee.

(d) Whether release of the records would help indigents and others of very limited means for whom it would be a hardship if they were required to pay a fee. For example, where release of the records would help you obtain economic benefits, employment, education, or other basic rights and services, and you sent us an accurate statement that paying the fees would amount to a hardship, we would be inclined to waive or reduce them.

(e) Whether you helped us reduce unnecessary costs to the government. For example, you might focus your request so we could in turn focus the scope of our search and thereby eliminate unnecessary search costs. We would take that into consideration along with other factors.

(f) Whether we have already made the information available to others. For example, we would probably refuse to waive or reduce the fees if you requested records that we had already made available for inspection by any member of the public. We would also consider whether records containing the same information are available elsewhere. In such cases, we will inform you where this information is available.

**§ 5.64 Review of a denial of request to waive or reduce fees.**

If you have been denied a fee waiver or reduction, you may appeal to an official listed in § 5.82. You should specify the manner in which release of the record will benefit the general public. Also, you may appeal agency fee determinations to the same officials.

Dated: August 18, 1982.

**Richard S. Schweiker,**

*Secretary.*

[FR Doc. 82-26153 Filed 9-21-82; 8:45 am]

BILLING CODE 4150-04-M

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## Office of Human Development Services

## 45 CFR Part 1321

## Grants for State and Community Programs on Aging; Funding of Program Development and Coordination Activities as Allowable Supportive Service Costs

**AGENCY:** Office of Human Development Services (OHDS), Department of Health and Human Services (HHS).

**ACTION:** Final rule.

**SUMMARY:** The Administration on Aging is issuing a final regulation regarding the funding of program development and coordination as allowable costs of supportive services under Title III of the Older Americans Act. Under the new regulation, States must expend up to the limit of 8.5 percent for area plan administration prior to spending direct supportive service funds for program development and coordination. In addition, the State Plan on Aging must include an assurance that State and area agencies on aging will obtain review and comment from the general public, including older persons, government officials and the aging services network prior to using additional amounts of direct supportive service funds for program development and coordination. These changes are necessary in order to ensure greater control and accountability with respect to expenditures for program development and coordination activities in a time of significant budget reductions in services to the elderly.

**EFFECTIVE DATE:** October 1, 1982.

**FOR FURTHER INFORMATION CONTACT:** Anita Shalit (202) 245-0641.

**SUPPLEMENTARY INFORMATION:**

### Background

The Older Americans Act (42 U.S.C. 3001 et seq.) was enacted in 1965. It has been amended nine times. The most recent amendments were enacted on December 29, 1981. New regulations, as needed, are being developed to implement this new legislation. The new amendments do not have an impact on the program revision addressed in this final rule.

Under Title III of the Older Americans Act funds are awarded to States to provide supportive services (such as information and referral, transportation, homemaker services, etc.) and congregate and home delivered nutrition services to the elderly. The Act (42 U.S.C. 3024(d)(1)(A)) and the current Title III regulations at 45 CFR 1321.199(b) permit States to use up to 8.5 percent of the combined Part B supportive services allotment and the Part C nutrition services allotment for paying the costs of administering area plans. The remainder is used for providing direct supportive and nutrition services for the elderly. Currently, States have the option of funding program development and coordination activities as supportive service costs at a Federal/State matching rate of 85/15, and as costs of administering area plans at a Federal/State matching rate of 75/25. Program development and coordination activities include liaison with other agencies and organizations serving the elderly, services development and mobilization of non-Older Americans Act funds. States currently expend approximately 6 percent nationally, rather than 8.5 percent, of their supportive and nutrition services allotment for administering area plans.

**Notice of Proposed Rulemaking**

A Notice of Proposed Rulemaking (NPRM) was published in the **Federal Register** on February 5, 1982 (47 FR 5440). The NPRM proposed, at 45 CFR 1321.75 and 1321.103 of the Title III regulations, the deletion of program development and coordination as allowable supportive service costs. Under the proposed rule, program development and coordination activities would have continued only as allowable costs of area plan administration. The purpose of the proposed rule was to assure that recent budget reductions would be absorbed in area agency on aging administration costs rather than in costs of direct services to the elderly. An effective date of April 1, 1982 was proposed to facilitate achievement of required budget savings in Fiscal Year 1982.

**Summary of Comments**

The Notice of Proposed Rulemaking provided for a 30 day comment period. The Administration on Aging received over 700 letters of comment on the proposed rule. Twenty-three letters were in support of the proposed rule whereas the remainder opposed implementation of the rule. Over 150 comments opposing the proposed rule were from members of the Congress. Approximately equal numbers of comment letters were received from representatives of State and area agencies on aging and representatives of service provider agencies, government officials and the general public.

*Letters of Support.* Several letters state support for the proposed rule. Two of these letters were from States designated as single State planning and service areas. These States have opted to pay costs of area plan administration from the allotment for State agency administration as provided in Section 308(a)(3) of the Act. Therefore, these States are not subject to the 8.5 percent cap on area plan administration. The remaining letters were from service providers and older persons who support absorption of budget reductions in administrative rather than direct service costs.

Commenters opposing the rule addressed eleven issues which are summarized as follows:

*Congressional Intent.* The proposed rule is contrary to the intent of the Older Americans Act. Many of the commenters contended that the Act gives area agencies on aging responsibility to conduct program development and coordination activities but that implementation of the proposed rule would inhibit the area agencies' ability to conduct these statutorily mandated functions.

*Continuing Services.* Implementation of the proposed rule would jeopardize continuation of many services that are currently available because area agencies would have to curtail many of their coordination and technical assistance activities to providers and/or potential providers of services in the community.

*Generating Additional Revenue.* Program development and coordination activities should not be limited to funding as administrative costs because these activities have generated additional revenues and other resources for the elderly. The amount of Title III funds expended on program development and coordination is significantly less than the amount of funds generated.

*Administrative Costs.* 8.5 percent of the allotment for supportive and nutrition services that States are statutorily permitted to use for area plan administration would not adequately cover both the costs of administration as well as program development and coordination. This was a particular concern expressed by many rural agencies that have minimal resources available in their communities for administrative activities.

*Loss of Staff.* Implementation of the proposed rule would result in loss of needed staff to perform program development and coordination as well as other area agency functions. This comment can be considered as a sub-issue inherent in the question of whether 8.5 percent of the allotment for supportive and nutrition services would be adequate to cover both area plan administration and program development/coordination activities.

*Role of Area Agencies on Aging.* Area agencies would no longer have the resources to function as the focal point for the elderly in the community and would become mere administrative "pass-throughs" of Title III funds to service contractors. Some commenters expressed the view that the proposed rule would result in the closing of some area agencies.

*State and Local Flexibility.* The proposed rule contradicts the Administration's emphasis on providing States and localities with flexibility to determine how programs should be managed. Most of these respondents expressed the view that States and localities are most knowledgeable about their own needs and resources; therefore, they are in the best position to determine how any Federal budget reductions should be absorbed.

*Public/Private Collaboration.* The proposed rule is contrary to Administration emphasis on developing public/private partnerships and "indirect service" approaches. Diminished resources for coordination and program development would result in fewer opportunities for developing private resources in behalf of the elderly.

*Timetable for Implementation.* The proposed implementation date of April 1 was judged objectionable because it would require area agencies on aging to amend area plans in the middle of the fiscal year. It was argued that a change at this time would add to the administrative burden of State and area agencies and would create a general disruption of program activities. Some examples of the administrative impact on State and area agencies were cited: no lead time to develop new sources of funds to pay for program development and coordination activities that would no longer be Title III funded; termination/revision of contracts with service providers in mid-year and revision of area plans which in many cases would involve a new series of local public hearings and State agency reviews.

*General Opposition.* Some letters expressed general opposition to the proposed rule but did not cite specific reasons. Many of these were from elderly persons who indicated general concern for a potential loss in existing services.

**Administration on Aging Response**

Based on analysis of the issues raised by the letters of comment, the Department decided against final issuance of the proposed rule as originally formulated. In our view, the most serious objection raised by commenters was that our proposal would in fact be counterproductive—resulting in decreased services to the elderly by limiting area agency capacity to develop and expand other resources for the elderly. In this regard we were sensitive to the view that the statutorily established limit of 8.5 percent on area agency administration may not be sufficient to cover the costs of ongoing area agency administration as well as program development and coordination activities. In addition, we agree that the proposed rule could potentially limit the capacity of some area agencies to effectively perform their statutory function as focal points on aging.

While we recognize that area agencies are required to engage in some program development and coordination activities, we also think it is clear that

Congress intended to limit area agency administrative expenditures to the 8.5 percent of services funds specified in the statute. Our proposal was designed to effectuate this congressional intent of limiting the extent to which reduced services funds could be used for activities that are administrative in nature. Our proposal was also designed to effectuate the congressional intent of requiring a higher non-Federal contribution to the costs of administrative activities. Therefore, the thrust of most of the comments is not relevant to the key issue presented. The question is not whether program development and coordination activities are useful, but whether they are administrative in nature and therefore subject to the statutory constraints on administrative costs. We continue to believe that program development and coordination costs contain a large administrative element and that they are not properly treated as equivalent to direct services. The comments objecting to our proposal did not demonstrate the invalidity of this basic premise but simply argued the utility of program development and consolidation activities.

We recognize, however, that program development and coordination activities are not necessarily purely administrative in nature, and that requiring area agencies in all circumstances to limit their combined program development and coordination and other administrative costs to the 8.5 percent cap might work to the detriment of area agencies that have exhausted their administrative allotments but are generating substantial additional services for the elderly in their planning and service areas through additional program development and coordination activities. We have concluded, therefore, that it is not necessary, at least at the present time, to adopt the flat rule proposed in the NPRM in order to carry out the congressional intent of controlling area agency administrative costs. We have concluded that it would be sufficient, and satisfy commenters' concerns for local flexibility, to permit State and area agencies to spend in excess of the 8.5 percent cap for program development and coordination activities if they submitted the details of their proposals to the general public for review and comment. Under this approach, the agencies' constituents who are most directly affected by the agencies' decisions to use additional services funds for program development and coordination activities would be able to advise whether they felt those additional expenditures were warranted in their particular planning and service areas. This requirement for public notice will allow focus on the question whether the program development and coordination activities being proposed sufficiently bolster the provision of direct services as to warrant their being treated as direct services rather than as administrative costs.

We would first require exhaustion of the 8.5 cap at the 75/25 matching rate before we would permit States to use additional supportive services funds at the 85/15 matching rate. Commenters did not object to that aspect of the proposed rule that would have required State and area agencies to contribute a larger non-Federal share for program development and coordination activities. They appeared primarily concerned that the flat ceiling on Federal expenditures for those activities was inappropriate. Our exhaustion requirement will effectuate the congressional intent that agencies contribute a larger share of the costs when they choose to engage in activities that are administrative in nature. It will generate some program savings, and should contribute to a more careful examination by agencies spending under the cap of the necessity for particular program development and coordination activities.

We think that these changes from the present regulations are necessary in order to ensure greater control and accountability with respect to expenditures for program development and coordination activities in a time of significant budget reductions in services to the elderly.

The budgetary urgency to implement the proposed rule by April 1 has decreased significantly. Primarily, the Administration on Aging has established new management initiatives aimed at absorbing some of the budget reductions in FY 1982 and FY 1983. Delaying the implementation date should avoid any administrative burden or program disruption that may have been incurred by State and area agencies under the April 1 date. We are therefore publishing a final rule at this time with an effective date of October 1, 1982 in order to allow States time to incorporate this new provision in their planning cycles for FY 1983.

## Changes in the Regulations

45 CFR 1321.25 lists the provisions that must be included in the content of the State Plan on Aging. We are adding a new paragraph to § 1321.25 requiring a State Plan assurance that State and area agencies on aging will obtain review and comment from the general public, including older persons, the general public, government officials and representatives of the aging services network on the details of State and area agency proposals to expend more than the 8.5 percent limit on administration for program development and coordination purposes.

The Department of Health and Human Services will be developing regulations to implement Section 2d of Executive Order 12372, which is designed to allow States to simplify and consolidate State plans and to encourage substitution of State plans for Federally required State plans.

## Impact Analysis

*Executive Order 12291*

E.O. 12291 requires that a regulatory impact analysis be prepared for major rules—defined in the Order as any rule that has an annual effect on the national economy of $100 million or more, or certain other specified effects. The Department concludes that this regulation is not a major rule within the meaning of the Executive Order.

*Regulatory Flexibility Act of 1980*

The Regulatory Flexibility Act (5 U.S.C. Ch. 6) requires the Federal Government to anticipate and reduce the impact of rules and paperwork requirements on small businesses. For each proposed rule with a "significant economic impact on a substantial number of small entities" an initial analysis must be prepared describing the proposed rule's impact on small entities. Consistent with the provisions of the Regulatory Flexibility Act, I hereby certify that this rule will not have significant economic impact on a substantial number of small entities.

## List of Subjects in 45 CFR Part 1321

Administrative practice and procedure, Aged, Grant program-social programs.

(Title III of the Older Americans Act (42 U.S.C. 3021 through 3030g))

(Catalog of Federal Domestic Assistance Program Numbers: 13.633 Special Program for Aging, Title III Parts A and B—Grants on Aging; 13.635 Special Programs for Aging, Title III Part C—Nutrition Services)

Dated: August 16, 1982.

**Lennie-Marie P. Tolliver,**

*Commissioner on Aging.*

Approved: August 17, 1982.

**Dorcas R. Hardy,**

*Assistant Secretary for Human Development Services.*

Approved: August 30, 1982.

**Richard S. Schweiker,**

*Secretary of Health and Human Services.*

Accordingly, 45 CFR Chapter XIII, Subchapter C is amended as follows:

## PART 1321—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

45 CFR 1321.25 is amended by adding a new paragraph (h), to read as follows:

**§ 1321.25 [Amended]**

* * * * *

(h) *Program development and coordination.* The State plan must assure that—

(1) The State will not fund program development and coordination activities as a cost of supportive services, until it has first spent 8.5 percent of the total of its combined allotments for supportive and nutrition services on the administration of area plans; and

(2) State and area agencies on aging will, consistent with their budgeting cycles (annually, biannually or otherwise), submit the details of their proposals to pay for program development and coordination as a cost of supportive services, to the general public (including older persons, government officials, and the aging services network) for review and comment.

[FR Doc. 82-26151 Filed 9-21-82; 8:45 am]
BILLING CODE 4130-01-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 50 CFR Part 654

**[Docket No. 2901-175]**

### Stone Crab Fishery

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NOAA issues a final rule amending the regulations for the stone crab fishery of the Gulf of Mexico. These regulations implement an amendment to the fishery management plan for this fishery. The intent of these regulations is to (1) reduce the reporting burden for stone crab fishermen, dealers, and processors; and (2) protect some stone crabs from being caught in lost or abandoned traps.

**EFFECTIVE DATE:** November 8, 1982.

**ADDRESSES:** A copy of the regulatory impact review may be obtained from Jack T. Brawner, Regional Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702.

**FOR FURTHER INFORMATION CONTACT:** Jack T. Brawner, 813-893-3141.

**SUPPLEMENTARY INFORMATION:** The Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico (FMP) was prepared by the Gulf of Mexico Fishery Management Council (Council).

The FMP was approved by the Assistant Administrator for Fisheries, NOAA (Assistant Administrator), on March 19, 1979, and implemented by the Secretary of Commerce on September 14, 1979 (44 FR 53519), under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). After monitoring the stone crab fishery and reviewing the management measures established in the FMP, the Council concluded that amendment of the FMP was necessary and appropriate, and approved changes to the FMP. The Assistant Administrator approved the Council's amendment on March 31, 1982. A proposed rulemaking was published on April 23, 1982 (47 FR 17597), initiating a 45-day comment period on the FMP amendment and the proposed regulations. The comment period ended June 7, 1982.

The proposed rulemaking discussed in detail the reasons for the new or revised management measures (i.e., reduction in the reporting burden for fishermen, protection for some stone crabs from being caught in lost or abandoned traps, and deletion of the provision to fish for live bait shrimp shoreward of the line of separation). Information was also presented on the procedure incorporated into the FMP to provide for adjusting the location and effective time period for the line of separation between stone crab and shrimp fishermen. This information is not repeated in this final rule. There are two technical changes incorporated in these final regulations. The first, at § 654.2, removes an inappropriate phrase in the definition of the "Fishery Conservation Zone" and the second, at § 654.23, further clarifies the description of an area restricted to trawl gear.

### Response to Comments

No comments were received on the amendment to the FMP or the proposed regulations during the 45-day public comment period initiated on April 23, 1982.

### Classification

The Assistant Administrator for Fisheries, NOAA, has determined that the FMP changes, the final regulations implementing certain of these changes, and the final regulatory amendment comply with the National Standards, other provisions of the Magnuson Act, and other applicable law.

The Administrator, NOAA, determined on April 7, 1982, that this rule is not a major rule under Executive Order 12291.

### List of Subjects in 50 CFR Part 654

Fish, Fisheries, Fishing, Reporting requirements.

Dated: September 17, 1982.

**Robert K. Crowell,**

*Deputy Executive Director, National Marine Fisheries Service.*

50 CFR Part 654 is amended as follows:

## PART 654—STONE CRAB FISHERY

1. The authority citation for Part 654 reads as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*

**§ 654.2 [Amended]**

2. In § 654.2, the definition for the *Fishery Conservation Zone* is amended by removing the words "territorial sea of the constituent States of the".

**§ 654.5 [Amended]**

3. In § 654.5, paragraph (a) is amended by removing the first sentence and substituting the following sentence in its place: "The owner or operator of any vessel that fishes for stone crabs or any vessel that lands stone crabs or any portion thereof, and who is selected to report, shall report the information required by this paragraph to the Center Director each month on forms obtained from the Center Director."

4. In § 654.5, paragraph (b) is amended by removing that part of the first sentence which precedes the colon and substituting the following phrase in its place: "Any person who receives stone crab claws by way of purchase, barter, trade, or sale from a fishing vessel subject to this Part, and who is selected to report, shall file a monthly report with the Center Director on forms obtained from the Center Director, which will contain the following information:".

5. In § 654.5, paragraph (c) is amended by removing the phrase "were received or harvested" and substituting the following phrase in its place: "were landed, received, or harvested".

6. Section 654.22 is amended by adding paragraph (b) to read as follows:

**§ 654.22 Closed season.**

* * * * *

(b) Stone crab traps in the management area from 0001 hours May 21 to 2400 hours October 4 will be considered unclaimed or abandoned property and may be disposed of in any manner considered appropriate by the Secretary or an Authorized Officer. Owners of these stone crab traps remain subject to appropriate civil penalties.

7. Section 654.23 is revised to read as follows:

**§ 654.23 Area restrictions.**

Between January 1 and May 20, it is unlawful to use trawl gear in that part of the FCZ (Figure 1) shoreward of a rhumb line connecting in order points B at 26°16.0′ N. latitude and 81°58.5′ W. longitude, C at 26°00.0′ N. latitude and 82°04.0′ W. longitude, D at 25°09.0′ N. latitude and 81°47.6′ W. longitude, E at 24°54.5′ N. latitude and 81°50.5′ W. longitude, and to the intersection of the seaward boundary of the State of Florida and a line extending from E to Point F at 24°41.9′ N. latitude and 81°40.5′ W. longitude (Snipe Point).

[FR Doc. 82-26152 Filed 9-21-82; 8:45 am]
BILLING CODE 3510-22-M

# Proposed Rules

Federal Register
Vol. 47, No. 184
Wednesday, September 22, 1982

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

## CIVIL AERONAUTICS BOARD

### 14 CFR Part 201

**[EDR-447 Economic Regs. Docket: 40964]**

### Applications for Certificates of Public Convenience and Necessity

**AGENCY:** Civil Aeronautics Board.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The CAB proposes several options for dealing with the situation of applicants for airline certificates advertising and selling tickets before receiving their certification. These options include notice and escrow requirements and total or partial prohibitions.

**DATES:** Comments by: November 22, 1982.

Comments and other relevant information received after this date will be considered by the Board only to the extent practicable.

Requests to be put on the Service List: October 7, 1982.

The Docket Section prepares the Service List and sends it to each person listed on it, who then serves comments on others on the list.

**ADDRESSES:** Twenty copies of comments should be sent to Docket 40964, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Individuals may submit their views as consumers without filing multiple copies. Comments may be examined in Room 711, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C., as soon as they are received.

**FOR FURTHER INFORMATION CONTACT:** David Schaffer, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428; 202-673-5442.

**SUPPLEMENTARY INFORMATION:** The Board has become concerned about the practice of selling tickets for airline flights before receiving permission from the Board to engage in air transportion. Under the Federal Aviation Act, a person may not engage in air transportation until it receives a certificate, or an exemption from the requirement, from the Board. The phrase "engage in air transportation" encompasses not merely the operation of aircraft but also selling air service to the general public.

Pre-certification ticket sales also present a tariff problem. Section 403 of the Act requires a carrier to file tariffs with the Board showing the fares it is charging, but some applicants for certificates have sold tickets without any tariffs on file.

In addition to doubts about its legality, there are policy problems with allowing persons to sell tickets for flights that they may not receive authority to operate. There is no assurance that the applicant will not misues the proceeds of the early ticket sales. There is also the danger that the applicant would use the money to finance start-up cost or that the money would be seized by the applicant's creditors. In that event, the customers would be unable to receive refunds if the flights did not take place because certification was delayed or denied. In addition, pre-certification ticket sales could cause members of the public to be misled about the certainty of their flight deparating, with consequent disruption of travel plans. Finally, a large number of such ticket sales may be viewed as exerting pressure on the Board and the Federal Aviation Administration to act favorably on the applicant's request for authority.

Pre-certification ticket sales have become more common recently, during deregulation, since the Board has become favorably disposed to granting certificates to new airlines. Nevertheless, the Board has been faced with similar activities in the past. In Order 72-11-110, (November 27, 1972) the Board held that the solicitation of the general public for a charter program constituted engaging in air transportation. It issued a cease-and-desist order against the operator for doing so without a certificate or exemption from the Board. In Order 79-3-79 (March 15, 1979), the Board stated that the advertising and acceptance of reservations for a route for which a certificated carrier had sought but not yet received authority was a violation of the Act. In the Yucatan Service Case (Order 80-10-188, October 30, 1980), the Board granted an exemption to a certificated airline to permit it to sell tickets for a route for which it did not yet have authority. It did, however, attach several conditions to the grant of the exemption in order to protect consumers.

The Board has faced the question of pre-certification ticket sales in two recent cases. In neither case was the practice prohibited. In the Pacific East Air case (Docket 40458), World Airways filed a complaint against the practice. World alleged that Pacific East violated sections 401 and 411 of the Act by advertising and selling air transportation without authority. In Order 82-7-70, July 21, 1982, the complaint was dismissed, but it was noted that Pacific East had established a trust account in which ticket receipts were deposited and that the public had not been misled about Pacific East's authority.

World also complained about the pre-certification ticket sales of Hawaii Express in the context of the latter's fitness investigation (Docket 40658). In Order 82-8-40, August 6, 1982, the Board found Hawaii Express to be fit despite its sales activity. It did, however, express some serious reservations about the practice and decided to commence this rulemaking on the matter. Earlier, the Administrative Law Judge had ordered Hawaii Express to establish an escrow account and to deposit passenger funds in that account.

Since the issue is likely to arise again, it appears desirable to settle on a consistent Board position for future cases. Several options are proposed below in the alternative. Depending on the comments received, the Board may adopt only one option or may adopt some combination of them.

(1) *Total prohibition.* There are many businesses where one must obtain the necessary licenses and do the necessary paperwork before commencing operations. Under this option, a person would have to obtain the CAB certificate before selling tickets for its flights. While this might impose an impediment to certain types of thinly-financed new entry, the extent to which new entry should be financed by advance ticket sales is debatable. On the other hand, some may contend that a complete prohibition on pre-certification sales may place a formidable barrier to new entry. New entry and the possibility

of new entry are among the cornerstones of airline deregulation.

Carriers in the start-up phase may depend on a demonstration of consumer support to attract additional capital. The inability to sell tickets before certification would place new entrants in the dilemma of having to choose between initially operating with small loads or delaying start-up until ticket sales could be built up.

(2) *Partial prohibition.* This option could take one of two forms. The Board is proposing under this option to prohibit the actual collection of money from the general public but to permit other sales activity. Applicants could advertise the availability of their future services and accept reservations for that service. This would reduce some of the barriers to new entry without placing the public's money at risk.

Another possible approach would be to prohibit all sales activity during the initial stages of the Board's evaluation of the applicant's certificate application. The applicant would, however, be permitted to begin advertising and selling at the midpoint between the date of filing of the application and the projected date for the issuance of the Board's decision on it. The projected date for issuance of a Board decision would be determined through agreement between the applicant and the staff components involved, perhaps on the basis of the projected statutory deadline for a Board decision. This was suggested in footnote 24 of the initial decision of Administrative Law Judge William A. Kane, Jr. in *The Hawaii Express, Inc., Fitness Investigation* (Docket 40658). A variation would be to permit advertising and selling at the point that the Administrative Law Judge renders a favorable decision on the applicant's fitness.

In addition to setting the earliest date at which tickets may be sold, the Board is also considering whether to set the earliest date for those tickets to be valid. Recently, applicants sold tickets in the expectation that service would begin on a particular date, but found their start-up delayed when their certificate was not issued as soon as they expected. This may have caused disruption in some passengers' travel plans. This problem would be minimized if applicants were prohibited from selling tickets for flights that were scheduled to depart earlier than the projected date for the issuance of the Board's decision on their certificate application. The projected date could be determined by agreement between the applicant and Board staff as above. Even if the Board does not establish such a date, it will not be pressured into expediting its decision on a certificate application by the fact that the applicant has sold tickets for flights that are scheduled for an early date.

(3) *Escrow.* Under this option, the Board is proposing to permit precertification ticket sales. The money received, however, would have to be placed in an escrow account. This account would be set up in a fashion similar to the one required of charter operators. See § 380.34 of 14 CFR Part 380, *Public Charters.* The applicant would have to enter into an agreement with a bank, savings and loan institution, or other financial institution that is insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. Customers would have to pay by check or money order payable to the bank. On sales made by travel agents, the agent could retain its commission and send the balance to the designated bank. The bank would reimburse customers directly in any case where the applicant notified the bank that the customer's flight had been cancelled. If the customer had paid a travel agent, the agent would be required to send the bank the full amount of the commission that it previously had deducted. When the applicant notified the bank that it had received its certificate from the Board, it would be entitled to receive its money out of escrow. To the extent that the applicant followed these rules, passenger funds would be protected during the period prior to certification. Failure to follow these rules would, of course, have a bearing on the Board's evaluation of the applicant's fitness and might lead to a denial of its certificate application. The main drawbacks of this option are the burdens it may place on new entrants and the lack of notice about the applicant's authority it provides to customers.

(4) *Notice.* As with the escrow option described above, the Board would permit pre-certification ticket sales under this option. This proposal would require an applicant to notify potential passengers that it did not yet have authority from the government to operate as an airline. This approach might reduce the possibility that the public would be deceived about the certainty of their flights departing, but would not protect the funds of those who chose to buy tickets anyway.

(5) *Ad hoc approach.* Rather than establish a general rule that would apply in all cases of pre-certification ticket sales, the Board is also proposing to deal with each case on an individual basis. Under this approach, an applicant for a certificate would also have to file an application for an exemption if it wanted to sell tickets before receiving that certificate. In granting the exemption, the Board could attach conditions or restrictions to the applicant's sales activities, such as those described above. This approach would allow the Board to tailor its passenger protections to the characteristics of each applicant. It would, however, lack the certainty and consistency of the other options described above.

(6) *No restrictions.* To provide the full range of options, the Board is also proposing to provide a general exemption from sections 401 and 403 of the Act for all persons to engage in pre-certification ticket sale activity without restrictions. While easing the way for new entrants, this would provide no protection to the general public.

**Initial Regulatory Flexibility Analysis**

The Board tentatively concludes, pursuant to the Regulatory Flexibility Act, Pub. L. 96-354, that options 1 through 5 may, if adopted as proposed, have a substantial economic impact on a substantial number of small entities. The need, objectives, and legal basis for each option is discussed above. They would apply to any small entity that sought permission from the Board to provide air transportation to the general public. None of the options would require any reporting. The escrow requirement may entail some recordkeeping. All the options, except the sixth, would impose compliance requirements that are explained and justified above. They would not duplicate or conflict with other Federal rules.

If a final rule is adopted, all persons with pending certificate applications will have to begin complying with its requirements on its effective date.

**List of Subjects in 14 CFR Part 201**

Advertising, Air carriers, Consumer protection.

## PART 201—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Accordingly, the Civil Aeronautics Board proposes to amend 14 CFR Part 201, *Applications for Certificates of Public Convenience and Necessity,* in one or more of the following ways:

**Option I**

A new § 201.6 would be added to read:

**§ 201.6 Prohibition on pre-certification ticket sales.**

No applicant for a certificate of public convenience and necessity under this part shall advertise or sell air transportation until its application has been approved by the Board.

**Option II**

A new § 201.6 would be added to read:

**§ 201.6 Pre-certification ticket sales.**

(a) Applicants for a certificate of public convenience and necessity under this part are exempted from section 401 of the Act to the extent necessary to allow them to advertise and accept reservations from passengers for their proposed air transportation services.

(b) No applicant shall accept money for any of its proposed air transportation services until its application has been approved by the Board.

**Option III**

A new Subpart B would be added to read:

**Subpart B—Protection of Passenger Payments**

**§ 201.10 Exemption.**

Applicants for a certificate of public convenience and necessity under this part are exempted from sections 401 and 403 of the Act and Part 221 of this chapter to the extent necessary to allow them to collect passenger money prior to receiving that certificate, provided that they comply with the other provisions of this subpart.

**§ 201.11 Depository agreements.**

The applicant shall enter into an agreement with a designated bank, the terms of which shall provide that all deposits by passengers paid to the applicant and its retail travel agents shall be deposited with and maintained by the bank subject to the following conditions:

(a) On sales made to passengers by the applicant, the passenger shall pay by check or money order payable to the bank;

(b) On sales made to passengers by retail travel agents, the retail travel agent may deduct its commission and remit the balance to the designated bank by check or money order, provided that the travel agent agrees in writing with the applicant that if the flight for which the payment was received is cancelled the travel agent shall remit to the bank the full amount of the commission previously deducted within 10 days after notification of the cancellation;

(c) The bank shall reimburse the applicant for refunds made by the latter to a passenger upon written notification from the applicant;

(d) If the applicant notifies the bank that a flight has been cancelled, the bank shall make applicable refunds directly to the passengers;

(e) As used in this section, the term "bank" includes a bank, savings and loan association, or other financial institution insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation; and

(f) The bank shall pay the balance in the account to the applicant upon written notification from the applicant that it has received its certificate from the Board.

**Option IV**

A new § 201.6 would be added to read:

**§ 201.6 Pre-certification ticket sales.**

Applicants for a certificate of public convenience and necessity under this part are exempted from sections 401 and 403 of the Act and Part 221 of this chapter to the extent necessary to allow them to advertise and sell tickets for their proposed air transportation services provided that all such advertisements include the notice "(name of applicant) has not yet received government authority to provide air transportation" in a form that is prominent enough to reasonably inform the public of the status of the applicant's authority.

**Option V**

A new § 201.6 would be added to read:

**§ 201.6 Pre-certification ticket sales.**

No applicant for a certificate of public convenience and necessity under this part shall advertise or sell air transportation until one of the following has occurred:

(a) It has applied for and the Board has granted an exemption from sections 401 and 403 of the Act and Part 221 of this chapter that allows the applicant to engage in such practices. The applicant shall comply with any terms or conditions established in the order granting the exemption.

(b) The Board has issued a final order granting the application.

**Option VI**

A new § 201.6 would be added to read:

**§ 201.6 Pre-certification ticket sales.**

Applicants for a certificate of public convenience and necessity under this part are exempted from sections 401 and 403 of the Act and Part 221 of this chapter to the extent necessary to allow them to advertise and sell their proposed air transportation servcies.

(Secs. 204, 401, 403, 411, 416, Pub. L. 85-726, as amended, 72 Stat. 743, 754, 758, 769, 771; 49 U.S.C. 1324, 1371, 1373, 1381, 1386)

By the Civil Aeronautics Board.

**Phyllis T. Kaylor,**

*Secretary.*

[FR Doc. 82-26164 Filed 9-21-82; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### 32 CFR Part 199

**[DoD Regulation 6010.8-R, Amendment]**

### Civilian Health and Medical Program of the Uniformed Services; Appeals and Hearings

**AGENCY:** Office of the Secretary of Defense, DoD.

**ACTION:** Proposed amendment to rule.

**SUMMARY:** This proposed rule of DoD 6010.8-R (32 CFR 199) revises policies and procedures for appealing benefit decisions made by Office of Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Office of Civilian Health and Medical Program of the Uniformed Services Europe (OCHAMPUSEUR) and CHAMPUS Fiscal Intermediaries. Implementation of the CHAMPUS appeals and hearing process has identified deficiencies in the process and the multiple levels of appeal have increased the processing time for appeals. It is anticipated that this proposed amendment will provide a more streamlined approach to the CHAMPUS appeals and hearing process.

**DATES:** Written public comments must be received on or before October 22, 1982.

**ADDRESS:** Office of Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Policy Division, Aurora, Colorado 80045.

**FOR FURTHER INFORMATION CONTACT:** Charles M. Gallegos, Chief, Policy Branch, OCHAMPUS, telephone (303) 361-8608.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 77-7834, appearing in the **Federal Register** on April 4, 1977 (42 FR 17972), the Office of the Secretary of Defense published its Regulation, DoD 6010.8-R, "Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as part 199 of

this title. Section 199.16 sets forth the various levels of appeal available to appropriate appealing parties, the amounts in dispute which must be met before an appeal to the next level may be considered, and establishes specific time limits in which an appeal must be filed. Levels of appeal available for initial determinations made by CHAMPUS Fiscal Intermediary are (1) Informal Review, (2) Reconsideration review, (3) Formal Review by OCHAMPUS, and (4) Hearing. Levels of appeal available for initial determinations made by OCHAMPUS are (1) Reconsideration review, (2) Formal Review, and (3) Hearing. The required amounts in dispute vary dependent on the level of review, and times allowed to file an appeal are 180 days after the date of the notice of the initial determination, for first level appeals, and 60 days after notice of determination of first level appeals, second level and subsequent appeals. It is proposed that the provisions of Section 199.16 be simplified to achieve better understanding of, and greater access to, the appeals and hearing process by CHAMPUS beneficiaries and providers.

This proposed amendment includes the following major provisions:

- Insertion in Section 199.8 of definitions applicable to Section 199.16.
- Elimination of the informal reviews and reconsideration reviews now conducted by the CHAMPUS Fiscal Intermediaries and OCHAMPUS, respectively.
- Elimination of required amounts in dispute at all appeal levels, except Formal Review and Hearing.
- Reduction in the time allowed for filing a first-level appeal.
- Greater access to the OCHAMPUS level of appeal.
- Assurance of timely action by CHAMPUS Fiscal Intermediaries, OCHAMPUSEUR and OCHAMPUS in responding to appeal requests.

This amendment is being published for proposed rulemaking at the same time as it is being coordinated within the Department of Defense, and with the Department of Health and Human Services and other interested agencies, in order that consideration of both internal and external comments and publication of the final rulemaking document can be expedited.

**List of Subjects in 32 CFR Part 199**

Claims, Handicapped, Health insurance, Military personnel, Health.

Accordingly, we propose to amend 32 CFR, Chapter I, Part 199 as follows:

## PART 199—IMPLEMENTATION OF THE CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES

1. Section 199.8(b) is amended by removing the paragraph designations and adding or revising the following definitions, which are to be inserted in alphabetical order:

**§ 199.8 Definitions.**

* * * * *

(b) * * *

*Amount in Dispute.* "Amount in Dispute" means the amount of money, determined in accordance with the provisions of this Regulation, which CHAMPUS would pay for medical services and supplies involved in an adverse determination being appealed if the appeal were resolved in favor of the appealing party. See § 199.16 for additional information concerning the determination of "amount in dispute" under this Regulation.

* * * * *

*Appealable Issue.* "Appealable Issue" means disputed question(s) of fact(s) which, if resolved in favor of the appealing party, would result in the authorization of CHAMPUS benefits or approval as an authorized provider in accordance with this Regulation. An appealable issue does not exist if no facts are in dispute, or if no CHAMPUS benefits would be payable, or if there is no authorized provider regardless of the resolution of any disputed facts. See § 199.16 for additional information concerning the determination of "appealable issue" under this Regulation.

*Appealing Party.* "Appealing Party" means any party to the initial determination who files an appeal of an adverse determination or requests a Hearing under the provisions of this Regulation.

* * * * *

*Initial Determination.* "Initial Determination" means a formal written decision on a CHAMPUS claim, a request for benefit authorization, a request by a provider for approval as an authorized CHAMPUS provider, or a decision disqualifying or excluding a provider as an authorized provider under CHAMPUS. Rejection of a claim or a request for benefit or provider authorization for failure to comply with administrative requirements, including failure to submit reasonably requested information, is not an initial determination. Responses to general or specific inquiries regarding CHAMPUS benefits are not initial determinations.

* * * * *

*Party to the Initial Determination.* "Party to the Initial Determination" means a CHAMPUS beneficiary and a participating provider of services whose interests have been adjudicated by the initial determination, and CHAMPUS. In addition, a provider who has been denied approval as an authorized CHAMPUS provider is a party to that initial determination, as is a provider who is disqualified or excluded as an authorized provider under CHAMPUS unless the provider is excluded based on a determination of abuse or fraudulent practices or procedures under another Federal or federally funded program. See § 199.16 for additional information concerning parties not entitled to administrative review under the CHAMPUS appeals and hearing procedures.

* * * * *

*Representative.* "Representative" means any person who has been appointed by a party to the initial determination as counsel or advisor and who is otherwise eligible to serve as the counsel or advisor of the party to the initial determination, particularly in connection with a Hearing.

* * * * *

2. Section 199.16 is revised as follows:

**§ 199.16 Appeal and Hearing Procedures.**

(a) *General.* This Section sets forth the policies and procedures for appealing decisions made by OCHAMPUS, OCHAMPUSEUR and CHAMPUS Fiscal Intermediaries, adversely affecting the rights and liabilities of beneficiaries, participating providers and providers denied the status of authorized provider under CHAMPUS. An appeal under CHAMPUS is an administrative review of program determinations made under the provisions of law and regulation. An appeal cannot challenge the propriety, equity or legality of any provision of law or regulation.

(1) *Initial Determination.*—(i) *Notice of Initial Determination and Right to Appeal.* (A) OCHAMPUS, OCHAMPUSEUR, and CHAMPUS Fiscal Intermediaries shall mail notices of initial determinations to the CHAMPUS beneficiary at the last known address. For beneficiaries who are under 18 years of age or who are incompetent, a notice issued under established CHAMPUS procedures to the parent or guardian constitutes notice to the beneficiary.

(B) CHAMPUS Fiscal Intermediaries and OCHAMPUSEUR shall notify providers of an initial determination on a claim only if the provider participated in the claim. (See § 199.13, "Claims Submission, Review and Payment.")

(C) Notice of an initial determination on a claim processed by a CHAMPUS Fiscal Intermediary or OCHAMPUSEUR normally will be made on a CHAMPUS Explanation of Benefits (CEOB) form.

(D) Each notice of an initial determination on a request for benefit authorization, a request by a provider for approval as an authorized CHAMPUS provider or a decision to disqualify or exclude a provider as an authorized provider under CHAMPUS must state the reason for the determination and the underlying facts supporting the determination.

(E) In any case where the initial determination is adverse to the beneficiary or participating provider, or to the provider seeking approval as an authorized CHAMPUS provider, the notice must include a statement of the beneficiary's or provider's right to appeal the determination. The procedure for filing the appeal also shall be explained.

(ii) *Effect of Initial Determination.* The initial determination is final unless appealed in accordance with this Section 199.16, or unless the initial determination is reopened by OCHAMPUS or the CHAMPUS Fiscal Intermediary.

(2) *Participation in an Appeal.* Participation in an appeal is limited to any party to the initial determination (including CHAMPUS) and authorized representatives of the parties. Any party to the initial determination (except CHAMPUS) may appeal an adverse determination. The appealing party is the party who actually files the appeal.

(i) *Parties to the Initial Determination.* For purposes of the CHAMPUS appeals and hearing procedures, the following are not parties to an initial determination and are not entitled to administrative review under this section.

(A) A provider disqualified or excluded as an authorized provider under CHAMPUS based on a determination of abuse or fraudulent practices or procedures under another Federal or federally funded program is not a party to the CHAMPUS action and may not appeal under this section.

(B) A sponsor or parent of a beneficiary under 18 years of age or guardian of an incompetent beneficiary is not a party to the initial determination and may not serve as the appealing party, although such persons may represent the appealing party in an appeal.

(C) While a third party, such as an insurance company, may have an indirect interest in the initial determination, it is not a party to the initial determination and is not entitled to appeal.

(D) A nonparticipating provider is not a party to the initial determination and may not appeal.

(ii) *Representative.* Any party to the initial determination may appoint a representative to act on behalf of the party in connection with an appeal. Generally, the parent of a minor beneficiary and the legally appointed guardian of an incompetent beneficiary will be presumed to have been appointed representative without specific designation by the beneficiary.

(A) The representative will have the same authority as the party to the appeal and notice given to the representative shall constitute notice required to be given to the party under this Regulation.

(B) To avoid possible conflicts of interest, an officer or employee of the United States *(e.g.,* an employee or member of a Uniformed Service, including an employee or staff member of a Uniformed Service legal office (or similar function), and a CHAMPUS Advisor), subject to the exceptions in Title 18, United States Code, Section 205, is not eligible to serve as a representative. In general, an exception exists for an employee or member of a Uniformed Service who represents an immediate family member. In addition, the Director, OCHAMPUS (or designee), may appoint an officer or employee of the United States as the CHAMPUS representative at a Hearing.

(3) *Burden of Proof.* The "Burden of Proof" is on the appealing party affirmatively to establish by substantial evidence the appealing party's entitlement under law and this Regulation to the authorization of CHAMPUS benefits or approval as an authorized provider. Any cost or fee associated with the production or submission of information in support of an appeal will not be paid by CHAMPUS.

(4) *Late Filing.* If a request for Reconsideration, Formal Review, or Hearing is filed after the time permitted in this section, written notice shall be issued denying the request. Late filing may be permitted only if the appealing party can reasonably demonstrate to the satisfaction of the CHAMPUS Fiscal Intermediary, OCHAMPUSEUR or the Director, OCHAMPUS (or designee) that timely filing of the request was not feasible due to extraordinary circumstances over which the appealing party had no practical control. Each request for an exception to the filing requirement will be considered on its own merits.

(5) *Appealable Issue.* An appealable issue is required in order for an adverse determination to be appealed under the provisions of this section. Examples of issues which are not appealable under this section include:

(i) A dispute regarding a requirement of law or regulation is not an appealable issue.

(ii) The amount of the CHAMPUS-determined allowable cost or charge is not an appealable issue, since the methodology for determining allowable costs or charges is established by this Regulation.

(iii) Certain other issues are not appealable under the provisions of this section because the authority for the initial determination is not vested in the CHAMPUS. Examples of such issues include but are not limited to:

(A) Determination of a person's eligibility as a CHAMPUS beneficiary is the responsibility of the appropriate Uniformed Service. Although CHAMPUS, OCHAMPUSEUR and CHAMPUS Fiscal Intermediaries must make determinations concerning a beneficiary's eligibility in order to ensure proper disbursement of appropriated funds on each CHAMPUS claim processed, ultimate responsibility for resolving a beneficiary's eligibility rests with the Uniformed Services. Accordingly, a disputed question of fact concerning a beneficiary's eligibility will not be considered an appealable issue under the provisions of this section, but will be resolved in accordance with § 199.9, "Eligibility."

(B) Similarly, decisions relating to the issuance of a Nonavailability Statement (DD Form 1251) in each case are made by the Uniformed Services. Disputes over the need for a Nonavailability Statement or a refusal to issue a Nonavailability Statement are not appealable under this section. The one exception involves the situation where a dispute arises over the issue of whether the facts of the case demonstrate a medical emergency for which a nonavailability statement is not required. Denial of payment in this one situation is an appealable issue.

(C) The decision to disqualify or exclude a provider because of a determination against that provider of abuse or fraudulent practices or procedures under another Federal or federally funded program is not an initial determination which is appealable under this Regulation. The provider is limited to exhausting administrative appeal rights offered under the Federal or federally funded program that made the initial determination of abuse or fraudulent

practices or procedures against the provider. However a determination to disqualify or exclude a provider because of abuse or fraudulent practices or procedures under CHAMPUS is an initial determination which is appealable under this Regulation.

(6) *Amount in Dispute.* An amount in dispute is required for an adverse determination to be appealed under the provisions of this section, except as set forth below.

(i) The amount in dispute is calculated as the amount of money CHAMPUS would pay if the services and supplies involved in dispute were determined to be authorized CHAMPUS benefits. Examples of amounts of money that are excluded by the Regulation from CHAMPUS payments for authorized benefits include, but are not limited to:

(A) Amounts in excess of the CHAMPUS-determined allowable charge or cost;

(B) The beneficiary's CHAMPUS deductible and cost-share amounts;

(C) Amounts which the CHAMPUS beneficiary (or parent, guardian or other responsible person) has no legal obligation to pay; and

(D) Amounts excluded under the provisions of § 199.14 "Double Coverage", of this Regulation.

(ii) The amount in dispute for appeals involving a denial of a request for authorization in advance of obtaining care will be the estimated allowable charge or cost for the services requested.

(iii) There is no requirement for an amount in dispute when the appealable issue involves a denial of a provider's request for approval as an authorized CHAMPUS provider or the determination to disqualify or exclude a provider as an authorized CHAMPUS provider.

(iv) Individual claims may be combined to meet the required amount in dispute if all of the following exist:

(A) The claims involve the same beneficiary;

(B) The claims involve the same issue; and

(C) At least one of the claims, so combined, has had a Reconsideration decision issued by OCHAMPUSEUR or a CHAMPUS Fiscal Intermediary.

**Note.**—A request for administrative review under this appeal process which does not involve an appealable issue (Section 199.16(a)(5)) or a sufficient amount in dispute (Section 199.16(a)(6)) may not be rejected at the Reconsideration level of appeal. However, an appeal shall involve an appealable issue and sufficient amount in dispute to be granted a Formal Review or Hearing.

(7) *Levels of Appeal.* The sequence and procedures of a CHAMPUS appeal vary depending on whether the initial determination was made by the CHAMPUS Fiscal Intermediary, OCHAMPUSEUR or OCHAMPUS.

(i) *Appeal Levels for Initial Determination Made by OCHAMPUSEUR or CHAMPUS Fiscal Intermediary.* (A) Reconsideration by OCHAMPUSEUR or CHAMPUS Fiscal Intermediary.

(B) Formal Review by OCHAMPUS.

(C) Hearing.

(ii) *Appeal Levels for Initial Determations Made by OCHAMPUS.*

(A) Formal Review by OCHAMPUS.

(B) Hearing.

(b) *Reconsideration.* Any party to the initial determination made by OCHAMPUSEUR or the CHAMPUS Fiscal Intermediary may request a Reconsideration.

(1) *Requesting a Reconsideration.*—(i) *Written Request Required.* The request shall be in writing, shall state the specific matter in dispute, and shall include a copy of the notice of initial determination made by OCHAMPUSEUR or the CHAMPUS Fiscal Intermediary (*e.g.*, the CHAMPUS Explanation of Benefits (CEOB) Form).

(ii) *Where to File.* The request shall be submitted to the office that made the initial determination (*i.e.*, OCHAMPUSEUR or the CHAMPUS Fiscal Intermediary) or any other fiscal intermediary designated in the notice of initial determination.

(ii) *Allowed Time to File.* The request must be mailed within 90 days after the date of the notice of initial determination.

(iv) *Official Filing Date.* A request for a Reconsideration shall be deemed filed on the date it is mailed and postmarked. If the request does not have a postmark, it shall be deemed filed on the date received by OCHAMPUSEUR or the CHAMPUS Fiscal Intermediary.

(2) *The Reconsideration Process.* The purpose of the Reconsideration is to determine whether the initial determination was made in accordance with law, regulation, policies, and guidelines in effect at the time the care was provided or requested, or at the time the provider requested approval under CHAMPUS as an authorized provider. The Reconsideration is performed by a member of the OCHAMPUSEUR or fiscal intermediary's staff who was not involved in making the initial determination and is a thorough and independent review of the case. The Reconsideration is based on the information submitted which led to the initial determination, plus any additional information that the appealing party may submit or OCHAMPUSEUR or the fiscal intermediary may obtain.

(3) *Timeliness of Reconsideration Determination.* OCHAMPUSEUR or the fiscal intermediary normally will issue its Reconsideration determination no later than 60 days from the date of receipt of the request for Reconsideration by OCHAMPUSEUR or the Fiscal Intermediary.

(4) *Notice of Reconsideration Determination.* OCHAMPUSEUR or the CHAMPUS Fiscal Intermediary shall, when available, issue by certified mail written notice of the Reconsideration determination to the appealing party at his or her last known address. The notice of the Reconsideration determinations must contain the following elements:

(i) A statement of the issue(s) under appeal;

(ii) The provisions of law, regulation, policies and guidelines that apply to the issue(s) under the appeal;

(iii) A discussion of the original and additional information that is relevant to the issue(s) under appeal;

(iv) Whether the Reconsideration upholds the initial determination or reverses it, in whole or in part, and the rationale for the action; and

(v) A statement of the right to further appeal in any case where Reconsideration determination is less than fully favorable to the appealing party and the amount in dispute is $50 or more.

(5) *Effect of Reconsideration Determination.* The Reconsideration determination is final if either of the following exist:

(i) The amount in dispute is less than $50, or

(ii) Appeal rights have been offered but a request for Formal Review is not received by OCHAMPUS within 60 days of the date of the notice of the Reconsideration determination.

(c) *Formal Review.* Any party to the initial determination may request a Formal Review by OCHAMPUS if the party is dissatisfied with the Reconsideration determination and the Reconsideration determination is not final under the provisions of paragraph (b)(5) of this section. Any party to the initial determination made by OCHAMPUS may request a Formal Review by OCHAMPUS if the party is dissatisified with the initial determination.

(1) *Requesting A Formal Review.*—(i) *Written Request Required.* The request must be in writing, must state the specific matter in dispute, should

include copies of the written determination (notice of Reconsideration determination, or OCHAMPUS initial determination). being appealed, and should include any additional information or documents not previously submitted.

(ii) *Where to File.* The request must be submitted to the Chief, Appeals and Hearings, OCHAMPUS, Aurora, Colorado 80045.

(iii) *Allowed Time to File.* The request must be mailed within 60 days after the date of the notice of the Reconsideration determination or OCHAMPUS initial determination being appealed.

(iv) *Official Filing Date.* A request for a Formal Review shall be deemed filed on the date it is mailed and postmarked. If the request does not have a postmarked, it shall be deemed filed on the date received by OCHAMPUS.

(2) *The Formal Review Process.* The purpose of the Formal Review is to determine whether the initial determination or Reconsideration determination was made in accordance with law, regulation, policies, and guidelines in effect at the time the care was provided or requested, at the time the provider requested approval by CHAMPUS as an authorized provider, or at the time of the action by OCHAMPUS to disqualify or exclude a provider under CHAMPUS. The Formal Review is performed by the Chief, Appeals and Hearings, OCHAMPUS (or designee), and is a thorough review of the case. The Formal Review determination shall be based on the information upon which the initial determination or Reconsideration determination was based, and any additional information the appealing party may submit or OCHAMPUS may obtain.

(3) *Timeliness of Formal Review Determination.* The Chief, Appeals and Hearings, OCHAMPUS (or designee), normally will issue the Formal Review determination no later than 90 days from the date of receipt of the request for Formal Review by the OCHAMPUS.

(4) *Notice of Formal Review Determination.* The Chief, Appeals and Hearings, OCHAMPUS (or designee), shall issue by certified mail (when practicable) written notice of the Formal Review determination to the appealing party at his or her last known address. The notice of the Formal Review determination must contain the following elements:

(i) A statement of the issue(s) under appeal;

(ii) The provisions of law, regulation, policies and guidelines that apply to the issue(s) under appeal;

(iii) A discussion of the original and additional information which is relevent to the issue(s) under appeal;

(iv) Whether the Formal Review upholds the prior determination(s) or reverses the prior determination(s), in whole or in part, and the rationale for the action; and

(v) A statement of the right to request a Hearing in any case where the Formal Review determination is less than fully favorable, the issue is appealable, and the amount in dispute is $300 or more.

(5) *Effect of Formal Review Determination.* The Formal Review determination is final if one or more of the following exist:

(i) The issue is not appealable. (See § 199.16(a)(5) "Appealable Issue.")

(ii) The amount in dispute is less than $300. (See § 199.16(a)(6) "Amount in Dispute.")

(iii) Appeal rights have been offered but a request for Hearing is not received by OCHAMPUS within 60 days of the date of the notice of the Formal Review determination.

(d) *Hearing.* Any party to the initial determination may request a hearing if the party is dissatisfied with the Formal Review determination and the Formal Review determination is not final under the provisions of paragraph (c)(5) of this section.

(1) *Requesting a Hearing.*—(i) *Written Request Required.* The request must be in writing, state the specific matter in dispute, include a copy of the Formal Review determination and include any additional information or documents not previously submitted.

(ii) *Where to File.* The request must be submitted to the Chief, Appeals and Hearings, OCHAMPUS, Aurora, Colorado, 80045.

(iii) *Allowed Time to File.* The request must be mailed within 60 days after the date of the notice of the Formal Review determination being appealed.

(iv) *Official Filing Date.* A request for Hearing shall be deemed filed on the date it is mailed and postmarked. If a request for Hearing does not have a postmark, it shall be deemed filed on the date received by OCHAMPUS.

(2) *The Hearing Process.* The Hearing will be conducted as a nonadversary, administrative proceeding to determine the facts of the case and to allow the appealing party the opportunity to present personally the case before an impartial Hearing Officer. The Hearing is a forum in which facts relevant to the case are presented and evaluated in relation to applicable law, regulation, policies and guidelines in effect at the time the case was provided or requested, or at the time the provider requested approval under CHAMPUS as an authorized provider.

(3) *Timeliness of Hearing.* (i) Except as otherwise provided in this section, within 60 days following receipt of a request for Hearing, the Director, OCHAMPUS (or designee), normally will appoint a Hearing Officer to hear the appeal. Copies of all records in the possession of OCHAMPUS which are pertinent to the matter to be heard or which formed the basis of the Formal Review determination shall be provided to the Hearing Officer, and upon request, to the appealing party.

(ii) The Hearing Officer, except as otherwise provided in this section, normally will have 60 days from the date of written notice of assignment to review the file, schedule and hold the Hearing, and issue a Recommended Decision to the Director, OCHAMPUS (or designee).

(iii) The Director, OCHAMPUS (or designee), may delay the case assignment to the Hearing Officer if additional information is needed which cannot be obtained and included in the record within the time period specified above. The appealing party will be notified in writing of the delay resulting from the request for additional information. The Director, OCHAMPUS (or designee), in such circumstances will assign the case to a Hearing Officer within 30 days of receipt of all such additional information, or within 60 days of receipt of the request for Hearing, whichever shall occur last.

(iv) The Hearing Officer may delay submitting the Recommended Decision if, at the close of the Hearing, any party to the Hearing requests that the record remain open for submission of additional information. In such circumstances the Hearing Officer will have 30 days following receipt of all such additional information (including comments from the other parties to the Hearing concerning the additional information) to submit the Recommended Decision to the Director, OCHAMPUS (or designee).

(4) *Representation at a Hearing.* Any party to the hearing may appoint a representative to act on behalf of the party at the Hearing unless such person is currently disqualified or suspended for wrongdoing from acting in another Federal administrative proceeding, or unless otherwise prohibited by law, this Regulation or any other Department of Defense regulation; (*e.g.*, See § 199.16 (a)(2)(ii)). A Hearing Officer may refuse to allow any person to represent a party at the Hearing when such person engages in unethical, disruptive, or contemptuous conduct, or intentionally

fails to comply with the proper instructions or requests of the Hearing Officer or the provisions of this Regulation. The representative will have the same authority as the appealing party and notice given to the representative shall constitute notice required to be given to the appealing party.

(5) *Consolidation of Proceedings.* the Director, OCHAMPUS (or designee), may consolidate any number of proceedings for Hearing when the facts and circumstances are similar and no substantial right of any appealing party will be prejudiced.

(6) *Authority of the Hearing Officer.* The Hearing Officer in exercising the authority to conduct a Hearing under this Regulation will be bound by Chapter 55 of Title 10, United States Code, and this Regulation. The Hearing Officer in addressing substantive appealable issues will be bound by policy statements, manuals, instructions, procedures, and other guidelines issued by the Assistant Secretary of Defense (Health Affairs) (or designee) or by the Director, OCHAMPUS (or designee), in effect for the period in which the matter in dispute arose. A Hearing Officer may not establish or amend policy, procedures, instructions, or guidelines.

(7) *Disqualification of Hearing Officer.* A Hearing Officer shall voluntarily disqualify himself or herself and withdraw from any proceeding in which the Hearing Officer cannot give a fair or impartial Hearing, or in which there is a conflict of interest. A party to the hearing may request the disqualification of a Hearing Officer by filing a statement detailing the reasons the party believes that a fair and impartial Hearing cannot be given or that a conflict of interest exists. Such request shall immediately be sent by the appealing party or the Hearing Officer to the Director, OCHAMPUS (or designee), who will investigate the allegations and advise the complaining party in writing of the decision. A copy of such decision shall also be mailed to all other parties to the Hearing. If the Director, OCHAMPUS (or designee), reassigns the case to another Hearing Officer, no investigation shall be required.

(8) *Notice and Scheduling of Hearing.* The Hearing Officer shall issue by certified mail, when practicable, a written notice of the time and place for the Hearing to the parties to the Hearing. Such notice shall be mailed at least 15 days before the scheduled date of the Hearing. The notice shall contain sufficient information about the hearing procedure (including the party's right to representation) to allow for effective preparation. The notice shall also advise the appealing party of the right to request a copy of the record prior to Hearing. Additionally, the notice shall advise the appealing party of his or her responsibility to furnish the Hearing Officer, no later than 7 days prior to the scheduled date of the Hearing, a list of all witnesses who will testify and a copy of all additional information to be presented at the Hearing. The time and place of the Hearing shall be determined by the Hearing Officer, who shall select a reasonable time and location that are mutually convenient to the appealing party and OCHAMPUS.

(9) *Dismissal of Request for Hearing.—(i) By Application of Appealing Party.* A request for Hearing may be dismissed by the Director, OCHAMPUS (or designee), at any time prior to the mailing of the Final Decision, upon the application of the appealing party. A request for dismissal must be in writing and filed with the Chief, Appeals and Hearings, OCHAMPUS, or the Hearing Officer. When dismissal is entered pursuant to a request, the Formal Review determination in the case shall be deemed final unless the dismissal is vacated in accordance with subsection (d)(9)(v) of this Section 199.16.

(ii) *By Stipulation of the Parties to the Hearing.* A request for a Hearing may be dismissed by the Director, OCHAMPUS (or designee), at any time prior to the mailing of notice of the Final Decision pursuant to a stipulation agreement between the appealing party and OCHAMPUS. When dismissal is entered pursuant to a stipulation, the Formal Review Decision shall be deemed final unless the dismissal is vacated in accordance with subsection (d)(9)(v) on this Section 199.16.

(iii) *By Abandonment.* The Director, OCHAMPUS (or designee), may dismiss a request for Hearing upon abandonment by the appealing party.

(A) An appealing party will be deemed to have abandoned a request for Hearing, other than where personal appearance is waived in accordance with paragraph (d)(11)(xiii) of this section, if neither the appealing party nor an appointed representative appears at the time and place fixed for the Hearing and within 10 days after the mailing of a notice by certified mail to the appealing party by the Hearing Officer to show cause, such party does not show good sufficient cause for such failure to appear and failure to notify the Hearing Officer prior to the time fixed for Hearing that an appearance could not be made.

(B) An appealing party will be deemed to have abandoned a request for Hearing if, prior to assignment of the case to the Hearing Officer, OCHAMPUS is unable to locate either the appealing party or appointed representative.

(C) An appealing party will be deemed to have abandoned a request for Hearing if the appealing party fails to prosecute the appeal. Failure to prosecute the appeal includes, but is not limited to, an appealing party's failure to provide information reasonably requested by OCHAMPUS or the Hearing Officer for consideration in the appeal.

(D) If the Director, OCHAMPUS (or designee), dismisses the request for Hearing because of abandonment, the Formal Review determination in the case shall be deemed to be final unless the dismissal is vacated in accordance with paragraph (d)(9)(v) of this section.

(iv) *For Cause.* The Director, OCHAMPUS (or designee), may dismiss for cause a request for Hearing either entirely or as to any stated issue. If the Director, OCHAMPUS (or designee), dismisses a Hearing request for cause, the Formal Review determination in the case shall be deemed to be final unless the dismissal is vacated in accordance with paragraph (d)(9)(v) of this section. A dismissal for cause may be issued under any of the following circumstances:

(A) Where the appealing party requesting the Hearing is not a proper party under the paragraph (a)(2)(i) of this § 199.16, or does not otherwise have a right to participate in a Hearing.

(B) Where the appealing party who filed the Hearing request dies and there is no information before the Director, OCHAMPUS (or designee), showing that an individual who is not an appealing party may be prejudiced by the Formal Review determination.

(C) Where the issue is not appealable (see § 199.16(a)(5), "Appealable Issues").

(D) Where the amount in dispute is less than $300 (see § 199.16(a)(6), "Amount in Dispute").

(E) Where all appealable issues have been resolved in favor of the appealing party.

(v) *Vacation of Dismissal.* Dismissal of a request for Hearing may be vacated by the Director, OCHAMPUS (or designee), upon written request of the appealing party, if the request is received within 6 months of the date of the notice of dismissal mailed to the last known address of the party requesting the Hearing.

(10) *Preparation for Hearing.*—(i) *Prehearing Statement of Contentions.* The Hearing Officer may on reasonable notice require a party to the Hearing to submit a written statement of

contentions and the reasons. The written statement shall be provided prior to the Hearing to all parties to the Hearing.

(ii) *Agency Records.*—(A) *Hearing Officer.* A Hearing Officer may request the production or inspection of any records or relevant portions of records in the possession of CHAMPUS when necessary to decide the issues in any proceeding before the Hearing Officer or to assist an appealing party in preparing for the proceeding.

(B) *Appealing Party.* A request to a Hearing officer by an appealing party for disclosure or inspection of CHAMPUS records shall be in writing and shall state clearly the information desired and the records desired to be produced or inspected.

(iii) *Witnesses and Evidence.* All parties to a Hearing are responsible for producing, at each party's expense (i.e., without reimbursement of payment by CHAMPUS), witnesses and other evidence in their own behalf at the Hearing and the furnishing copies of any such documentary evidence to the Hearing Officer and other party(ies) to the Hearing. The Department of Defense is not authorized to subpoena witnesses or records. The Hearing Officer may issue invitations and requests to individuals to appear and testify without cost to the Government, in order that the full facts in the case may be presented.

(iv) *Interrogatories and Depositions.* A Hearing Officer may arrange the taking of interrogatories and depositions, recognizing that the Department of Defense does not have subpoena authority. The expense shall be assessed to the requesting party, with copies furnished to the Hearing Officer and other party(ies) to the Hearing.

(11) *Conduct of Hearing.*—(i) *Right to Open Hearing.* Because of the personal nature of the matters to be considered, Hearings will normally be closed to the public. However, the appealing party may request an open Hearing. In that event, the Hearing will be open except to the extent that other legitimate Government purposes can only be protected by closing certain portions of the Hearing.

(ii) *Right to Examine Parties to the Hearing and Their Witnesses.* Each party to the Hearing shall have the right to produce and examine witnesses; to introduce exhibits; to question opposing witnesses on any matter relevant to the issue, even though the matter was not covered in the direct examination; to impeach any witness regardless of which party to the Hearing first called the witness to testify; and to rebut any evidence presented. Except for those witnesses employed by OCHAMPUS at the time of the Hearing, or records in the possession of OCHAMPUS, a party to a Hearing shall be responsible (i.e., without payment or reimbursement by CHAMPUS), for the cost or fee associated with the production of witnesses or other evidence in his or her own behalf at a Hearing and the furnishing of copies of documentary evidence to the Hearing Officer and other party(ies) to the Hearing.

(iii) *Burden of Proof.* The burden of proof is on the appealing party affirmatively to establish by substantial evidence the appealing party's entitlement under law and this Regulation to the authorization of CHAMPUS benefits or approval as an authorized provider. Any party of the cost or fee associated with the production or submission of information in support of an appeal will not be paid by CHAMPUS.

(iv) *Taking of Evidence.* The Hearing Officer shall control the taking of evidence in a manner best suited to ascertain the facts and safeguard the rights of the parties to the Hearing. Prior to taking evidence, the Hearing Officer shall identify and state the issues in dispute on the record and the order in which evidence will be received.

(v) *Questioning and Admission of Evidence.* A Hearing Officer may question any witness and shall admit any relevant evidence. Evidence which is irrelevant or unduly repetitious shall be excluded.

(vi) *Relevant Evidence.* Any relevant evidence shall be admitted, unless unduly repetitious, if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule that might make improper the admission of such evidence over objection in civil or criminal actions.

(vii) *CHAMPUS Determinations First.* The basis of the CHAMPUS determinations shall be presented to the Hearing Officer first. The appealing party will then be given the opportunity to affirmatively establish why this determination is held to be in error.

(viii) *Testimony* Testimony shall be taken only on oath, affirmation or penalty of perjury.

(ix) *Oral Argument and Briefs.* At the request of any party to the Hearing made prior to the close of the Hearing, the Hearing Officer shall grant oral argument. If written argument is requested, it shall be granted and the parties to the Hearing shall be advised as to the time and manner within which such argument is to be filed. The Hearing Officer, may require any party to the Hearing to submit written memoranda pertaining to any or all issues raised in the Hearing.

(x) *Continuance of Hearings.* A Hearing Officer may continue a Hearing to another time or place on his or her own motion or, upon showing of good cause, at the request of any party. Written notice of the time and place of the continued Hearing, except as provided herein, shall be in accordance with this Regulation. When a continuance is ordered during a Hearing, oral notice of the time and place of the continued Hearing may be given to each party to the Hearing who is present at the Hearing.

(xi) *Continuance for Additional Evidence.* If the Hearing Officer determines, after a Hearing has begun, that additional evidence is necessary for the proper determination of the case, the following procedures may be invoked:

(A) *Continue Hearing.* The Hearing may be continued to a later date in accordance with paragraph (d)(11)(x) of this section.

(B) *Closed Hearing.* The Hearing may be closed, but the record held open in order to permit the introduction of additional evidence. Any evidence submitted after the close of the Hearing shall be made available to all parties to the Hearing, and all parties to the Hearing shall have the opportunity for comment. The Hearing Officer may reopen the Hearing if the nature of the additional evidence or the comments therein make further Hearing desirable. Notice thereof shall be given in accordance with paragraph (d)(8) of this section.

(xii) *Transcript of Hearing.* A verbatim taped record will be made of the Hearing and made a permanent part of the record. Upon request, the appealing party will be furnished a duplicate copy of the tape. A typed transcript of the testimony will be made only when determined to be necessary by OCHAMPUS. If a typed transcript is made, the appealing party will be furnished a copy without charge. (Corrections will be allowed in the typed transcript by the Hearing Officer solely for the purpose of conforming the transcript to the actual testimony.)

(xiii) *Waiver of Right to Appear and Present Evidence.* If all parties waive their right to appear before the Hearing Officer and present evidence and contentions personally or by representation, it shall not be necessary for the Hearing Officer to give notice of or conduct a formal Hearing. A waiver of the right to appear must be in writing and filed with the Hearing Officer or the Chief, Appeals and Hearings, OCHAMPUS. Such waiver may be

withdrawn by the party by written notice received by the Hearing Officer or Chief, Appeals and Hearings, no later than 7 days prior to the scheduled Hearing or the mailing of notice of the Final Decision, whichever occurs first. For purposes of this section, failure of a party to appear personally or by representation after filing written notice of waiver shall not be cause for a finding of abandonment and the Hearing Officer shall make the recommended decision on the basis of all evidence of record.

(12) *Recommended Decision.* At the conclusion of the Hearing and after the record has been closed, the matter shall be taken under consideration by the Hearing Officer. Within the times frames previously set forth in this section, the Hearing Officer shall submit to the Director, OCHAMPUS (or designee), a written Recommended Decision containing a statement of findings and a statement of reasons based on the evidence adduced at the Hearing and otherwise included in the Hearing record.

(i) *Statement of Findings.* A statement of findings is a clear and concise statement of fact(s) evidenced in the record or conclusion(s) that can be readily deduced from the evidence of record. Each finding must be supported by substantial evidence, which is defined as such evidence as a reasonable mind can accept as adequate to support a conclusion.

(ii) *Statement of Reasons.* A reason is a clear and concise statement of law, regulation, policies or guidelines relating to the statement of findings which provides the basis for the recommended decision.

(e) *Final Decision.*—(1) *Director, OCHAMPUS.* The recommended decision shall be reviewed by the Director, OCHAMPUS (or designee), who may concur without comment or who may prepare a written evaluation of the Recommended Decision. The Director, OCHAMPUS (or designee), shall not alter the Recommended Decision; however, the Director, OCHAMPUS (or designee), may return the Recommended Decision to the Hearing Officer for correction of technical or procedural errors. The Hearing Officer will take appropriate action within 60 days to correct the technical or procedural errors and return the Recommended Decision to the Director, OCHAMPUS. In the absence of technical or procedural errors, the Director, OCHAMPUS (or designee), normally will take action with regard to the Recommended Decision within 90 days of its receipt.

(i) *Final Action.* If the Hearing Officer recommends in favor of the appealing party and the Director, OCHAMPUS (or designee) concurs in the statement of findings and statement of reasons, no further agency review is required. The appealing party will be notified by certified mail of the Recommended Decision and its adoption by the Director, OCHAMPUS (or designee), as the final agency decision.

(ii) *Referral for Final Review.* If the Hearing Officer recommended against the appealing party, whether or not the Director, OCHAMPUS (or designee), concurs, or if the Director, OCHAMPUS (or designee) disagrees with the Recommended Decision (whether or not the finding is for or against the appealing party), the Director, OCHAMPUS (or designee), shall forward the Recommended Decision, together with a statement of concurrence or statement giving the reasons for disagreement, to the Assistant Secretary of Defense (Health Affairs) for final agency action.

(2) *Assistant Secretary of Defense (Health Affairs).* The decision by the ASD(HA) (or designee) concerning a case arising under the procedures of this Section 199.16, shall be the final agency decision.

(i) *Review of the Recommended Decision.* The ASD(HA) (or designee), shall adopt or reject the recommended decision. In the case of rejection, the ASD(HA) (or designee) shall prepare a statement outlining the reasons for disagreement with the recommended decision and the underlying facts supporting such disagreement. In this circumstance, the ASD(HA) (or designee) may have a final decision prepared based upon the record, or may remand the matter to the Hearing Officer for appropriate action. In the latter instance, the Hearing Officer thereafter shall submit a new recommended decision within 30 days of receipt of the remand order.

(ii) *Final Decision.* The decision of the ASD(HA) (or designee) is final. Copies of the final decision shall be sent by certified mail to the appealing party(ies).

* * * * *

(10 U.S.C. 1079, 1086, 5 U.S.C. 301)

M. S. Healy,

*OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.*

September 16, 1982

[FR Doc. 82-26095 Filed 9-21-82; 8:45 am]

BILLING CODE 3810-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[A-4-FRL 2171-8]**

## Approval and Promulgation of Implementation Plans—Kentucky: Disapproval of Revised $SO_2$ Limits for Bell, Clark, and Woodford Counties; Approval of Revised $SO_2$ Limits for Pulaski County (KY-002)

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** EPA is today proposing to disapprove revised sulfur dioxide ($SO_2$) emission limits for utility boilers in Bell, Clark, and Woodford Counties, Kentucky. EPA is proposing to approve the revised $SO_2$ emission limits in Pulaski County, Kentucky. All of these counties are classified as attainment for the $SO_2$ National Ambient Air Quality Standards (NAAQS). The sources involved are coal-fired power boilers. The boilers are subject to Kentucky Regulation 401 KAR 61:015, Existing Indirect Heat Exchangers. The public is invited to submit written comments on EPA's proposed action on this revision to the Kentucky implementation plan.

**DATES:** To be considered, comments must be submitted on or before October 22, 1982.

**ADDRESSES:** Written comments should be addressed to Melvin Russell of EPA Region IV's Air Management Branch (see EPA Region IV address below). Copies of the materials submitted by Kentucky may be examined during normal business hours at the following locations:

Environmental Protection Agency, Air Management Branch, EPA Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365.

Kentucky Department for Natural Resources and Environmental Protection, Division of Air Pollution Control, 18 Reilly Road, Bldg. #2 Fort Boone Plaza, Frankfort, Kentucky 40601.

**FOR FURTHER INFORMATION CONTACT:** Melvin Russell of EPA's Air Management Branch at the above address, or by telephone 404/881-3286 (FTS 257-3286).

**SUPPLEMENTARY INFORMATION:** The Commonwealth of Kentucky has submitted to EPA a State Implementation Plan (SIP) revision which relaxes the $SO_2$ emission limits for indirect heat exchangers having a design input greater than 250 MBTU/hr.

in Bell, Clark, Woodford and Pulaski Counties. The revision was duly adopted by the Commonwealth on June 6, 1979, after adequate public hearing in accordance with State and Federal requirements, and submitted to EPA by Kentucky's Department for Natural Resources and Environmental Protection (DNREP) on June 15, 1979. Additional information was submitted by Kentucky on September 14, 1981, in response to EPA's request.

The applicable regulation is Kentucky regulation 401 KAR 61:015, Existing Indirect Heat Exchangers.

The State SIP terminology identifies Bell, Clark, and Woodford counties as Class II counties, and Pulaski County as a Class III county.

The affected facilities are:

1. Kentucky Utilities Company's (KU) Pineville Plant in Bell County (Pineville, Kentucky)
2. KU's Tyrone Plant in Woodford County (Versailles, Kentucky)
3. Eastern Kentucky Power's (EK) Dale Plant in Clark County (Ford, Kentucky)
4. EK's Cooper Plant in Pulaski County (Burnside, Kentucky)

The Pineville boiler has a capacity of 37.5 megawatts (MW); the Tyrone boiler has a capacity of 76 MW. Both of these boilers are peaking units, relegated to standby service. The Dale boiler has a capacity of 172 MW; the Cooper boiler has a capacity of 354 MW. Both of these units are regular use base-load units.

Appendix B to the Kentucky regulation changes the $SO_2$ emission limit from 1.8 pounds per million BTU (lbs./MBTU) to 2.3 lbs./MBTU for the boilers in Bell, Clark, and Woodford counties (State Class II counties) and from 3.2 to 3.3 lbs./MBTU in Pulaski County (State Class III county).

Modelling indicates the following results at the 2.3 lbs./MBTU and 3.3 lbs./MBTU emission limits:

1. Violation of the 24-hour primary and the 3-hour secondary $SO_2$ NAAQS in Bell County.
2. Violation of the the 3-hour secondary $SO_2$ NAAQS in Clark County.
3. Violation of the the 3-hour secondary $SO_2$ NAAQS in Woodford County.
4. Attainment of the $SO_2$ NAAQS in Pulaski County.

*Proposed action.*—Based on the above, EPA today proposes to disapprove Kentucky's revised $SO_2$ emission limits for Bell, Clark, and Woodford counties. EPA proposes to approve the revised $SO_2$ emission limit for Pulaski County.

Under 5 U.S.C. Section 605(b), I hereby certify that this approval/disapproval action will not have a significant economic impact on a substantial number of small entities since it affects only four sources. (See 46 FR 8709.)

Under Executive Order 12291, today's action is not "Major". It has been submitted to the Office of Management and Budget (OMB) for review.

**List of Subjects in 40 CFR Part 52**

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

(Section 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: June 30, 1982.

**Charles R. Jeter,**

*Regional Administrator.*

[FR Doc. 82-26146 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

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**40 CFR Part 180**

**[OPP-300066; PH-FRL 2211-1]**

## Ethoxylated Lignosulfonic Acid, Sodium Salt; Proposed Exemption From the Requirement of a Tolerance

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

**ACTION:** Proposed rule.

**SUMMARY:** This notice proposes that ethoxylated lignosulfonic acid, sodium salt be exempted from the requirement of a tolerance when used as an inert ingredient in pesticide formulations. This action was requested by Westvaco.

**DATE:** Written comments must be received on or before October 22, 1982.

**ADDRESS:** Written comments to: Process Coordination Branch (TS-767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:** Peter Gray (703-557-7700) at the above address.

**SUPPLEMENTARY INFORMATION:** At the request of Westvaco, the Administrator proposes to amend 40 CFR 180.1001(c) by establishing an exemption from the requirement of a tolerance for ethoxylated lignosulfonic acid, sodium salt. Inert ingedients are all ingredients which are not active ingredients as defined in 40 CFR 162.3(c), and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as water; baits such as sugar, starches, and meat scraps; dust carriers such as talc and clay fillers; wetting and spreading agents; propellants in aerosol dispensers; and emulsifiers. The term inert is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

Preambles to proposed rulemaking documents of this nature include the common or chemical name of the substance under condideration, the name and address of the firm making the request for the exemption, and toxicological and other scientific bases used in arriving at a conclusion of safety in support of the exemption.

*Name of inert ingredient:* Ethoxylated lignosulfonic acid, sodium salt.

*Name and address of requestor:* Westvaco, Chemical Division, Box 70848, Charleston Heights, SC 29405.

**Basis for Approval**

1. Several lignosulfonate salts have been cleared for pre- and post-harvest use under 180.1001(c). The clearances were based in part on animal studies.
2. A number of ethoxylated surfactants have also been cleared for pre- and post-harvest use under 180.1001(c); these clearances likewise were based on animal studies.
3. Ethoxylation is not expected to result in increased toxicity of the new moiety.

Based on the above information, and review of its use, it has been found that, when used in accordance with good agricultural practices, this ingredient is useful and does not pose a hazard to humans or the environment. It is concluded, therefore, that the proposed amendment to 40 CFR Part 180 will protect the public health, and it is proposed that the regulation be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains this inert ingredient, may request within 30 days after publication of this notice in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notion indicating both the subject and the petition and document control number, "[OPP-300066]". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the Process Coordination Branch at the address given above from 8:00 a.m. to

4:00 p.m., Monday through Friday, except legal holidays.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

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

**List of Subjects in 40 CFR Part 180**

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: September 10, 1982.

**Douglas D. Campt,**

*Director, Registration Division, Office of Pesticide Programs.*

## PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that 40 CFR 180.1001(c) be amended by adding and alphabetically inserting ethoxylated lignosulfonic acid, sodium salt to read as follows:

**§ 180.1001 Exemptions from the requirement of a tolerance**

* * * * *

(c) * * *

| Inert ingredients | Limits | Uses |
|---|---|---|
| * * * * * | | |
| Ethoxylated lignosulfonic acid, sodium salt. | | Surfactant. |
| * * * * * | | |

[FR Doc. 82-26147 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

## 40 CFR Part 180

**[PP 2E2585/P252; PH-FRL 2212-4]**

## Picloram; Proposed Tolerances

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

**ACTION:** Proposed rule.

**SUMMARY:** This notice proposes that tolerances be established for residues of the herbicide picloram in or on the raw agricultural commodities flax seed and flax straw. This proposed regulation to establish maximum permissible levels for residues of the herbicide in or on the commodities was submitted pursuant to a petition by the Interregional Research Project No. 4 (IR-4).

**DATE:** Comments must be received on or before October 22, 1982.

**ADDRESS:** Written comments to: Emergency Response Section, Process Coordination Branch, Registration Division (TS-767C), Environmental Protection Agency, Rm. 716A, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:** Donald Stubbs (703-557-1192) at the above address.

**SUPPLEMENTARY INFORMATION:** The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition 2E2585 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of South Dakota.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of tolerances for residues of the herbicide picloram (4-amino-3, 5, 6-trichloropicolinic acid) resulting from its application in the acid form or in the form of its potassium, triethylamine, or triisopropanolamine salts (expressed as picloram) in or on the raw agricultural commodities flax seed and flax straw at 0.5 part per million) (ppm).

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerances are sought.

The provisional acceptable daily intake (PADI), based on a 90-day rat feeding study (NOEL of 50 mg/kg/day) and using a 2000-fold safety factor, is calculated to be 0.0250 mg/kg of body weight (bw)/day. The maximum permissible intake (MPI) for a 60-kg human is calculated to be 1.5 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.1413 mg/day; the current action will increase the TMRC by 0.0002 mg/day. Published tolerances utilize 9.42 percent of the PADI; the current action will utilize an additional 0.01 percent. Thus the tolerances that will be established by this proposed rule are considered to pose negligible incremental dietary risks since dietary exposure will not be significantly increased.

The nature of the residues is adequately understood and an adequate analytical method, gas chromatography, is available for enforcement purposes. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the Agency and the fact that currently established tolerances for meat, milk, poultry, and eggs are adequate to cover any residues resulting from flax straw and flax seed used as animal feed, the tolerances established by amending 40 CFR 180.292 would protect the public health. It is proposed, therefore, that the tolerances be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIRFA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number "[PP 2E2585/P252]". All written comments filed in response to this petition will be available in the Emergency Response Section, Registration Division, at the address given above from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291. Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

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

**List of Subjects in 40 CFR Part 180**

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: September 14, 1982.

**Douglas D. Campt,**

*Director, Registration Division, Office of Pesticide Programs.*

## PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that 40 CFR 180.292 be amended by adding and alphabetically inserting the raw agricultural commodities flax seed and flax straw to read as follows:

**§ 180.292 Picloram; tolerances for residues.**

* * * * *

| Commodities | Parts per million |
|---|---|
| * * * * * | |
| Flax, seed | 0.5 |
| Flax, straw | 0.5 |
| * * * * * | |

[FR Doc. 82-26148 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 67

**[Docket No. FEMA-6401]**

### National Flood Insurance Program; Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the nation. These base (100-year) flood elevations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** See table below.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappel, P.E., National Flood Insurance Program (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency gives notice of proposed determinations of base (100-year) flood elevations for selected locations in the nation, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67-4(a).

These elevations, together with the flood plain management measures required by § 60.3 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 proposed elevations will also 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 their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under Section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

### List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

The proposed base (100-year) flood elevations for selected locations are:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| California | Mendocino County (unincorporated areas) | Russian River | At the center of intersection of Howell St. and Hopland Road. | *496 |
| | xl | xl | 100 feet upstream from the center of Vicky Springs Road. | *597 |
| | xl | xl | 100 feet upstream from the center of School Way | *707 |
| | | Forsythe Creek | 50 feet upstream from the center of Uva Drive | *711 |
| | | Mill Creek (at Redwood Valley) | 450 feet upstream from confluence with Forsythe Creek. | *794 |
| | | York Creek | At the center of U.S. Highway 101 and stream crossing. | *640 |
| | | Hensley Creek | 100 feet upstream from the center of U.S. Highway 101. | *629 |
| | | Ackerman-Creek | 50 feet upstream from the center of North State Street. | *623 |
| | | East Fork Russian River | At the center of Main Street and stream crossing | *934 |
| | | Eel River | 100 feet upstream of Cape Horn Dam | *1,514 |
| | | Anderson Creek | 50 feet upstream from the center of State Highway 128. | *347 |
| | | Mill Creek (near Talmage) | 30 feet upstream from the center of Park Lane | *646 |
| | | North Fork Mill Creek | 50 feet upstream from the center of Guidiville Reservation Road. | *722 |
| | | Robinson Creek | At the center of State Highway 253 and stream crossing. | *627 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | Feliz Creek | At the center of Old Hopland Yorkville Road and stream crossing. | *522 |
| | | Tenmile Creek | At the center of Branscomb Road and stream crossing | *1,610 |
| | | Town Creek | At the State Highway 162 and stream crossing | *1,391 |
| | | Davis Creek | 75 feet upstream from the center of Hearst Willits Road. | *1,360 |
| | | Orrs Creek | At the center of intersection of Orrs Street and Brush Street. | *610 |
| | | Doolin Creek | At center of Betty Street and stream crossing | *601 |
| | | Haehl/Baechtel Creek | 50 feet upstream from the center of Hearst-Willits Road. | *1,353 |
| | | Mill Creek (near Willits) | At the city of Willits corporate limit at the stream crossing. | *1,348 |
| Maps available for inspection at County Planning Office, 880 N. Bush, Ukiah, California. Send comments to the Honorable Norman de Vall, Mendocino County Courthouse, Ukiah, California 95482. | | | | |
| California | Woodlake (city), Tulare County | St. Johns River | 50 feet upstream from center of Valencia Boulevard | *426 |
| | | Antelope Creek | Center of intersection of Pine Street and Kaweah Avenue. | *448 |
| | | East Overflow Antelope Creek | Center of intersection of Sevillano Street and Antelope Avenue. | *435 |
| | | West Overflow Antelope Creek | Center of intersection of Palm Street and Sierra Avenue. | *441 |
| Maps available for inspection at City Department of Public Works, 350 North Valencia Boulevard, Woodlake, California. Send comments to the Honorable Bill Diamond, 350 North Valencia Boulevared, Woodlake, California 93286. | | | | |
| Connecticut | Eastford, town, Windham County | Still River | Approximately 600' downstream of U.S. Route 44 | *455 |
| | | | Downstream of Boston Turnpike | *481 |
| | | | Downstream of Old Colony Road | *505 |
| | | | Downstream of Dam | *526 |
| Maps available for inspection at the Town Offices, Eastford, Connecticut. Send comments to the Honorable John Savage, First Selectman of Eastford, P.O. Box 207, Eastford, Connecticut 06242. | | | | |
| Delaware | Dewey Beach, Town, Sussex County | Atlantic Ocean | Entire shoreline within community | *13 |
| | | | Entire shoreline of Rehoboth Bay within community | *7 |
| Map available for inspection at the Town Hall, Corner of Route 1 and Route 1A, Dewey Beach, Delaware. Send comments to Honorable J. Bruce Vavala, Mayor of Dewey Beach, 1904 Highway One, Dewey Beach, Delaware 19971. | | | | |
| Florida | Anna Maria (city), Manatee County | Gulf of Mexico Open Coast and Tampa Bay. | 300 feet north from the center of intersection of North Shore Drive and Bay Boulevard. | *14 |
| | | | 300 feet west from the center of intersection of Fern Street and North Shore Drive. | *13 |
| | | | 200 feet southwest from the center of intersection of Coconut Avenue and Palm Drive. | *12 |
| | | | Center of intersection of Tuna Street and Cypress Avenue. | *11 |
| | | | Center of intersection of Rose Street and Jacavanda Road. | *10 |
| | | | Center of intersection of Maxine Place and Magnolia Avenue. | *9 |
| Maps available for inspection at Public Works Department, 1005 Gulf Drive, Anna Maria, Florida. Send comments to the Honorable I. E. Cagnina, P.O. Box 608, Anna Maria, Florida 33501. | | | | |
| Florida | Homes Beach (city), Manatee County | Gulf of Mexico Sarasota Pass and Tampa Bay. | 75 feet west from the center of intersection of 36th Street and 3rd Avenue. | *14 |
| | | | 180 feet west from the center of intersection of 29th Street and Avenue E. | *12 |
| | | | Center of intersection of 3rd Aveune W and 45th Street. | *11 |
| | | | Center of intersection of Agua Lane and White Avenue. | *10 |
| | | | Center of intersection of Marina Drive and 71st Street | *9 |
| Maps available for inspection at City Hall, 5901 Marina Drive, Holmes Beach, Florida. Send comments to the Honorable Charlotte Long, 5901, Marina Drive, Holmes Beach, Florida 33510. | | | | |
| Florida | Longboat Key (town), Manatee County | Gulf of Mexico Sarasota Bay | 170 feet west from the center of intersection of Twinshores Boulevard and Gulf of Mexico Drive. | *16 |
| | | | 90 feet west from the center of junction of Seabreeze Avenue and Coral Avenue. | *15 |
| | | | 350 feet north from the center of intersection of Longboat Drive East and Longboat Court. | *14 |
| | | | 90 feet north from the center of intersection of Joy Street and N. Shore Road. | *13 |
| | | | Center of intersection of Elsmere Street and Fallstone Avenue. | *12 |
| | | | Center of intersection of Bogey Lane and Chipping Lane. | *11 |
| | | | Center of intersection of Linley Street and Poinseteta Avenue. | *10 |
| Maps available for inspection at Building Department, 501 Bay Isles Road, Longboat Key, Florida. Send comments to the Honorable Henry G. Riter, 501 Bay Isles Road, Longboat Key, Florida 33548. | | | | |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Indiana | (Uninc.) Wells County | Wabash River | At western county boundary | *800 |
| | | | At the confluence of Fleming Ditch | *801 |
| | | | About 5,000 feet above Six Mile Creek | *814 |
| | | Griffin Ditch | At mouth | *800 |
| | | | Just downtream of 100 West Road | *890 |

Maps available for inspection at the County City Area Planning Office, Wells County Courthouse, 4th Floor, Bluffton, Indiana.

Send comments to Honorable John Studebaker, President of the County Commissioners, Wells County, Wells County Courthouse, 4th Floor, Bluffton, Indiana 46714.

| | | | | |
|---|---|---|---|---|
| Iowa | (C) Algona Kossuth County | East Fork Des Moines River | About 200 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad. | *1,124 |
| | | | About 3,780 feet upstream of U.S. Highway 18 | *1,124 |

Maps available for inspection at City Clerk's Office, City Hall, Algona, Iowa.

Send comments to Honorable Harold Van Allen, Mayor, City of Algona, City Hall, Box 452, Algona, Iowa 50511.

| | | | | |
|---|---|---|---|---|
| Maryland | Worcester County | Atlantic Ocean | Along the eastern coast of Assateague Island, from the Town of Ocean City to Route 611. | *13 |
| | | | On Assateague Island, east of Coffins Point | *9 |
| | | | On Assateague Island, South of Route 611 | *8 |
| | | | Along the eastern coast of Assateague Island, from Route 116 to Scotts Landing. | *12 |
| | | | On Assateague Island, at Scotts Landing | *8 |
| | | | Along the eastern coast of Assateague Island, from Scotts Landing to the southern county boundary. | *13 |
| | | | At Pope Bay | *8 |
| | | Sinepuxent Bay | Just east of Ocean City Harbor | *10 |
| | | | At Grays Point | *10 |
| | | | At Sandy Point | *10 |
| | | | At Green Point | *9 |
| | | Newport Bay | At the confluence with Catbird Creek | *9 |
| | | | At Out Point | *9 |
| | | Chincoteague Bay | At Log Point | *9 |
| | | | At Windmill Cove | *9 |
| | | | At Cotter Cove | *10 |
| | | | At Tingles Narrows | *9 |
| | | | At Martin Bay | *10 |
| | | | At Pirate Islands | *9 |
| | | | At Brockatonorton Bay | *10 |
| | | | At Johnson Bay | *10 |
| | | | At West Bay | *9 |
| | | | At Purnell Bay | *10 |
| | | Massey Branch Creek | Area generally located between U.S. Route 113 and Langmaid Landing. | *7 |
| | | Waterworks Creek | Area generally located between Bowden Road extended and just downstream of Basket Switch Road. | *7 |
| | | Robins Creek | Area generally located between a point approximately 2,300 feet upstream of the confluence with Chincoteague Bay and the limit of detailed study. | *7 |
| | | Pawpaw Creek | Area generally located between Bayside Road and Pawpaw Creek Road. | *7 |
| | | Scarboro Creek | Area generally located between a point approximately 2,800 feet upstream of Scarboro Landing and Route 12. | *9 |

Maps are available for inspection at the Planning and Zoning Office, 111 North Washington Street, Snow Hill, Maryland.

Send Comments to: Mr. John Yankus, County Administrator, Room 127, Worchester County Courthouse, Snow Hill, Maryland 21863.

| | | | | |
|---|---|---|---|---|
| New Jersey | Keansburg, Borough Monmouth County | Raritan Bay | Shoreline from northwest corporate limits to Raritan Avenue extended. | *17 |
| | | | Shoreline from Raritan Avenue extended to eastern corporate limits. | *18 |
| | | Waackaack Creek | Downstream of Laurel Avenue | *5 |
| | | | Upstream Stone Road | *8 |
| | | | Upstream corporate limits | *8 |

Maps available for inspection at the Borough Hall, 43 Church Street, Keansburg, New Jersey.

Send Comments to Honorable Thomas J. Keelen, Mayor of Keansburg, Borough Hall, 43 Church Street, Keansburg, New Jersey 07734.

| | | | | |
|---|---|---|---|---|
| New Jersey | South Amboy, city, Middlesex County | Raritan Bay | Shoreline from southern corporate limits to confluence of Raritan River. | *19 |
| | | Raritan River | Shoreline from confluence with Raritan Bay to approximately 2,000 feet downstream of Conrail bridge. | *18 |
| | | | Shoreline from 2,000 feet downstream of Conrail bridge to downstream side of Conrail bridge. | *17 |
| | | | Shoreline from downstream side of Conrail bridge to upstream corporate limits. | *16 |

Maps available for inspection at the City Hall, 140 North Broadway, South Amboy, New Jersey.

Send comments to Honorable J. Thomas Cross, 140 North Broadway, South Amboy, New Jersey 08879.

| | | | | |
|---|---|---|---|---|
| New York | Brookhaven, town, Suffolk County | Atlantic Ocean | Entire shoreline within community | *14 |
| | | Great South Bay | Entire shoreline within community | *6 |
| | | | Carmans River at Long Island Railroad crossing | *5 |
| | | | Swan River downstream of Swezey Street | *5 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | | Beaver Dam Creek at Beaver Dam Road crossing | *5 |
| | | Narrow Bay | Shoreline at Bay Fair Drive (extended) | *8 |
| | | | At Pattersquash Island | *9 |
| | | | Shoreline approximately .50 mile southwest of Pattersquash Island. | *11 |
| | | | Shoreline at Floyd Point | *9 |
| | | Moriches Bay | Entire northern shoreline within community | *9 |
| | | | Entire southern shoreline within community | *11 |
| | | | Forge River shoreline at Island Point | *8 |
| | | | Seatuck Creek at Long Island Railroad crossing | *8 |
| | | Long Island Sound | Shoreline at Cedar Beach | *15 |
| | | | Shoreline at eastern corporate limits | *15 |
| | | | Shoreline at confluence with Mount Sinai Harbor | *16 |
| | | | Shoreline north of McAllister County Park | *16 |
| | | Smithtown Bay | Entire shoreline within community | *16 |
| | | Conscience Bay | Shoreline at Conscience Bay Road (extended) | *14 |
| | | | Shoreline at Four Winds Road (extended) | *12 |
| | | | Shoreline at Oak Road (extended) | *14 |
| | | Port Jefferson Harbor | Shoreline at Preston Land (extended) | *14 |
| | | | Little Bay shoreline at Youngs Lane (extended) | *13 |
| | | | Setauket Harbor shoreline south of Abandoned Bridge Road. | *13 |
| | | | Shoreline south of McAllister County Park | *11 |
| | | Mount Sinai Harbor | Shoreline east of Sandy Path | *16 |
| | | | Shoreline north of intersection of Cedar Drive and Pipe Stave Hollow Avenue. | *12 |
| | | | Shoreline at Harbor Beach Road (extended) | *16 |
| Maps available for inspection at the Town Hall, 205 South Ocean Avenue, Patchogue, New York. Send comments to Honorable Henrietta Acampora, Supervisor of Brookhaven, 205 South Ocean Avenue, Patchogue, New York 11772. | | | | |
| New York | East Hampton, village, Suffolk County | Atlantic Ocean | Entire shoreline | *14 |
| | | Georgica Pond | From the southern corporate limits to Daniels Hole Road extended. | *12 |
| | | | From Daniels Hole Road extended to Montauk Highway. | *11 |
| Maps available for inspection at the Village Hall, 27 Main Street, East Hampton, New York. Send comments to Honorable Douglas Dayton, Mayor of East Hampton, 27 Main Street, East Hampton, New York 11937. | | | | |
| New York | Islip, town, Suffolk County | Atlantic Ocean | Shoreline from western corporate limits to a point 0.63 mile east of western corporate limits. | *15 |
| | | | Shoreline from a point 0.63 mile east of western corporate limits to eastern corporate limits. | *14 |
| | | | Shoreline of Fire Island Inlet from western corporate limits to east of the vicinity of the U.S. Coast Guard reservation on Fire Island Inlet. | *12 |
| | | | Shoreline of Great South Bay, east of the vicinity of the Coast Guard station on Fire Island Inlet to the western limits of the Coast Guard station on Great South Day. | *6 |
| | | | Shoreline of Great South Bay from the eastern limits of the Coast Guard station on Great South Bay to the western corporate limits of the Village of Ocean Beach. | *5 |
| | | | Shoreline of Great South Bay from the eastern corporate limits of the Village of Ocean Beach to the eastern corporate limits. | *6 |
| | | | Entire shoreline of West Fire Island | *6 |
| | | | Northern shoreline of Great South Bay from the confluence with Sampawams Creek to eastern corporate limits. | *7 |
| Maps available for inspection at the Town Hall, 655 Main Street, Islip, New York. Send comments to Honorable Michael LoGrande, Supervisor of Islip, 655 Main Street, Islip, New York 11751. | | | | |
| New York | Manorhaven, village, Nassau County | Manhasset Bay | Entire shoreline | *13 |
| Maps available for inspection at the Village Hall, 33 Manorhaven Boulevard, Port Washington, New York. Send comments to Honorable James E. Mattie, Mayor of Manorhaven, 33 Manorhaven Boulevard, Port Washington, New York 11050. | | | | |
| New York | New York Mills, village, Oneida County | Sauquoit Creek | Downstream corporate limits | *455 |
| | | | Upstream of Clinton Street | *469 |
| | | | Upstream corporate limits | *477 |
| | | Mud Creek | Downstream corporate limits | *463 |
| | | | Upstream corporate limits | *465 |
| Maps available for inspection at the Village Hall, 463 Main Street, New York Mills, New York. Send comments to Honorable John Pietryka, Mayor of New York Mills, 453 Main Street, New York Mills, New York 13417. | | | | |
| New York | Rye, city, Westchester County | Long Island Sound | Entire Long Island Sound shoreline within community | *17 |
| | | | Entire Milton Harbor shoreline within community | *17 |
| Maps available for inspection at the Office of the City Planner, City Hall, Boston Post Road, Rye, New York. Send comments to Honorable Frederick Hunziger, Mayor of Rye, City Hall, Boston Post Road, Rye, New York 10580. | | | | |
| New York | Southampton, town, Suffolk County | Atlantic Ocean | Entire shoreline within community | *14 |
| | | | Shoreline of Sagaponack Pond at Bridge Lane crossing. | *10 |
| | | Noyack Bay | Entire shoreline within community | *11 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | Little Peconic Bay | Entire shoreline within community | *11 |
| | | | Entire shoreline of North Sea Harbor | *10 |
| | | | Entire shoreline of Fish Cove | *9 |
| | | | Entire shoreline of Scallop Pond | *10 |
| | | Great Peconic Bay | Entire shoreline within community | *11 |
| | | | Entire shoreline of Little Sebonic Creek | *10 |
| | | | Entire shoreline of Bullhead Bay | *10 |
| | | | Entire shoreline of Cold Spring Pond | *10 |
| | | | Entire shoreline of Red Creek Pond | *10 |
| | | Flanders Bay | Entire shoreline within community | *11 |
| | | | Shoreline of Hubbard Creek at confluence with Flanders Bay. | *10 |
| | | | Shoreline of Hubbard Creek at Red Creek Road crossing. | *9 |
| | | | Peconic River shoreline at Cross River Drive crossing | *9 |
| | | Mecox Bay | Entire shoreline within community | *8 |
| | | | Entire shoreline of Mill Creek | *7 |
| | | | Entire shoreline of Hayground Cove | *7 |
| | | Heady Creek | Shoreline at East Point Road (extended) | *8 |
| | | Shinnecock Bay | Entire southern shoreline within community | *10 |
| | | | Entire northern shoreline within community | *9 |
| | | | Entire shoreline of Middle Pond | *8 |
| | | Quantuck Bay | Entire shoreline within community | *9 |
| | | | Shoreline of Aspatuck River just north of Main Street crossing. | *8 |
| | | | Shoreline of Aspatuck River at Brook Road crossing | *7 |
| | | | Shoreline of Quantuck Creek at Alden Lane (extended). | *8 |
| | | | Shoreline of Quantuck Creek at Long Island Railroad crossing. | *7 |
| | | Moriches Bay | Entire northern shoreline within community | *9 |
| | | | Seatuck Creek shoreline at Long Island Railroad crossing. | *8 |
| | | | Shoreline at Gunning Point | *10 |
| | | | Shoreline south of Swan Island | *11 |

Maps available for inspection at the Town Hall, 116 Hampden Road, Southampton, New York.

Send comments to Honorable Martin Lang, Supervisor of Southampton, 116 Hampden Road, Southampton, New York 11968.

| | | | | |
|---|---|---|---|---|
| New York | Yorkville, village, Oneida County | Mohawk River | Downstream corporate limits | *414 |
| | | | Upstream corporate limits | *414 |
| | | Sauquoit Creek | Upstream of Conrail | *417 |
| | | | Upstream corporate limits | *422 |

Maps available for inspection at the Village Hall located between Calder and Sixth Streets, Yorkville, New York.

Send comments to Honorable James Whidtman, Mayor of Yorkville, 52 Whitesboro Street, Yorkville, New York 13503

| | | | | |
|---|---|---|---|---|
| Pennsylvania | Codorus, township, York County | South Branch Codorus Creek | Downstream corporate limits | *480 |
| | | | Upstream of downstream CONRAIL bridge | *499 |
| | | | Upstream Larue Road | *508 |
| | | | Upstream West Springfield Road | *518 |
| | | | Upstream corporate limits | *532 |
| | | South Branch Codorus Creek Tributary. | Downstream corporate limits | *483 |
| | | | Upstream of 3rd crossing of Shaffer Church Road | *538 |
| | | | Upstream of Heindel Road | *557 |
| | | Centerville Creek | Downstream corporate limits | *532 |
| | | | Upstream of Rockville Road | *541 |
| | | | Upstream Fairs School Road | *578 |
| | | | Upstream of State Route 216 | *590 |
| | | | Upstream of Sunny Slope Road | *684 |
| | | | Upstream of most upstream Private Road | *712 |
| | | Centerville Creek Tributary | Confluence of Centerville Creek | *687 |
| | | | Upstream of Young Road | *709 |
| | | Buffalo Valley Run | Downstream corporate limits | *584 |
| | | | Upstream of downstream crossing of Buffalo Valley Road. | *608 |
| | | | Upstream of upstream crossing of Buffalo Valley Road | *623 |
| | | Rockville Run | Upstream of State Route 616 | *524 |
| | | | Upstream Private Road | *535 |
| | | Cherry Run | Confluence with South Branch Codrous Creek | *501 |
| | | | Upstream of State Route 616 | *504 |
| | | | Upstream of Cherry Run Road | *511 |
| | | Pierceville Run | At Rockville Road | *552 |
| | | | Upstream Schuman Road | *608 |
| | | | Upstream Myers Road | *648 |
| | | | Upstream Smith Road | *665 |
| | | | Upstream State Route 216 | *679 |
| | | | Upstream Legislative Route 66168 | *700 |
| | | Codorus Creek Tributary | At State Route 216 | *651 |
| | | | Upstream Miller Road | *676 |
| | | Codorus Creek | Downstream corporate limits | *528 |
| | | | Upstream of downstream crossing of Pentland Road | *555 |
| | | | Upstream of upstream crossing of Pentland Road | *576 |
| | | | Upstream Tannery Road | *613 |
| | | | Upstream Watertank Road | *635 |
| | | | Upstream Wool Mill Road | *663 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | | Upstream Glenville Road | *692 |
| | | | Upstream corporate limits | 705 |

Maps available for inspection at the Township Building, Codorus, Pennsylvania.
Send comments to Honorable Charles Wehrly, Chairman of the Codorus Board of Supervisors, R.D. 1, box 175, Glen Rock, Pennsylvania 17327

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Pennsylvania | Johnstown, city, Cambria County | Conemaugh River | Downstream corporate limits | *1,154 |
| | | | Coopersdale Bridge (upstream) | *1,159 |
| | xl | xl | Fourth Avenue (upstream) | *1,164 |
| | | | Confluence of Little Conemaugh River and Stonycreek River. | *1,167 |
| | | Little Conemaugh River | Confluence with Conemaugh River and Stonycreek River. | *1,167 |
| | | | Chessie System (1st crossing) | *1,171 |
| | | | Swank Court (upstream) | *1,182 |
| | | | Upstream corporate limits | *1,212 |
| | | Stonycreek River | Confluence with Conemaugh River and Little Conemaugh River. | *1,167 |
| | | | Haynes Street | *1,173 |
| | | | Horner Street | *1,179 |
| | | | Upstream corporate limits | *1,198 |
| | | St. Clair Run | Confluence with Conemaugh River | *1,158 |
| | | | D Street (upstream) | *1,166 |
| | | | Bachus Avenue | *1,181 |
| | | | Fairfield Avenue (upstream) | *1,211 |
| | | | Upstream corporate limits | *1,257 |

Maps available for inspection at the City Hall, Room 106, Johnstown, Pennsylvania.
Send comments to Honorable Herbert Pfuhl, Mayor of Johnstown, City Hall, Johnstown, Pennsylvania 15901.

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Pennsylvania | Stonycreek, township, Cambria County | Stonycreek River | Downstream corporate limits | *1,198 |
| | | | Chessie System bridge | *1,204 |
| | | | Upstream of Boone Street | *1,209 |
| | | | Upstream corporate limits and Krings Highway | *1,241 |

Maps available for inspection at the Township Building, 1610 Bedford Street, Stonycreek, Pennsylvania.
Send comments to Honorable William Knipple, Chairman of the Stonycreek Board of Supervisors, 420 Oakland Street, Johnstown, Pennsylvania 15902.

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Pennsylvania | Windsor, township, York County | Kreutz Creek | Meadow Road (upstream) | *467 |
| | | | State Route 124 (Orchard Road) upstream | *484 |
| | | | Riddle Road (upstream) | *493 |
| | | | Miller's Mill Road (upstream) | *514 |
| | | | At Dietz Road | *528 |
| | | | Windsor Road (upstream) | *553 |
| | | | Ruppert Road (upstream) | *575 |
| | | Fishing Creek | Bahns Mill Road (upstream) | *578 |
| | | | Private Road (upstream) | *600 |
| | | | Gebhart Road (upstream) | *608 |
| | | | Maryland Avenue (downstream) | *620 |
| | | North Branch Muddy Creek | Confluence of North Branch Muddy Creek Tributary No. 1. | *559 |
| | | | Township Route 658 (Grove Road) (upstream) | *603 |
| | | | Grimm Hollow Road (upstream) | *625 |
| | | North Branch Muddy Creek Tributary No. 1. | Confluence with North Branch Muddy Creek | *559 |
| | | | Husson Road—2nd crossing (downstream) | *580 |
| | | | Husson Road—3rd crossing | *626 |
| | | | Dull Road—upstream | *690 |

Maps available for inspection at the Windsor Township Building, R.D. 3, Red Lion, Pennsylvania.
Send comments to Honorable Melvin Rittenhouse, Chairman of the Windsor Board of Supervisors, Township Building, R.D. 3, Red Lion, Pennsylvania 17356.

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Rhode Island | Bristol, town, Bristol County | Walker Brook | Upstream Wood Street | *14 |
| | | | Upstream Richmond Street | *25 |
| | | | Upstream Mount Hope Avenue | *31 |
| | | East Branch Silver Creek | At confluence with Silver Creek | *14 |
| | | | Upstream Chestnut Street | *43 |
| | | | Downstream Gooding Avenue | *63 |
| | | West Branch Silver Creek | At confluence with Silver Creek | *14 |
| | | | Upstream Chestnut Street | *31 |
| | | | Downstream Verndale Avenue | *65 |
| | | Narragansett Bay | From Mount Hope bridge to Curtis Road extended | *18 |
| | | | From Curtis Road to Warren/Bristol corporate limits | *19 |
| | | Mount Hope Bay | Entire shoreline within community | *18 |
| | | Kickamuit River | Approximately 2,125 feet upstream of Bristol Narrows Road extended to Smith Avenue (extended). | *15 |
| | | | Smith Avenue (extended) to northern corporate limits | *16 |

Maps available for inspection at the Town Clerk's Office, Town Hall, 10 Court Street, Bristol, Rhode Island.
Send comments to Honorable Edward H. Holmes, President of the Bristol Town Council, Town Hall, 10 Court Street, Bristol, Rhode Island 02809.

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| Rhode Island | East Providence, city, Providence County | Ten Mile River | At Omega Pond Dam | *16 |
| | | | Upstream Pawtucket Avenue | *20 |
| | | | Upstream Hunts Mill Dam | *37 |
| | | | Upstream Newman Avenue | *52 |
| | | | Upstream corporate limits | *52 |
| | | Runnins River | At Mobile Company Dam | *10 |
| | | | Upstream Highland Avenue | *13 |
| | | | Upstream Leonard Street | *17 |
| | | Willett Pond Brook | Upstream Francis Avenue (extended) | *16 |
| | | | Upstream Willett Pond Dam | *28 |
| | | Seekonk River | Norfolk Avenue (extended) to Henderson Bridge | *19 |
| | | | Henderson Bridge to Waterman Avenue | *18 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | Providence River | Bold Point to Wilkesbarre Pier | *18 |
| | | | Wilkesbarre Pier to Watchemoket Cove | *19 |
| | | | Watchemoket Cove to Bullock Cove | *20 |

Maps available for inspection at the City Clerk's Office, City Hall, 145 Taunton Avenue, East Providence, Rhode Island.

Send comments to Honorable Earl Sandquist, City Manager of East Providence, City Hall, 145 Taunton Avenue, East Providence, Rhode Island 02914.

| | | | | |
|---|---|---|---|---|
| Rhode Island | Warren, town, Bristol County | Palmer River | Entire shoreline within community | *12 |
| | | Warren River | Shoreline from North Main Street to School Street (extended). | *18 |
| | | | Shoreline from School Street extended to approximately 530 feet south of Locust Terrace. | *19 |
| | | | Shoreline from approximately 530 feet south of Locust Terrace to downstream corporate limits. | *20 |
| | | Kickamuit River | From approximately 1,100 feet south of Child Street to Chase Cove. | *17 |
| | | | Chase Cove to Bristol Narrows | *18 |
| | | Warren Reservoir | Entire shoreline | *10 |
| | | Mount Hope Bay | Shoreline from northeastern corporate limits to approximately 1,700 feet north of Calder Drive (extended). | *18 |
| | | | Shoreline from approximately 1,700 feet north of Calden Drive (extended) to Calden Drive (extended). | *19 |
| | | | Shoreline from Calden Drive (extended) to southern corporate limits. | *18 |

Maps available for inspection at the Town Clerk's Office, Town Hall, 514 Main Street, Warren, Rhode Island.

Send Comments to Honorable Paul Harvey, President of the Warren Town Council, Town Hall, 514 Main Street, Warren, Rhode Island 02885.

| | | | | |
|---|---|---|---|---|
| Texas | City of Alice, Jim Wells County | San Diego Creek | Just upstream of Texas Boulevard | *198 |
| | | | Just upstream of U.S. Highway 281 | *215 |
| | | Lattas Creek | Just downstream of South Texas Boulevard | *195 |
| | | | Just downstream of South Reynold Street | *200 |
| | | | Just downstream of U.S. Highway 281 | *207 |
| | | Lattas Creek Tributary | Just upstream of U.S. Highway 281 | *205 |
| | | | Just downstream of South Gulf Street | *212 |
| | | San Fernando Creek Tributary | Just downstream of Airport Road | *186 |
| | | Chiltipin Creek | Just upstream of Lake Alice Dam | *199 |
| | | Recasa De Enmedio | Just downstream of North Texas Boulevard | *190 |

Maps available for inspection at City Manager's Office, City Hall, 500 East Main Street, Alice, Texas 78332.

Send comments to Mayor Octavio Figueroa of Mr. Roel Valadee, City Manager, City Hall, P.O.Box 3229, Alice, Texas 78332.

| | | | | |
|---|---|---|---|---|
| Texas | City of San Antonio, Bexar County | San Antonio River | Just upstream of Interstate Highway 410 westbound lanes. | *515 |
| | | | Approximately 150 feet downstream of S.E. Military Drive (Loop 13). | *547 |
| | | | Approximately 200 feet upstream of Southcross Boulevard. | *567 |
| | | | Just upstream of Alamo Street | *628 |
| | | | Just downstream of Interstate Highway 37 | *660 |
| | | | Just downstream of Olmos Dam | *686 |
| | | Olmos Creek | Just upstream of Olmos Dam | *726 |
| | | | Approximately 100 feet upstream of Montview Drive | *758 |
| | | | Approximately 100 feet downstream of Jackson Keller Road. | *772 |
| | | | Just upstream of Dreamland Drive | *823 |
| | | | Just downstream of George road | *865 |
| | | Sixmile Creek | Approximately 150 feet downstream of Ashley Road (most downstream crossing). | *541 |
| | | | Approximately 150 feet upstream of Roosevelt Avenue | *567 |
| | | | Just downstream of Moursund Avenue | *588 |
| | | | Just upstream of Interstate Highway 35 southbound frontage road. | *645 |
| | | South Flores Tributary-Sixmile Creek. | Approximately 300 feet upstream of confluence with Sixmile Creek. | *570 |
| | | | Just upstream of South Flores Street | *595 |
| | | Commercial Tributary-Sixmile Creek | Just upstream of West Petaluma Boulevard | *607 |
| | | | Approximately 200 feet downstream of Grosvenor Boulevard. | *637 |
| | | State Hospital Creek | Just downstream of Southern Pacific Railroad | *555 |
| | | | Approximately 200 feet upstream of U.S. Route 181 | *563 |
| | | | Approximately 200 feet downstream of South New Braunfels Street. | *582 |
| | | San Pedro Creek | Approximately 100 feet downstream of Interstate Highway 10 eastbound lanes (most downstream crossing). | *598 |
| | | | Just upstream of Furnish Street | *614 |
| | | | Just upstream of West Cevallos Street | *622 |
| | | | Just upstream of Guadalupe Street | *632 |
| | | | Just upstream of Dolorosa Street | *647 |
| | | | Just upstream of West Cypress Street | *651 |
| | | Apache Creek | Approximately 100 feet downstream of South Brazos Street. | *628 |
| | | | Just upstream of U.S. Highway 90 | *661 |
| | | Zarzamora Creek | Approximately 100 feet downstream of General McMullen Drive. | *668 |
| | | | Just upstream of N.W. 36th Street | *681 |
| | | | Just upstream of Fortuna Street | *689 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | | Just upstream of Ingram Road | *774 |
| | | | Just downstream of Callaghan Road | *798 |
| | | | Just upstream of Babcock Road | *885 |
| | | Alazan Creek | Just upstream of El Paso Street | *629 |
| | | | Just upstream of Ruiz Street | *654 |
| | | | Just upstream of Poplar Street | *662 |
| | | | Just downstream of Huisache Avenue | *691 |
| | | | Approximately 150 feet downstream of St. Cloud Road | *699 |
| | | Martinez Creek | Just downstream of Ruiz Street | *653 |
| | | | Just downstream of Interstate Highway 10 eastbound lanes (downstream crossing). | *689 |
| | | | Just upstream of Fresno Drive | *705 |
| | | Bandera Branch | Just upstream of N.W. 25th Street | *668 |
| | | | Approximately 200 feet upstream of Delgado Street | *679 |
| | | Upper Apache Creek | Just upstream of Ruiz Street | *676 |
| | | | Approximately 80 feet upstream of Culebra Road | *714 |
| | | Zarzamora Creek—Tributary A | Just downstream of Horseshoe Bend | *794 |
| | | | Just downstream of intersection of Bandera and Callaghon Roads. | *811 |
| | | | Just upstream of Evers Road | *817 |
| | | | Just upstream of Interstate Highway/410 westbound frontage road. | *851 |
| | | Airport Tributary | Just upstream of Jones-Maltzberger Road | *726 |
| | | | Just downstream of North Expressway (Upstream Crossing). | *735 |
| | | | Just upstream of Chulie Drive | *742 |
| | | | Just upstream of Northern Drive | *757 |
| | | Tributary A—Airport Tributary | Just downstream of Shannon Lee Drive | *730 |
| | | Rock Creek | Just upstream of Southern Pacific Railroad | *782 |
| | | | Just downstream of Vance Jackson Road | *794 |
| | | | Just downstream of Callaghon Road | *825 |
| | | U.T.S.A. Tributary—Leon Creek | Approximately 1,000 feet upstream of U.T.S.A. Boulevard. | *951 |
| | | | Approximately 100 feet downstream of Charles W. Anderson Drive. | *992 |
| | | West Fork Olmos Creek | Just upstream of Wurzback Road (downstream crossing). | *846 |
| | | | Just downstream of Orsinger Lane | *882 |
| | | | Just downstream of De Zarala Road | *933 |
| | | Salado Creek | Just downstream of S.E. Military Drive (Loop 13) | *561 |
| | | | Just downstream of Rigsby Avenue (U.S. Highway 87) | *599 |
| | | | Just downstream of East Commerce Street | *620 |
| | | | Just downstream of Rittman Road | *672 |
| | | | Just upstream of Interstate Highway 410 | *704 |
| | | | Just upstream of Bitter Road (downstream crossing) | *741 |
| | | | Approximately 100 feet downstream of West Avenue | *805 |
| | | Tributary A—Salado Creek | Just downstream of Talisman Road | *603 |
| | | Tributary B—Salado Creek | Just upstream of Artesia Avenue | *605 |
| | | | Approximately 100 feet downstream of Interstate Highway 10. | *615 |
| | | Tribuary C—Salado Creek | Just downstream of Monson Road | *649 |
| | | Fort Sam Houston Tributary—Salado Creek. | Just downstream of Hardee Road | *660 |
| | | Walzem Creek | Approximately 70 feet upstream of Eisenhaver Road | *683 |
| | | | Just upstream of Lanark Drive | *701 |
| | | Beitel Creek | Just upstream of Perrin Beitel Road | *699 |
| | | | Just upstream of Schertz Road | *765 |
| | | Tributary A—Beitel Creek | Just upstream of Randolph Boulevard | *761 |
| | | Quail Creek | Just upstream of Interstate Highway 410 | *710 |
| | | Tributary D—Salado Creek | Approximately 200 feet upstream of Harry Wurzbach Road. | *720 |
| | | | Just upstream of Haskin Road | *735 |
| | | Tributary E—Salado Creek | Approximately 120 feet upstream of Nacogdoches Road. | *730 |
| | | Tributary F—Salado Creek | At Briarway Road extended | *730 |
| | | Mud Creek | Just downstream of Buckhorn Road | *757 |
| | | | Just upstream of Jones—Maltzberger Road | *813 |
| | | Lorence Creek | Approximately 100 feet upstream of Jones—Maltzberger Road. | *774 |
| | | | Just upstream of Shadow Cliff | *813 |
| | | U.S. 281 Tributary—Salado Creek | Just downstream of U.S. Highway 281 | *785 |
| | | Leon Creek | Approximately 100 feet upstream of Interstate Highway 410 (downstream crossing). | *592 |
| | | | Just downstream of Berman Drive | *642 |
| | | | Just downstream of Castroville Highway | *700 |
| | | | Just downstream of Interstate Highway 410 (upstream crossing). | *742 |
| | | | Just downstream of Interstate Highway 10 | *997 |
| | | Westwood Village Creek | Approximately 100 feet downstream of Pinn Road | *709 |
| | | Southwest Research Creek | Just upstream of Pinn Road | *714 |
| | | | Approximately 80 feet downstream of Military Drive | *729 |
| | | Culebra Creek | Approximately 100 feet upstream of Culebra Road (downstream crossing). | *805 |
| | | Huebner Creek | Just upstream of Huebner Road | *844 |
| | | | Just downstream of Lockhill Road | *906 |
| | | Indian Creek | Just downstream of Interstate Highway 35 (eastbound crossing). | *617 |
| | | Tributary A—Huebner Creek | Just downstream of Babcock Road | *865 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | Tributary B—Huebner Creek | Just upstream of Oakland Road | *876 |
| | | French Creek | Approximately 100 feet upstream of South Hausman Road. | *920 |
| | | Tributary A—French Creek | Approximately 120 feet upstream of FM 1604 | *938 |
| | | Tributary B—French Creek | Just upstream of FM 1604 | *941 |
| | | Huesta Creek | Just upstream of Babcock Road (downstream crossing). | *935 |
| | | | Just upstream of Hausman Road | *956 |
| | | | Approximately 80 feet upstream of FM 1604 | *989 |
| | | Babcock Tributary—Leon Creek | Just downstream of Hausman Road | *951 |
| | | | Juststream of U.T.S.A. Boulevard | *969 |
| | | | Just upstream of Babcock Road | *1,007 |
| Maps available for inspection at Director of Public Works Office, City Hall, Dolorosa and South Flores Streets, San Antonio, Texas 78285. Send comments to Mayor Henry Cisneros or Mr. Frank Kloibassa, Director of Public Works, City Hall, Dolorosa and South Flores Streets, San Antonio, Texas 78285. | | | | |
| Vermont | Berkshire, town, Franklin County | Missisquoi River | Downstream corporate limits | *409 |
| | | | Upstream State Route 118 | *413 |
| | | | Approximately 100 feet upstream of State Route 105 | *420 |
| | | | Upstream corporate limits | *429 |
| Maps is available for inspection at the Berkshire Town Clerk's Office, Enosburg Falls, Vermont. Send comments to Honorable Spencer Stanhope, Chairman of the Berkshire Board of Selectmen, Town of Berkshire, R.F.D. 1, Enosburg Falls, Vermont 05476. | | | | |
| Vermont | Cambridge, village, Lamoille County | Lamoille River | Downstream corporate limits | *446 |
| | | | Upstream of State Route 15 | *447 |
| | | Seymour River | Abandoned Covered Bridge | *447 |
| | | | Upstream of Town Highway 1 | *451 |
| | | | Upstream corporate limits | *467 |
| Maps is available for inspection at the Cambridge Village Offices, Jeffersonville, Vermont. Send comments to Honorable Jon Knudson, Village Trustee of Cambridge, Village of Cambridge, Cambridge, Vermont 05444. | | | | |
| Virginia | Accomack County | Atlantic Ocean | Chincoteague Bay shoreline | *11 |
| | | | Shoreline from northern county boundary to Wachapreague Inlet. | *12 |
| | | | Shoreline from Wachapreague Inlet to southern county boundary. | *13 |
| | | Chesapeake Bay | Smith Island south to Tangier Island | *6 |
| | | | Great Fox Island south to Watts Island | *9 |
| | | | Shoreline from northern county boundary to Doe Creek. | *9 |
| | | | Shoreline from Doe Creek to Nandua Creek | *10 |
| | | | Shoreline from Nandua Creek to southern county boundary. | *11 |
| Maps available for inspection at the Zoning Office, Accomack County Office Building, Accomac, Virginia. Send comments to the Honorable C. M. Williams, Accomack County Administrator, Accomack County Office Building, Accomac, Virginia. | | | | |
| Virginia | Chincoteague, town, Accomack County | Atlantic Ocean | Entire shoreline of Chincoteague Bay and Chincoteague Channel within community. | *11 |
| Maps available for inspection at Town Hall, 403 South Main Street, Chincoteague, Virginia. Send comments to the Honorable Stewart Baker, Town Manager of Chincoteague, 403 South Main Street, Chincoteague, Virginia 23336. | | | | |
| Washington | Ferndale (city), Whatcom County | Nooksack River Creek | 100 feet upstream from center of Interstate 5 | *34 |
| Maps available for inspection at City Hall, 936 Ferdale Street, Ferdale, Washington. Send comments to the Honorable Gary Gibbons, P.O. Box 936, Ferndale, Washington 98248. | | | | |
| Washington | Yakima County (Unincorporated areas) | Yakima River | 25 feet upstream from center State Highway 223 | *701 |
| | | | 25 feet downstream from center of Toppenish-Zillah Road. | *755 |
| | | | 25 feet upstream from center of Interstate Highway 82 | *952 |
| | | | 25 feet upstream from center of Harrision Road | *1,128 |
| | | Naches River | At center intersection of North Gleed Road and Maple Way. | *1,237 |
| | | | 25 feet upstream from center of Naches-Tieton Road (South Naches Road). | *1,457 |
| | | Ahtanum Creek | 25 feet upstream from center of of Main Street | *950 |
| | | | 25 feet upstream from center of West 16th Avenue | *1,032 |
| | | | 25 feet upstream from center of Lynch Lane | *1,622 |
| | | Wide Hollow Creek | 25 feet upstream from center of the Union Pacific Railroad. | *977 |
| | | | 25 feet upstream from center of Stone Road | *1,452 |
| | | Bachelor Creek | 25 feet upstream from the center of Ahtanum Road | *1,094 |
| | | | 25 feet upstream from the center of 38th Avenue | *1,615 |
| | | Hatton Creek | 25 feet upstream from the center of South 74th Avenue. | *1,217 |
| | | | 25 feet upstream from the center of Rutherford Road | *1,545 |
| | | Ahtanum Creek Bypass | 25 feet upstream from the center of South Wiley Road | *1,338 |
| | | | 25 feet upstream from the center of American Fruit Road. | *1,431 |
| | | North Fork Ahtanum Creek | 25 feet upstream from the center of South Fork Ahtanum Road. | *2,113 |
| | | Spring Creek 1 | At the confluence of Spring Creek 1 and Spring Creek 1 Tributary 2. | *1,090 |
| | | Spring Creek 1, Tributary 1 | 25 feet upstream from the center of 64th Avenue | *1,172 |
| | | Spring Creek 1, Tributary 2 | At center of intersection of 48th Avenue and West Washington Avenue. | *1,118 |

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|---|---|---|---|---|
| | | Spring Creek 2 | At confluence of Wide Hollow Creek and Spring Creek 2. | *955 |
| Maps available for inspection at Engineering Office, County Courthouse, Room 408, Yakima, Washington. Send comments to the Honorable Charles J. Klarich, County Courthouse, Room 416, Yakima, Washington 98901. | | | | |
| Wisconsin | (Uninc.) Portage County | Wisconsin River | At downstream county boundary | *1,037 |
| | | | Just downstream of Whiting Plover Dam | *1,047 |
| | | | Just upstream of Whiting Plover Dam | *1,054 |
| | | | Just downstream of Wisconsin River Division Dam | *1,054 |
| | | | Just upstream of Wisconsin River Division Dam | *1,069 |
| | | | At upstream City of Stevens Point corporate limit | *1,089 |
| | | | Just downstream of Lake Dubay Dam | *1,104 |
| | | Rocky Run | Mount at Wisconsin River | *1,041 |
| | | | About 1.3 miles upstream of West Riverr Drive | *1,048 |
| | | | About 0.5 mile downstream of County Highway P | *1,071 |
| | | | Just downstream of Soo Line Railroad | *1,086 |
| Maps available for inspection at the Zoning Administrator's Office, 1513 Church Street, Stevens Point, Wisconsin. Send comments to Honorable Robert Steinke, County Board Chairman, Portage County, 1513 Church Street, Stevens Point, Wisconsin 54481. | | | | |
| Wisconsin | (V) Potter Calumet County | North Branch Manitowoc River | About 0.48 mile downstream of State Highway 114 | *807 |
| | | | Just downstream of State Highway 114 | *807 |
| Maps available for inspection at the Village President's Office, Village Post Office, Potter, Wisconsin. Send comments to Honorable James Meyer, Village President, Village of Potter, Village Post Office, Potter, Wisconsin 54160. | | | | |
| Wisconsin | (C) Stevens Point, Portage County | Wisconsin River | At downstream corporate limit | *1,072 |
| | | | Just downstream of Stevens Point Dam | *1,080 |
| | | | Just upstream of Stevens Point Dam | *1,087 |
| | | | At upstream corporate limit | *1,089 |
| | | Rocky Run | About 2.0 miles downstream of County Highway C | *1,076 |
| | | | About 0.3 mile upstream of County Highway C | *1,085 |
| Maps available for inspection at the City Administrator's Office, 1515 Strongs Avenue, Stevens Point, Wisconsin. 54481. Send comments to Honorable Michael Haberman, Mayor, City of Stevens Point, 1515 Strongs Avenue, Stevens Point, Wisconsin 54481. | | | | |

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

Issued: August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25884 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 67

**[Docket No. FEMA-6356]**

## National Flood Insurance Program; Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations previously published at 47 FR 30512 on July 14, 1982. This correction notice provides a more accurate representation of the Flood Insurance Study and Flood Insurance Rate Map for the Village of Westhampton Beach, Suffolk County, New York.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Federal Emergency Management Agency, National Flood Insurance Program, (202) 287-0230, Washington, D.C. 20472

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Village of Westhampton Beach, Suffolk County, New York, previously published at 47 FR 30512 on July 14, 1982, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts flood plain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

### List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

The Notice of Proposed Base Flood Elevations has been amended to include the following:

| Source of flooding | Location | Elevation in feet national geodetic vertical datum |
|---|---|---|
| Quantuck Bay... | Shoreline of Aspatuck River at Sunswyck Lane extended. | *9 |
| | Shoreline of Aspatuck River at Brook Road (extended). | *7 |
| | Shoreline at southeastern corporate limits. | *10 |
| Moriches Bay.... | Shoreline at Oneck Lane extended. | *9 |
| | Shoreline at Pickett Point..... | *10 |
| | Shoreline at Shore Drive (extended). | *7 |

(National Flood Insurance Act of 1968 (Title XII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director)

Issued: August 25, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25890 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 67

**[Docket No. FEMA-6392]**

## Proposed Zone Designation and Flood Depth Determinations for the City of Coachella, Riverside County, Calif., Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed zone designations and flood depths as described below.

The proposed zone designations and flood depths are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed zone designations and flood depths are available for review at the Office of the City Clerk, Coachella City Hall, 1515 Sixth Street, Coachella, California.

Send comments to: Honorable Manuel Rios, Mayor, City of Coachella, 1515 Sixth Street, Coachella, California 92236.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed zone designations and flood depths for the City of Coachella, California, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These zoned designations and flood depths, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed zone designations and flood depths will also 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 their contents.

The proposed special flood hazard areas, identified as Zone AO with a depth of 2 feet, have been added in four recently annexed areas. The first area is generally bounded by Avenue 49, Frederick Street, Avenue 50 and Jazmin Street. The second area is generally bounded by Avenue 50, Balboa Street, Sunrise Avenue Extended, and the western corporate limits. The third area is generally bounded by Industrial Way, the Southern Pacific Railroad, Avenue 54 and Tyler Street. The fourth area is generally bounded by Avenue 54, West Dike Road, the southern corporate limits, and the Southern Pacific Railroad. Additional annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 67

Flood insurance—flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: August 10, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25889 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 67

**[Docket No. FEMA-6356]**

## National Flood Insurance Program; Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations previously published at 47 FR 30510 on July 14, 1982. This correction notice provides a more accurate representation of the Flood Insurance Study and Flood Insurance Rate Map for the Town of Bath, Steuben County, New York.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Federal Emergency Management Agency, National Flood Insurance Program, (202) 287–0230, Washington, D.C. 20472.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Town of Bath, Steuben County, New York, previously published at 47 FR 30510 on July 14, 1982, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Pursuant to the provisions of 5 USC 605(b), the Associate Director, to whom

authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts flood plain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

Under the Source of Flooding of Five Mile Creek, the base flood elevation for the confluence with Cohocton River has been amended to read 1,148 feet in elevation. The remainder of the Notice of Proposed Base Flood Elevations remains unchanged.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director).

Issued: August 23, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25891 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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**44 CFR Part 67**

**[Docket No. FEMA 6405]**

## National Flood Insurance Program; Proposed Base Flood Elevations for the City of Sevierville, Tennessee

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the porposed base flood elevations described below.

The proposed base flood elevations will be the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Map and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Mayor's Office.

Send comments to: Mr. Russell Treadway, City Administrator, City of Sevierville, 448 Park Road, Sevierville, Tennessee 37862.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, State and Local Programs and Support, Federal Emergency Management Agency, Room 514, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations (100 year flood) for the City of Sevierville, Tennessee in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a)).

The City of Sevierville, Tennessee together with the flood plain management measures required by § 60.3 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. The proposed base flood elevations will also 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 their contents.

The proposed base flood elevations for selected locations are:

| Source of flooding and location | Elevation (NGVD) | |
|---|---|---|
| | Existing | Proposed |
| Little Pigeon River: | | |
| Franklin Drive at Old Knoxville Highway | 894.0 | 895.0 |
| Between Sunnyside Avenue and Cross Avenue | 901.0 | 902.0 |
| Walnut Grove Road—East Side | 913.0 | 916.0 |

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated Special Flood Hazard Areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to Associate Director, State and Local Programs and Support)

Issued: August 26, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25892 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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**44 CFR Part 67**

**[Docket No. FEMA-6407]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Copperas Cove, Coryell County, Texas, Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Engineer, Copperas Cove City Hall, 507 South Main, Copperas Cove, Texas.

Send comments to: Honorable Kenneth J. Ambler, Major, City of Copperas Cove, P.O. Drawer 280, Copperas Cove, Texas 76522.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Copperas Cove, Texas, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| Stream CC-2: | | |
| At Lynn Lane | 1,046 | A2. |
| At Randa Street | 1,061 | A2. |
| Just upstream of U.S. Route 190. | 1,075 | A2. |
| At 9th Street extended | 1,095 | A2. |
| Just downstream of 21st Street. | 1,138 | A2. |
| House Creek: | | |
| Just upstream of Avenue B | 1,026 | A1. |
| Just upstream of Gulf, Colorado and Santa Fe Railway. | 1,043 | A10. |
| Turkey Run: | | |
| At the northernmost corporate limits. | 979 | A3. |
| At a point located approximately 1200 feet upstream from the northernmost corporate limits. | 993 | A3. |
| At a point located approximately 2300 feet downstream from the Gulf, Colorado and Santa Fe Railway. | 1,006 | A3 |

All the additional annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subject 1n 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: August 25, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25893 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

**44 CFR Part 67**

**[Docket No. FEMA-6406]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Sherman, Grayson County, Texas; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Manager, Sherman City Hall, 411 North Rusk, Sherman, Texas.

Send comments to: Honorable Jack G. Kennedy, Mayor, City of Sherman, P.O. Box 1106, Sherman, Texas 75090.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Sherman, Texas, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood

plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations, on Panel 5 of 15, are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| East Fork Post Oak Creek: | | |
| At a point located approximately 750 feet upstream of Atkinson Street extended. | 753 | A4. |
| At a point located approximately 700 feet downstream of U.S. Route 82. | 760 | A4. |

In a recently annexed area along a tributary of East Fork Post Oak Creek, special flood hazard area, identified as Zone A, has been added between a point located approximately 1150 feet upstream of the limit of detailed study and U.S. Route 82. Also, in a recently annexed area along a tributary of Post Oak Creek, special flood hazard area, identified as Zone A, has been added between U.S. Route 82 and a point located approximately 2000 feet downstream of U.S. Route 82. The remaining annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subject in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: August 25, 1982.

**Lee M. Thomas**

*Associate Director State and Local Programs and Support.*

[FR Doc. 82-25894 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 67

**[Docket No. FEMA-6409]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Novato, Marin County, California Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Lobby of the Community Development Department, 901 Sherman Avenue, Novato, California.

Send comments to: Honorable Robert Stockwell, Mayor, City of Novato, 901 Sherman Avenue, Novato, California 94947.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Novato, California, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed based flood elevations and zone designations are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| Novato Creek: | | |
| At the easternmost corporate limits. | 6 | V1. |
| Approximately 3400 feet downstream of Simmons Slough. | 6 | A1. |
| Just downstream of the Northwestern Pacific Railroad. | 9 | A2. |
| West of the Northwestern Pacific Railroad, east of U.S. Route 101, and north of Novato Creek. | 8 | A12, AH. |
| West of U.S. Route 101, east of Redwood Boulevard, south of Lamont Avenue, and north of Novato Creek. | 12 | A9, AH. |
| Just upstream of San Miguel Way extended. | 80 | A7. |
| Vineyard Creek: | | |
| Just upstream of Center Road. | 45 | A3. |
| Approximately 725 feet downstream of Wilson Avenue. | 54 | A3. |
| Just downstream of Trumbull Avenue. | 88 | A3. |
| Just downstream of Mill Road. | 102 | A3. |
| At Sutro Avenue extended..... | 127 | A3. |

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| Wilson Creek: | | |
| Just upstream of McClay Avenue. | 57 | A3. |
| Approximately 125 feet downstream of Hansen Road extended. | 68 | A4. |
| Just downstream of Hansen Road extended. | 70 | A2. |
| Just downstream of Shields Lane. | 71 | A2. |
| Arroyo San Jose: | | |
| At the easternmost corporate limits. | 8 | A4. |
| Just downstream of Bel Marin Keys. | 14 | A4. |
| Just upstream of of U.S. Route 101. | 27 | A5. |
| Pacheco Creek: | | |
| At the downstream limit of detailed study. | 15 | A3. |
| Just upstream of the Northwestern Pacific Railroad. | 27 | A3. |
| Just downstream of Main Entrance Road. | 44 | A3. |
| Just downstream of Bolling Drive. | 62 | A3. |
| Just upstream of Bolling Drive. | 71 | A4. |
| San Pablo Bay: | | |
| Along northeastern corproate limits. | 6 | A1. |
| Along eastern corporate limits near Novato Creek. | 6 | V1. |
| Along northern, eastern, and southern limits of Hamilton Air Force Base. | 6 | A1, V1. |

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

## List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 3, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25895 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## 44 CFR Part 67

**[Docket No. FEMA-6410]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Ojai, Ventura County, California; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Clerk, Ojai City Hall, 401 South Ventura Street, Ojai, California.

Send comments to: Honorable Derald Chisum, Mayor, City of Ojai, P.O. Box 1570, Ojai, California 93023.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E. Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Ojai, California, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1986, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| San Antonio Creek: | | |
| At a point located approximately 1,050 feet upstream of the confluence with Stewart Canyon Storm Channel. | 645 | A5. |
| At a point located approximately 2,800 feet upstream of the confluence with Stewart Canyon Storm Channel. | 670 | A5. |
| At a point located approximately 2,550 feet downstream of the confluence with Thatcher Creek. | 682 | A5. |
| At a point located approximately 950 feet downstream of the confluence with Thatcher Creek. | 700 | A5. |
| At a point located approximately 300 feet upstream of Fairway Lane extended. | 740 | A5. |
| At a point located approximately 750 feet downstream of Route 150. | 756 | A5. |
| At a point located approximately 975 feet upstream of Route 150. | 785 | A18. |
| At a point located approximately 400 feet downstream of Grand Avenue. | 800 | A18. |
| Unnamed Tributary of Happy Valley Drain: Area located between Maricopa Road and the western corporate limits. | 730 | A9. |

In addition, along Stewart Canyon Storm Channel, the proposed special flood hazard area, identified as Zone A, has been added in the recently annexed area located between the limit of detailed study and Creek Road.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to

designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 3, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25896 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 67

**[Docket No. FEMA-6411]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Spencer, Clay County, Iowa; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be niney (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the Public Works Department, Spencer City Hall, 405 First Avenue West, Spencer, Iowa.

Send comments to: Honorable Edward Keith Johnson, Mayor, City of Spencer, 405 First Avenue West, Spencer, Iowa 51301.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Spencer, Iowa, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

The base flood elevations and zone designations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed zone designation along the Little Sioux River for two areas, generally located between 18th Avenue West and 4th Avenue West and between West 18th Street and the Little Sioux River, is Zone A6, with a base flood elevation of 1321 feet National Geodetic Vertical Datum (NGVD). Additional annexed areas have been identified as Zone C.

Pursuant to the provisions of 5 USC 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 1, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25897 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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## 44 CFR Part 67

**[Docket No. FEMA-6412]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of West Monroe, Ouachita Parish, Louisiana; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Clerk, West Monroe City Hall, 2305 North Seventh Street, West Monroe, Louisiana.

Send comments to: Honorable Dave N. Norris, Mayor, City of West Monroe, 2305 North Seventh Street, West Monroe, Louisiana 71291.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of West

Monroe, Louisiana in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations in the recently annexed areas are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| Ouachita River: Area located downstream of Riverbend Drive. | 84 | A10. |
| Black Bayou: | | |
| In the areas generally located between Haynes Street extended and Travis Street extended. | 75–73 | A6. |
| In the area located west of Thomas Road. | 76 | A2. |
| Tupawek Bayou: | | |
| At Camp Kiroli Road extended. | 85 | A5. |
| At Arkansas Road | 86 | A1, A4. |

Additional annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 3, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82–25898 Filed 9–21–82; 8:45 am]

BILLING CODE 6718–03–M

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**44 CFR Part 67**

**[Docket No. FEMA-6413]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the Town of Harrah, Oklahoma County, Oklahoma; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Clerk, Harrah Town Hall, 204 Harrah Road, Harrah Oklahoma.

Send comments to: Honorable Robert Maxey, Mayor, Town of Harrah, P.O. Box 636, Harrah Oklahoma 73045.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the Town of Harrah, Oklahoma, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| North Canadian River: | | |
| At a point located approximately 450 feet upstream of the limit of detailed study. | 1,068 | A10. |
| At a point located approximately 500 feet downstream of Calvin Street extended. | 1,070 | A10. |
| Just downstream of U.S. Route 62. | 1,072 | A10. |

Also along the North Canadian River, in the recently annexed area located between the limit of detailed study and the eastern corporate limits, the proposed special flood hazard area, identified as Zone A, has been added. Along B Creek, between Silver Street extended and the upstream limit of detailed study, the zone designation has been revised to Zone A4, and the base flood elevations remain the same. The additional proposed special flood hazard areas, identified as Zone A, have been added in three recently annexed areas. The first area is located on Panel 0006 along an unnamed tributary to A

Creek, between a point approximately 1400 feet upstream of Northeast 10th Street and the southern corporate limits. The second area is located on Panel 0006 along an unnamed tributary, just west of U.S. Route 270. The third area is located on Panel 0008 along unnamed tributaries, along the southernmost corporate limits. Additional annexed areas have been identified as Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 1, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25899 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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**44 CFR Part 67**

**[Docket No. FEMA-6414]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Miami, Ottawa County, Oklahoma Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The Proposed base flood elevations and zone designations are the bais 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Engineer, Miami City Hall, 129 Fifth Street N.W., Miami, Oklahoma.

Send comments to: Honorable William J. Hirsch, Mayor, City of Miami, P.O. Box 309, Miami, Oklahoma 74354.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Miami, Oklahoma, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations, on Panel 3 of 4, are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| Belmont Run: | | |
| At a point located approximately 125 feet upstream of Highland Avenue. | 801 | A1. |
| At a point located approximately 1,000 feet downstream of Newman Road. | 802 | A1. |

The remaining annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 USC 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support).

Issued: September 3, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25900 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

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**44 CFR Part 67**

**[Docket No. FEMA-6415]**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Wichita Falls, Wichita County, Texas; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Manager, Wichita Falls City Hall, 1300 Seventh Street, Wichita Falls, Texas.

Send comments to: Honorable Gary Cook, Mayor, City of Wichita Falls, 1300 Seventh Street, P.O. Box 1431, Wichita Falls, TX 76307.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Wichita Falls, Texas, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations are as follows:

| Source of flooding and location | Elevation (feet), national geodetic vertical datum | Zone designation |
|---|---|---|
| East Plum Creek: Area located north of Pleasant View Drive and between Burkeburnett Road and Alberta Street. | 948 | A2. |
| Wichita Lake: Area located between Rock Point Street and the western corporate limits. | 986 | A4. |
| East Fork Pond Creek: In the northwestern-most portion of the City. | 979 | A2. |

The proposed special flood hazard areas, identified as Zone A, have been added in four areas of the City. The first area is along Plum Creek and is located upstream of Northwest Freeway. The second area is along Holliday Creek Tributary A and is located upstream of the limit of detailed study. The last two areas are along Holliday Creek Tributary B and are located upstream of the limit of detailed study. Additional annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

**List of Subjects in 44 CFR Part 67**

Flood insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 1, 1982.

**Lee M. Thomas,**

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25901 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

**[Docket No. FEMA-6416]**

**44 CFR Part 67**

## Proposed Base Flood Elevation and Zone Designation Determinations for the City of Sumner, Pierce County, Washington; Under National Flood Insurance Program

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

The proposed base flood elevations and zone designations are the 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).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Clerk, Sumner City Hall, 1104 Maple Street, Sumner, Washington.

Send comments to: Honorable Lewis R. Noel, Mayor, City of Sumner, 1104 Maple Street, Sumner, Washington 98390.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

**SUPPLEMENTARY INFORMATION:** The Associate Director, State and Local Programs and Support, gives notice of the proposed base flood elevations and zone designations for the City of Sumner, Washington, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67.

These base flood elevations and zone designations, together with the flood plain management measures required by § 60.3 of the program regulations, are the

minimum that are required. It 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. The proposed base flood elevations and zone designations will also 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 their contents.

The proposed base flood elevations and zone designations in the recently annexed areas are as follows:

| Source of flooding and Location | Elevation in (feet) national geodetic vertical datum | Zone designation |
|---|---|---|
| White River: | | |
| At Route 410 | 46 | A5. |
| At a point located approximately 400 feet upstream from Pacific Avenue extended. | 48 | A4. |
| At a point located approximately 500 feet downstream from the Chicago, Milwaukee, St. Paul, and Pacific Railroad. | 49 | A4. |
| At a point located approximately 1,000 feet upstream of 142nd Avenue East. | 50 | A4. |

Also along White River between the limit of detailed study and the northernmost corporate limits, the proposed zone designation has been identified as Zone A. Additional annexed areas have been identified as Zones B and C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated, will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

### List of Subjects in 44 CFR Part 67

National insurance, Flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: September 3, 1982.

Lee M. Thomas,

*Associate Director, State and Local Programs and Support.*

[FR Doc. 82-25902 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-03-M

## DEPARTMENT OF OF THE INTERIOR

## Fish and Wildlife Service

## 50 CFR Parts 32 and 33

## Proposed Addition of Thirteen National Wildlife Refuges to the Lists of Open Areas for Migratory Bird Hunting, Upland Game Hunting, Big Game Hunting, and/or Sport Fishing

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The Fish and Wildlife Service proposes to add thirteen refuges to the list(s) of open areas for migratory bird hunting, upland game hunting, big game hunting, and/or sport fishing. The Director has received information that this action would be in accordance with the provisions of all applicable laws, would be compatible with the principles of sound wildlife management, would otherwise be in the public interest, and that such uses are compatible with the major purposes for which each refuge was established. The hunting of migratory birds, upland game, big game, and/or sport fishing, subject to additional special regulations, will provide additional public recreational opportunities.

**DATE:** Comments must be received on or before October 22, 1982.

**ADDRESSES:** Comments may be addressed to the Director (FWS/RF), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** James Gillett, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240; Telephone (202) 343–4791.

**SUPPLEMENTARY INFORMATION:** Ronald L. Fowler, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240; Telephone (202) 343–4305 is the primary author of this proposed rulemaking.

National Wildlife Refuges are closed to hunting and sport fishing until opened by rulemaking. The Director may open refuge areas to hunting upon a determination that such uses are compatible with the major purposes for which such areas were established and that funds are available for development, operation, and maintenance of the permitted forms of recreation. This action would be in accordance with provisions of all laws applicable to the areas, would be compatible with the principles of sound wildlife management, and would otherwise be in the public interest. The Director may open refuge areas to sport fishing upon a determination that such activity is not detrimental to the objectives for which the area was established and upon a determination that the requirements of 16 U.S.C. 460k and 668dd(d) have been satisfied.

It is the purpose of this proposed rulemaking to seek input regarding the opening of the refuges cited below to the hunting of migratory birds, upland game, big game, and/or sport fishing. The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposal. All relevant comments will be considered by the Department prior to issuance of a final rule.

### NEPA Consideration

The "Final Environmental Statement for the Operation of the National Wildlife Refuge System" [FES 76–59] was filed with the Council on Environmental Quality on November 12, 1976; a notice of availability was published in the **Federal Register** on November 19, 1976 (41 FR 51131). Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), environmental assessments have been prepared for each of these proposed openings and are available for public inspection and copying in Room 2343, Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240, or by mail, addressing the Director at the address above. 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.

### Conformance With Statutory and Regulatory Authorities

In accordance with Section 4(d)(1)(A) of the National Wildlife Refuge System Administration Act, the Secretary is

authorized under such regulations as he may prescribe to permit the use of any area within the System for any purpose, including but not limited to hunting, fishing, public recreation and accommodations, and access whenever he determines that such uses are compatible with the major purposes for which such areas were established: Provided, that not to exceed 40 percent at any one time of any area that has been, or hereafter may be acquired, reserved, or set apart as an inviolate sanctuary for migratory birds, under any law, proclamation, Executive Order, or public land order may be administered by the Secretary as an area within which the taking of migratory game birds may be permitted under such regulations as he may prescribe unless the Secretary finds that the taking of any species of migratory game birds in more than 40 percent of such areas would be beneficial to the species. Except for Lower Suwannee National Wildlife Refuge and Minnesota Valley National Wildlife Refuge, the refuges which would be opened to the hunting of migratory birds by this rule were originally established as inviolate sanctuaries for migratory birds.

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer the refuge areas within the National Wildlife Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, The Refuge Recreation Act requires: "(a) that such recreational use[s] will not interfere with the primary purposes for which the areas were established, and (b) that funds are available for the development, operation and maintenance of these permitted forms of recreation."

Fish and Wildlife Service regulations in 50 CFR 32.1 require that the opening of a wildlife refuge area to hunting will be dependent upon the provisions of law applicable to the area and upon a determination by the Secretary that the opening of the area to hunting will be compatible with the principles of sound wildlife management and will otherwise be in the public interest. In regard to sport fishing, 50 CFR 33.1 requires that a wildlife refuge area will be opened to sport fishing only when a determination has been made that such activity is not detrimental to the objectives for which the area was established.

The proposed use authorized by these regulations is compatible with the major purposes for which these areas were established. In regard to the 40 percent provisions of the National Wildlife Refuge System Administration Act, these regulations would not authorize the taking of migratory game birds in more than 40 percent of any refuge area. The recreational use authorized by these regulations will not interfere with the primary purposes for which these National Wildlife Refuges were established. Funds are available for the administration of the recreational activities permitted by these regulations.

The implementation of these hunting programs will be consistent with all applicable laws and compatible with the principles of sound wildlife management and will otherwise be in the public interest. In regard to the areas to be opened to sport fishing, the proposed use would not be detrimental to the objectives for which the individual areas were established. These determinations are based upon a consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976 and environmental assessments which have been prepared for each of these proposed openings.

**Paperwork Reduction Act**

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

**Economic Effect**

This regulation will have a positive secondary effect on local filling stations, sporting goods stores, providers of meals, and overnight accommodations. This rule will impose no costs on small entities; the exact number and the amount of business that will result from this refuge-related recreation is unknown. The aggregate effect is a positive economic effect on a number of small entities. The number of small entities affected is unknown, but the fact that the estimated aggregate economic effect of $3,520,000 which will be generated annually as a direct result of implementing the proposed activities and the fact that a net aggregate economic effect far less than $100 million will be spread over ten States, indicates that the rule will not be significant. The added cost to the government of law enforcement, posting, etc., to implement these activities will be only a small portion of the total dollars generated as a result of the implementation of these programs.

The Department of the Interior has determined that this document is not a "major rule" within the meaning of Executive Order 12291 and that this document will not have a significant economic effect on a substantial number of small entities under the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This determination is based on the fact that the annual gross effect of the rule on the economy is substantially less than $100 million, that the rule will not result in major increases in cost or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, nor is the rule likely to result in significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

**List of Subjects**

*50 CFR Part 32*

Hunting, National Wildlife Refuge System, Wildlife refuges.

*50 CFR Part 33*

Fishing, National Wildlife Refuge System, Wildlife refuges.

## PART 32—HUNTING

Accordingly, it is proposed to amend 50 CFR Parts 32 and 33 by the addition of Choctaw National Wildlife Refuge, San Francisco Bay National Wildlife Refuge, Lower Suwannee National Wildlife Refuge, Delta National Wildlife Refuge, Rachel Carson National Wildlife Refuge, Minnesota Valley National Wildlife Refuge, Sherburne National Wildlife Refuge, Washita National Wildlife Refuge, Tinicum National Environmental Center, Carolina Sandhills National Wildlife Refuge, Hagerman National Wildlife Refuge, San Bernard National Wildlife Refuge, and Texas Point National Wildlife Refuge in §§ 32.11, 32.21, 32.31 and 33.4 as follows:

**§ 32.11 List of open areas; migratory game birds.**

**California**

* * * * *

San Francisco Bay National Wildlife Refuge.

* * * * *

**Florida**

* * * * *

Lower Suwannee National Wildlife Refuge.

* * * * *

**Louisiana**

* * * * *

Delta National Wildlife Refuge.

* * * * *

**Minnesota**

Minnesota Valley National Wildlife Refuge.

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**Oklahoma**

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Washita National Wildlife Refuge.

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**§ 32.21 List of open areas; upland game.**

**Alabama**

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Choctaw National Wildlife Refuge.

* * * * *

**Florida**

Lower Suwannee National Wildlife Refuge.

* * * * *

**Maine**

Rachel Carson National Wildlife Refuge.

* * * * *

**Minnesota**

Minnesota Valley National Wildlife Refuge.

* * * * *

**South Carolina**

* * * * *

Carolina Sandhills National Wildlife Refuge.

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**§ 32.31 List of open areas; big game.**

**Alabama**

Choctaw National Wildlife Refuge.

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**Florida**

* * * * *

Lower Suwannee National Wildlife Refuge.

* * * * *

**Minnesota**

* * * * *

Minnesota Valley National Wildlife Refuge.

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**Texas**

* * * * *

Hagerman National Wildlife Refuge.

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## PART 33—SPORT FISHING

**§ 33.4 List of open areas; sport fishing.**

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**Minnesota**

* * * * *

Sherburne National Wildlife Refuge.

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**Pennsylvania**

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Tinicum National Environmental Center.

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**Texas**

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San Bernard National Wildlife Refuge.

Texas Point National Wildlife Refuge.

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(16 U.S.C. 460k, 668dd)

Dated: August 19, 1982.

**J. Craig Potter,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 82-26159 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-55-M

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## 50 CFR Part 32

## Proposed Addition of Nine National Wildlife Refuges to the Lists of Open Areas for Migratory Bird Hunting, Upland Game Hunting and/or Big Game Hunting

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The Fish and Wildlife Service proposes to add nine refuges to the list(s) of open areas for migratory bird hunting, upland game hunting and/or big game hunting. The Director has received information that this action would be in accordance with the provisions of all applicable laws, would be compatible with the principles of sound wildlife management, would otherwise be in the public interest, and that such uses are compatible with the major purposes for which each refuge was established. The hunting of migratory birds, upland game, and big game, subject to additional special regulations, will provide additional public recreational opportunities.

**DATE:** Comments must be received on or before October 22, 1982. A public hearing concerning the proposed opening of Loxahatchee National Wildlife Refuge to big game hunting will be held on October 12, 1982 at 7:00 p.m.

**ADDRESSES:** The meeting will be held at the Allied Health Building Auditorium, Palm Beach Junior College, Lake Worth, Florida. Persons interested in making an oral presentation at the public meeting on the proposed opening of Loxahatchee National Wildlife Refuge to big game hunting should call or write Mr. James W. Pulliam, Jr., at the address given below. Those persons submitting a notice of intent to participate will be given first priority for oral presentations at the public meeting. Oral presentations shall be limited to ten (10) minutes; written statements may be submitted if the ten (10) minute limitation is deemed to be inadequate to present all the information that a given witness has to offer. Comments should be addressed to the Director (FWS/RF), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** James W. Pulliam, Jr., Regional Director, U.S. Fish and Wildlife Service, Richard B. Russell Federal Buliding, 75 Spring St., SW, Atlanta, GA 30303; Telephone (404) 221-3588 or James Gillett, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240; Telephone (202) 343-4791.

**SUPPLEMENTARY INFORMATION:** Ronald L. Fowler, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240, Telephone (202) 343-4305, is the primary author of this proposed rulemaking.

National Wildlife Refuges are closed to hunting until officially opened by rulemaking. The Director may open refuge areas to hunting upon a determination that such uses are compatible with the major purposes for which such areas were established and that funds are available for development, operation, and maintenance of the permitted forms of recreation. This action would be in accordance with provisions of all laws applicable to the areas, would be compatible with the principles of sound wildlife management, and would otherwise be in the public interest.

It is the purpose of this proposed rulemaking to seek input regarding the opening of the refuges cited below to the hunting of migratory birds, upland game, and big game. The policy of the Department of the Interior is whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposal. All relevant comments will be considered by the Department prior to issuance of a final rule.

### NEPA Consideration

The "Final Environmental Statement for the Operation of the National Wildlife Refuge System" [FES 76-59] was filed with the Council on Environmental Quality on November 12, 1976, and notice of availability was published in the **Federal Register** on November 19, 1976, (41 FR 51131). Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, (42 U.S.C. 4332(2)(C)), environmental assessments have been prepared for each of these proposed openings and are available for public

inspection and copying in Room 2341, Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240, or by mail, addressing the Director at the address above. A determination will be made at the time of the 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.

**Conformance with Statutory and Regulatory Authorities**

In accordance with Section 4(d)(1)(A) of the National Wildlife Refuge System Administration Act, the Secretary is authorized under such regulations as he may prescribe to permit the use of any area within the System for any purpose, including but not limited to hunting, fishing, public recreation and accommodations, and access whenever he determines that such uses are compatible with the major purposes for which such areas were established: provided, that not to exceed 40 percent at any one time of any area that has been, or hereafter may be acquired, reserved, or set apart as an inviolate sanctuary for migratory birds, under any law, proclamation, Executive Order, or public land order may be administered by the Secretary as an area within which the taking of migratory game birds may be permitted under such regulations as he may prescribe. The statute also allows the 40 percent limitation to be exceeded if the Secretary finds that the taking of any species of migratory game birds in more than 40 percent of such areas would be beneficial to the species. All of the refuges which would be opened to the taking of migratory birds were originally established as inviolate sanctuaries for migratory birds and are thus subject to the above outlined 40 percent provisions.

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer the refuge areas within the National Wildlife Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the areas were established. In addition, the Refuge Recreation Act requires: "(a) that such recreational use(s) will not interfere with the primary purposes for which the areas were established, and (b) that funds are available for the development, operation, and maintenance of these permitted forms of recreation."

Fish and Wildlife Service regulations in 50 CFR 32.1 require that the opening of a wildlife refuge area to hunting will be dependent upon the provisions of law applicable to the area and upon a determination by the Secretary that the opening of the area to hunting will be compatible with the principles of sound wildlife management and will otherwise be in the public interest.

The proposed use authorized by these regulations is compatible with the major purposes for which these areas were established. In regard to the 40 percent provisions of the National Wildlife Refuge System Administration Act, these regulations would not authorize the taking of migratory game birds in more than 40 percent of any area. The recreational use authorized by these regulations will not interfere with the primary purposes for which these National Wildlife Refuges were established. Funds are available for the administration of the recreational activities permitted by these regulations.

The implementation of these hunting programs will be consistent with all applicable laws and compatible with the principles of sound wildlife management and will otherwise be in the public interest. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976 and environmental assessments which have been prepared for each of these proposed openings.

**Paperwork Reduction Act**

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

**Economic Effect**

This regulation will have a positive secondary effect on local filling stations, sporting goods stores, providers of meals, and overnight accommodations. This rule will impose no costs on small entities; the exact number and the amount of business that will result from this refuge-related recreation is unknown. The aggregate effect is a positive economic effect on a number of small entities. The number of small entities affected is unknown, but the fact that the aggregate economic effect of $28,000 which will be generated annually as a direct result of implementing this rule will be spread over two States, indicates that the economic effect of the rule will not be major under the terms of Executive Order 12291. The added cost to the government of law enforcement, posting, etc., to implement these activities will be less than the income generated as a result of the implementation of these programs.

The Department of the Interior has determined that this document is not a "major rule" within the meaning of Executive Order 12291 and that this document will not have a significant economic effect on a substantial number of small entities under the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This determination is based on the fact that the annual gross effect of the rule on the economy is substantially less than $100 million, that the rule will not result in major increases in cost or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, nor is the rule likely to result in significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

**List of Subjects in 50 CFR Part 32**

Hunting, National Wildlife Refuge System, Wildlife refuges.

## PART 32—HUNTING

Accordingly, it is proposed to amend 50 CFR Part 32 by the addition of Loxahatchee National Wildlife Refuge, Black Coulee National Wildlife Refuge, Creedman Coulee National Wildlife Refuge, Hailstone National Wildlife Refuge, Halfbreed Lake National Wildlife Refuge, Hewitt Lake National Wildlife Refuge, Lake Mason National Wildlife Refuge, Lake Thibadeau National Wildlife Refuge, and War Horse National Wildlife Refuge, in §§ 32.11, 32.21, and 32.31 as follows:

**§ 32.11 List of open areas; migratory game birds.**

* * * * *

**Montana**

* * * * *

Black Coulee National Wildlife Refuge

* * * * *

Creedman Coulee National Wildlife Refuge
Hailstone National Wildlife Refuge
Halfbreed Lake National Wildlife Refuge
Hewitt Lake National Wildlife Refuge

* * * * *

Lake Thibadeau National Wildlife Refuge

* * * * *

War Horse National Wildlife Refuge

* * * * *

**§ 32.21 List of open areas; upland game.**

* * * * *

**Montana**

* * * * *

Black Coulee National Wildlife Refuge

* * * * *

Creedman Coulee National Wildlife Refuge
Hailstone National Wildlife Refuge
Halfbreed Lake National Wildlife Refuge
Hewitt Lake National Wildlife Refuge
Lake Mason National Wildlife Refuge
Lake Thibadeau National Wildlife Refuge

* * * * *

War Horse National Wildlife Refuge

* * * * *

**§ 32.31 List of open areas; big game.**

* * * * *

**Florida**

* * * * *

Loxahatchee National Wildlife Refuge

* * * * *

**Montana**

Black Coulee National Wildlife Refuge

* * * * *

Creedman Coulee National Wildlife Refuge
Hailstone National Wildlife Refuge
Halfbreed Lake National Wildlife Refuge
Hewitt Lake National Wildlife Refuge
Lake Mason National Wildlife Refuge
Lake Thibadeau National Wildlife Refuge

* * * * *

War Horse National Wildlife Refuge

* * * * *

(16 U.S.C. 460k, 668dd)

Dated: August 27, 1982.

**J. Craig Potter,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 82-26150 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-55-M

# Notices

Federal Register
Vol. 47, No. 184
Wednesday, September 22, 1982

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## ADMINISTRATIVE OFFICE OF U.S. COURTS

### Board of Certification as Qualified To Be a Circuit Executive, United States Courts of Appeals

**AGENCY:** Board of Certification for Circuit Executives, United States Courts of Appeals.

**ACTION:** Notice of meeting of Board of Certification in Washington, D.C. on October 12, and November 11, 1982, to interview applicants who are interested in being certified for positions as circuit executive and who have qualified for an interview.

The position of circuit executive is established in each federal judicial circuit by Section 332(e) of Title 28, United States Code, for appointment by the judicial council of the circuit.

Individuals who desire to serve as circuit executives in the twelve judicial circuits of the United States (or in any other federal court administration capacity for which similar certification may be required) must be certified as qualified by the statutorily created Board of Certification (28 U.S.C. 332 (f)). While certification is a prerequisite for eligibility to be appointed as circuit executive, it does not ensure such employment.

A personal interview with the Board is necessary for certification, and the Board cannot reimburse candidates for attendant travel expenses.

Details on how to apply may be had by writing to: Board of Certification, Administrative Office of the U.S. Courts, Washington, D.C. 20544.

The next meetings of the Board will be held in Washington, D.C. on October 12, and November 11, 1982. Applicants who have qualified for an interview and desire an appointment on one of these two dates should contact the Board well in advance in order to be considered for a possible interview.

**William E. Foley,**
*Secretary of the Board of Certification and Director, Administrative Office of the U.S. Courts.*

[FR Doc. 82-26011 Filed 9-21-82; 8:45 am]
BILLING CODE 2210-01-M

## DEPARTMENT OF AGRICULTURE

### Forest Service

### Bridger-Teton National Forest Grazing Advisory Board; Meeting

The Bridger-Teton National Forest Grazing Advisory Board will meet at 1:00 p.m., October 20, 1982, in the Conference Room of the Sublette County Library, Pinedale, Wyoming. The purpose of this meeting is to discuss utilization of range betterment funds and the development of allotment management plans.

The meeting will be open to the public. Persons who wish to attend should notify Forest Supervisor Reid Jackson, Box 1888, Jackson, Wyoming 83001, telephone (307) 733-2752. Written statements may be filed with the board before or after the meeting.

The board has established the following rules for public participation:

1. If a group wishes to be heard at the meeting, they are required to select a chairman to voice their ideas.
2. Persons or groups may send written statements to the Forest Supervisor for presentation at the meeting.
3. The Chairman of the Forest Grazing Advisory Board will set aside a time period on the agenda for public comment.

Dated: September 13, 1982.

**Sonny O'Neal,**
*Deputy Forest Supervisor.*

[FR Doc. 82-26086 Filed 9-21-82; 8:45 am]
BILLING CODE 3410-11-M

### Office of the Secretary

### Forms Under Review by Office of Management and Budget

September 17, 1982.

The Department of Agriculture has submitted to OMB for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extensions, or reinstatements. Each entry contains the following information:

(1) Agency proposing the information collection; (2) Title of the information collection; (3) Form number(s), is applicable; (4) How often the information is requested; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to provide the information; (8) An indication of whether section 3504(h) of Pub. L. 96-511 applies; (9) Name and telephone number of the agency contact person.

Comments and questions about the items in the listing should be directed to the agency person named at the end of each entry. If you anticipate commenting on a form but find that preparation time will prevent you from submitting comments promptly, you should advise the agency person of your intent as early as possible.

Copies of the proposed forms and supporting documents may be obtained from: Richard J. Schrimper, Statistical Clearance Officer, (202) 447-6201.

*New*

• Food and Nutrition Service
Participation by Charitable Institutions
FNS Instruction 70.6-1
Semiannually
State or local governments: 57 responses; 171 hours; not applicable under 3504(h)
Barbara Batts (703) 756-3660

• Food and Nutrition Service
The National WIC Evaluation
Nonrecurring
Individuals or households and state or local governments: 14,000 responses; 21,479 hours; not applicable under 3504(h)
David Shanklin (703) 756-3115

• Food and Nutrition Service
Integrated Quality Control Review Worksheets—Recordkeeping
On occasion
Individuals or households: 69,773 responses; 1,646 hours; not applicable under 3504(h)
Greg Fortine (703) 756-3540

*Revised*

• Food and Nutrition Service
Integrated Quality Control Review Worksheet—Reporting

FNS-380
On occasion
Individuals or households: 69,773 responses; 627,957 hours; not applicable under 3504(h)
Greg Fortine (703) 756-3540
• Food and Nutrition Service
School Nutrition Application Pilot Project
Nonrecurring
Individuals or households and state or local governments: 4,705 responses; 4,423 hours; not applicable under 3504(h)
Steve Gale (703) 756-3115

**Richard J. Schrimper,**

*Statistical Clearance Officer.*

[FR Doc. 82-26071 Filed 9-21-82; 8:45 am]

BILLING CODE 3410-01-M

## Office of the Director for Science and Education

### National Plant Genetic Resources Board; Meeting

According to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the Science and Education Office announces the following meeting:

Name: National Plant Genetic Resources Board.
Date: October 21-22, 1982.
Time and Place: 9:00 a.m.-5:00 p.m. October 21—9:00 a.m.-3:00 p.m. October 22, Conference Room 2789, Rodeway Inn Airport, 10232 Natural Bridge Road, St. Louis, Missouri 63134.
Type of meeting: Open to the public. Persons may participate in the meeting as time and space permit.
Comments: The public may file written comments before or after the meeting with the contact person below.
Purpose: To review matters that pertain to plant germplasm in the United States and possible impacts on related National and international programs; and discuss other initiatives of the Board.
Contact Person: C. O. Grogan, Executive Secretary, National Plant Genetic Resources Board, Science and Education, U.S. Department of Agriculture, Room 6017-S, USDA South Building, Washington, D.C. 20250, telephone (202) 447-6195.

**Clarence O. Grogan,**

*Executive Secretary, National Plant Genetic Resources Board.*

[FR Doc. 82-26123 Filed 9-21-82; 8:45 am]

BILLING CODE 3410-03-M

## CIVIL AERONAUTICS BOARD

**[Order 82-9-54; Docket 40888]**

### Application of International Air Service Company, Ltd. d.b.a. IASCO; for Certificate Authority Under Subpart Q

**AGENCY:** Civil Aeronautics Board.

**ACTION:** Notice of Order instituting the *IASCO Fitness Investigation*, 82-9-54, Docket 40888.

**SUMMARY:** The Director, Bureau of Domestic Aviation, under delegated authority, is instituting an investigation to determine the fitness of International Air Service Company, Ltd., d.b.a. IASCO to engage in the interstate and overseas air transportation of persons, and the interstate and overseas air transportation of property and mail between all points in the United States, its territories and possessions, except in all-cargo service within Alaska or Hawaii.

**DATES:** Persons wishing to intervene in the *IASCO Fitness Investigation* shall file their petitions in Docket 40888 by October 1, 1982.

**ADDRESSES:** Petitions to intervene should be filed in Docket 40888, and addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. In addition, copies of such filings should be served on persons listed in the attachment and on any other person filing petitions.

**FOR FURTHER INFORMATION CONTACT:** Charles Stohr, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. (202) 673-5330.

**SUPPLEMENTARY INFORMATION:** The complete text of Order 82-9-54 is available from our Distribution Section, Room 100, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 82-9-54 to that address.

By the Bureau of Domestic Aviation: September 16, 1982.

**Phyllis T. Kaylor,**

*Secretary.*

[FR Doc. 82-26157 Filed 9-21-82; 8:45 am]

BILLING CODE 6320-01-M

### Schedule for Awarding SES Bonuses

The Civil Aeronautics Board plans to award bonuses to Senior Executive Service members on or about September 24, 1982.

**FOR FURTHER INFORMATION CONTACT:** Steven Rappold, Assistant Director, Office of Human Resources, Civil Aeronautics Board, (202) 673-6140.

**Wilma J. Kriviski,**

*Director, Office of Human Resources.*

[FR Doc. 82-26156 Filed 9-21-82; 8:45 am]

BILLING CODE 6320-01-M

## CIVIL RIGHTS COMMISSION

### Colorado Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Colorado Advisory Committee to the Commission will convene at 9:00 am and will end at 12:30 pm, on October 16, 1982, at the Executive Tower Inn, 1405 Curtis Street, in the Sebastian Bach Room, Denver, Colorado 80202. The purpose of the meeting will be to discuss program plans for Fiscal Year 1983.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Minoru Yasui, 1150 South Williams, Denver, Colorado 80210, (303) 575-2621 or the Rocky Mountain Regional Office, Brook Towers, 1020 Fifteenth Street, Suite 2235, Denver, Colorado 80202, (303) 837-2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., September 15, 1982.

**John I. Binkley,**

*Advisory Committee Management Officer.*

[FR Doc. 82-26054 Filed 9-21-82; 8:45 am]

BILLING CODE 6335-01-M

### Connecticut Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Connecticut Advisory Committee to the Commission will convene at 10:00 am and will end at 12:00 pm, on October 7, 1982, at the Connecticut Education Association Building, 20 Oak Street, in the Conference Room, Hartford, Connecticut 06106. The Committee will conduct a press conference to release their report *Governmental Respose to Racially and Religiously Motivated Violence and Vandalism.*

Persons desiring additional information should contact the Chairperson, Richard M. Brown, 151 Farmington Avenue, Hartford, Connecticut 06156, (202) 273-6389 or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110, (617) 223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., September 15, 1982.

John I. Binkley,

*Advisory Committee Management Officer.*

[FR Doc. 82-26056 Filed 9-21-82; 8:45 am]

BILLING CODE 6335-01-M

## New Jersey Advisory Committee; Amendment

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights that a meeting of the New Jersey Advisory Committee to the Commission originally scheduled for September 23, 1982, at East Brunswick, New Jersey, (FR Doc. 82-23889 on page 38375) has been changed.

The meeting will now be held on October 7, 1982, beginning at 6:30p and will end at 8:30p, at the Ramada Inn, Naricon Avenue, East Brunswick, New Jersey.

Dated at Washington, D.C., September 16, 1982.

John I. Binkley,

*Advisory Committee Management Officer.*

[FR Doc. 82-26055 Filed 9-21-82; 8:45 am]

BILLING CODE 6335-01-M

## North Dakota Advisory Committee; Meeting Change

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights that a meeting of the North Dakota Advisory Committee of the Commission originally scheduled for September 27, 1982, at Bismarck, North Dakota, (FR Doc. 82-24667 on page 39706) has been changed.

The meeting now will be held on September 29, 1982, beginning at 1:00 p.m. and will end at 4:00 p.m. at the Holiday Inn, Bismarck, North Dakota, 58501.

Dated at Washington, D.C., September 16, 1982.

John I. Binkley,

*Advisory Committee Management Officer.*

[FR Doc. 82-26053 Filed 9-21-82; 8:45 am]

BILLING CODE 6335-01-M

# DEPARTMENT OF COMMERCE

## International Trade Administration

## Notice of Applications For Duty-Free Entry of Scientific Instruments

The following are notices of the receipt of applications for duty-free entry of scientific instruments published pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued pursuant thereto (15 CFR 301 as amended by 47 FR 32517).

Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the instrument is intended to be used is being manufactured in the United States.

Comments must be filed in accordance with Subsections 301.5(a)(3) and (4) of the regulations. They are to be filed in triplicate with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the **Federal Register.**

A copy of each application is on file in the Department of Commerce, and may be examined between 8:30 A.M. and 5:00 P.M., Monday through Friday, Room 2097, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 82-00312. Applicant: The New York Blood Center, 310 East 67th Street, New York, New York 10021. Instrument: Electron Microscope, Model EM-410. Manufacturer: Philips Electronic Instruments, NVD. The Netherlands. Intended use of instrument: The foreign instrument is intended for investigation of the following:

1. The Transport Mechanisms of mRNA.
2. Friend Erythroleukemia Cells.
3. Characterization of NANB Hepatitis Viruses.
4. Characterization of Hepatitus B particles.
5. Biosynthesis of Fibrinogen.
6. An Artificial Device.
7. Basic Mechanisms of Secretion.

Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00314. Applicant: University of Massachusetts at Amherst, Amherst, MA 01003. Instrument: Minispin with Pocket Computer complete with Printer and Interface. Manufacturer: Molspin Ltd., United Kingdom. Intended use of instrument: The foreign instrument is intended to be used to measure the remanent magnetic field recorded in rocks. Very weak magnetic fields ($10^{-2}$-$10^{-7}$ emu/cc) are retained in rock units from the time of formation. Experiments which measure these fields reveal the position of the north magnetic pole and allow investigations of continental positions through geologic time, construction of polar wander paths, comparisons of magnetic directions and magnetic-statigraphic studies. Educational uses of this equipment are as a teaching tool in a basic Geophysics course and is the primary laboratory instrument in a graduate level course in Paleomagnetism. The instrument will also be used by graduate students doing research in pursuit of Masters and Doctorate degrees. Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00315. Applicant: University of California, Lawrence Livermore National Laboratory, P.O. Box 5012, Livermore, CA 94550. Instrument: Automatic Thermal Ionization Mass Spectrometer, ISOMASS 354E and Accessories. Manufacturer: VG Isotopes, Ltd., United Kingdom. Intended use of instrument: The foreign instrument is intended for study of:

(a) Debris from nuclear weapons tests.

(b) Site environmental survey samples.

(c) Separated isotopes.

(d) Other materials of interest to the nuclear weapons test program.

It is to be used for high-precision measurements of the isotopic compostion of various elements isolated from the materials studied. Elements to be analyzed shall include but not be limited to Li, B, U, Pu, Pa, and Np. The types of experiments to be conducted include the following:

(a) Analysis of the isotopic composition of materials recovered from nuclear weapons tests.

(b) Determination of U and Pu contamination on and off site resulting from LLNL activities.

(c) Measurement of isotopic composition of samples produced in laser isotope separation program.

(d) Development of isotopic analysis techniques of use to the nuclear weapons test program.

The objectives of these analyses are to understand the isotopic record contained in the materials studied. Application Received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00316. Applicant: University of Maryland, Baltimore County, 5401 Wilkens Avenue, Catonsville, Maryland 21228. Instrument: LKB 14800-3 Cryokit, Manufacturer: LKB Produkter AB, Sweden. Intended use of instrument: The foreign instrument is intended to be used to prepare tissue for investigations involving localization of receptors and antigens in normal and experimentally altered animal tissues and cells in cultures. It will also be used in an advanced cell biology course to teach

advanced graduate students and post doctoral fellows methods in cell biology. Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00317. Applicant: Indiana University 1101 East 17th Street, Bloomington, IN 47405. Instrument: Helber Bacteria Counting Chambers complete with Accessories. Manufacturer: Hawksely & Sons, Ltd., United Kingdom. Intended use of instrument: The instrument is intended to be used for educational purposes in a general Microbiology course which normally has an enrollment of 275 students. Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00318. Applicant: Texas Tech University, Textile Research Center, P.O. Box 5217, Lubbock, TX 79417/5217. Instrument: Fiberblender. Manufacturer: Shirley Development Limited, United Kingdom. Intended use of instrument: The instrument is intended to be used to provide a rapid and very compact way of opening, cleaning, blending and randomizing cotton fiber samples in preparation for testing for maturity and fineness. Experiments will be made to relate the readings obtained with the effect on cotton spinnability. The instrument will be used along with the Fiber Maturity Tester (FMT) to allow faster and more reproducible results. In addition the instrument will be used for teaching purposes in the following courses offered in the Textile Technology curriculum:

TT 230—Applied Textiles
TT 231, 232—Fiber Technology and Microscopy
TT 331, 332—Principles of Fiber Processing
TT 431—Textile Testing and Quality Control

Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00319. Applicant: University of Hawaii, Department of Oceanography, Honolulu, HI 96822. Instrument: Electron Microscope, Model H-600-2 and Attachments. Manufacturer: Hitachi Scientific Instruments, Japan. Intended use of instrument: The foreign instrument is intended for study of the structure of photophores and magneto-sensory organs and their heavy metal inclusions. Experiments will utilize different species in both closely related and distantly related genera to compare structures of the tissues and cells examined with the following objectives:

(a) To characterize the structure of photophores and magnetosensory organs.

(b) To determine structural properties of light-producing cells and to correlate this information with data obtained on the biochemistry of this system from related studies.

(c) To determine the type of magneto-sensory transducer used in these sensory organs.

(d) To determine the functional mechanisms that control operation of these two types of organs.

The instrument will also be used to train graduate students who will participate in the work described above and related projects. Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00320. Applicant: University of Rochester, 601 Elmwood Avenue, Rochester, NY 14642. Instrument: Pulsating Bubble Surfactometer without Recorder and Accessories. Manufacturer: Surfactometer International, Canada. Intended use of instrument: The foreign instrument is intended to be used to study the dynamic surface tension lowering characteristics of films of lung surfactant and its components. The overall objective of these studies is to generate fundamental information concerning *in vitro* surface properties of pulmonary surfactant and its major components, and then directly to use this information in formulating effective tracheal instillation and aerosol therapy for *in vivo* states of surfactant insufficiency or toxicity induced inactivity. The basic problems addressed in this research are as follows:

a. What are the specific components of pulmonary surfactant that account for its physiologically critical behavior, not only in terms of surface tension lowering characteristics, but also in terms of surface spreading, adsorption facility, and dynamic cycling hysteresis characteristics?

b. How should these components be combined to produce surfactant mixtures that can be tracheally instilled or aerosolized and delivered to the alveoli, and that will effectively spread and remain at the alveolar interface after delivery?

c. How are the various surface properties of lung surfactant reflected in pulmonary mechanics, and what are the ramifications for various lung disease states including not only neonatal RDS but also adult RDS?

Application received by Commissioner of Customs: July 30, 1982.

Docket No. 82-00321. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, New York 11203. Instrument: Transmission Electron Miscroscope, Model EM 10CR and STEM. Manfacturer: Carl Zeiss, West Germany. Intended use of instrument: The instrument is intended to be used for the study of the mechanisms by which cell proteins are distributed from their site of synthesis to their site of function in the cell. To study this problem, enveloped viruses (such as influenza, vesicular stomatitis, sendai, etc.) will be used as probes. The aim of this study is to follow by ultrastructural procedures and biosynthesis of viral proteins (especially the envelope glycoproteins), their insertion into specific membranes (such as the membrane of the endoplasmic reticulum), and their pathway of migration to the cell surface under various experimental conditions. The instrument will also be used for training residents in anatomic pathology. Application received by Commissioner of Customs: August 2, 1982.

Docket No. 82-00324. Applicant: Memorial Sloan-Kettering Cancer Center, Urologic Service, Department of Surgery, Memorial Hospital, 1275 York Ave., New York, NY 10021. Instrument: MBB-AT MediLas 2 YAG Coagulation Laser. Manufacturer: MBB-Angewandte Technologie GmbH West Germany. Intended use of instrument: The instrument is intended to be used in the investigation of the photo-therapeutic effects of Nd: YAG laser in the treatment of bladder tumors. Because of its energy characteristics the laser is theoretically capable of extending the margins of tumor destruction, thereby reducing local recurrences at the periphery and depth of the irradiated field. It is also theoretically possible to reduce new heterotropic occurrences by destroying implantable viable tumor cells. Canine laboratory application and clinical exploration will identify whether or not laser technology can surpass the safe, practical, and cost effective characteristics provided by conventional TUR methods now in common use. In addition, the instrument will be used for teaching in the use of Nd YAG laser and its applicability to specific treatment of bladder tumors and possibly other uses in endoscopic or open urologic procedures. Application received by Commissioner of Customs: August 5, 1982.

Docket No. 82-00332. Applicant: Masters, Mates and Pilots MATES program, 5700 Hammonds Ferry Road, Linthicum Heights, Maryland 21090. Instrument: Ship Operational Research and Education Facility. Manufacturer: Vereinigte Flugtechnische Werke, West Germany. Intended use of instrument: The instrument is intended to be used for studies of "squat" the increase in the

draft of a vessel due to configuration, speed and water depth; the forces known as "bank suction" which tend to draw a vessel in a channel or other confined waters toward a nearby bank; those forces known as "bank cushion" which tend to repel a vessel from a bank; and the hydrodynamic properties of various hull forms, rudder forces, and propeller forces in fluid mediums under varying conditions. Experiments will be conducted to determine and be able to predict the hydrodynamic effects of various vessel types in both restricted and open water situations, including effects in confined channels. In addition, the instrument will be used in a course designated as "The Shiphandling Course." Application received by Commissioner of Customs: July 29, 1982.

Docket No. 82-00340. Applicant: California Institute of Technology, Pasadena, CA 91125. Instrument: Achromatic Corrector Lens. Manfacturer: NEI Parson, Ltd., United Kingdom. Intended use of instrument: The instrument is intended to be used to record on photographic plates the images of astronomical objects: planets and their satellites, comets, stars, instellar gas and dust, galaxies, clusters of galaxies, and quasars. These photographs can be measured to determine a variety of characteristics of these objects including their relative positions, their color index, and, for extended objects, their morphology. In addition, the instrument will be used to conduct a photographic survery of the northern sky which is expected to provide significant new information that will support astronomical research for the rest of this century. Application received by Commissioner of Customs: August 17, 1982.

Docket No. 82-00341. Applicant: U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, Byran Dairy Road, St. Petersburg, FL 33733. Instrument: JMS-01BM Spark Source Mass Spectrometer System. Manufacturer: JEOL Ltd., Japan. Intended use of instrument: The instrument is intended to be used for studies of ultra pure metals and metal films. Experiments will consist of studies of the effects on chemical and physical characteristics of small changes in the levels of trace impurities and studies of the effect on the chemical and physical characteristics of gold plating foil of small changes in gold plating path impurities. The objective of the studies will be to investigate the effect of trace (part per billion and higher) impurities on the physical characteristics of pure metals and film. The experimental technique will utilize the documented method of RF spark excitation, energy selection of the resultant ion beam, magnetic mass separation and photoplate detection and identification. Application received by Commissioner of Customs: August 17, 1982.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

**Richard M. Seppa,**

*Director, Statutory Import Programs.*

[FR Doc. 82-26110 Filed 9-21-82; 8:45 am]

BILLING CODE 3510-25-M

## Postponement of Preliminary Antidumping Duty Determination Certain Stainless Steel Sheet and Strip Products From France

**AGENCY:** International Trade Administration.

**ACTION:** Postponement of preliminary antidumping duty determination.

**SUMMARY:** The preliminary antidumping duty determination involving certain stainless steel sheet and strip products from France is being postponed because the investigation has been determined to be extraordinarily complicated. We intend to issue the antidumping duty preliminary determination not later than December 6, 1982.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Charles E. Wilson, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; Telephone (202) 377-5288.

*Postponement*

On June 8, 1982, we announced the initiation of an antidumping duty investigation to determine whether certain stainless steel sheet and strip products (see Appendix A) from France are being, or are likely to be, sold in the United States at less than fair value. The notice of initiation of antidumping duty investigation stated that if the investigation proceeded normally we would make our preliminary determination on or before October 18, 1982 (47 FR 24764).

As detailed in the notice of initiation of antidumping duty investigation, the petition alleges that certain stainless steel sheet and strip products from France are being, or are likely to be, sold in the United States at less than fair value. The number and complexity of the transactions to be investigated and adjustments to be considered are considerable. There are numerous firms whose activities must be investigated. Also, on August 24, 1982, we decided to extend the period of investigation an additional four months.

We have determined that the parties concerned are cooperating, and that additional time is necessary to make the preliminary antidumping duty determination. For these reasons, we find that this case is extraordinarily complicated in accordance with section 733(c)(1)(B) of the Tariff Act of 1930, as amended (the Act), and we postpone the preliminary antidumping duty determination to not later than December 6, 1982.

This notice is published pursuant to section 733(c) of the Act.

Dated: September 16, 1982.

**Gary N. Horlick,**

*Deputy Assistant Secretary for Import Administration.*

**Appendix A**

*Product Description: Certain Stainless Steel Sheet and Strip*

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

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

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

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

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

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

[FR Doc. 82-26108 Filed 9-21-82; 8:45 am]

BILLING CODE 3510-25-M

## Postponement of Preliminary Antidumping Duty Determination Certain Stainless Steel Sheet and Strip Products From the Federal Republic of Germany

**AGENCY:** International Trade Administration.

**ACTION:** Postponement of preliminary antidumping duty determination.

**SUMMARY:** The preliminary antidumping duty determination involving certain stainless steel sheet and strip products from the Federal Republic of Germany is being postponed because the investigation has been determined to be extraordinarily complicated. We intend to issue the antidumping duty preliminary determination not later than November 22, 1982.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mary S. Clapp, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; Telephone (202) 377-2438.

*Postponement*

On May 18, 1982, we announced the initiation of an antidumping duty investigation to determine whether certain stainless steel sheet and strip products (see Appendix A) from the Federal Republic of Germany (FRG) are being, or are likely to be, sold in the United States at less than fair value. The notice of initiation of antidumping duty investigation stated that if the investigation proceeded normally we would make our preliminary determination on or before October 4, 1982 (47 FR 22132).

As detailed in the notice of initiation of antidumping duty investigation, the petition alleges that certain stainless steel sheet and strip products from the FRG are being, or are likely to be, sold in the United States at less than fair value. The number and complexity of the transactions to be investigated and adjustments to be considered are considerable. In addition, there are numerous firms whose activities must be investigated. We have determined that the parties concerned are cooperating, and that additional time is necessary to make the preliminary antidumping duty determination. For these reasons, we find that this case is extraordinarily complicated in accordance with section 733(c)(1)(B) of the Tariff Act of 1930, as amended (the Act), and we postpone the preliminary antidumping duty determination to not later than November 22, 1982.

This notice is published pursuant to section 733(c) of the Act.

**Gary N. Horlick,**

*Deputy Assistant Secretary for Import Administration.*

September 15, 1982.

### Appendix A

*Products Description: Certain Stainless Steel Sheet and Strip Products*

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

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

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

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

Cold-rolled stainless strip is a flat-rolled stainless steel strip product whether or not corrugated or crimped and whether or not pickled; not cut, not pressed, and not stamped to non-rectangular shape; under 0.1875 inch in thickness and over 0.50 inch in width but not over 12 inches in width. Cold-rolled stainless steel strip, incuding razor blade strip, not over 0.01 inch in thickness is not included in this investigation.

[FR Doc. 82-26109 Filed 9-21-82; 8:45 am]

BILLING CODE 3510-25-M

## National Bureau of Standards

### Notice of Withdrawal of Application for Duty-Free Entry of Scientific Article

The National Bureau of Standards has withdrawn Docket Number 82-00026, an application for duty-free entry of a mass spectrometer system. Accordingly, further administrative proceedings will not be taken by the Department of Commerce with respect to this application.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

**Richard M. Seppa,**

*Director, Statutory Import Programs Staff.*

[FR Doc. 82-26111 Filed 9-21-82; 8:45 am]

BILLING CODE 3510-25-M

### Appointment of Member to General Performance Review Board

In notice published in the **Federal Register** on January 4, 1982 (47 FR 68), and January 26, 1982 (47 FR 3580), the National Bureau of Standards (NBS) announced the membership, terms and purpose of the General Performance Review Board (GPRB). A notice published in the **Federal Register** on September 8, 1982 (47 FR 39554) announced changes in the membership and their terms for the GPRB.

This notice announces a further change in the membership of the GPRB through the appointment of the individual named below in place of Dr. George A. Sinnott who has resigned from the GPRB. Mr. Samuel Kramer, Deputy Director for Programs, National Engineering Laboratory, National Bureau of Standards, Washington, D.C. 20234, Term—September 15, 1982 to December 31, 1982.

Persons desiring further information about the GPRB or its membership, may contact Mrs. Elizabeth W. Stroud, Chief, Personnel Division, National Bureau of Standards, Washington, D.C. 20234, (301) 921-3555.

Dated: September 16, 1982.

**Raymond G. Kammer,**

*Acting Director.*

[FR Doc. 82-26015 Filed 9-21-82; 8:45 am]

BILLING CODE 3510-13-M

## National Technical Information Service

### Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Please cite the number and title of inventions of interest.

**Douglas J. Campion,**

*Program Coordinator, Office of Government Inventions and Patents, National Technical Information Service, U.S. Department of Commerce.*

SN 6-364,290 Supercritical $CO_2$ Extraction of Lipids from Lipid-Containing Materials, Department of Agriculture
SN 6-382,903 Stable Emulsified Meat Products and Method of Making, Department of Agriculture
SN 6-380,375 Artificial Host Egg for Rearing Trichogramma, Department of Agriculture
SN 6-391,065 Disease Control in Avian Species by Embryonal Vaccination, Department of Agriculture
SN 6-352,661 Evoluted Disc Slicer, Department of Agriculture
SN 6-290,542 Vibrating Separator, Department of Agriculture
SN 6-288,261 Method and Composition for Luring Coyotes, Department of Agriculture
SN 6-274,087 A Recessive Tall—A Fourth Genetic Element to Facilitate Hybrid Cereal Production, Department of Agriculture
SN 6-288,259 Bait Post, Department of Agriculture
SN 6-300,784 Hot-Callusing Device for Tree Grafting, Department of Agriculture
SN 6-325,076 Vase Life Extender for Cut Flowers, Department of Agriculture
SN 6-370,019 Dibutylorthobenzylmethoxybenzenes and Dibutylorthocinnamylmethoxybenzenes as Mosquito Larvae Growth Inhibitors, Department of Agriculture
SN 6-326,086 Method of Pressing Reconstituted Lignocellulostic Materials, Department of Agriculture
SN 6-351,400 Powered Tree Chipper or Bark Hack, Department of Agriculture
SN 6-144,043 (4,344,438) Optical Sensor of Plasma Constituents, Department of Health, Education and Welfare
SN 6-150,550 (4,344,857) Encapsulation by Entrapment, Department of Agriculture

[FR Doc. 82-26107 Filed 9-21-82; 8:45 am]
BILLING CODE 3510-04-M

## DEPARTMENT OF DEFENSE

### Corps of Engineers, Department of the Army

### Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Comprehensive Plan for Responding to the Long Term Threat Created by the Movement and Deposition of Sediment Occasioned by the Eruption of Mount St. Helens: Alternative Strategies and Recommendations

**AGENCY:** U.S. Army Corps of Enginerrs, DoD.

**ACTION:** Notice of Intent to Prepare a Draft Environmental Impact Statement.

**SUMMARY:** On 18 May 1982, President Reagan requested that a comprehensive management plan for the Cowlitz/Toutle Watershed be prepared by the Corps of Engineers. The report is to be completed and presented to the President by 15 November 1983. Portland District has begun the study to assess flooding and navigation problems created by sediment which continues to flow into the Toutle and Cowlitz Rivers because of Mt. St. Helens eruptions, and to determine long-term solutions to those problems.

An Environmental Impact Statement will be prepared to address the effects of the alternative plans. Alternative measures being considered include:

(a) Structural Alternatives:
(1) Debris retaining structures.
(2) Stabilization basins and/or retention ponds.
(3) Dredging.
(4) Large dam.
(5) Excavation of a new channel upstream of the existing debris retention structure and stabilization of the channel banks.
(b) Non-Structural Alternatives:
(1) Flood plain evacuation.
(2) Flood proofing of structures within the 500-year flood plain.
(3) Purchase of all property within the 500-year flood plain and removal of existing structures.

The scoping process will be initiated with a scoping notice describing the study and the alternatives to be considered, and identifying the anticipated significant environmental effects and issues to be analyzed in depth in the EIS. Federal, State, and local agencies, Indian tribes, and interested organizations and individuals will be invited to comment on the issues to be addressed in the EIS. No scoping meetings are planned. The DEIS will be available to the public approximately July 1983.

Questions about the study can be answered by Al Ramirez, (503) 221-6478 (FTS 423-6478). Questions about the DEIS can be answered by David Kurkoski (503) 221-6437 (FTS 423-6437). Mailing address: Portland District, Corps of Engineers, P.O. Box 2946, Portland, Oregon 97208.

Dated: September 13, 1982.

**Patrick J. Keough,**

*Chief, Planning Division.*

[FR Doc. 82-26093 Filed 9-21-82; 8:45 am]
BILLING CODE 3710-GB-M

## DEPARTMENT OF ENERGY

### Economic Regulatory Administration

**[ERA Docket No. 82-CERT-016]**

### Consolidated Edison Co., of New York, Inc., Application for Certification of the Use of Natural Gas To Displace Fuel Oil

Consolidated Edison Company of New York, (Con Edison), 4 Irving Place, New York, New York 10003, filed an application on September 1, 1982, with the Economic Regulatory Administration (ERA) for certification of an eligible use of natural gas to displace fuel oil at six of its steam and electric generating stations located in New York City: Astoria in Queens; East River in Manhattan; Narrows in Brooklyn; Ravenswood in Queens; Waterside in Manhattan; and East 60th Street in Manhattan, pursuant to 10 CFR Part 595 (44 FR 47920, August 16, 1979). More detailed information is contained in the application on file and available for public inspection at the ERA, Natural Gas Branch Docket Room, Room 6144, 12th & Pennsylvania Avenue, N.W., Washington, D.C. 20461, from 8:00 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

In its application, Con Edison states that the volume of natural gas for which it requests certification is approximately 6.0 billion cubic feet for a sixty (60) day period commencing November 1, 1982.

This volume is estimated to displace the use of approximately 973,600 barrels of residual fuel oil (0.3 percent sulfur), approximately 7,900 barrels of No. 2 fuel oil (0.2 percent sulfur), and approximately 42,100 barrels of kerosene (0.1 percent sulfur) during the sixty (60) day purchase period.

The quantities at each location are subject to considerable variation with changes in demand and availability of the various steam and electric generating units, but estimated gas usage and resulting oil displacement volumes are listed below:

| Location | Type [1] | Estimated volume (MMcf) | Estimated oil displacement (000 barrel) | | |
|---|---|---|---|---|---|
| | | | 0.3 percent sulfur residual | 0.1 percent sulfur kerosene | 0.2 percent sulfur No. 2 |
| Astoria, 20th Avenue and 12 St., Queens. | SE | 1,850 | 309.2 | | |
| | GT | 75 | | 13.7 | |
| East River, 14th St. and East River, Manhattan. | SE | 535 | 89.4 | | |
| Narrows, 53d St. and 1st Avenue, Brooklyn. | GT | 44 | | | 7.9 |
| Ravenswood, 7-18 37th Avenue Queens. | SE | 2,430 | 406.2 | | |
| | GT | 61 | | 11.1 | |
| Waterside, 38th to 40th St. and East River, Manhattan. | SE | 1,010 | 168.8 | | |
| East 60th St., 514 East 60th St., Manhattan. | S | 95 | | 17.3 | |
| Totals | | 6,100 | 973.6 | 42.1 | 7.9 |

[1] SE Steam-Electric.
GT Gas Turbine.
S Steam Station.

The eligible seller is Equitable Gas Company, 420 Boulevard of the Allies, Pittsburgh, Pennsylvania 15219. The gas will be transported by Transcontinental Gas Pipe Line Corporation, P.O. Box 1396, Houston, Texas 77251; Tennessee Gas Pipeline Company, a Division of Tenneco, Inc., P.O. Box 2511, Houston, Texas 77252 and Texas Eastern Transmission Corporation, P.O. Box 2521, Houston, Texas 77001.

Con Edison has in effect other certifications by the ERA, as listed below, which authorize purchases of 30 billion cubic feet of natural gas from various eligible sellers for use at the stream and electric generating stations named in this application.

| Docket No. | Volume (Bcf) | Effective | Expires |
|---|---|---|---|
| 81-CERT-025 | 2.20 | 12/03/81 | 12/02/82 |
| 81-CERT-026 | 21.00 | 12/24/81 | 12/23/82 |
| 82-CERT-006 | 5.00 | 04/06/82 | 10/31/82 |
| 82-CERT-014 | 1.80 | 08/27/82 | 11/09/82 |
| | 30.00 | | |

In order to provide the public with as much opportunity to participate in this proceeding as is practicable under the circumstances, we are inviting any person wishing to comment concerning this application to submit comments in writing to the Economic Regulatory Administration, Room 6144, RG-631, 12th & Pennsylvania Avenue, NW., Washington, D.C. 20461, Attention: Paula A. Daigneault, within ten (10) calendar days of the date of publication of this notice in the **Federal Register**.

An opportunity to make an oral presentation of data, views, and arguments either against or in support of this application may be requested by any interested person in writing within the ten (10) day comment period. The request should state the person's interest and, if appropriate, why the person is a proper representative of a group or class of persons that has such an interest. The request should include a summary of the proposed oral presentation and a statement as to why an oral presentation is necessary. If ERA determines that an oral presentation is necessary, further notice will be given to Con Edison, and any persons filing comments, and will be published in the **Federal Register**.

Issued in Washington, D.C., on September 16, 1982.

**F. Scott Bush,**

*Director, Oil and Gas Imports Division, Office of Fuels Programs, Economic Regulatory Administration.*

[FR Doc. 82-26136 Filed 9-21-82; 8:45 am]

BILLING CODE 6450-01-M

## Federal Energy Regulatory Commission

**[Docket No. EC82-17-000]**

### Alabama Power Co.; Application

September 16, 1982.

Take notice that on August 30, 1982, Alabama Power Company (Alabama Power) filed an application pursuant to section 203 of the Federal Power Act seeking an order authorizing the sale of certain of its facilities to the Utilities Board of the City of Tuskegee, Tuskegee, Alabama (the Utilities Board).

The facilities consist of 3.32 miles of 46 kV transmission line and associated equipment serving and located in and around the corporate limits of the City of Tuskegee, Macon County, Alabama. The consideration for the sale of the facilities is $183,878.

Consumation of the proposed transaction will result in superseding the present power supply service agreement under Rate Schedule MUN-1 of FERC Electric Tariff Original Volume No. 1 of Alabama Power with a new power supply agreement for service at the same rate and under the same terms and conditions as presently exists but will replace the existing three delivery points with a single metering point.

The Utilities Board, by the use of subject facilities, will be able to take advantage of the diversity that exists between the electrical loads currently served from the three existing delivery points. This should result in a reduction in the Utilities Board's electrical demand which in turn would result in a reduction in their purchased power cost.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 8, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26017 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket Nos. CS79-73-001, et al.]**

### Byron E. Van Arsdale Jr. and Alice Van Arsdale, et al.; Applications for "Small Producer" Certificates[1]

September 16, 1982.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before October 5, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules Of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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.*

| Docket No. | Date filed | Applicant |
|---|---|---|
| CS79-73-001 | [1]9/ 3/82 | Byron E. Van Arsdale Jr. and Alice Van Arsdale (Adeline K. Van Arsdale) 296 Litchfield Lane, Houston, Tex. 77024. |
| CS72-36-001 | [2]8/18/82 | PSEC, Inc. (Potts-Stephenson Exploration Co.), Suite 200, 100 Park Avenue Building, Oklahoma City, Okla. 73102. |
| CS82-90-000 | 7/30/82 | Americus Resources, Inc., 2000 Kipling, Houston, Tex. 77098. |
| CS82-91-000 | 7/30/82 | Grigsby Petroleum Inc., 1108 Commercial National Bank Building, Shreveport, La. 71101. |
| CS82-92-000 | 8/ 2/82 | Enex Resources Corp., One Kingwood Place, Suite 202, Kingwood, Tex. 77339. |
| CS82-93-000 | 8/ 2/82 | Exex Oil & Gas Income Program I, Series 2, whose general partner is Enex Resources Corp., One Kingwood Place, Suite 202, Kingwood, Tex. 77339. |
| CS82-94-000 | 8/ 2/82 | Exex Oil & Gas Income Program I, Series 1, whose general partner is Enex Resources Inc., One Kingwood Place, Suite 202, Kingwood, Tex. 77339. |
| CS82-94-000 | 8/12/82 | Comanche Energy Co., Box 1117, Edmond, Oklahoma 73083. |
| CS82-96-000 | 8/19/82 | S T Joint Venture, 1982 C. P.O. Box 552, Westport, Conn. 06881. |
| CS82-97-000 | 8/31/82 | The First National Bank and Trust Company of Tulsa, Successor Trustee of the Nancy Jo Bernard Trusts, 1957 and 1962 First Nat'l Bank & Trust Co. of Tulsa, P.O. Box 1, Tulsa, Okla. 74193. |
| CS82-98-000 | 9/ 7/82 | Titan Energy Corp., 813 Meadow Lane, Castle Rock, Colo. 80104. |

[1] Applicant is filing to change its name from Adeline K. Van Arsdale to Byron E. Van Arsdale Jr. and Alice Van Arsdale.
[2] Applicant is filing to change its name from Potts-Stephenson Exploration Co. to PSEC, Inc.

[FR Doc. 82-26040 Filed 9-21-82; 8:45 am]

BILLING CODE 6718-01-M

**[Docket No. QF82-203-000]**

## Central Plants, Inc.; Application for Commission Certification of Qualifying Status of a Small Power Production Facility

September 16, 1982.

On August 18, 1982, Central Plants, Inc., 6140 Bristol Parkway, Culver City, California 90203, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The biomass small power production facility will be located in Los Angeles County, California. The electric power production capacity of the facility will be approximately 700 kilowatts. The primary energy source of the facility will be biomass in the form of biomethane obtained from a sanitary landfill. There will not be any other small power production facilities located within one mile of this facility which are owned by the Applicant and use the same energy source. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status 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 rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 82-26041 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Project No. 3279-001]**

## City of Kent, Ohio; Application for Preliminary Permit

September 20, 1982.

Take notice that the City of Kent, Ohio (Applicant) filed on September 1, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Projected No. 3279 to be known as the Kent Project located on the Cuyahoga River, in the City of Kent, Portage County, Ohio. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Philip Movish, Daverman Associates, Inc., 500 South Salina St., Syracuse, New York 13202.

*Project Description*—The proposed project would consist of: (1) The existing Kent Dam, a 125-foot-long, 18-foot-high sandstone structure which has a spillway crest elevation of 1,030 feet m.s.l. and is owned by the Applicant; (2) an existing reservior of 192 acre-foot storage capacity; (3) an existing 55-foot-long, 12-foot-wide lock structure at the east abutment containing two 5-foot by 3.5-foot gates; (4) three proposed 10-foot-long penstocks; (5) a proposed 30-foot by 35-foot powerhouse containing 3 turbine/generator units with a total installed capacity of 420kW; (6) a proposed tailrace channel; (7) a 1-mile-long, 2.4-kV transmission line; and (8) appurtenant facilities. The average annual generation of 1,926,000 kWh would be used at the City of Kent Wastewater Treatment Plant.

*Proposed Scope of Studies Under Permit*—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months during which time Applicant would investigate project design

alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC lincense. Applicant estimates that the cost of the studies under permit would be $35,000.

*Completing Applications*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before January 4, 1983, the competing application itself (see: 18 CFR 4.30 et. seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be filed with the Commission on or before December 6, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

*Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (a copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions To Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of the Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025-26 (1982). In determining the appropriate action to take, the Commision will consider all protests or other comments filed, but only those who file a notion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before December 6, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26042 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 734]

## Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 15, 1982.

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES | | | | | | | | | |
| -ANGERMAN ASSOCIATES INC | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251272 | 13677 | 3712900000 | | 103 | | EDWIN GEORGE #2 - WES-21971 | W PENNA-UPPER DEVONIA | 46.0 | PEOPLES NATURAL G |
| 8251275 | 13752 | 3706300000 | | 103 | | JOHN P ZOLDAK #1 - IND-26745 | W PENNA-UPPER DEVONIA | 25.0 | PEOPLES NATURAL G |
| 8251273 | 13678 | 3712900000 | | 103 | | JOHN W LEEPER #1 - WES-21967 | W PENNA-UPPER DEVONIA | 45.0 | PEOPLES NATURAL G |
| 8251274 | 13679 | 3706326742 | | 103 | | MARGARET L BROWN #4 - IND-26742 | W PENNA-UPPER DEVONIA | 50.0 | PEOPLES NATURAL G |
| -ATLAS RESOURCES INC | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251278 | 13592 | 3706326644 | | 102-4 | | ALTEMUS #2 | CHERRYHILL | 524.0 | COLUMBIA GAS TRAN |
| 8251279 | 13594 | 3706326719 | | 102-2 | | BROTHERS #3 | GREEN | 154.0 | COLUMBIA GAS TRAN |
| 8251276 | 13590 | 3706326331 | | 102-2 | | COUDRIET #1 | CHERRYHILL | 426.0 | COLUMBIA GAS TRAN |
| 8251281 | 13593 | 3706326688 | | 103 | | MOORE #2 | MONTGOMERY | 359.0 | COLUMBIA GAS TRAN |
| 8251280 | 13675 | 3706326710 | | 102-2 | | R BASH #1 | GREEN | 498.0 | COLUMBIA GAS TRAN |
| 8251277 | 13591 | 3706326553 | | 102-2 | | STIFFLER #1 | CHERRY HILL | 258.0 | COLUMBIA GAS TRAN |
| -BEREA OIL AND GAS CORPORATION | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251282 | 13930 | 3703921502 | | 102-2 | | J BOSCH #1 | RICHMOND | 14.0 | COLUMBIA GAS TRAN |
| 8251284 | 13931 | 3703921502 | | 107-TF | | J BOSCH #1 | RICHMOND | 14.0 | COLUMBIA GAS TRAN |
| 8251283 | 13932 | 3703921501 | | 102-2 | | S ZAHNISER #1 | WILDCAT | 15.0 | COLUMBIA GAS TRAN |
| 8251285 | 13933 | 3703921501 | | 107-TF | | S ZAHNISER #1 | WILDCAT | 0.0 | COLUMBIA GAS TRAN |
| -CABOT OIL & GAS CORP | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251287 | 13617 | 3703920700 | | 102-2 | | ALLEN HARVEY #1 | EAST FAIRFIELD | 50.0 | TENNESSEE GAS PIP |
| 8251292 | 13616 | 3703920700 | | 107-TF | | ALLEN HARVEY #1 | EAST FAIRFIELD | 50.0 | TENNESSEE GAS PIP |
| 8251289 | 13785 | 3703921528 | | 102-2 | | DALE GUM #2 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251294 | 13784 | 3703921528 | | 107-TF | | DALE GUM #2 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251286 | 13615 | 3703921518 | | 102-2 | | EARL ALLEN #1 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251291 | 13614 | 3703921518 | | 107-TF | | EARL ALLEN #1 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251288 | 13783 | 3703921435 | | 102-2 | | ELIZA CHITESTER #1 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251293 | 13782 | 3703921435 | | 107-TF | | ELIZA CHITESTER #1 | WAYNE | 50.0 | TENNESSEE GAS PIP |
| 8251290 | 13915 | 3708520399 | | 102-2 | | FLOYD I BAILLY #1 | DEER CREEK | 50.0 | TENNESSEE GAS PIP |
| 8251295 | 13916 | 3708520399 | | 107-TF | | FLOYD I BAILLY #1 | DEER CREEK | 50.0 | TENNESSEE GAS PIP |
| -DOC-NCC SERVICE CO | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251297 | 13938 | 3712922031 | | 103 | | FRANK L SMITH 1590-2 | EAST HUNTINGDON | 30.0 | TEXAS EASTERN TRA |
| 8251296 | 13596 | 3712922015 | | 103 | | WILLIAM M SEAMAN 1616-2 | EAST HUNTINGDON | 30.0 | TEXAS EASTERN TRA |
| -EDWARD G KRIEBEL GAS CO | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251298 | 13327 | 3706323038 | | 108 | | CAVOTA #1 | INDIANA | 15.0 | PEOPLES NATURAL G |
| 8251299 | 13328 | 3706322839 | | 108 | | SEXTON #1 | INDIANA | 15.0 | PEOPLES NATURAL G |
| -ENVIROGAS INC | | | | RECEIVED: | | 08/26/82 JA: PA | | | |
| 8251306 | 13608 | 3704921588 | | 107-TF | | A KATREN #1 | CORRY | 18.0 | NATIONAL FUEL GAS |
| 8251301 | 13603 | 3704921580 | | 107-TF | | C BENDIG #2 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251305 | 13607 | 3704921677 | | 107-TF | | F STARVAGGI #1 | NORTH EAST DEEP | 18.0 | NATIONAL FUEL GAS |
| 8251309 | 13611 | 3704921698 | | 107-TF | | G MORRIS #1 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251308 | 13610 | 3704921697 | | 107-TF | | G MORRIS #2 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251300 | 13602 | 3704921674 | | 107-TF | | H BECKER #1 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251304 | 13606 | 3704921560 | | 107-TF | | H PARKHURST #1 | NORTH EAST DEEP | 18.0 | NATIONAL FUEL GAS |
| 8251310 | 13612 | 3704921656 | | 107-TF | | J HARNAK #1 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251303 | 13605 | 3704921773 | | 107-TF | | J MYERS #1 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251302 | 13604 | 3704921653 | | 107-TF | | M ALLEN #3 | WATERFORD | 18.0 | COLUMBIA GAS TRAN |
| 8251307 | 13609 | 3704921648 | | 107-TF | | O LUHMAN #2 | NORTH EAST DEEP | 18.0 | NATIONAL FUEL GAS |
| 8251311 | 13786 | 3704921639 | | 107-TF | | W VEIHDEFFER #1 | NORTH EAST DEEP | 18.0 | NATIONAL FUEL GAS |
| -FLANIGAN BROTHERS | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251314 | 13375 | 3703920360 | | 108 | | EDWARD SPAID #1 | WILDCAT | 3.5 | NATIONAL FUEL GAS |
| 8251315 | 13376 | 3703920359 | | 108 | | EDWARD SPAID #2 | WILDCAT | 3.5 | NATIONAL FUEL GAS |
| 8251313 | 13374 | 3703920401 | | 108 | | EGNAC SILATA #2 | CONNEAUTVILLE | 7.0 | NATIONAL FUEL GAS |
| 8251312 | 13373 | 3703920393 | | 108 | | EGNAT SILATA #1 | CONNEAUTVILLE | 7.0 | NATIONAL FUEL GAS |
| 8251316 | 13377 | 3703920358 | | 108 | | ROBERT WELCHECK #1 | WILDCAT | 8.0 | NATIONAL FUEL GAS |
| 8251317 | 13378 | 3703920367 | | 108 | | ROBERT WELCHECK #2 | SEMI-WILDCAT | 8.0 | NATIONAL FUEL GAS |
| -FOX OIL & GAS INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251728 | 13389 | 3706325953 | | 102-4 | | GEORGE MYERS #1 | MONTGOMERY TOWNSHIP | 25.5 | COLUMBIA GAS TRAN |
| 8251727 | 13388 | 3706326245 | | 102-4 | | M GLOBUN #1 | MONTGOMERY TOWNSHIP | 25.5 | COLUMBIA GAS TRAN |
| -G & G GAS INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251319 | 9481 | 3703100000 | | 108 | | M FACENMYER 424 | ALLEGHENY | 17.1 | APOLLO GAS CO |
| 8251318 | 9480 | 3703100000 | | 108 | | M FACENMYER 702 | ALLEGHENY | 17.1 | APOLLO GAS CO |
| -J & J ENTERPRISES INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251321 | 13924 | 3703321204 | | 102-4 | | J L BROTHERS #2 (177A) | BURNSIDE | 0.0 | CONSOLIDATED GAS |
| 8251325 | 13923 | 3703321204 | | 103 | | J L BROTHERS #2 (177A) | BURNSIDE | 0.0 | CONSOLIDATED GAS |
| 8251320 | 13922 | 3703321205 | | 102-4 | | J L BROTHERS #3 (177A) | BURNSIDE | 0.0 | CONSOLIDATED GAS |
| 8251324 | 13921 | 3703321205 | | 103 | | J L BROTHERS #3 (177A) | BURNSIDE | 0.0 | CONSOLIDATED GAS |
| 8251323 | 13692 | 3703321230 | | 103 | | R & P COAL CO #16 (33A) | BRADY | 0.0 | COLUMBIA GAS TRAN |
| 8251322 | 13332 | 3703321207 | | 103 | | THOMAS DUKE #1 (70A) | BURNSIDE | 0.0 | CONSOLIDATED GAS |
| -MAC-MAR INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251326 | 13934 | 3712921886 | | 103 | | BEN RESSLER #1 | BLAIRSVILLE | 45.0 | PEOPLES NATURAL G |
| 8251327 | 13935 | 3706326406 | | 103 | | ROBERT DIXON #1 | BLACK LICK | 36.0 | COLUMBIA GAS TRAN |
| -MARYBELLE SINNAMOND | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251693 | 13927 | 3700521928 | | 108 | | KISKI-TWP SPORTSMANS WELL | KISKIMINETAS | 0.0 | PEOPLES NATURAL G |
| 8251692 | 13926 | 3700521975 | | 108 | | RUPERT WELL | KISKIMINETAS | 0.0 | PEOPLES NATURAL G |
| 8251695 | 13929 | 3700521866 | | 108 | | SINNAMOND #1 | KISKIMINETAS | 0.0 | PEOPLES NATURAL G |
| 8251694 | 13928 | 3700521918 | | 108 | | SINNAMOND #2 | KISKIMINETAS | 0.0 | PEOPLES NATURAL G |
| -MERIDIAN EXPLORATION CORP | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251328 | 13764 | 3703921336 | | 102-2 | | L MCDUFF #575-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251334 | 13768 | 3703921336 | | 107-TF | | L MCDUFF #575-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251330 | 13766 | 3703921326 | | 102-2 | | M COWDEN #571-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251335 | 13769 | 3703921326 | | 107-TF | | M COWDEN #571-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251329 | 13765 | 3703921325 | | 102-2 | | NOSKO #569-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251333 | 13767 | 3703921325 | | 107-TF | | NOSKO #569-1 | CAMBRIDGE SPRINGS | 0.0 | NATIONAL FUEL GAS |
| 8251331 | 14142 | 3703921324 | | 103 | | RIVERSIDE INN #577-2 | CAMBRIDGE SPRINGS | 30.0 | NATIONAL FUEL GAS |
| 8251332 | 11477 | 3703921324 | | 107-TF | | RIVERSIDE INN ENTERPRISES #577-2 | CAMBRIDGE SPRINGS | 30.0 | NATIONAL FUEL GAS |
| -MID-EAST OIL CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251336 | 11799 | 3706522163 | | 103 | | SAMUEL J ISHMAN #4 | PUNXSUTAWNEY | 15.0 | CONSOLIDATED GAS |
| -MONROE RESOURCES LTD | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251337 | 13880 | 3712326998 | | 107-TF | | NOAH MILLER #1 | SUGAR GROVE | 25.0 | COLUMBIA GAS TRAN |
| -NATIONAL FUEL GAS SUPPLY CORP | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251570 | 13775 | 3706500000 | | 108 | | A N STAHLMAN #862 | ELDRED TOWNSHIP | 0.1 | GENERAL SYSTEM PU |
| 8251571 | 13776 | 3706500000 | | 108 | | A N STAHLMAN FARM #861 | ELDRED TOWNSHIP | 0.1 | GENERAL SYSTEM PU |
| 8251539 | 13726 | 3705300000 | | 108 | | ADA S HALSEY #1093 | JENKS TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251569 | 13774 | 3704700000 | | 108 | | ADAM EBERLY #4360 | MILLSTONE TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251424 | 13555 | 3704700000 | | 108 | | ALGHY NATIONAL FOR #4308 | JONES TOWNSHIP | 0.9 | GENERAL SYSTEM PU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251426 | 13557 | 3704700000 | | 108 | | ALGHY NATIONAL FOR #4353 | JONES TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251433 | 13564 | 3704700000 | | 108 | | ALLEG NAT FOR #4465 | JONES | 1.1 | GENERAL SYSTEM PU |
| 8251628 | 13867 | 3704700000 | | 108 | | ALLEG NAT FOR #5326 | BENZINGER | 2.7 | GENERAL SYSTEM PU |
| 8251403 | 13534 | 3704700000 | | 108 | | ALLEG NAT FOR 2906 | JONES | 6.9 | GENERAL SYSTEM PU |
| 8251422 | 13553 | 3704700000 | | 108 | | ALLEG NAT FOR 4237 | JONES | 1.2 | GENERAL SYSTEM PU |
| 8251435 | 13566 | 3704700000 | | 108 | | ALLEG NAT FOR 4481 | JONES | 2.7 | GENERAL SYSTEM PU |
| 8251437 | 13568 | 3704700000 | | 108 | | ALLEG NAT FOR 4512 | JONES | 2.2 | GENERAL SYSTEM PU |
| 8251438 | 13569 | 3704700000 | | 108 | | ALLEG NAT FOR 4522 | JONES | 0.8 | GENERAL SYSTEM PU |
| 8251487 | 13646 | 3704700000 | | 108 | | ALLEG NAT FOR 4562 | JONES | 1.0 | GENERAL SYSTEM PU |
| 8251488 | 13647 | 3704700000 | | 108 | | ALLEG NAT FOR 4571 | JONES | 0.6 | GENERAL SYSTEM PU |
| 8251375 | 13506 | 3704700000 | | 108 | | ALLEG NAT FOREST FARM #1189-P | HIGHLAND TOWNSHIP | 3.2 | GENERAL SYSTEM PU |
| 8251356 | 13481 | 3704700000 | | 108 | | ALLEG NAT FOREST FARM #1190-P | HIGHLAND TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251379 | 13510 | 3704700000 | | 108 | | ALLEG NAT FOREST FARM #1262-P | HIGHLAND TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251546 | 13733 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #SC243 | SPRING CREEK TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251545 | 13732 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #SC252 | SPRING CREEK TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251544 | 13731 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #SC269 | SPRING CREEK TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251543 | 13730 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #SC275 | SPRING CREEK TOWNSHIP | 5.6 | GENERAL SYSTEM PU |
| 8251548 | 13735 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #SC309 | SPRING CREEK TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251368 | 13495 | 3708300000 | | 108 | | ALLEG NAT'L FOREST #1441-P | HAMILTON TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251367 | 13494 | 3708300000 | | 108 | | ALLEG NAT'L FOREST #1442-P | HAMILTON TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251366 | 13493 | 3708300000 | | 108 | | ALLEG NAT'L FOREST #1443-P | HAMILTON TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251428 | 13559 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #4381 | JONES TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251431 | 13562 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #4453 | JONES TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251434 | 13565 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #4467 | JONES TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251412 | 13543 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #4665 | SPRING CREEK TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251567 | 13772 | 3704700000 | | 108 | | ALLEG NAT'L FOREST #4856 | MILLSTONE TOWNSHIP | 0.1 | GENERAL SYSTEM PU |
| 8251430 | 13561 | 3704700000 | | 108 | | ALLEG NATIONAL FOREST | JONES TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251423 | 13554 | 3704700000 | | 108 | | ALLEG NATL FOREST #4289 | JONES TOWNSHIP | 2.9 | GENERAL SYSTEM PU |
| 8251427 | 13558 | 3704700000 | | 108 | | ALLEGHENY NAT FOREST FARM #4380 | JONES TOWNSHIP | 2.9 | GENERAL SYSTEM PU |
| 8251429 | 13560 | 3704700000 | | 108 | | ALLEGHENY NAT FOREST FARM #4394 | JONES TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251521 | 13708 | 3704700000 | | 108 | | ALLEGHENY NAT'L FOREST #1137-P | HIGHLAND TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251562 | 13749 | 3704700000 | | 108 | | ALLEGHENY NAT'L FOREST #1145-P | HIGHLAND TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251563 | 13750 | 3704700000 | | 108 | | ALLEGHENY NAT'L FOREST #1216-P | HIGHLAND TOWNSHIP | 6.9 | GENERAL SYSTEM PU |
| 8251558 | 13745 | 3704700000 | | 108 | | ALLEGHENY NAT'L FOREST #1235-P | HIGHLAND TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251559 | 13746 | 3704700000 | | 108 | | ALLEGHENY NAT'L FOREST #400-P | HIGHLAND TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251592 | 13830 | 3704700000 | | 108 | | ALLEGHENY NATL FOR #1138-P | HIGHLAND TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251510 | 13670 | 3704700000 | | 108 | | ANDREW P GLASS #SC76 | FOX TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251483 | 13642 | 3708300000 | | 108 | | ARMSTRONG FOREST CO #4796 | SERGEANT TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251409 | 13540 | 3708300000 | | 108 | | ARMSTRONG FOREST CO #4821 | SERGEANT TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251419 | 13550 | 3708300000 | | 108 | | ARMSTRONG FOREST CO FARM #4878 | SERGEANT TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251637 | 13876 | 3708300000 | | 108 | | ASSO PRODUCERS CO #4272 | WETMORE TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251503 | 13662 | 3708300000 | | 108 | | ASSO PRODUCERS CO #4286 | WETMORE TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251638 | 13877 | 3708300000 | | 108 | | ASSO PRODUCERS INC #4328 | WETMORE TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251602 | 13841 | 3706500000 | | 108 | | B VERSTINE #3489 | WARSAW TOWNSHIP | 6.1 | GENERAL SYSTEM PU |
| 8251443 | 13574 | 3708300000 | | 108 | | BUFFALO COAL CO #1110 | SERGEANT TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251469 | 13628 | 3704700000 | | 108 | | BUFFALO COAL CO #1166 P | SPRING CREEK TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251441 | 13572 | 3708300000 | | 108 | | BUFFALO COAL CO #1176 | SERGEANT TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251577 | 13791 | 3708300000 | | 108 | | BUFFALO COAL CO #1269 | SERGEANT TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251347 | 13472 | 3708300000 | | 108 | | BUFFALO COAL CO #4267 | SERGEANT TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251634 | 13873 | 3708300000 | | 108 | | BUFFALO COAL CO #4285 | SERGEANT TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251348 | 13473 | 3708300000 | | 108 | | BUFFALO COAL CO #4322 | SERGEANT TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251349 | 13474 | 3708300000 | | 108 | | BUFFALO COAL CO #4335 | SERGEANT TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251482 | 13641 | 3708300000 | | 108 | | BUFFALO COAL CO FARM #1200 | SERGEANT TOWNSHIP | 0.9 | GENERAL SYSTEM PU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251578 | 13792 | 3708300000 | | 108 | | BUFFALO COAL CO FARM #1270 | SERGEANT TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251576 | 13790 | 3708300000 | | 108 | | BUFFALO COAL CO FARM #4245 | SERGEANT TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251575 | 13789 | 3708300000 | | 108 | | BUFFALO COAL CO FARM #4257 | SERGEANT TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251583 | 13797 | 3708300000 | | 108 | | BUFFALO OAL CO #1252 | SERGEANT TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251343 | 13468 | 3708300000 | | 108 | | BUTTERFIELD LANDS #2602 | SERGEANT TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251355 | 13480 | 3708300000 | | 108 | | BUTTERFIELD LANDS #4361 | SERGEANT TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251538 | 13725 | 3705300000 | | 108 | | C A CARLSON #1087 | JENKS TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251425 | 13556 | 3704700000 | | 108 | | C ASP #4327 | JONES TOWNSHIP | 2.1 | GENERAL SYSTEM PU |
| 8251472 | 13631 | 3706500000 | | 108 | | C C GEIST EST #4897 | OLIVER TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251496 | 13655 | 3704700000 | | 108 | | C J W & E ASP #1370 | JONES TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251613 | 13852 | 3700500000 | | 108 | | C Y BOWSER #4175 | WASHINGTON TOWNSHIP | 2.2 | GENERAL SYSTEM PU |
| 8251612 | 13851 | 3700500000 | | 108 | | C Y BOWSER #4568 | WASHINGTON TOWNSHIP | 3.2 | GENERAL SYSTEM PU |
| 8251460 | 13619 | 3710500000 | | 108 | | CHARLES DUKE #6166 | OSWAYO TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251459 | 13618 | 3710500000 | | 108 | | CHARLES DUKE #6168 | OSWAYO TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251421 | 13552 | 3704700000 | | 108 | | CLAWSON & WHITMORE FARM #3732 | JONES TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251494 | 13653 | 3704700000 | | 108 | | CLAY-HECKER TRACT #1368 | JONES TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251495 | 13654 | 3704700000 | | 108 | | CLAY-HECKER TRACT #1369 | JONES TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251627 | 13866 | 3705300000 | | 108 | | COLLINS PINE CO #5629 | HICKORY TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251508 | 13668 | 3703100000 | | 108 | | D E MCNAUGHTON #4695 | MILLCREEK TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251465 | 13624 | 3712100000 | | 108 | | D R MORRISON #55 | CRANBERRY TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251358 | 13483 | 3704700000 | | 108 | | DAVID EASON ET AL FARM #1077-P | HIGHLAND TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251373 | 13504 | 3704700000 | | 108 | | DAVID EASON FARM #278-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251357 | 13482 | 3704700000 | | 108 | | DAVID EASON FARM #819-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251376 | 13507 | 3704700000 | | 108 | | DAVID EASON FARM #900-P | HIGHLAND TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251608 | 13847 | 3703100000 | | 108 | | DAVID ROBINSON #5475 | MADISON TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251557 | 13744 | 3705300000 | | 108 | | DEVONION OIL CO #1011 | JENKS TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251353 | 13478 | 3708300000 | | 108 | | E D COMES FARM #5229 | KEATING TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251614 | 13853 | 3700500000 | | 108 | | E L MCMILLIN #2797 | WEST FRANKLIN TOWNSHI | 1.1 | GENERAL SYSTEM PU |
| 8251396 | 13527 | 3703900000 | | 108 | | EDGAR V PHILLIPS #SC-401 | SUMMERHILL TOWNSHIP | 6.5 | GENERAL SYSTEM PU |
| 8251481 | 13640 | 3704700000 | | 108 | | EDWARD B MCKEAN #5272 | KEATING TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251635 | 13874 | 3708300000 | | 108 | | F A SHELLANDER #4548 | SERGEANT TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251629 | 13868 | 3708300000 | | 108 | | F GRANTIER #4794 | NORWICH TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251547 | 13734 | 3705300000 | | 108 | | F H ROOT LANDS #1172 | JENKS TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251464 | 13623 | 3712100000 | | 108 | | FISHER & HARRINGTON #793 | CRANBERRY TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251391 | 13522 | 3703900000 | | 108 | | FRED W THORNTON #SC-394 | SPRING TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251397 | 13528 | 3703900000 | | 108 | | G MACKEY #SC-412 | SPRING TOWNSHIP | 4.5 | GENERAL SYSTEM PU |
| 8251593 | 13831 | 3704700000 | | 108 | | GRANT & HORTON #473-P | RIDGWAY TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251369 | 13500 | 3704700000 | | 108 | | GRANT & HORTON #622-P | RIDGWAY TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251556 | 13743 | 3704700000 | | 108 | | GRANT & HORTON #715-P | RIDGWAY TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251395 | 13526 | 3703900000 | | 108 | | H A GREENFIELD #SC-400 | SPRING TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251389 | 13520 | 3704700000 | | 108 | | H J JAMES #3700 | HIGHLAND TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251340 | 13459 | 3704700000 | | 108 | | H J JAMES #4034 | HIGHLAND TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251339 | 13458 | 3704700000 | | 108 | | H J JAMES #4037 | HIGHLAND TOWNSHIP | 2.8 | GENERAL SYSTEM PU |
| 8251390 | 13521 | 3704700000 | | 108 | | HALL & KAUL #SC-221 | BENZINGER TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251417 | 13548 | 3708334704 | | 108 | | HALL & KAUL #4691 | SERGEANT TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251590 | 13828 | 3704700000 | | 108 | | HALL & KAUL FARM #5329 | BENZINGER TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251475 | 13634 | 3708300000 | | 108 | | HALSEY LANDS #1257 | SERGEANT TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251474 | 13633 | 3708300000 | | 108 | | HALSEY LANDS FARM #1249 | SERGEANT TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251399 | 13530 | 3703900000 | | 108 | | HARRY W RANSOM #SC-399 | SPRING TOWNSHIP | 2.8 | GENERAL SYSTEM PU |
| 8251565 | 13770 | 3705300000 | | 108 | | HENRY G CLAY #1224 | JENKS TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251386 | 13517 | 3704700000 | | 108 | | HENRY G CLAY #1225 | JONES TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251610 | 13849 | 3700500000 | | 108 | | HERBERT HENDERSHOT #5296 | SUGAR CREEK TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251609 | 13848 | 3700500000 | | 108 | | HERBERT HENDERSHOT #5298 | WASHINGTON TOWNSHIP | 0.9 | GENERAL SYSTEM PU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251410 | 13541 | 3703920034 | | 108 | | HOMER A THORNTON #SC-391 | SPRING TOWNSHIP | 7.6 | GENERAL SYSTEM PU |
| 8251456 | 13587 | 3708300000 | | 108 | | I SCHULTZ FARM #2279 | WETMORE TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251502 | 13661 | 3708300000 | | 108 | | IRVING SCHULTZ #2259 | WETMORE TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251457 | 13588 | 3708300000 | | 108 | | IRVING SCHULTZ #2477 | WETMORE TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251385 | 13516 | 3704700000 | | 108 | | J BROS #1227 | HIGHLAND TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251463 | 13622 | 3712100000 | | 108 | | J D DOWNING #552 | ROCKLAND TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251450 | 13581 | 3704700000 | | 108 | | J DAVIS #4042 | HIGHLAND TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251380 | 13511 | 3704700000 | | 108 | | J DAVIS #4132 | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251451 | 13582 | 3704700000 | | 108 | | J DAVIS ET UX #4023 | HIGHLAND TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251531 | 13718 | 3712300000 | | 108 | | J H PALMER #1-P | SHEFFIELD TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251528 | 13715 | 3712300000 | | 108 | | J H PALMER #19-P | SHEFFIELD TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251519 | 13706 | 3712300000 | | 108 | | J H PALMER #902-P | SHEFFIELD TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251384 | 13515 | 3708300000 | | 108 | | J H RALPH #2680 | SERGEANT TOWNSHIP | 2.0 | GENERAL SYSTEM PU |
| 8251406 | 13537 | 3708300000 | | 108 | | J H RALPH #2682 | SERGEANT TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251587 | 13824 | 3708300000 | | 108 | | J H RALPH #4309 | SERGEANT TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251408 | 13539 | 3708300000 | | 108 | | J H RALPH #4804 | SERGEANT TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251344 | 13469 | 3708300000 | | 108 | | J H RALPH FARM #2681 | SERGEANT TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251407 | 13538 | 3708300000 | | 108 | | J H RALPH FARM #2886 | SERGEANT TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251625 | 13864 | 3704700000 | | 108 | | J K P HALL #5324 | BENZINGER TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251454 | 13585 | 3704700000 | | 108 | | J L BROWN #1554 | JONES TOWNSHIP | 5.0 | GENERAL SYSTEM PU |
| 8251505 | 13665 | 3703100000 | | 108 | | J M & C M BUZZARD #5556 | CLARION TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251416 | 13547 | 3706500000 | | 108 | | J M WALLACE #4293 | HEATH TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251411 | 13542 | 3704700000 | | 108 | | J POWELL FARM #3879 | SPRING CREEK TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251444 | 13575 | 3708300000 | | 108 | | J S GREVES #1071 | SERGEANT TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251515 | 13701 | 3703100000 | | 108 | | J W KAHLE #2890 | WASHINGTON TOWNSHIP | 2.4 | GENERAL SYSTEM PU |
| 8251492 | 13651 | 3706500000 | | 108 | | J W SONGER #2915 | ELDRED TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251511 | 13671 | 3704700000 | | 108 | | JAMES BROTHERS #1229 | HIGHLAND TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251346 | 13471 | 3708300000 | | 108 | | JAMES KELLEY #3475 | NORWICH TOWNSHIP | 2.1 | GENERAL SYSTEM PU |
| 8251341 | 13462 | 3704700000 | | 108 | | JAMES TRACT #1510 | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251388 | 13914 | 3704700000 | | 108 | | JAMES TRACT #1572 | HIGHLAND TOWNSHIP | 8.7 | GENERAL SYSTEM PU |
| 8251446 | 13577 | 3708300000 | | 108 | | JANE C KELLEY #4855 | NORWICH TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251445 | 13576 | 3708300000 | | 108 | | JAS H RALPH #1044 | SERGEANT TOWNSHIP | 2.1 | GENERAL SYSTEM PU |
| 8251540 | 13727 | 3705300000 | | 108 | | JAS H RALPH #1104 | JENKS TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251418 | 13549 | 3708340298 | | 108 | | JAS H RALPH FARM #4865 | SERGEANT TOWNSHIP | 2.5 | GENERAL SYSTEM PU |
| 8251595 | 13833 | 3704700000 | | 108 | | JERRY CRARY #1175-P | SPRING CREEK TOWNSHIP | 4.8 | GENERAL SYSTEM PU |
| 8251596 | 13834 | 3704700000 | | 108 | | JERRY CRARY #1184-P | SPRING CREEK TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251597 | 13835 | 3704700000 | | 108 | | JERRY CRARY #1201-P | SPRING CREEK TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251598 | 13836 | 3704700000 | | 108 | | JERRY CRARY #1206-P | SPRING CREEK TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251599 | 13837 | 3704700000 | | 108 | | JERRY CRARY #1231-P | SPRING CREEK TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251600 | 13838 | 3704700000 | | 108 | | JERRY CRARY #1243-P | SPRING CREEK TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251601 | 13839 | 3704700000 | | 108 | | JERRY CRARY #1255-P | SPRING CREEK TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251581 | 13795 | 3704700000 | | 108 | | JERRY CRARY #1261-P | SPRING CREEK TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251560 | 13747 | 3704700000 | | 108 | | JERRY CRARY #177-P | HIGHLAND TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251554 | 13741 | 3704700000 | | 108 | | JERRY CRARY #193-P | SPRING CREEK TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251586 | 13800 | 3704700000 | | 108 | | JERRY CRARY #204-P | SPRING CREEK TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251549 | 13736 | 3704700000 | | 108 | | JERRY CRARY #399-P | SPRING CREEK TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251584 | 13798 | 3704700000 | | 108 | | JERRY CRARY #422-P | SPRING CREEK TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251579 | 13793 | 3704700000 | | 108 | | JERRY CRARY #453-P | SPRING CREEK TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251550 | 13737 | 3704700000 | | 108 | | JERRY CRARY #476-P | SPRING CREEK TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251561 | 13748 | 3704700000 | | 108 | | JERRY CRARY #477-P | HIGHLAND TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251580 | 13794 | 3704700000 | | 108 | | JERRY CRARY #478-P | SPRING CREEK TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251551 | 13738 | 3704700000 | | 108 | | JERRY CRARY #502-P | SPRING CREEK TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251552 | 13739 | 3704700000 | | 108 | | JERRY CRARY #526-P | SPRING CREEK TOWNSHIP | 1.4 | GENERAL SYSTEM PU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251527 | 13714 | 3704700000 | | 108 | | JERRY CRARY #606-P | HIGHLAND TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251553 | 13740 | 3704700000 | | 108 | | JERRY CRARY #607-P | SPRING CREEK TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251466 | 13625 | 3704700000 | | 108 | | JERRY CRARY #920-P | SPRING CREEK TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251467 | 13626 | 3704700000 | | 108 | | JERRY CRARY #994-P | SPRING CREEK TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251468 | 13627 | 3704700000 | | 108 | | JERRY CRARY #997-P | SPRING CREEK TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251470 | 13629 | 3704700000 | | 108 | | JERRY CRARY ET AL #1170-P | SPRING CREEK TOWNSHIP | 2.0 | GENERAL SYSTEM PU |
| 8251500 | 13659 | 3704700000 | | 108 | | JOHN BURT #1393 | JONES TOWNSHIP | 2.1 | GENERAL SYSTEM PU |
| 8251394 | 13525 | 3703900000 | | 108 | | JOHN F POST #SC-387 | BEAVER TOWNSHIP | 2.6 | GENERAL SYSTEM PU |
| 8251585 | 13799 | 3700500000 | | 108 | | JOHN MCNUTT #4657 | SUGAR CREEK TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251448 | 13579 | 3708300000 | | 108 | | JOHN MULVIHILL #2874 | NORWICH TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251354 | 13479 | 3708300000 | | 108 | | JOHN P TYLER FARM #5256 | KEATING TOWNSHIP | 2.0 | GENERAL SYSTEM PU |
| 8251616 | 13855 | 3704700000 | | 108 | | JOSHUA DAVIS #1493 | HIGHLAND TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251452 | 13583 | 3704700000 | | 108 | | JOSHUA DAVIS #3971 | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251623 | 13862 | 3704700000 | | 108 | | KAUL & HALL #5317 | BENZINGER TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251624 | 13863 | 3704700000 | | 108 | | KAUL & HALL #5322 | BENZINGER TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251626 | 13865 | 3704700000 | | 108 | | KAUL & HALL #5328 | BENZINGER TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251447 | 13578 | 3708300000 | | 108 | | KELLEY BARD VANATTA #3796 | NORWICH TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251462 | 13621 | 3712100000 | | 108 | | KOCH HEIRS #543 | ROCKLAND TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251442 | 13573 | 3708300000 | | 108 | | L BAYER #1127 | SERGEANT TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251542 | 13729 | 3705300000 | | 108 | | L BAYER #1174 | JENKS TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251440 | 13571 | 3708300000 | | 108 | | L BAYER FARM #1194 | SERGEANT TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251489 | 13648 | 3705300000 | | 108 | | L S WOLF #2324 | KINGSLEY TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251490 | 13649 | 3705300000 | | 108 | | L S WOLF #2326 | KINGSLEY TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251633 | 13872 | 3708300000 | | 108 | | LAWRENCE BAYER #2889 | SERGEANT TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251615 | 13854 | 3712100000 | | 108 | | LLOYD OIL CO #4307 | ROCKLAND TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251514 | 13699 | 3712100000 | | 108 | | M & A W OWENS #3136 | PINEGROVE TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251621 | 13860 | 3704700000 | | 108 | | M E CARTWRIGHT #5318 | RIDGWAY TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251622 | 13861 | 3704700000 | | 108 | | M E CARTWRIGHT #5319 | RIDGWAY TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251506 | 13666 | 3703100000 | | 108 | | M RULOFSON CO #2734 | MILLCREEK TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251611 | 13850 | 3703100000 | | 108 | | M RUMBAUGH #4619 | MADISON TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251350 | 13475 | 3708300000 | | 108 | | M S COMES #4633 | NORWICH TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251512 | 13672 | 3704700000 | | 108 | | MARS CO #4406 | HIGHLAND TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251455 | 13586 | 3704700000 | | 108 | | MARY M POTTS #1561 | JONES TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251484 | 13643 | 3704700000 | | 108 | | MARY M POTTS FARM #2752 | JONES TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251383 | 13514 | 3704700000 | | 108 | | MARY M POTTS FARM #2778 | JONES TOWNSHIP | 3.2 | GENERAL SYSTEM PU |
| 8251382 | 13513 | 3704700000 | | 108 | | MARY M POTTS FARM #2829 | JONES TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251402 | 13533 | 3704700000 | | 108 | | MARY M POTTS FARM #2855 | JONES TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251439 | 13570 | 3704700000 | | 108 | | MARY M POTTS FARM #4526 | JONES TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251453 | 13584 | 3704700000 | | 108 | | MCKEAN CHEMICAL CO #1529 | JONES TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251497 | 13656 | 3704700000 | | 108 | | MFG GAS CO 1377 | JONES | 0.8 | GENERAL SYSTEM PU |
| 8251436 | 13567 | 3704700000 | | 108 | | MIKE LORENZO #4501 | JONES TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251620 | 13859 | 3704700000 | | 108 | | MORGAN E CARTWRIGHT #5313 | RIDGWAY TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251491 | 13650 | 3705300000 | | 108 | | N P WHEELER #3095 | HICKORY TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251619 | 13858 | 3704700000 | | 108 | | NORMAN SCHULTZ #5308 | RIDGWAY TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251589 | 13826 | 3704700000 | | 108 | | NORMAN SCHULTZ #5415 | RIDGWAY TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251588 | 13825 | 3704700000 | | 108 | | NORMAN SCHULTZ #5428 | RIDGWAY TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251345 | 13470 | 3708300000 | | 108 | | NORTH PIPE CO #3450 | NORWICH TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251537 | 13724 | 3704700000 | | 108 | | O B GRANT #296-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251516 | 13703 | 3704700000 | | 108 | | O B GRANT #813-P | RIDGWAY TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251370 | 13501 | 3704700000 | | 108 | | O B GRANT ET AL FARM #759-P | HIGHLAND TOWNSHIP | 5.3 | GENERAL SYSTEM PU |
| 8251535 | 13722 | 3704700000 | | 108 | | O W PROPER #1099-P | HIGHLAND TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251517 | 13704 | 3704700000 | | 108 | | O W PROPER #1114-P | HIGHLAND TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251555 | 13742 | 3704700000 | | 108 | | O W PROPER #272-P | HIGHLAND TOWNSHIP | 0.5 | GENERAL SYSTEM PU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251525 | 13712 | 3704700000 | | 108 | | O W PROPER #440-P | HIGHLAND TOWNSHIP | 2.2 | GENERAL SYSTEM PU |
| 8251536 | 13723 | 3704700000 | | 108 | | O W PROPER #540-P | HIGHLAND TOWNSHIP | 4.4 | GENERAL SYSTEM PU |
| 8251518 | 13705 | 3704700000 | | 108 | | O W PROPER #768-P | HIGHLAND TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251532 | 13719 | 3704700000 | | 108 | | O W PROPER #936-P | HIGHLAND TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251363 | 13488 | 3704700000 | | 108 | | O W PROPER FARM #635-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251359 | 13484 | 3704700000 | | 108 | | O W PROPER FARM #822-P | HIGHLAND TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251365 | 13490 | 3704700000 | | 108 | | O W PROPER FARM #952-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251504 | 13663 | 3704700000 | | 108 | | O W PROPER FARM #992-P | HIGHLAND TOWNSHIP | 1.4 | GENERAL SYSTEM PU |
| 8251351 | 13476 | 3708300000 | | 108 | | OTIS IRONS FARM #5204 | KEATING TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251352 | 13477 | 3708300000 | | 108 | | OTIS IRONS FARM #5206 | KEATING TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251636 | 13875 | 3708300000 | | 108 | | OTTO CHEMICAL CO #1030 | WETMORE TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251485 | 13644 | 3704700000 | | 108 | | OTTO CHEMICAL CO #4538 | JONES TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251420 | 13551 | 3704700000 | | 108 | | P & KAROLINE ANDERSON #3645 | JONES TOWNSHIP | 1.6 | GENERAL SYSTEM PU |
| 8251387 | 13518 | 3704700000 | | 108 | | P SALTER #1144 | HIGHLAND TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251573 | 13778 | 3704700000 | | 108 | | PA STATE GAME LANDS #SC273 | SPRING CREEK TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251574 | 13779 | 3704700000 | | 108 | | PA STATE GAME LANDS #SC294 | SPRING CREEK TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251564 | 13751 | 3704700000 | | 108 | | PA STATE GAME LANDS #1171-P | HIGHLAND TOWNSHIP | 2.7 | GENERAL SYSTEM PU |
| 8251413 | 13544 | 3704700000 | | 108 | | PA STATE GAME LANDS #4723 | SPRING CREEK TOWNSHIP | 7.9 | GENERAL SYSTEM PU |
| 8251618 | 13857 | 3704700000 | | 108 | | PA STATE GAME LANDS #5078 | RIDGWAY TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251630 | 13869 | 3704700000 | | 108 | | PA STATE GAME LANDS #5085 | RIDGWAY TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251631 | 13870 | 3704700000 | | 108 | | PA STATE GAME LANDS #5086 | RIDGWAY TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251632 | 13871 | 3704700000 | | 108 | | PA STATE GAME LANDS #5179 | RIDGWAY TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251362 | 13487 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #1140-P | HIGHLAND TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251361 | 13486 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #1141-P | HIGHLAND TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251377 | 13508 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #1165-P | HIGHLAND TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251364 | 13489 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #1179-P | HIGHLAND TOWNSHIP | 0.4 | GENERAL SYSTEM PU |
| 8251414 | 13545 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #4867 | SPRING CREEK TOWNSHIP | 4.6 | GENERAL SYSTEM PU |
| 8251415 | 13546 | 3704700000 | | 108 | | PA STATE GAME LANDS FARM #4877 | SPRING CREEK TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251509 | 13669 | 3704700000 | | 108 | | PHILIP WEHLER #SC72 | BENZINGER TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251572 | 13777 | 3704700000 | | 108 | | PORTLAND O & G CO #SC249 | SPRING CREEK TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251498 | 13657 | 3704700000 | | 108 | | POTTS FARM #1379 | JONES TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251499 | 13658 | 3704700000 | | 108 | | POTTS FARM #1382 | JONES TOWNSHIP | 3.5 | GENERAL SYSTEM PU |
| 8251432 | 13563 | 3704700000 | | 108 | | POTTS TRACT #4460 | JONES TOWNSHIP | 3.2 | GENERAL SYSTEM PU |
| 8251568 | 13773 | 3704700000 | | 108 | | POWELL #5742 | MILLSTONE TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251480 | 13639 | 3704700000 | | 108 | | RALPH #1360 | JONES TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251476 | 13635 | 3704700000 | | 108 | | RALPH FARM #1316 | JONES TOWNSHIP | 2.5 | GENERAL SYSTEM PU |
| 8251477 | 13636 | 3704700000 | | 108 | | RALPH TRACT #1334 | JONES TOWNSHIP | 1.7 | GENERAL SYSTEM PU |
| 8251501 | 13660 | 3704700000 | | 108 | | RALPH TRACT FARM #1522 | JONES TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251591 | 13829 | 3700500000 | | 108 | | ROBERT H MCCLATCHEY #2800 | WASHINGTON TOWNSHIP | 3.5 | GENERAL SYSTEM PU |
| 8251541 | 13728 | 3705300000 | | 108 | | ROBERT OSGOOD #1160 | JENKS TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251392 | 13523 | 3703900000 | | 108 | | ROSCOE WATSON #SC-392 | SPRING TOWNSHIP | 1.5 | GENERAL SYSTEM PU |
| 8251393 | 13524 | 3703900000 | | 108 | | S A SAUNDERS #SC-389 | SPRING TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251493 | 13652 | 3706500000 | | 108 | | S D OAKS #3190 | ELDRED TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251473 | 13632 | 3708300000 | | 108 | | S HEEBNER FARM #1059 | SERGEANT TOWNSHIP | 2.6 | GENERAL SYSTEM PU |
| 8251507 | 13667 | 3703100000 | | 108 | | S M OLIVER #3934 | MILLCREEK TOWNSHIP | 0.3 | GENERAL SYSTEM PU |
| 8251513 | 13698 | 3712100000 | | 108 | | S POWELL EST #2514 | PINEGROVE TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251461 | 13620 | 3712100000 | | 108 | | SAMUEL POWELL #721 | PINEGROVE TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251606 | 13845 | 3708300000 | | 108 | | SAMUEL Y HEEBNER #1258 | SERGEANT TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251566 | 13771 | 3705300000 | | 108 | | SCHULTZ #1338 | JENKS TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251449 | 13580 | 3708300000 | | 108 | | SHELANDER & SWANSON #1202 | SERGEANT TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251605 | 13844 | 3704700000 | | 108 | | SIMPSON TRACT #1322 | JONES TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251458 | 13589 | 3704700000 | | 108 | | T B SIMPSON #2483 | JONES TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251400 | 13531 | 3704700000 | | 108 | | T B SIMPSON #2580 | JONES TOWNSHIP | 1.0 | GENERAL SYSTEM PU |

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251533 | 13720 | 3704700000 | | 108 | | T E TACK #181-P | HIGHLAND TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251534 | 13721 | 3704700000 | | 108 | | T E TACK #553-P | HIGHLAND TOWNSHIP | 1.3 | GENERAL SYSTEM PU |
| 8251524 | 13711 | 3704700000 | | 108 | | T E TACK #582-P | HIGHLAND TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251522 | 13709 | 3704700000 | | 108 | | T E TACK #697-P | HIGHLAND TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251523 | 13710 | 3704700000 | | 108 | | T E TACK #821-P | HIGHLAND TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251526 | 13713 | 3704700000 | | 108 | | T E TACK #98-P | HIGHLAND TOWNSHIP | 1.2 | GENERAL SYSTEM PU |
| 8251374 | 13505 | 3704700000 | | 108 | | T E TACK ET AL FARM #795-P | HIGHLAND TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251371 | 13502 | 3704700000 | | 108 | | T E TACK ET UX FARM 1084-P | HIGHLAND TOWNSHIP | 2.3 | GENERAL SYSTEM PU |
| 8251360 | 13485 | 3704700000 | | 108 | | T E TACK FARM #639-P | HIGHLAND TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251378 | 13509 | 3704700000 | | 108 | | T E TACK FARM #929-P | HIGHLAND TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251372 | 13503 | 3704700000 | | 108 | | T E TACK FARM 313-P | HIGHLAND TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251338 | 12604 | 3706500000 | | 108 | | T T ROSS #4216 | ELDRED TOWNSHIP | 0.2 | GENERAL SYSTEM PU |
| 8251471 | 13630 | 3706500000 | | 108 | | TWILA HOFFMAN #4895 | OLIVER TOWNSHIP | 2.0 | GENERAL SYSTEM PU |
| 8251594 | 13832 | 3704700000 | | 108 | | VAN ORSDALL #SC110 | RIDGWAY TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251398 | 13529 | 3703900000 | | 108 | | W BIRTIKIDIS #SC-413 | SPRING TOWNSHIP | 5.4 | GENERAL SYSTEM PU |
| 8251617 | 13856 | 3704700000 | | 108 | | W CLYDE #2033 | MILLSTONE TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251405 | 13536 | 3704700000 | | 108 | | W M & G H POTTS FARM #3140 | JONES TOWNSHIP | 3.1 | GENERAL SYSTEM PU |
| 8251530 | 13717 | 3712300000 | | 108 | | WEBB HORTON #17-P | SHEFFIELD TOWNSHIP | 0.7 | GENERAL SYSTEM PU |
| 8251529 | 13716 | 3712300000 | | 108 | | WEBB HORTON #18-P | SHEFFIELD TOWNSHIP | 1.0 | GENERAL SYSTEM PU |
| 8251520 | 13707 | 3712300000 | | 108 | | WEBB HORTON #20-P | SHEFFIELD TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| 8251401 | 13532 | 3704700000 | | 108 | | WILLIAM POTTS FARM #2775 | JONES TOWNSHIP | 0.8 | GENERAL SYSTEM PU |
| 8251478 | 13637 | 3704700000 | | 108 | | WM M & G H POTTS FARM #1342 | JONES TOWNSHIP | 1.1 | GENERAL SYSTEM PU |
| 8251479 | 13638 | 3704700000 | | 108 | | WM M & G H POTTS FARM #1343 | JONES TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251381 | 13512 | 3704700000 | | 108 | | WM M & G H POTTS FARM #2964 | JONES TOWNSHIP | 3.0 | GENERAL SYSTEM PU |
| 8251603 | 13842 | 3704700000 | | 108 | | WM M & GH POTTS #1362 | JONES TOWNSHIP | 3.4 | GENERAL SYSTEM PU |
| 8251404 | 13535 | 3704700000 | | 108 | | WM M POTTS FARM #2930 | JONES TOWNSHIP | 1.8 | GENERAL SYSTEM PU |
| 8251486 | 13645 | 3704700000 | | 108 | | WM M POTTS FARM #4555 | JONES TOWNSHIP | 0.9 | GENERAL SYSTEM PU |
| 8251604 | 13843 | 3704700000 | | 108 | | WM POTTS #1353 | JONES TOWNSHIP | 4.3 | GENERAL SYSTEM PU |
| 8251607 | 13846 | 3703100000 | | 108 | | WM SLAUGENHOFF #5485 | MADISON TOWNSHIP | 1.9 | GENERAL SYSTEM PU |
| 8251342 | 13461 | 3708300000 | | 108 | | WM SWANSON FARM #1289 | HAMLIN TOWNSHIP | 0.6 | GENERAL SYSTEM PU |
| 8251582 | 13796 | 3704700000 | | 108 | | WRIGHT & CRARY #1273-P | SPRING CREEK TOWNSHIP | 0.5 | GENERAL SYSTEM PU |
| -NEA CROSS CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251640 | 11949 | 3704921825 | | 107-TF | | RICHARD P HARRINGTON #1 | UN-NAMED | 15.0 | NATIONAL FUEL GAS |
| 8251639 | 11945 | 3704921700 | | 107-TF | | ROSCOE MITCHELL #1 | UN-NAMED | 15.0 | NATIONAL FUEL GAS |
| -PHILLIPS PRODUCTION CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251644 | 13781 | 3706326795 | | 103 | | BARBARA ANN ANDERSON #1 | GREEN | 25.0 | |
| 8251643 | 13780 | 3703321137 | | 103 | | CURTIS J BARRETT #1 | GREENWOOD | 35.0 | |
| 8251642 | 13762 | 3702120116 | | 103 | | E V RUMMELL #1 | SUSQUEHANNA | 25.0 | |
| 8251641 | 13943 | 3702120130 | | 102-2 | | HENRY CARPINELLO #1 | SUSQUEHANNA | 35.0 | |
| 8251645 | 13936 | 3706326734 | | 103 | | HOPE HEBERT #1 | MONTGOMERY | 25.0 | |
| 8251646 | 13937 | 3706326735 | | 103 | | HOPE HEBERT #1 | MONTGOMERY | 25.0 | |
| -REX-HIDE REALTY INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251691 | 13942 | 3712922028 | | 103 | | AGNES S CAVANAUGH #1 | SALEM | 25.0 | |
| 8251689 | 13763 | 3712922017 | | 103 | | LOGAN D BRANTHOOVER #1 | SALEM | 70.0 | |
| 8251690 | 13941 | 3706326796 | | 103 | | RALPH D CRUSAN #1 | CONEMAUGH | 45.0 | |
| -T W PHILLIPS GAS & OIL CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251652 | 13685 | 3706320809 | | 108 | | A CLYDE LOWMAN #1 | CONEMAUGH | 2.5 | T W PHILLIPS GAS |
| 8251681 | 13907 | 3700520537 | | 108 | | ADAM L ROWE #1 | REDBANK | 8.2 | T W PHILLIPS GAS |
| 8251687 | 13913 | 3706521271 | | 108 | | B F SHAFFER #1 | PORTER | 4.1 | T W PHILLIPS GAS |
| 8251673 | 13899 | 3706520259 | | 108 | | B H FULTON #2 | PORTER | 1.8 | T W PHILLIPS GAS |
| 8251666 | 13892 | 3706520222 | | 108 | | C C CAMPBELL #1 | YOUNG | 5.0 | T W PHILLIPS GAS |
| 8251672 | 13898 | 3706320927 | | 108 | | CLARK B MCLAUGHLIN #1 | BANKS | 4.9 | T W PHILLIPS GAS |
| 8251670 | 13896 | 3706520187 | | 108 | | D M STRAITWELL #2 | MCCALMONT | 4.0 | T W PHILLIPS GAS |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251660 | 13886 | 3700521673 | | 108 | | E DEWITT & BERNICE E MARTIN #1 | BOGGS | 4.9 | T W PHILLIPS GAS |
| 8251678 | 13904 | 3706520722 | | 108 | | ELMER MARSH #3 | PORTER | 3.6 | T W PHILLIPS GAS |
| 8251675 | 13901 | 3706321253 | | 108 | | FRANK WILLIAMSON #3 | WEST MAHONING | 4.8 | T W PHILLIPS GAS |
| 8251648 | 13681 | 3706320102 | | 108 | | FRED MUSSER #2 | CONEMAUGH | 1.4 | T W PHILLIPS GAS |
| 8251671 | 13897 | 3706520528 | | 108 | | G L MITCHELL #1 | PERRY | 7.4 | T W PHILLIPS GAS |
| 8251656 | 13689 | 3706320021 | | 108 | | GEORGE W UNCAPHER #4 | ARMSTRONG | 0.0 | T W PHILLIPS GAS |
| 8251667 | 13893 | 3700521643 | | 108 | | HELVATIA COAL MINING CO #1 | PLUMCREEK | 10.9 | T W PHILLIPS GAS |
| 8251682 | 13908 | 3700520897 | | 108 | | HELVATIA COAL MINING CO #3 | COWANSHANNOCK | 4.3 | T W PHILLIPS GAS |
| 8251659 | 13885 | 3700520232 | | 108 | | HELVATIA COAL MINING CO #5 | COWANSHANNOCK | 3.2 | T W PHILLIPS GAS |
| 8251674 | 13900 | 3700521888 | | 108 | | HELVETIA COAL MINING CO #2 | COWANSHANNOCK | 5.7 | T W PHILLIPS GAS |
| 8251655 | 13688 | 3706321605 | | 108 | | HELVETIA COAL MINING CO #8 | CONEMAUGH | 1.8 | T W PHILLIPS GAS |
| 8251661 | 13887 | 3700520721 | | 108 | | J H DUNMIRE #2 | PLUMCREEK | 2.9 | T W PHILLIPS GAS |
| 8251683 | 13909 | 3706320507 | | 108 | | J K HEITZENRATER #1 | NORTH MAHONING | 3.4 | T W PHILLIPS GAS |
| 8251688 | 13914 | 3706320750 | | 108 | | J K HEITZENRATER #2 | NORTH MAHONING | 2.8 | T W PHILLIPS GAS |
| 8251650 | 13683 | 3706320839 | | 108 | | J VINCENT CAMPBELL #1 | BLACKLICK | 2.7 | T W PHILLIPS GAS |
| 8251680 | 13906 | 3706320557 | | 108 | | JENNIE M GAMBLE #1 | NORTH MAHONING | 5.5 | T W PHILLIPS GAS |
| 8251651 | 13684 | 3706321333 | | 108 | | JOHN A GEORGE #1 | CENTER | 6.2 | T W PHILLIPS GAS |
| 8251647 | 13680 | 3706320621 | | 108 | | MUSSER FORESTS INC #1 | CONEMAUGH | 0.8 | T W PHILLIPS GAS |
| 8251664 | 13890 | 3700520551 | | 108 | | ROCHESTER & PITTSBURGH COAL CO #1 | COWANSHANNOCK | 6.1 | T W PHILLIPS GAS |
| 8251668 | 13894 | 3700520351 | | 108 | | ROCHESTER & PITTSBURGH COAL CO #1 | COWANSHANNOCK | 4.7 | T W PHILLIPS GAS |
| 8251663 | 13889 | 3700520295 | | 108 | | ROCHESTER & PITTSBURGH COAL CO #2 | COWANSHANNOCK | 0.7 | T W PHILLIPS GAS |
| 8251657 | 13690 | 3706320238 | | 108 | | ROCHESTER & PITTSBURGH COAL CO #4 | CENTER | 3.3 | T W PHILLIPS GAS |
| 8251665 | 13891 | 3706520277 | | 108 | | ROCHESTER & PITTSBURGH COAL CO #6 | WINSLOW | 1.1 | T W PHILLIPS GAS |
| 8251669 | 13895 | 3700521714 | | 108 | | ROCHESTER & PITTSBURGH COAL CO#2 | COWANSHANNOCK | 12.8 | T W PHILLIPS GAS |
| 8251662 | 13888 | 3700520331 | | 108 | | ROCHESTER AND PITTSBURGH COAL #3 | COWANSHANNOCK | 3.3 | T W PHILLIPS GAS |
| 8251686 | 13912 | 3706320725 | | 108 | | S J HEITZENRATER #1 | NORTH MAHONING | 2.1 | T W PHILLIPS GAS |
| 8251684 | 13910 | 3706320835 | | 108 | | S J HEITZENRATER #3 | NORTH MAHONING | 8.5 | T W PHILLIPS GAS |
| 8251685 | 13911 | 3706320367 | | 108 | | S T GAUL #1 | WEST MAHONING | 3.2 | T W PHILLIPS GAS |
| 8251649 | 13682 | 3712920512 | | 108 | | SAM H LYONS #2 | LOYALHANNA | 4.7 | T W PHILLIPS GAS |
| 8251677 | 13903 | 3706320766 | | 108 | | SAMUEL FOOSE #1 | NORTH MAHONING | 5.7 | T W PHILLIPS GAS |
| 8251679 | 13905 | 3706320855 | | 108 | | SAMUEL FOOSE #3 | NORTH MAHONING | 3.6 | T W PHILLIPS GAS |
| 8251653 | 13686 | 3706320103 | | 108 | | W B MCGINLEY #2 | CONEMAUGH | 5.8 | T W PHILLIPS GAS |
| 8251654 | 13687 | 3706320167 | | 108 | | W B MCGINLEY #3 | CONEMAUGH | 0.0 | T W PHILLIPS GAS |
| 8251676 | 13902 | 3706520204 | | 108 | | WALTER D POWELL #1 | PORTER | 3.0 | T W PHILLIPS GAS |
| 8251658 | 13691 | 3706212680 | | 108 | | WESTMORELAND MINING COMPANY #1 | CONEMAUGH | 5.3 | T W PHILLIPS GAS |
| -TURM OIL INC | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251696 | 13968 | 3700522550 | | 103 | | MORRIS B & SYLVIA J KIRSHENBAUM #1 | RURAL VALLEY | 40.0 | T W PHILLIPS GAS |
| -US ENERGY DEVELOPMENT CORP | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251697 | 13788 | 3712330560 | | 102-2 | | F SAVKO #2 | COLUMBUS | 20.0 | COLUMBIA GAS TRAN |
| 8251699 | 13787 | 3712330560 | | 107-TF | | F SAVKO #2 | COLUMBUS | 20.0 | COLUMBIA GAS TRAN |
| 8251698 | 13881 | 3712330561 | | 102-2 | | F SAVKO #3 | COLUMBUS | 20.0 | COLUMBIA GAS TRAN |
| 8251700 | 13882 | 3712330561 | | 107-TF | | F SAVKO #3 | COLUMBUS | 20.0 | COLUMBIA GAS TRAN |
| -VICTORY DEVELOPMENT CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251711 | 13758 | 3703321253 | | 102-2 | | BOBAL #1 CLE-21253 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251712 | 13759 | 3703321254 | | 102-2 | | BOBAL #2 CLE-21254 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251710 | 13757 | 3703321154 | | 102-2 | | BOYCE #5 CLE-21154 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251709 | 13756 | 3703321197 | | 102-2 | | CHERRY LANE FARMS #1 CLE-21197 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251708 | 13755 | 3703321163 | | 102-2 | | ENAMA #1 CLE-21163 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251714 | 13761 | 3703321282 | | 102-2 | | H HARKLEROAD #4 CLE-21282 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251713 | 13760 | 3703321279 | | 102-2 | | H HARKLEROAD#1 CLE-21279 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251707 | 13754 | 3703321182 | | 102-2 | | MCKEE #1 CLE-21182 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251706 | 13753 | 3703321150 | | 102-2 | | MILCHAK #2 (U) CLE-21150 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251701 | 13347 | 3703321125 | | 102-2 | | MILCHAK #3 (L) CLE-21125 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251702 | 13348 | 3703321160 | | 102-2 | | MILCHAK #4 (L) CLE-21160 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| 8251703 | 13349 | 3702120109 | | 102-2 | | PIERCE #1 CBA-20109 | ELDER | 36.0 | COLUMBIA GAS TRAN |
| 8251704 | 13350 | 3702120108 | | 102-2 | | PIERCE #4 CBA-20108 | ELDER | 36.0 | COLUMBIA GAS TRAN |
| 8251705 | 13351 | 3703321126 | | 102-2 | | WETSCHLER #1 CLE-21126 | BURNSIDE | 36.0 | COLUMBIA GAS TRAN |
| -VINEYARD OIL & GAS CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251715 | 11266 | 3704921716 | | 102-2 | | ROWLAND #2 | LEBOEUF | 24.0 | COLUMBIA GAS TRAN |
| 8251716 | 11267 | 3704921716 | | 107-TF | | ROWLAND #2 | LEBOEUF | 24.0 | COLUMBIA GAS TRAN |
| -WAINOCO OIL & GAS CO | | | | RECEIVED: | 08/26/82 | JA: PA | | | |
| 8251726 | 12128 | 3703921432 | | 107-TF | | CHARLES M BRUCKNER #1 (W-124) | ATHENS (ROME) | 0.0 | COLUMBIA GAS TRAN |
| 8251717 | 11039 | 3703921143 | | 102-2 | | CHARLOTTE CORNISH #1 (W-111) | ATHENS (BLOOMFIELD) | 21.0 | COLUMBIA GAS TRAN |
| 8251721 | 11040 | 3703921143 | | 107-TF | | CHARLOTTE CORNISH #1 (W-111) | ATHENS (BLOOMFIELD) | 21.0 | COLUMBIA GAS TRAN |
| 8251720 | 11134 | 3703900000 | | 102-2 | | ERNEST B SHREVE #2 (W-112) | ATHENS (BLOOMFIELD) | 18.0 | COLUMBIA GAS TRAN |
| 8251724 | 11133 | 3703921142 | | 107-TF | | ERNEST B SHREVE #2 (W-112) | ATHENS (BLOOMFIELD) | 18.0 | COLUMBIA GAS TRAN |
| 8251725 | 12124 | 3703921406 | | 107-TF | | GEORGE M STEWART #1 (W-121) | ATHENS (ROME) | 0.0 | COLUMBIA GAS TRAN |
| 8251718 | 11041 | 3703921136 | | 102-2 | | JAMES L BURGESS #1 (W-105) | ATHENS (BLOOMFIELD) | 90.0 | COLUMBIA GAS TRAN |
| 8251722 | 11042 | 3703921136 | | 107-TF | | JAMES L BURGESS #1 (W-105) | ATHENS (BLOOMFIELD) | 90.0 | COLUMBIA GAS TRAN |
| 8251723 | 11132 | 3703921144 | | 107-TF | | NEIL E PARKIN #1 (W-113) | ATHENS (BLOOMFIELD) | 37.5 | COLUMBIA GAS TRAN |
| 8251719 | 11131 | 3703921144 | | 102-2 | | NEIL PARKIN #1 (W-113) | ATHENS (BLOOMFIELD) | 18.5 | COLUMBIA GAS TRAN |

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 10 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA sections are indicated by the following codes:

Section 102-1: New OCS lease
- 102-2: New well (2.5 mile rule)
- 102-3: New well (1,000 ft rule)
- 102-4: New onshore reservoir
- 102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper
- 107-GB: Geopressured brine
- 107-CS: Coal seams
- 107-DV: Devonian shale
- 107-PE: Production enhancement
- 107-TF: New tight formation
- 107-RT: Recompletion tight formation

Section 108: Stripper well
- 108-SA: Seasonally affected
- 108-ER: Enhanced recovery
- 108-PB: Pressure buildup

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26059 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 735]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: September 15, 1982.

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| KENTUCKY DEPARTMENT OF MINES & MINERALS | | | | | | | | | |
| -INLAND GAS CO INC | | | | RECEIVED: | 08/27/82 | JA: KY | | | |
| 8251813 | 502644 | 1611900000 | | 107-DV | | BILL CORNETT 262 | BIG SANDY | 5.6 | |
| 8251808 | 502639 | 1611900000 | | 107-DV | | D H TOLLIVER 292 | BIG SANDY | 18.4 | |
| 8251831 | 502662 | 1611900000 | | 107-DV | | DAN CORNETT 258 | BIG SANDY | 4.8 | |
| 8251828 | 502659 | 1611900000 | | 107-DV | | ELIZA NICKLES 250 | BIG SANDY | 2.7 | |
| 8251821 | 502652 | 1611900000 | | 107-DV | | GREEN SLONE 119 | BIG SANDY | 13.0 | |
| 8251825 | 502656 | 1611900000 | | 107-DV | | GREEN SLONE 149 | BIG SANDY | 13.0 | |
| 8251810 | 502641 | 1611900000 | | 107-DV | | H H SMITH 275 | BIG SANDY | 10.6 | |
| 8251809 | 502640 | 1619500000 | | 107-DV | | HELEN LESLIE 126 | BIG SANDY | 29.1 | |
| 8251822 | 502653 | 1607100000 | | 107-DV | | J C HOPKINS 122 | BIG SANDY | 9.1 | |
| 8251823 | 502654 | 1607100000 | | 107-DV | | J C HOPKINS 123 | BIG SANDY | 9.1 | |
| 8251824 | 502655 | 1607100000 | | 107-DV | | J C HOPKINS 125 | BIG SANDY | 9.1 | |
| 8251829 | 502660 | 1615300000 | | 107-DV | | J H HAMMONS 251 | BIG SANDY | 4.9 | |
| 8251820 | 502651 | 1615300000 | | 107-DV | | J M WHITAKER 118 | BIG SANDY | 10.1 | |
| 8251814 | 502645 | 1611900000 | | 107-DV | | J W & SUSAN CORNETT 269 | BIG SANDY | 6.4 | |
| 8251816 | 502647 | 1607100000 | | 107-DV | | JAMES PITTS 95 | BIG SANDY | 4.3 | |
| 8251830 | 502661 | 1611900000 | | 107-DV | | JENKINS CO 253 | BIG SANDY | 5.5 | |
| 8251819 | 502650 | 1611900000 | | 107-DV | | JENKINS COAL CO 115 | BIG SANDY | 5.5 | |
| 8251826 | 502657 | 1611900000 | | 107-DV | | JONAS SLONE 154 | BIG SANDY | 4.0 | |
| 8251827 | 502658 | 1607100000 | | 107-DV | | KENDALL MOORE 104 | BIG SANDY | 14.2 | |
| 8251817 | 502648 | 1611900000 | | 107-DV | | KOUNS HEIRS 109 | BIG SANDY | 3.9 | |
| 8251818 | 502649 | 1611900000 | | 107-DV | | S B WEBB 110 | BIG SANDY | 2.4 | |
| 8251812 | 502643 | 1611900000 | | 107-DV | | TIVIS SLONE 169 | BIG SANDY | 14.8 | |
| 8251832 | 502663 | 1611900000 | | 107-DV | | VA-KY COAL CORP 259 | BIG SANDY | 3.5 | |
| 8251811 | 502642 | 1611900000 | | 107-DV | | W A COMBS 289 | BIG SANDY | 7.3 | |
| 8251815 | 502646 | 1607100000 | | 107-DV | | W F CLARK 155 | BIG SANDY | 8.0 | |
| MONTANA BOARD OF OIL & GAS CONSERVATION | | | | | | | | | |
| -C & K PETROLEUM INC | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251843 | 10-81-205 | 2508321323 | | 102-2 | | HENDERSON #1 | SECOND CREEK | 12.5 | MONTANA DAKOTA UT |
| -ORBIT VENTURES INC | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251846 | 10-81-200 | 2509121409 | | 102-2 | | A DAHL #2-27 | DIVIDE | 36.0 | PHILLIPS PETROLEU |
| -PUMA PETROLEUM CORP | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251838 | 10-81-214 | 2508521245 | | 102-2 | | TININENKO #1-19 | RED BANK | 21.0 | DOME PETROLEUM CO |
| -SUN OIL COMPANY (DELAWARE) | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251836 | 10-81-210 | 2508521214 | | 102-2 | | BARR #1 | EAST BURGET | 14.0 | |
| 8251840 | 10-81-212 | 2508521277 | | 102-2 | | DETIENNE #2-18 | RED BANK | 14.0 | |
| 8251841 | 10-81-209 | 2509121336 | | 102-2 | | JAMES C HENDERSON #1 | OTTER CREEK | 17.0 | |
| 8251847 | 10-81-211 | 2509121386 | | 102-2 | | SUNMARK STATE #1-36 | WEST RESERVE | 120.0 | |
| -TEXACO INC | | | | RECEIVED: | 08/30/82 | JA: MT | | | |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251844 | 10-81-204 | 2508321517 | | 102-2 | | W E MCCHESNEY JR #1 | INTAKE II | 90.0 | MONTANA DAKOTA UT |
| -WESTERN NATURAL GAS COMPANY | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251845 | 10-81-208 | 2504122063 | | 108 | | KAERCHER 3-16 T32N R14E SEC 16 | TIGER RIDGE | 13.0 | NORTHERN NATURAL |
| 8251842 | 10-81-207 | 2504122062 | | 108 | | KAFKA 10-14 T32N R14E SEC 14 | TIGER RIDGE | 12.0 | NORTHERN NATURAL |
| 8251837 | 10-81-206 | 2504122059 | | 108 | | MALSAM 1-31 T33N R14E SEC 31 | FRESNO | 15.0 | NORTHERN NATURAL |
| -WILLIAMS EXPLORATION COMPANY | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8251839 | 10-81-213 | 2509121369 | | 102-4 | | MILLER #3-33 | DAGMAR | 66.0 | |

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OKLAHOMA CORPORATION COMMISSION

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| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| -AMOCO PRODUCTION CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251746 | 16513 | 3513900000 | | 108 | | LAVAKE GAS UNIT #1 | GUYMON-HUGOTON (CHASE | 13.0 | PHILLIPS PETROLEU |
| -BARUCH-FOSTER CORP | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251732 | 15695 | 3503723293 | | 103 | | WOODROW CHILDERS "C"-1 | WEST SHAMROCK | 20.0 | CITIES SERVICE GA |
| -BEARD OIL COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251758 | 15713 | 3510920528 | | 103 | | SHREVE #1 | CHOCTAW | 73.0 | CHAMPLIN PETROLEU |
| -BETA OIL CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251738 | 17837 | 3501121709 | | 102-2 | | SAM COX #1-26 | SOUTH OMEGA | 150.0 | WARREN PETROLEUM |
| -BOGERT OIL CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251755 | 15703 | 3507323267 | | 103 | | CAROLYN 1-35 | SOONER TREND | 217.0 | PHILLIPS PETROLEU |
| -CROUCH PETROLEUM COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251741 | 17865 | 3509120321 | | 102-4 | | DAVIDSON #1 | S E CHECOTAH | 40.0 | COLUMBIA GAS TRAN |
| 8251740 | 17864 | 3509120374 | | 102-4 | | LEWIS WILLIAMS #1 | S E CHECOTAH | 90.0 | COLUMBIA GAS TRAN |
| 8251742 | 17869 | 3509120330 | | 102-4 | | SIZEMORE #1-23 | S E CHECOTAH | 30.0 | COLUMBIA GAS TRAN |
| 8251739 | 17863 | 3509120237 | | 102-4 | | STORM #1-23 | S E CHECOTAH | 130.0 | COLUMBIA GAS TRAN |
| -DAL TEX OIL CO INC | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251749 | 15638 | 3514321427 | | 103 | | DELCOURE #3 | MOUNDS DISTRICT | 43.8 | PHILLIPS PETROLEU |
| 8251750 | 15639 | 3514321440 | | 103 | | G MOORE #3 | THE MOUNDS DISTRICT | 36.5 | PHILLIPS PETROLEU |
| 8251762 | 15637 | 3511123343 | | 103 | | LEE #1 | MOUNDS DISTRICT | 273.7 | PHILLIPS PETROLEU |
| 8251761 | 15636 | 3511123378 | | 103 | | LEE #2 | MOUNDS DISTRICT | 109.5 | PHILLIPS PETROLEU |
| -DAVIS OIL COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251747 | 15660 | 3504722616 | | 103 | | ESTILL #1 | CARRIER | 0.0 | PANHANDLE EASTERN |
| 8251748 | 15661 | 3500320839 | | 103 | | THAIN #1 | GOLTRY | 0.0 | PANHANDLE EASTERN |
| -FUNK EXPLORATION INC | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251737 | 15676 | 3507323376 | | 103 | | THARP #1 | SOONER TREND | 0.0 | CONOCO INC |
| -GEORGE RODMAN INC | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251734 | 15664 | 3509321852 | | 103 | | HUTCHISON #1-28 | EAST CAMPBELL | 150.0 | NORTHERN NATURAL |
| -GMC OIL AND GAS CORP | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251752 | 15670 | 3511921835 | | 103 | | WALKER #1 | WEST YALE | 150.0 | PHILLIPS PETROLEU |
| -HAZLEWOOD OIL & GAS CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251736 | 15663 | 3501121665 | | 103 | | ROBERTS #1 | WATONGA | 257.0 | |
| -LEBEN OIL CORP | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251760 | 15715 | 3509322421 | | 103 | | NOBLE #1 | CHEYENNE VALLEY | 150.0 | DELHI GAS PIPELIN |
| 8251759 | 15714 | 3509322438 | | 103 | | NOBLE #2 | CHEYENNE VALLEY | 150.0 | DELHI GAS PIPELIN |
| -MAPCO PRODUCTION COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251743 | 8324 | 3513921470 | | 103 | | G CAIN #2 | HUGOTON | 36.6 | NORTHERN NATURAL |
| -MOBIL OIL CORP | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251745 | 16502 | 3504900000 | | 108 | | EMMA B WILSON #3 | GOLDEN TREND | 8.2 | WARREN PETROLEUM |
| -OKLAND OIL CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251731 | 15686 | 3501721728 | | 103 | | SAVAGE #1-28 | | 0.0 | PHILLIPS PETROLEU |
| -PHILLIPS PETROLEUM COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251744 | | 3515300000 | | 108-PB | | CALDWELL "F" #1 | | 0.0 | CITIES SERVICE CO |
| -RED EAGLE OIL CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251754 | 15702 | 3509322156 | | 103 | | LOIS #1 | FAIRVIEW | 91.0 | PIONEER GAS PRODU |
| -SOUTHLAND ROYALTY CO | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251756 | 15707 | 3515121200 | | 103 | | DEBORAH #1-32 | SALT SPRINGS | 29.0 | EL GRANDE PIPELIN |
| 8251757 | 15709 | 3515121217 | | 103 | | LONDON RANCH #1-36 | SALT SPRINGS | 128.0 | EL GRANDE PIPELIN |
| -SUN OIL COMPANY (DELAWARE) | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251735 | 15668 | 3508520454 | | 103 | | COX #2 | N MARIETTA | 109.0 | AMINOIL USA INC |
| -TENNECO OIL COMPANY | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251730 | 15696 | 3513700000 | | 103 | | NDPSU #6-6 | SHO VEL TUM | 0.0 | AMINOIL USA INC |
| -VANCOL OIL CO INC | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251733 | 15694 | 3508321677 | | 103 | | POST 31-1 | HULL | 14.6 | EASON OIL CO |
| -WIL-MC OIL CORP | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251751 | 15665 | 3510321531 | | 103 | | RYAN #1 | NORTH PERRY | 18.0 | EL GRANDE PIPELIN |
| -WOODS PETROLEUM CORPORATION | | | | RECEIVED: | 08/25/82 | JA: OK | | | |
| 8251753 | 15701 | 3504921789 | | 103 | | MCDANIEL #15-4 | ANTIOCH | 198.0 | |
| ********** | | | | | | | | | |
| UTAH DIVISION OF OIL,GAS, & MINING | | | | | | | | | |
| ********** | | | | | | | | | |
| -EXXON CORPORATION | | | | RECEIVED: | 08/30/82 | JA: UT | | | |
| 8251834 | K-106-2 | 4304731112 | | 103 | | BOLTON #2-29A1E | EAST BLUEBELL | 46.0 | GARY ENERGY CORP |
| -TEXAS OIL & GAS CORP | | | | RECEIVED: | 08/30/82 | JA: UT | | | |
| 8251835 | K-142-2 | 4304731005 | | 107-TF | | SQUIER #1 | FENCE CANYON | 738.0 | NORTHWEST PIPELIN |
| ********** | | | | | | | | | |
| WEST VIRGINIA DEPARTMENT OF MINES | | | | | | | | | |
| ********** | | | | | | | | | |
| -ALLEGHENY & WESTERN ENERGY CORP | | | | RECEIVED: | 08/06/82 | JA: WV | | | |
| 8251729 | | 4708703478 | | 103 | | HARPER #1 | WALTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| -CABOT OIL & GAS CORP | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251773 | | 4700501358 | | 103 | | ALLEN & PRYOR A-1 | SCOTT | 10.0 | TENNESSEE GAS PIP |
| 8251789 | | 4700501358 | | 107-DV | | ALLEN & PRYOR A-1 | SCOTT | 10.0 | TENNESSEE GAS PIP |
| 8251794 | | 4703903782 | | 107-DV | | BERRY HILLS #7 | WASHINGTON | 10.0 | TENNESSEE GAS PIP |
| 8251770 | | 4707901067 | | 103 | | CABOT #1 | UNION | 43.0 | TENNESSEE GAS PIP |
| 8251792 | | 4707901067 | | 107-DV | | CABOT #1 | UNION | 43.0 | TENNESSEE GAS PIP |
| 8251767 | | 4707901045 | | 103 | | CABOT #4 | POCATALICO | 35.0 | TENNESSEE GAS PIP |
| 8251784 | | 4707901045 | | 107-DV | | CABOT #4 | POCATALICO | 35.0 | TENNESSEE GAS PIP |
| 8251765 | | 4707901036 | | 103 | | HARDY B-8 | UNION | 50.0 | TENNESSEE GAS PIP |
| 8251790 | | 4707901036 | | 107-DV | | HARDY B-8 | UNION | 50.0 | TENNESSEE GAS PIP |
| 8251769 | | 4707901052 | | 103 | | HAVERTY #1 | UNION | 25.0 | TENNESSEE GAS PIP |
| 8251786 | | 4707901052 | | 107-DV | | HAVERTY #1 | UNION | 25.0 | TENNESSEE GAS PIP |
| 8251791 | | 4707901051 | | 107-DV | | HAVERTY #2 | UNION | 30.0 | TENNESSEE GAS PIP |
| 8251764 | | 4707901034 | | 103 | | L S CASTO #1 | UNION | 40.0 | TENNESSEE GAS PIP |
| 8251777 | | 4707901034 | | 107-DV | | L S CASTO #1 | UNION | 40.0 | TENNESSEE GAS PIP |
| 8251775 | | 4703903750 | | 107-DV | | MALLORY #1 | WASHINGTON | 7.0 | TENNESSEE GAS PIP |
| 8251785 | | 4707901061 | | 107-DV | | MCLEAN A-104 | UNION | 37.0 | TENNESSEE GAS PIP |
| 8251766 | | 4707901044 | | 103 | | MCLEAN A-110 | UNION | 16.0 | TENNESSEE GAS PIP |
| 8251795 | | 4707901044 | | 107-DV | | MCLEAN A-110 | UNION | 16.0 | TENNESSEE GAS PIP |
| 8251774 | | 4703903767 | | 107-DV | | P J GEORGE #1 | WASHINGTON | 40.0 | TENNESSEE GAS PIP |
| 8251771 | | 4703501579 | | 103 | | PARSONS B-1 | RIPLEY | 45.0 | TENNESSEE GAS PIP |
| 8251776 | | 4703501579 | | 107-DV | | PARSONS B-1 | RIPLEY | 45.0 | TENNESSEE GAS PIP |
| 8251768 | | 4707901050 | | 103 | | PUTNAM B-18 | UNION | 44.0 | TENNESSEE GAS PIP |
| 8251787 | | 4707901050 | | 107-DV | | PUTNAM B-18 | UNION | 44.0 | TENNESSEE GAS PIP |
| 8251772 | | 4703501598 | | 103 | | PUTNAM B-35 | RIPLEY | 44.0 | TENNESSEE GAS PIP |
| 8251793 | | 4703501598 | | 107-DV | | PUTNAM B-35 | RIPLEY | 44.0 | TENNESSEE GAS PIP |
| 8251763 | | 4700501349 | | 103 | | ROCK CREEK A-10 | SCOTT | 2.0 | TENNESSEE GAS PIP |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251788 | | 4703903672 | | 107-DV | | W E PITTMAN #1 | WASHINGTON | 34.0 | TENNESSEE GAS PIP |
| -CARSON PETROLEUM CORP | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251803 | | 4702103632 | | 108 | | JAMES #2 | BIG ELLIS | 13.9 | CONSOLIDATED GAS |
| 8251804 | | 4702103633 | | 108 | | JAMES #3 | BIG ELLIS | 6.2 | CONSOLIDATED GAS |
| -CHASE PETROLEUM | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251780 | | 4708504948 | | 107-DV | | AMOS #5 | CLAY DISTRICT | 48.0 | |
| 8251778 | | 4708504832 | | 103 | | MAHANEY #1 | PENNSBORO-TOLLGATE | 10.0 | |
| 8251779 | | 4708504833 | | 103 | | MAHANEY #1A | PENNSBORO-TOLLGATE | 10.0 | |
| -CONSOLIDATED GAS SUPPLY CORPORATION | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251805 | | 4701701766 | | 108 | | J D MCREYNOLDS 11716 | GRANT DISTRICT | 14.0 | GENERAL SYSTEM PU |
| 8251807 | | 4704101987 | | 108 | | JOSEPH GUM 11884 | FREEMANS CREEK DISTRI | 13.0 | GENERAL SYSTEM PU |
| 8251801 | | 4704102532 | | 108 | | MADGE FULTINEAR 12525 | WEST VIRGINIA OTHER A | 21.0 | GENERAL SYSTEM PU |
| 8251802 | | 4705500038 | | 108 | | POCAHONTAS LAND CORP 12205 | ROCK DISTRICT | 0.6 | GENERAL SYSTEM PU |
| 8251806 | | 4703300560 | | 108 | | STEPHEN E BENNETT WN-1607 | UNION | 3.0 | GENERAL SYSTEM PU |
| -NORWES INDUSTRIES INC | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251781 | | 4701303318 | | 103 | | M C CARPENTER #4 | MINNORA GAS | 14.0 | CONSOLIDATED GAS |
| 8251782 | | 4701303327 | | 103 | | M C CARPENTER #5 | MINNORA GAS | 4.0 | CONSOLIDATED GAS |
| 8251783 | | 4701303328 | | 103 | | M C CARPENTER #6 | MINNORA GAS | 14.0 | CONSOLIDATED GAS |
| -NRM PETROLEUM CORPORATION | | | | RECEIVED: | 08/25/82 | JA: WV | | | |
| 8251798 | | 4709701733 | | 108 | | DEMASTES #1 | FRENCH CREEK | 14.0 | COLUMBIA GAS TRAN |
| 8251797 | | 4709701715 | | 108 | | HOOVER #1 | MIDDLE FORK RIVER | 9.0 | COLUMBIA GAS TRAN |
| 8251796 | | 4704102489 | | 108 | | KRAUS #2 | COURT HOUSE | 2.0 | CONSOLIDATED GAS |
| 8251800 | | 4709701810 | | 108 | | MCCUE #1 | FRENCH CREEK | 9.0 | COLUMBIA GAS TRAN |
| 8251799 | | 4709701735 | | 108 | | PHILLIPS #1 | FRENCH CREEK | 14.0 | COLUMBIA GAS TRAN |

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** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, LOS ANGELES,CA

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| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| -UNION OIL COMPANY OF CALIF | | | | RECEIVED: | 08/30/82 | JA: CA 2 | | | |
| 8251833 | OCS-P-3-82 | 0431120489 | | 102-5 | | SANTA CLARA UNIT WELL S-3 | CALIFORNIA OFFSHORE | 0.0 | PACIFIC LIGHTING |

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease
- 102-2: New well (2.5 mile rule)
- 102-3: New well (1,000 ft rule)
- 102-4: New onshore reservoir
- 102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper
- 107-GB: Geopressured brine
- 107-CS: Coal seams
- 107-DV: Devonian shale
- 107-PE: Production enhancement
- 107-TF: New tight formation
- 107-RT: Recompletion tight formation

Section 108: Stripper well
- 108-SA: Seasonally affected
- 108-ER: Enhanced recovery
- 108-PB: Pressure buildup

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 26058 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 736]

## Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 16, 1982.

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| OHIO DEPARTMENT OF NATURAL RESOURCES | | | | | | | | | |
| -ALTHEIRS OIL INC | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251853 | | 3412725367 | | 107-TF | | AICHELE #1 | HARRISON TOWNSHIP | 10.0 | NATIONAL GAS & OI |
| 8251848 | | 3405320450 | | 103 | 107-TF | MABEL HAYES #7 | ADDISON | 6.0 | COLUMBIA GAS TRAN |
| 8251852 | | 3412725273 | | 107-TF | | PETER #1 | BEARFIELD TOWNSHIP | 8.0 | NATIONAL GAS & OI |
| 8251849 | | 3412724880 | | 107-TF | | PONTIOUS #1 | HARRISON TOWNSHIP | 10.0 | NATIONAL GAS & OI |
| 8251851 | | 3412725167 | | 107-TF | | R RAMBO #1 | HARRISON TOWNSHIP | 7.0 | NATIONAL GAS & OI |
| 8251850 | | 3412725166 | | 107-TF | | T LEWIS #1 | HARRISON TOWNSHIP | 10.0 | NATIONAL GAS & OI |
| -ATLAS ENERGY GROUP INC | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251855 | | 3415520737 | | 108 | | COLLIER #1 | | 0.0 | COLUMBIA GAS TRAN |
| -BERMAN J SHAFER | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8252130 | | 3415723637 | | 103 | | D & J GRAEF #1 | DOVER | 7.5 | EAST OHIO GAS CO |
| 8252131 | | 3415723638 | | 103 | | D & J GRAEF #2 | DOVER | 7.5 | EAST OHIO GAS CO |
| 8252132 | | 3416923329 | | 103 | | FOLLOWAY UNIT #1 | WOOSTER | 7.5 | EAST OHIO GAS CO |
| -BERRESFORD ENTERPRISES INC | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251857 | | 3416724596 | | 108 | | VIRGIL DAVIS #1 | | 0.9 | RIVER GAS CO |
| 8251858 | | 3416725163 | | 108 | | VIRGIL DAVIS #2 | | 2.8 | RIVER GAS CO |
| -BILL BLAIR INCORPORATED | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251859 | | 3402920774 | | 103 | 107-TF | CHOMA #2 | HOMEWORTH | 17.0 | EAST OHIO GAS CO |
| -BJVC ENERGY MANAGEMENT CORP | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251856 | | 3410521847 | | 107-TF | | THOMAS HART #1 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| -CAMERON & KINCAID | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251861 | | 3411926336 | | 107-TF | | AGNES BEISSER #1 | WAYNE | 10.0 | |
| 8251860 | | 3411925296 | | 107-TF | | GRACE MORRISON ETAL #1-A | BRUSH CREEK | 10.0 | NATIONAL GAS & OI |
| -EAST OHIO GAS CO | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251896 | | 3413320151 | | 108 | | A & M HARVILLE #1 | | 5.3 | EAST OHIO GAS CO |
| 8251897 | | 3413320154 | | 108 | | A & M HARVILLE #2 | | 6.5 | EAST OHIO GAS CO |
| 8251874 | | 3409920211 | | 108 | | A & M STEISKAL #1 | | 7.2 | EAST OHIO GAS CO |
| 8251884 | | 3413320064 | | 108 | | A M KOVALEVSKI-COMM #1 | | 2.1 | EAST OHIO GAS CO |
| 8251908 | | 3413320246 | | 108 | | A ROGERS COMM #1 | | 12.4 | EAST OHIO GAS CO |
| 8251913 | | 3413320315 | | 108 | | A ROGERS COMM #2 | | 14.5 | EAST OHIO GAS CO |
| 8251978 | | 3415720069 | | 108 | | A S REED #1 | | 1.6 | EAST OHIO GAS CO |
| 8251877 | | 3413320043 | | 108 | | A SHIPLEY #2 | | 6.0 | EAST OHIO GAS CO |
| 8251935 | | 3413320406 | | 108 | | B & H THOMPSON COMM #1 | | 7.0 | EAST OHIO GAS CO |
| 8251902 | | 3413320170 | | 108 | | BABER COMM #1 | | 6.1 | THE EAST OHIO GAS |
| 8251946 | | 3415120081 | | 108 | | BROOKSIDE CLUB #1 | | 4.2 | EAST OHIO GAS CO |
| 8251930 | | 3413320386 | | 108 | | C & G MOULTON COMM #1 | | 6.9 | EAST OHIO GAS CO |
| 8251916 | | 3413320332 | | 108 | | C & H KELLER #1 | | 2.1 | EAST OHIO GAS CO |
| 8251895 | | 3413320145 | | 108 | | C & M BINGHAM COMM #1 | | 1.4 | EAST OHIO GAS CO |
| 8251936 | | 3413320408 | | 108 | | C & S TREASH COMM #1 | | 1.8 | EAST OHIO GAS CO |
| 8251960 | | 3415120284 | | 108 | | C C STEIN #1 | | 3.5 | EAST OHIO GAS CO |
| 8251881 | | 3413320054 | | 108 | | C E EHASZ-COMM #1 | | 1.5 | EAST OHIO GAS CO |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251876 | | 3413320041 | | 108 | | C M STEWART #1 | | 2.5 | EAST OHIO GAS CO |
| 8251954 | | 3415120150 | | 108 | | C VOLZER #1 | | 3.9 | EAST OHIO GAS CO |
| 8251965 | | 3415120408 | | 108 | | CANTON BD OF ED #1 MERCY HOSP | | 8.3 | EAST OHIO GAS CO |
| 8251947 | | 3415100130 | | 108 | | CITY OF CANTON #1 | | 2.3 | EAST OHIO GAS CO |
| 8251959 | | 3415120274 | | 108 | | D & F HOWARD #1 | | 1.2 | EAST OHIO GAS CO |
| 8251940 | | 3413320450 | | 108 | | D & J CRAMNER #1 | | 7.8 | EAST OHIO GAS CO |
| 8251976 | | 3415121055 | | 108 | | D & K MILLER #1 | | 2.4 | EAST OHIO GAS CO |
| 8251970 | | 3415120783 | | 108 | | D E MILLER #1 | | 2.4 | EAST OHIO GAS CO |
| 8251974 | | 3415121015 | | 108 | | D E MILLER #2 | | 2.4 | EAST OHIO GAS CO |
| 8251957 | | 3415120229 | | 108 | | D LAWVER #1 | | 1.0 | EAST OHIO GAS CO |
| 8251900 | | 3413320161 | | 108 | | DAVID R KLINE #1 | | 7.4 | EAST OHIO GAS CO |
| 8251904 | | 3413320184 | | 108 | | E & L FOSTER COMM #1 | | 3.0 | EAST OHIO GAS CO |
| 8251964 | | 3415120407 | | 108 | | E & L MOFFAT #1 | | 6.7 | EAST OHIO GAS CO |
| 8251968 | | 3415120550 | | 108 | | E B CRANSTON #1 | | 6.4 | EAST OHIO GAS CO |
| 8251867 | | 3402920566 | | 108 | | E M SMITH COMM #1 | | 9.2 | EAST OHIO GAS CO |
| 8251880 | | 3413320052 | | 108 | | E MILLER #1 | | 8.8 | EAST OHIO GAS CO |
| 8251977 | | 3415720023 | | 108 | | E SPRING #1 | | 3.7 | EAST OHIO GAS CO |
| 8251878 | | 3413320044 | | 108 | | E T WORKMAN #1 | | 10.0 | EAST OHIO GAS CO |
| 8251929 | | 3413320384 | | 108 | | F & A TRACY COMM #1 | | 3.3 | EAST OHIO GAS CO |
| 8251912 | | 3413320278 | | 108 | | F & E WADDELL COMM #1 | | 1.1 | EAST OHIO GAS CO |
| 8251938 | | 3413320436 | | 108 | | F & J MASSA #1 | | 1.2 | EAST OHIO GAS CO |
| 8251893 | | 3413320121 | | 108 | | F & R HECKMAN COMM #1 | | 2.8 | EAST OHIO GAS CO |
| 8251883 | | 3413320059 | | 108 | | F V SUTTON COMM #1 | | 4.3 | EAST OHIO GAS CO |
| 8251894 | | 3413320131 | | 108 | | G & E MCKOWN #1 | | 1.5 | EAST OHIO GAS CO |
| 8251870 | | 3409920136 | | 108 | | G & F COOK #1 | | 17.8 | EAST OHIO GAS CO |
| 8251889 | | 3413320092 | | 108 | | G & F COOK #1 | | 13.7 | EAST OHIO GAS CO |
| 8251955 | | 3415120191 | | 108 | | G & L DOLL #2 | | 4.0 | EAST OHIO GAS CO |
| 8251944 | | 3413320475 | | 108 | | G & V TARTER COMM #1 | | 4.4 | EAST OHIO GAS CO |
| 8251966 | | 3415120408 | | 108 | | GARAUX & SWEIGERT TRUS #3 | | 6.3 | EAST OHIO GAS CO |
| 8251910 | | 3413320261 | | 108 | | H & C MEACHAM #2 | | 3.7 | EAST OHIO GAS CO |
| 8251907 | | 3413320240 | | 108 | | H & C MEACHAM COMM #1 | | 5.6 | EAST OHIO GAS CO |
| 8251903 | | 3413320174 | | 108 | | H & J TWIGGS COMM #1 | | 2.3 | EAST OHIO GAS CO |
| 8251872 | | 3409920171 | | 108 | | H & L HESCHELMAN #1 | | 5.7 | EAST OHIO GAS CO |
| 8251943 | | 3413320459 | | 108 | | H & M EBLE #1 | | 6.6 | EAST OHIO GAS CO |
| 8251932 | | 3413320400 | | 108 | | H & V FRAME COMM #1 | | 4.1 | EAST OHIO GAS CO |
| 8251885 | | 3413320065 | | 108 | | H BOBBY-COMM #1 | | 5.5 | EAST OHIO GAS CO |
| 8251975 | | 3415121021 | | 108 | | H F DIELHENN #1 | | 2.0 | EAST OHIO GAS CO |
| 8251901 | | 3413320168 | | 108 | | H H MILLER COMM #1 | | 8.6 | EAST OHIO GAS CO |
| 8251909 | | 3413320260 | | 108 | | J & F BAILEY COMM #1 | | 21.0 | EAST OHIO GAS CO |
| 8251941 | | 3413320451 | | 108 | | J & F LAMM #1 | | 4.7 | EAST OHIO GAS CO |
| 8251906 | | 3413320226 | | 108 | | J & F MCGRATH COMM #1 | | 3.4 | EAST OHIO GAS CO |
| 8251923 | | 3413320372 | | 108 | | J & H FOLK #1 | | 2.8 | EAST OHIO GAS CO |
| 8251919 | | 3413320365 | | 108 | | J & J RODENBUCHER #1 | | 1.9 | EAST OHIO GAS CO |
| 8251939 | | 3413320449 | | 108 | | J & L DAVIS COMM #1 | | 11.2 | EAST OHIO GAS CO |
| 8251866 | | 3402920555 | | 108 | | J & L DENNY #1 | | 3.1 | EAST OHIO GAS CO |
| 8251945 | | 3413320483 | | 108 | | J & M JORDAN COMM #2 | | 7.5 | EAST OHIO GAS CO |
| 8251898 | | 3413320157 | | 108 | | J & M PARSONS #1 | | 2.1 | EAST OHIO GAS CO |
| 8251952 | | 3415120139 | | 108 | | J & N YEAGER #1 | | 3.5 | EAST OHIO GAS CO |
| 8251905 | | 3413320225 | | 108 | | J & R KLINE COMM #1 | | 6.5 | EAST OHIO GAS CO |
| 8251925 | | 3413320374 | | 108 | | J & R KLINE COMM #2 | | 4.6 | EAST OHIO GAS CO |
| 8251869 | | 3409920130 | | 108 | | J & S KOVAC COMM #1 | | 11.8 | THE EAST OHIO GAS |
| 8251921 | | 3413320368 | | 108 | | J CHUDANOV COMM #1 | | 1.5 | EAST OHIO GAS CO |
| 8251950 | | 3415120017 | | 108 | | J D JOLIET | | 14.5 | EAST OHIO GAS CO |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251934 | | 3413320404 | | 108 | | J E FOWLER #1 | | 1.5 | EAST OHIO GAS CO |
| 8251972 | | 3415121005 | | 108 | | J N COBLENTZ #1 | | 1.9 | EAST OHIO GAS CO |
| 8251890 | | 3413320093 | | 108 | | J SVEDA COMM #2 | | 1.9 | EAST OHIO GAS CO |
| 8251980 | | 3415720979 | | 108 | | JOHNSON-UTZ #1 | | 5.6 | EAST OHIO GAS CO |
| 8251963 | | 3415120353 | | 108 | | L & R FOX #1 | | 2.1 | EAST OHIO GAS CO |
| 8251886 | | 3413320069 | | 108 | | L BULLOCK-COMM #1 | | 2.3 | EAST OHIO GAS CO |
| 8251887 | | 3413320086 | | 108 | | L C MCCONNELL #1 | | 2.1 | EAST OHIO GAS CO |
| 8251948 | | 3415120245 | | 108 | | L HUMBERT COMM #1 | | 11.5 | EAST OHIO GAS CO |
| 8251892 | | 3413320113 | | 108 | | L J LEWIS COMM #1 | | 11.6 | EAST OHIO GAS CO |
| 8251973 | | 3415121007 | | 108 | | L TROYER COMM #1 | | 3.6 | EAST OHIO GAS CO |
| 8251971 | | 3415121002 | | 108 | | M & B COBLENTZ #1 | | 2.0 | EAST OHIO GAS CO |
| 8251914 | | 3413320319 | | 108 | | M & C BENICH COMM #1 | | 9.9 | EAST OHIO GAS CO |
| 8251937 | | 3413320432 | | 108 | | M & E MILLER COMM #1 | | 1.5 | EAST OHIO GAS CO |
| 8251873 | | 3409920177 | | 108 | | M & V COFFMAN COMM #2 | | 13.2 | EAST OHIO GAS CO |
| 8251958 | | 3415120264 | | 108 | | M M FOHL #1 | | 2.7 | EAST OHIO GAS CO |
| 8251949 | | 3415120355 | | 108 | | MCFARREN COMM #1 | | 2.5 | EAST OHIO GAS CO |
| 8251917 | | 3413320333 | | 108 | | N & E HANNA #1 | | 5.8 | EAST OHIO GAS CO |
| 8251899 | | 3413320159 | | 108 | | P & B PLETZER COMM #1 | | 6.1 | EAST OHIO GAS CO |
| 8251962 | | 3415120309 | | 108 | | P SURMAY #1 | | 1.9 | EAST OHIO GAS CO |
| 8251868 | | 3402920574 | | 108 | | R & A BRUNNER #1 | | 7.5 | EAST OHIO GAS CO |
| 8251922 | | 3413320369 | | 108 | | R & E HOLMES COMM #1 | | 1.7 | EAST OHIO GAS CO |
| 8251979 | | 3415720154 | | 108 | | R & M REED #1 | | 1.9 | EAST OHIO GAS CO |
| 8251915 | | 3413320322 | | 108 | | R & M RICHARDS #1 | | 3.8 | EAST OHIO GAS CO |
| 8251871 | | 3409920152 | | 108 | | R & M SMITH COMM #1 | | 4.7 | EAST OHIO GAS CO |
| 8251928 | | 3413320381 | | 108 | | R & N GRIGGY #1 | | 1.1 | EAST OHIO GAS CO |
| 8251967 | | 3415120532 | | 108 | | R & R BREINING COMM #1 | | 2.1 | EAST OHIO GAS CO |
| 8251911 | | 3413320263 | | 108 | | R & R KERR COMM #1 | | 6.5 | EAST OHIO GAS CO |
| 8251891 | | 3413320098 | | 108 | | R H BOWER-COMM #2 | | 10.5 | EAST OHIO GAS CO |
| 8251888 | | 3413320087 | | 108 | | R H BOWERS #1 | | 1.9 | EAST OHIO GAS CO |
| 8251931 | | 3413320398 | | 108 | | S & E BOTZ COMM #1 | | 2.7 | EAST OHIO GAS CO |
| 8251882 | | 3413320057 | | 108 | | S & L JONES #1 | | 3.9 | EAST OHIO GAS CO |
| 8251875 | | 3409920221 | | 108 | | S & M LEONARD COMM #1 | | 15.4 | EAST OHIO GAS CO |
| 8251969 | | 3415120582 | | 108 | | SEABREEZE CO LTD COMM #1 | | 6.3 | EAST OHIO GAS CO |
| 8251951 | | 3415120096 | | 108 | | STARK CO COMMISSIONERS #1 | | 15.5 | EAST OHIO GAS CO |
| 8251961 | | 3415120304 | | 108 | | STEINBACH COMM #1 | | 1.2 | EAST OHIO GAS CO |
| 8251879 | | 3413320049 | | 108 | | T H BAILEY #1 | | 6.0 | EAST OHIO GAS CO |
| 8251942 | | 3413320452 | | 108 | | W & A SPRAKA COMM #1 | | 9.0 | EAST OHIO GAS CO |
| 8251926 | | 3413320377 | | 108 | | W & D FOX COMM #1 | | 1.4 | EAST OHIO GAS CO |
| 8251918 | | 3413320335 | | 108 | | W & F KLINE COMM #1 | | 9.0 | EAST OHIO GAS CO |
| 8251920 | | 3413320366 | | 108 | | W & F KLINE COMM #2 | | 1.0 | EAST OHIO GAS CO |
| 8251933 | | 3413320402 | | 108 | | W & R EYRE COMM #1 | | 8.0 | EAST OHIO GAS CO |
| 8251953 | | 3415120143 | | 108 | | W H BECHER AGT #2 | | 6.0 | EAST OHIO GAS CO |
| 8251956 | | 3415120204 | | 108 | | W J KLEINHENZ #1 | | 7.5 | EAST OHIO GAS CO |
| 8251924 | | 3413320373 | | 108 | | W KEYSER COMM #1 | | 10.4 | EAST OHIO GAS CO |
| 8251927 | | 3413320380 | | 108 | | W R PETRISHAK COMM #1 | | 1.8 | EAST OHIO GAS CO |
| -EDCO DRILLING & PRODUCING INC | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251981 | | 3403124167 | D | 108 | | SEWELL BL-1A | | 18.0 | COLUMBIA GAS TRAN |
| 8251982 | | 3403124168 | D | 108 | | SEWELL BL-2A | | 18.0 | COLUMBIA GAS TRAN |
| -EDWARD E ATHA | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251854 | | 3400922305 | | 107-TF | | JEAN S HUBBARD (VALENTINE) #1 | ROME | 0.0 | COLUMBIA GAS TRAN |
| -FRANK A CSAPO JR | | | | RECEIVED: | | 08/27/82 JA: OH | | | |
| 8251863 | | 3416922215 | | 107-TF | | GARRISON-RUPP #2 | MILTON | 12.0 | COLUMBIA GAS TRAN |
| 8251864 | | 3416922257 | | 107-TF | | GARRISON-RUPP #3 | MILTON | 0.0 | COLUMBIA GAS TRAN |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8251865 | | 3416922330 | | 103 | 107-TF | LOUIS LANDRY #1 | MILTON | 18.0 | COLUMBIA GAS TRAN |
| -GNC ENERGY CORP | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251983 | | 3411522400 | | 107-TF | | GLADYS MORIN #1 | ROKEBY LOCK | 15.0 | COLUMBIA GAS TRAN |
| -HERALD OIL & GAS CO | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251984 | | 3405320669 | | 107-TF | | GENE MCCUITY #1 | ADDISON | 0.0 | COLUMBIA GAS TRAN |
| 8251985 | | 3405320755 | | 107-TF | | JANET DAILEY #1 | ADDISON | 0.0 | COLUMBIA GAS TRAN |
| -JAYCO DRILLING CO | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252086 | | 3411924913 | | 107-TF | | JOHNSON #1 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| -KEN-TRAK VI | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251987 | | 3410522330 | | 107-TF | | ROBERT MILLER #1 WEST | 2ND BEREA LOWER MISSI | 0.0 | |
| -KEN-TRAK VII | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251989 | | 3410522399 | | 107-TF | | GILLITTE - WHITE #3 | LOWER MISSISSIPPIAN | 0.0 | |
| -KEN-TRAK VIII | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251990 | | 3410522400 | | 107-TF | | GILLETTE - WHITE #4 | 2N BEREA (LOWER MISSI | 0.0 | |
| 8251988 | | 3410522388 | | 107-TF | | RAYMOND FOWLER #3 | (LOWER MISSISSIPIAN) | 0.0 | |
| -KEN-TRAK X | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251991 | | 3410522414 | | 107-TF | | WILLIAM SMITH #1 | LOWER MISSISSIPPIAN | 0.0 | |
| -KENOIL | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251986 | | 3403124768 | | 103 | | CHRISTOPHER FOY #1 | WARSAW | 5.0 | COLUMBIA GAS TRAN |
| -KRAMER EXPLORATION CO | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251992 | | 3405320766 | | 103 | 107-TF | OHIO POWER CO #21 | ADDISON | 0.0 | COLUMBIA GAS TRAN |
| -LANDPROVEST INC | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251993 | | 3411926147 | | 107-TF | | R SMITH #5 | NASHPORT | 50.0 | NATIONAL GAS & OI |
| -M B OPERATING CO INC | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252013 | | 3401921120 | | 108 | | ASTEN-BULLOCK #4 | | 5.5 | REPUBLIC STEEL CO |
| 8252014 | | 3401921121 | | 108 | | ASTON-BULLOCK #3 | | 5.5 | REPUBLIC STEEL CO |
| 8252031 | | 3415721592 | | 108 | | BOYD MARKLEY #1 | | 5.8 | REPUBLIC STEEL CO |
| 8252030 | | 3415721580 | | 108 | | BOYD-BUTLER U-1 | | 5.8 | REPUBLIC STEEL CO |
| 8252015 | | 3401921149 | | 108 | | D & M WATKINS #2 | | 5.5 | REPUBLIC STEEL CO |
| 8252032 | | 3415721593 | | 108 | | E & R MCINTOSH #1 | | 5.1 | REPUBLIC STEEL CO |
| 8252034 | | 3415721609 | | 108 | | E & R MCINTOSH #2 | | 5.1 | REPUBLIC STEEL CO |
| 8251995 | | 3401920411 | | 108 | | ERNEST KING #1 | | 18.3 | REPUBLIC STEEL CO |
| 8251996 | | 3401920417 | | 108 | | ERNEST KING #2 | | 18.3 | REPUBLIC STEEL CO |
| 8251997 | | 3401920418 | | 108 | | ERNEST KING #3 | | 18.3 | REPUBLIC STEEL CO |
| 8252033 | | 3415721594 | | 108 | | EWING-CHESDOCK U #2 | | 3.8 | REPUBLIC STEEL CO |
| 8252027 | | 3415122657 | | 108 | | FURBAY #1 | | 3.8 | REPUBLIC STEEL CO |
| 8252006 | | 3401920764 | | 108 | | GEISER U #1 | | 15.8 | REPUBLIC STEEL CO |
| 8252007 | | 3401920785 | | 108 | | GEISER U #2 | | 15.8 | REPUBLIC STEEL CO |
| 8252008 | | 3401920786 | | 108 | | GEISER U #3 | | 15.8 | REPUBLIC STEEL CO |
| 8252016 | | 3401920819 | | 108 | | GERMAN #2 | | 5.5 | REPUBLIC STEEL CO |
| 8252028 | | 3415720946 | | 108 | | HALE #2 | | 1.4 | REPUBLIC STEEL CO |
| 8252001 | | 3401920555 | | 108 | | HANIFAN #1 | | 18.3 | REPUBLIC STEEL CO |
| 8251999 | | 3401920545 | | 108 | | HANIFAN #2 | | 18.3 | REPUBLIC STEEL CO |
| 8251998 | | 3401920544 | | 108 | | HANIFAN #3 | | 18.3 | REPUBLIC STEEL CO |
| 8252000 | | 3401920554 | | 108 | | HANIFAN #4 | | 18.3 | REPUBLIC STEEL CO |
| 8252002 | | 3401920562 | | 108 | | HARSA-BOYCE #1 | | 14.6 | REPUBLIC STEEL CO |
| 8252003 | | 3401920565 | | 108 | | JAMES-SCHLARR #1 | | 9.1 | EAST OHIO GAS CO |
| 8252022 | | 3415122593 | | 108 | | KOLP #2 | | 5.1 | REPUBLIC STEEL CO |
| 8252021 | | 3415122516 | | 108 | | LAKE-MARL #1 | | 5.1 | REPUBLIC STEEL CO |
| 8251994 | | 3401920279 | | 108 | | LINDENTREE #1 | | 5.1 | EAST OHIO GAS CO |
| 8252009 | | 3401920788 | | 108 | | LIPPINCOTT #1 | | 5.1 | REPUBLIC STEEL CO |
| 8252011 | | 3401920509 | | 108 | | LIPPINCOTT #2 | | 5.1 | REPUBLIC STEEL CO |
| 8252026 | | 3415122654 | | 108 | | M FIERSTOS U #1 | | 40.2 | REPUBLIC STEEL CO |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252023 | | 3415122605 | | 108 | | M KLICK #1 | | 10.0 | REPUBLIC STEEL CO |
| 8252038 | | 3415723289 | | 108 | | MARKLEY ESTATE #8 | | 12.8 | REPUBLIC STEEL CO |
| 8252035 | | 3415721898 | | 108 | | NICHOLAS #1 | | 5.5 | REPUBLIC STEEL CO |
| 8252020 | | 3415172440 | | 108 | | PADGITT #1 | | 5.1 | EAST OHIO GAS CO |
| 8252017 | | 3411922141 | | 108 | | PATTON #1 | | 1.9 | REPUBLIC STEEL CO |
| 8252024 | | 3415122637 | | 108 | | R & I HARTLINE U #1-A | | 11.7 | REPUBLIC STEEL CO |
| 8252037 | | 3415723216 | | 108 | | R & J HULL #1 | | 5.5 | REPUBLIC STEEL CO |
| 8252029 | | 3415721579 | | 108 | | R & L BRANNON U #1 | TUSCARAWAS | 5.8 | REPUBLIC STEEL CO |
| 8252036 | | 3415722930 | | 108 | | R & R REEL #1 | | 2.3 | REPUBLIC STEEL CO |
| 8252004 | | 3461920567 | | 108 | | S & M GREATHOUSE #2 | | 12.4 | REPUBLIC STEEL CO |
| 8252005 | | 3401920568 | | 108 | | S & M GREATHOUSE U #3 | | 12.4 | REPUBLIC STEEL CO |
| 8252012 | | 3401920817 | | 108 | | SMITH-GASSER U #1 | | 11.0 | REPUBLIC STEEL CO |
| 8252010 | | 3401920792 | | 108 | | SMITH-GASSER U #3 | | 11.0 | REPUBLIC STEEL CO |
| 8252018 | | 3415121585 | | 108 | | SNYDER U #1 | | 12.8 | REPUBLIC STEEL CO |
| 8252025 | | 3415122643 | | 108 | | T & R WOLF #1 | | 36.5 | REPUBLIC STEEL CO |
| 8252019 | | 3415121799 | | 108 | | WHITMIRE #1 | | 29.6 | REPUBLIC STEEL CO |
| -MCCLAIN OIL CO | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252040 | | 3408924441 | | 103 | | DENNIS/WINLAND #1 | HANOVER | 0.5 | BOWERSTON SHALE C |
| 8252039 | | 3408924423 | | 103 | | GRAFT #1 | GLENFORD | 0.6 | NEWZANE GAS CO |
| 8252041 | | 3408924442 | | 103 | | GRAFT #2 | GLENFORD | 0.6 | NEW ZANE GAS CO |
| -MORGAN-PENNINGTON INC | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252042 | | 3407523750 | | 103 | | GARRETT-GANDEE #1 | KNOX | 6.6 | COLUMBIA GAS TRAN |
| -ONEAL PETROLEUM INC | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252053 | | 3411522158 | | 107-TF | | M GIFFORD #3 | MALTA | 19.0 | COLUMBIA GAS TRAN |
| -OXFORD OIL CO | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252054 | | 3408924474 | | 103 | | NANCY HUGHES #1 | PERRY | 9.0 | |
| -PETROLEUM SECURITIES FD 1978 COMB P | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252055 | | 3416922161 | | 108 | | RICE-DUNHAM #1 | MORELAND FIELD EXTENS | 20.0 | COLUMBIA GAS TRAN |
| -REPUBLIC ENERGY INV CORP 80-I | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252056 | | 3405320558 | | 107-TF | | MOORE #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252057 | | 3405320567 | | 107-TF | | MOORE #2 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252058 | | 3405320585 | | 107-TF | | MOORE WELL #3 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -REPUBLIC ENERGY INV CORP 80-II | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252059 | | 3410521964 | | 107-TF | | BUSH #1 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| -REPUBLIC ENERGY INV CORP 80-III | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252060 | | 3410521965 | | 107-TF | | BUSH #2 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| 8252061 | | 3410521968 | | 107-TF | | HYSELL #1 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| 8252062 | | 3410521969 | | 107-TF | | HYSELL #2 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| -RICHARD W ULLMAN | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252136 | | 3411522690 | | 107-TF | | JANES WELL #1 | CHESTERHILL | 18.0 | COLUMBIA GAS TRAN |
| -ROBERT D CHARLEBOIS | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8251862 | | 3415522122 | | 103 | 107-TF | BEARDMAN #1 | SOUTHINGTON | 15.0 | COLUMBIA GAS TRAN |
| -ROVI RESOURCES CORP | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252082 | | 3411924896 | | 107-TF | | FOUNDS #1 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252083 | | 3411924904 | | 107-TF | | FOUNDS #10 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252069 | | 3411924885 | | 107-TF | | FOUNDS #2 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252079 | | 3411924884 | | 107-TF | | FOUNDS #3 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252080 | | 3411924893 | | 107-TF | | FOUNDS #4 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252081 | | 3411924895 | | 107-TF | | FOUNDS #6 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252085 | | 3411924906 | | 107-TF | | FOUNDS #8 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252084 | | 3411924905 | | 107-TF | | FOUNDS #9 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252089 | | 3411924916 | | 107-TF | | JOHNSON #1 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |
| 8252087 | | 3411924914 | | 107-TF | | JOHNSON #2 | RICH HILL | 11.0 | COLUMBIA GAS TRAN |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252088 | | 3411924915 | | 107-TF | | JOHNSON #3 | RICH HILL | 0.0 | COLUMBIA GAS TRAN |
| 8252067 | | 3411522773 | | 107-TF | | MOORE #4 | BLOOM | 11.0 | COLUMBIA GAS TRAN |
| 8252072 | | 3411924518 | | 107-RT | | OHIO POWER #39 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252070 | | 3411924516 | | 107-RT | | OHIO POWER #41 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252078 | | 3411924640 | | 107-RT | | OHIO POWER #47 | BLUE ROCK | 0.0 | COLUMBIA GAS TRAN |
| 8252074 | | 3411924583 | | 107-RT | | OHIO POWER 38 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252071 | | 3411924517 | | 107-RT | | OHIO POWER 40 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252073 | | 3411924531 | | 107-RT | | OHIO POWER 45 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252075 | | 3411924635 | | 107-RT | | OHIO POWER 48 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252076 | | 3411924636 | | 107-RT | | OHIO POWER 49 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252077 | | 3411924639 | | 107-RT | | OHIO POWER 50 | BLUE ROCK | 11.0 | COLUMBIA GAS TRAN |
| 8252063 | | 3411522468 | | 107-TF | | WEBER #1 | BLOOM | 11.0 | COLUMBIA GAS TRAN |
| 8252064 | | 3411522469 | | 107-TF | | WEBER #2 | BLOOM | 11.0 | COLUMBIA GAS TRAN |
| 8252065 | | 3411522478 | | 107-TF | | WEBER #5 | BLOOM | 11.0 | COLUMBIA GAS TRAN |
| 8252090 | | 3411924996 | | 107-TF | | WILKINS #1 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252091 | | 3411924997 | | 107-TF | | WILKINS #2 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252092 | | 3411924998 | | 107-TF | | WILKINS #3 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252093 | | 3411924999 | | 107-TF | | WILKINS #4 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252094 | | 3411925000 | | 107-TF | | WILKINS #5 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252095 | | 3411925003 | | 107-TF | | WILKINS #8 | SALT CREEK | 11.0 | COLUMBIA GAS TRAN |
| 8252066 | | 3411522489 | | 107-TF | | WILLIAMS #1 | BLOOM | 11.0 | COLUMBIA GAS TRAN |
| 8252068 | | 3411522774 | | 107-TF | | WILLIAMS #4 | BLOOM | 0.0 | COLUMBIA GAS TRAN |
| -ROYAL LEVERAGED LTD 81-II | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252096 | | 3410520718 | | 107-TF | | HARMONY QUARTERLY CONFERENCE #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252097 | | 3410520719 | | 107-TF | | HARMONY QUARTERLY CONFERENCE #2 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252098 | | 3410520720 | | 107-TF | | HARMONY QUARTERLY CONFERENCE #3 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM *80-XII | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252115 | | 3410522012 | | 107-TF | | JOHNSON #1 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| 8252116 | | 3410522013 | | 107-TF | | JOHNSON #2 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| 8252117 | | 3410522014 | | 107-TF | | JOHNSON #3 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM *81 - II | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252118 | | 3410522274 | | 107-TF | | NAU #2 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM VIII LTD | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252099 | | 3405320517 | | 107-TF | | SWISHER #1 | CHESHIRE | 1.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 80 - I | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252101 | | 3405320525 | | 107-TF | | BAYLOR #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252106 | | 3405320531 | | 107-TF | | BAYLOR #2 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252100 | | 3405320524 | | 107-TF | | STOVER #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252102 | | 3405320527 | | 107-TF | | TARA #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 80 - II | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252103 | | 3405320528 | | 107-TF | | TARA DEVELOPMENT CORP #2 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252105 | | 3405320530 | | 107-TF | | TARA DEVELOPMENT CORP #4 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252107 | | 3405320534 | | 107-TF | | TARA DEVELOPMENT CORP #5 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252104 | | 3405320529 | | 107-TF | | TARA DEVELOPMENT CORP WELL #3 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 80 - VI | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252108 | | 3405320560 | | 107-TF | | TARA #6 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252109 | | 3405320561 | | 107-TF | | TARA #7 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 80 - VIII | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252112 | | 3405320628 | | 107-TF | | SWISHER #2 | CHESHIRE | 1.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 80 - X | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252111 | | 3405320602 | | 107-TF | | HUDSON #1 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| 8252110 | | 3405320601 | | 107-TF | | HUDSON #2 | ADDISON | 5.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 81-I | | | | RECEIVED: | 08/27/82 | JA: OH | | | |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252114 | | 3405320630 | | 107-TF | | DILLON #1 | CHESHIRE | 6.0 | COLUMBIA GAS TRAN |
| 8252113 | | 3405320629 | | 107-TF | | DILLON #2 | CHESHIRE | 8.0 | COLUMBIA GAS TRAN |
| -ROYAL PETROLEUM 81-IV LTD | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252123 | | 3410522311 | | 107-TF | | C SMITH #1 | BEDFORD | 5.0 | COLUMBIA GAS TRAN |
| 8252119 | | 3410522306 | | 107-TF | | GAUL-CARMAN-CARMAN #1 | SALISBURY | 5.0 | COLUMBIA GAS TRAN |
| 8252120 | | 3410522307 | | 107-TF | | GAUL-CARMAN-CARMAN #1A | POMEROY | 5.0 | COLUMBIA GAS TRAN |
| 8252121 | | 3410522308 | | 107-TF | | GAUL-CARMAN-CARMAN #2 | SALISBURY | 5.0 | COLUMBIA GAS TRAN |
| 8252122 | | 3410522309 | | 107-TF | | GAUL-CARMAN-CARMAN #3 | SALISBURY | 5.0 | COLUMBIA GAS TRAN |
| -SALISBURY ENERGY GROUP | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252128 | | 3411924921 | | 107-TF | | ALLISON #1 | MUSKINGUM | 11.0 | COLUMBIA GAS TRAN |
| 8252124 | | 3411924917 | | 107-TF | | ALLISON #2 | MEIGS | 11.0 | COLUMBIA GAS TRAN |
| 8252125 | | 3411924918 | | 107-TF | | ALLISON #3 | MEIGS | 11.0 | COLUMBIA GAS TRAN |
| 8252129 | | 3411925034 | | 107-TF | | ALLISON #4 | MEIGS | 11.0 | COLUMBIA GAS TRAN |
| 8252127 | | 3411924920 | | 107-TF | | ALLISON #6 | MEIGS | 11.0 | COLUMBIA GAS TRAN |
| 8252126 | | 3411924919 | | 107-TF | | ALLISON 5 | MEIGS | 11.0 | COLUMBIA GAS TRAN |
| -SHELDON L TURRILL | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252135 | | 3412725538 | | 103 | | G HAGER #1 | THORN | 20.0 | NATIONAL GAS & OI |
| -THE MUTUAL OIL & GAS COMPANY | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252050 | | 3411122800 | | 103 | | BLACKSTONE #1MA | STAFFORD | 6.0 | COLUMBIA GAS TRAN |
| 8252047 | | 3411122601 | | 103 | | BLACKSTONE #2M | STAFFORD | 5.5 | COLUMBIA GAS TRAN |
| 8252048 | | 3411122602 | | 103 | | D HUGHES #2M | STAFFORD | 7.0 | COLUMBIA GAS TRAN |
| 8252049 | | 3411122603 | | 103 | | D HUGHES #3-M | STAFFORD | 22.0 | COLUMBIA GAS TRAN |
| 8252051 | | 3411122801 | | 103 | | G BAKER #4MA | SUMMERFIELD | 10.0 | COLUMBIA GAS TRAN |
| 8252043 | | 3411122495 | | 103 | | G BAKER #5M | FRANKLIN | 6.0 | COLUMBIA GAS TRAN |
| 8252045 | | 3411122501 | | 103 | 107-DV | J ULRICH #2M | SENECA | 5.0 | COLUMBIA GAS TRAN |
| 8252046 | | 3411122599 | | 103 | 107-DV | JOHN ULRICH #1M | SUMMERFIELD | 4.5 | COLUMBIA GAS TRAN |
| 8252044 | | 3411122497 | | 103 | | M BAKER #6M | SUMMERFIELD | 8.0 | COLUMBIA GAS TRAN |
| -VICTOR MCKENZIE | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252052 | | 3412725512 | | 103 | | CARL EVANS #1 | READING | 10.0 | NATIONAL GAS & OI |
| -VIKING RESOURCES CORP | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252137 | | 3410322817 | | 103 | 107-TF | HIGHLAND SCHOOLS #1 | GRANGER | 30.0 | |
| -WILLIAM N TIPKA | | | | RECEIVED: | 08/27/82 | JA: OH | | | |
| 8252133 | | 3411922850 | | 108 | | DICKSON #2 | | 5.0 | EAST OHIO GAS CO |
| 8252134 | | 3411923868 | | 108 | | WHARTON #2 | | 1.0 | EAST OHIO GAS CO |

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease
- 102-2: New well (2.3 mile rule)
- 102-3: New well (1,000 ft rule)
- 102-4: New onshore reservoir
- 102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper
- 107-GB: Geopressured brine
- 107-CS: Coal seams
- 107-DV: Devonian shale
- 107-PE: Production enhancement
- 107-TF: New tight formation
- 107-RT: Recompletion tight formation

Section 108: Stripper well
- 108-SA: Seasonally affected
- 108-ER: Enhanced recovery
- 108-PB: Pressure buildup

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 26061 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 737]

## Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 16, 1982.

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| KANSAS CORPORATION COMMISSION | | | | | | | | | |
| -MALONE OIL CO | | | | RECEIVED: | 08/31/82 | JA: KS | | | |
| 8252416 | K-82-0289 | 1515920183 | | 103 | | BOYS TOWN #1 | CHASE SILICA | 36.5 | |
| LOUISIANA OFFICE OF CONSERVATION | | | | | | | | | |
| -ABCO PETROLEUM CORP | | | | RECEIVED: | 08/26/82 | JA: LA | | | |
| 8252155 | 82-1017 | 1711122035 | | 108 | | EXXON FEE B #2 | MONROE GAS FIELD | 49.3 | IMC PIPELINE CO I |
| -GREAT SOUTHERN OIL & GAS CO INC | | | | RECEIVED: | 08/26/82 | JA: LA | | | |
| 8252152 | 82-148 | 1705721582 | | 102-4 | | SL 4534 #1 | LAKE RACCOURCI | 600.0 | COLUMBIA GAS TRAN |
| -MAY PETROLEUM INC | | | | RECEIVED: | 08/26/82 | JA: LA | | | |
| 8252154 | 81-1986 | 1700120942 | | 102-4 | 103 | FLOYD HEIRS #1 (171003) | WILDCAT | 365.0 | |
| -SONAT EXPLORATION COMPANY | | | | RECEIVED: | 08/26/82 | JA: LA | | | |
| 8252153 | 81-1991 | 1711720010 | | 102-4 | | A F RUDOLPH #1 | ANGIE FIELD | 130.0 | SOUTHERN NATURAL |
| MISSISSIPPI OIL & GAS BOARD | | | | | | | | | |
| -GULF OIL CORPORATION | | | | RECEIVED: | 08/30/82 | JA: MS | | | |
| 8252239 | 57-828 | 2306120344 | | 103 | | WEST HEIDELBERG CVU 35-8-1 | WEST HEIDELBERG | 10.0 | |
| -MARION CORPORATION | | | | RECEIVED: | 08/30/82 | JA: MS | | | |
| 8252241 | 55-82-561 | 2303120068 | | 102-3 | | MYERS-FAIRCHILD #1 | EAST MOUNT OLIVE FIEL | 1540.0 | |
| -SUN EXPLORATION & PRODUCTION CO | | | | RECEIVED: | 08/30/82 | JA: MS | | | |
| 8252240 | 58-82-435 | 2307320121 | | 107-DP | | ROSS BEATTY #1 | TATUM'S CAMP | 1400.0 | ALABAMA-TENNESSEE |
| MONTANA BOARD OF OIL & GAS CONSERVATION | | | | | | | | | |
| -AMINOIL USA INC | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252138 | 9-81-194 | 2508321487 | | 103 | | LEWIS #1 | RIDGELAWN | 37.0 | MONTANA DAKOTA UT |
| 8252141 | 9-81-193 | 2508321487 | | 102-2 | | LEWIS #1 | RIDGELAWN | 37.0 | MONTANA DAKOTA UT |
| -D A S RESOURCE VENTURES INC | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252150 | 9-81-185 | 2507300000 | | 102-2 | | ANDERSON #1 SW SW 27 27N 2 | WILDCAT | 110.0 | MONTANA POWER CO |
| 8252143 | 9-81-183 | 2507321528 | | 102-2 | | BISHOP 5-26 NE SW NW 26 27N 2E | WILDCAT | 10.0 | MONTANA POWER CO |
| 8252139 | 9-81-184 | 2507321527 | | 102-2 | | JOHNSON 14-21 CN1/2 SE SW 21 27N 2E | WILDCAT | 18.0 | MONTANA POWER CO |
| 8252151 | 9-81-186 | 2507321411 | | 102-2 | | PREPUTIN 1-28 SW NE NE 28 27N R2E | WILDCAT | 18.0 | MONTANA POWER CO |
| -EXETER EXPLORATION COMPANY | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8252269 | 10-81-202 | 2508321514 | | 103 | | CURTIS HUNTER #5-23 | FAIRVIEW | 0.0 | |
| -GETTY OIL COMPANY | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8252271 | 9-81-189 | 2508321474 | | 102-4 | | SOUTH NOHLY #28-14 | SOUTH NOHLY PROSPECT | 300.0 | PHILLIPS PETROLEU |
| -LAWRENCE J MCCARTHY | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8252270 | 10-81-203 | 2507121757 | | 102-2 | | TRIBBY #1-35 3571 | BOWDOIN | 25.5 | KANSAS-NEBRASKA N |
| -MIDLANDS GAS CORPORATION | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252148 | 9-81-188 | 2507121150 | | 108-ER | | ARCHIE DUNBAR 1-18 1852 | BOWDOIN | 25.0 | KANSAS-NEBRASKA N |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252145 | 9-81-196 | 2507121530 | | 108 | | LAROCHE HARRISON 1-29 2971 | WILDCAT | 20.0 | KANSAS-NEBRASKA N |
| 8252147 | 9-81-187(EH) | 2507121153 | | 108-ER | | NETTIE CROGER 1-15 1542 | BOWDOIN | 22.0 | KANSAS-NEBRASKA N |
| -MONTANA-DAKOTA UTILITIES CO | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8252272 | 10-81-198 | 2501721124 | | 108 | | AMARCO-NEFSY 11X-35 | LISCOM CREEK | 16.0 | MONTANA-DAKOTA UT |
| -SHELL OIL CO | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252146 | 9-81-190 | 2502521174 | | 103 | | RAILROAD 13-29C | PENNEL | 0.7 | MONTANA DAKOTA UT |
| 8252140 | 9-81-191 | 2502521160 | | 103 | | UNIT 13-32C | PENNEL | 1.8 | MONTANA DAKOTA UT |
| -SOUTHLAND ROYALTY CO | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252144 | 9-81-197 | 2508321365 | | 102-4 | | NEVINS #1-19 | WILDCAT | 19.0 | MGPC INC |
| -TEXACO INC | | | | RECEIVED: | 08/27/82 | JA: MT | | | |
| 8252149 | 9-81-195 | 2510121981 | | 103 | | B M WILKINS #2 | KEVIN SUNBURST | 29.2 | MONTANA POWER CO |
| 8252142 | 9-81-192 | 2508321469 | | 102-4 | | DETHMAN & MEYERS WELL NO 1 | INTAKE II AREA (WILDC | 148.0 | MONTANA DAKOTA UT |
| -TOM BROWN INC | | | | RECEIVED: | 08/30/82 | JA: MT | | | |
| 8252268 | 10-81-201 | 2508321379 | | 102-4 | | FINNICUM-UTP #31-44 | WILDCAT | 20.4 | |

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NEW MEXICO DEPARTMENT OF ENERGY & MINERALS

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|---|---|---|---|---|---|---|---|---|---|
| -ALAN J ANTWEIL | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252163 | | 3002527568 | | 103 | | EAGLE #1 J-36-25S-36E | JALMAT TANSILL YATES | 63.1 | EL PASO NATURAL G |
| 8252164 | | 3002527799 | | 103 | | HERMAN #3 E-8-20S-38E | WEST NADINE BLINEBRY | 77.8 | WARREN PETROLEUM |
| -ALAN J ANTWEIL | | | | RECEIVED: | 08/30/82 | JA: NM | | | |
| 8252236 | | 3002527820 | | 103 | | LOUIE #2 L-5-20S-38E | WEST NADINE DRINKARD | 20.1 | WARREN PETROLEUM |
| -AMERADA HESS CORPORATION | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252175 | | 3002500000 | | 108 | | FRED TURNER JR "A" #4 | SKAGGS | 2.9 | WARREN PETROLEUM |
| 8252174 | | 3002500000 | | 108 | | STATE WE "A" #2 | EUMONT | 15.0 | EL PASO NATURAL G |
| 8252173 | | 3002500000 | | 108 | | STATE WE "F" #2 | EUMONT | 1.0 | PHILLIPS PETROLEU |
| -C & E OPERATORS INC | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252169 | | 3004500000 | | 108 | | OLIVER #2 | AZTEC PICTURED CLIFFS | 4.0 | EL PASO NATURAL G |
| -EL PASO EXPLORATION CO | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252172 | | 3001523441 | | 108 | | BIRD COM #1 | UNDESIGNATED ATOKA | 54.0 | EL PASO NATURAL G |
| -EL PASO NATURAL GAS COMPANY | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252170 | | 3004506175 | | 108 | | CUCCIA STATE #2 | SOUTH BLANCO - PICTUR | 21.0 | EL PASO NATURAL G |
| 8252171 | | 3004521274 | | 108 | | HORTON #4 | BLANCO - PICTURED CLI | 20.0 | EL PASO NATURAL G |
| -GULF OIL CORPORATION | | | | RECEIVED: | 08/31/82 | JA: NM | | | |
| 8252451 | | 3002511612 | | 108 | | ARNOTT RAMSAY (NCT-E) #2 | JALMAT GAS | 17.3 | NORTHERN NATURAL |
| 8252450 | | 3002504744 | | 108 | | ARNOTT-RAMSAY (NCT-C) #11 | EUNICE MONUMENT | 8.0 | PHILLIPS PETROLEU |
| 8252452 | | 3002525790 | | 108 | | C D WOOLWORTH #5 | LANGLIE MATTIX | 7.5 | EL PASO NATURAL G |
| 8252445 | | 3002508779 | | 108 | | J F JANDA (NCT-F) #12 | JALMAT GAS | 19.1 | NORTHERN NATURAL |
| 8252447 | | 3002521070 | | 108 | | LEA "KN" STATE #2 | MIDWAY ABO | 2.2 | PHILLIPS PETROLEU |
| 8252449 | | 3002511206 | | 108 | | LILLIE #1 | FOWLER MONTOYA | 2.0 | EL PASO NATURAL G |
| 8252446 | | 3002509468 | | 108 | | MANDA (NCT-C) #1 | JALMAT GAS | 15.3 | NORTHERN NATURAL |
| -KIMBELL OIL COMPANY | | | | RECEIVED: | 08/30/82 | JA: NM | | | |
| 8252237 | | 3003922734 | | 107-TF | | CORAL COM #3 | BALLARD PICTURED CLIF | 18.0 | EL PASO NATURAL G |
| 8252238 | | 3003922441 | | 107-TF | | FEDERAL COM #4 | BALLARD PICTURED CLIF | 100.0 | EL PASO NATURAL G |
| -PHILLIPS PETROLEUM COMPANY | | | | RECEIVED: | 08/30/82 | JA: NM | | | |
| 8252232 | | 3002526994 | | 103 | | EV GB/SA UNIT TRACT 2913 #009 | VACUUM GB/SA | 2.0 | EL PASO NATURAL G |
| -SANTA RITA EXPLORATION | | | | RECEIVED: | 08/26/82 | JA: NM | | | |
| 8252159 | | 3000561075 | | 103 | | MOONSHINE #7 BATTERY #2 WELL #2 | UND TWIN LAKES - SAN | 14.6 | MAPCO PRODUCTION |
| 8252166 | | 3000561452 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #10 | UND TWIN LAKES - SAN | 3.3 | MAPCO PRODUCTION |
| 8252167 | | 3000561453 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #11 | UND TWIN LAKES - SAN | 3.3 | MAPCO PRODUCTION |
| 8252165 | | 3000561604 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #13 | UND TWIN LAKES - SAN | 3.7 | MAPCO PRODUCTION |
| 8252160 | | 3000561104 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #3 | UND TWIN LAKES - SAN | 1.4 | MAPCO PRODUCTION |
| 8252161 | | 3000561105 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #4 | UND TWIN LAKES - SAN | 21.9 | MAPCO PRODUCTION |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252162 | | 3000561106 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #5 | UND TWIN LAKES - SAN | 21.9 | MAPCO PRODUCTION |
| 8252168 | | 3000561107 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #6 | UND TWIN LAKES - SAN | 18.3 | MAPCO PRODUCTION |
| 8252156 | | 3000561332 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #7 | UND TWIN LAKES - SAN | 0.0 | MAPCO PRODUCTION |
| 8252157 | | 3000561333 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #8 | UND TWIN LAKES - SAN | 21.9 | MAPCO PRODUCTION |
| 8252158 | | 3000561334 | | 103 | | MOONSHINE 7 BATTERY #2 WELL #9 | UND TWIN LAKES - SAN | 3.3 | MAPCO PRODUCTION |
| -SOUTHERN UNION EXPLORATION COMPANY | | | | RECEIVED: | 08/30/82 | JA: NM | | | |
| 8252234 | | 3004500000 | | 103 | | SUSCO 16 STATE #1 | UNDESIGNATED GALLUP/M | 114.0 | |
| 8252235 | | 3004500000 | | 103 | | SUSCO 16 STATE #1 | BASIN DAKOTA | 1053.0 | |
| -WARREN PETR CO A DIV OF GULF OIL CO | | | | RECEIVED: | 08/30/82 | JA: NM | | | |
| 8252233 | | 3002525291 | | 108 | | VIVIAN #11 | DRINKARD & WANTZ GRAN | 14.7 | EL PASO NATURAL G |
| -WARREN PETR CO A DIV OF GULF OIL CO | | | | RECEIVED: | 08/31/82 | JA: NM | | | |
| 8252444 | | 3002506918 | | 108 | | H T MATTERN (NCT-B) #2 | PENROSE SKELLY | 4.8 | EL PASO NATURAL G |
| -YATES PETROLEUM CORPORATION | | | | RECEIVED: | 08/31/82 | JA: NM | | | |
| 8252448 | | 3001524090 | | 103 | | TRIANGLE RANCH "RA" ST COM #2 | UND CISCO | 0.0 | TRANSWESTERN PIPE |
| ********** | | | | | | | | | |
| OKLAHOMA CORPORATION COMMISSION | | | | | | | | | |
| ********** | | | | | | | | | |
| -AMOCO PRODUCTION CO | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252405 | 16514 | 3513900000 | | 108 | | KEEN GAS UNIT "A" #1 | GUYMON-HUGOTON (CHASE | 17.0 | PHILLIPS PETROLEU |
| -ANADARKO PRODUCTION COMPANY | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252394 | 16812 | 3500320699 | | 108 | | CASTLE B 1-14 | LAMBERT S E | 14.0 | PIONEER GAS PRODU |
| -ANDOVER OIL COMPANY | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252410 | 15809 | 3501121537 | | 103 | | GRABOW #19-1 | | 75.0 | OKLAHOMA GAS PIPE |
| -ARCO OIL AND GAS COMPANY | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252351 | 12142 | 3505100000 | | 108-PB | | THOMAS CHARLSON #6 | CHICKASHA | 18.3 | ARKANSAS LOUISIAN |
| -B & H EXPLORATION CO | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252370 | 14752 | 3514321713 | | 102-2 | | GAZAWAY 2-A | UNNAMED | 29.2 | DIAMOND S GAS SYS |
| 8252371 | 14738 | 3514321693 | | 102-2 | | HUMPHREY 2-C | UNNAMED | 28.8 | DIAMOND S GAS SYS |
| -B R POLK INC | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252372 | 14155 | 3508300000 | | 103 | | PRESTON HEARN #2A | S MARSHALL | 50.0 | EASON OIL CO |
| -BARUCH-FOSTER CORP | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252380 | 16104 | 3511921262 | | 108 | | MCCRACKIN #1 | RAVENDALE | 8.0 | CITIES SERVICE GA |
| 8252375 | 16103 | 3503723397 | | 108 | | MCKENNEY #1 | WEST SHAMROCK | 8.0 | CITIES SERVICE GA |
| 8252379 | 16105 | 3503723211 | | 108 | | WOODROW CHILDERS #1 | WEST SHAMROCK | 6.0 | CITIES SERVICE GA |
| -BEEDE & STEPHENS OIL CO | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252358 | 13375 | 3511123149 | | 103 | | SNELSON #2 | UNKNOWN | 36.5 | PHILLIPS PETROLEU |
| -BILL WADLEY & SON DRILLING CO | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252352 | 15622 | 3511121199 | | 103 | | BINGMAN 2-A | BALD HILL | 43.2 | PHILLIPS PETROLEU |
| 8252363 | 15623 | 3511121676 | | 103 | | BURK #1 | BALD HILL | 22.2 | PHILLIPS PETROLEU |
| 8252362 | 15621 | 3511100000 | | 103 | | CHANCEY 2-A | S E BRYANT | 22.8 | PHILLIPS PETROLEU |
| 8252359 | 15628 | 3511100000 | | 103 | | GORDON SMITH 2-A | HENRYETTA | 30.0 | PHILLIPS PETROLEU |
| 8252361 | 15626 | 3511100000 | | 103 | | MARSEY 1-A | OKMULGEE DISTRICT | 30.0 | PHILLIPS PETROLEU |
| 8252360 | 15627 | 3511100000 | | 103 | | MORGAN 1-A | COLE | 30.0 | PHILLIPS PETROLEU |
| 8252367 | 15629 | 3511100000 | | 103 | | WATSON 1-A | BALD HILL | 8.4 | PHILLIPS PETROLEU |
| -CENTRAL RESOURCES INC | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252412 | 15889 | 3510500000 | | 103 | | STOTTS #2 | | 41.0 | OKAN GAS CO |
| -CHAMPLIN EXPLORATION INC | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252411 | 15814 | 3504321361 | | 103 | | OKIE SLIM #1 | CESTOS | 750.0 | PANHANDLE EASTERN |
| -CHAMPLIN PETROLEUM COMPANY | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252404 | 16128 | 3509300000 | | 102-4 103 | | JACOB JANTZEN #2 | E CHANEY DELL | 378.0 | CHAMPLIN PETROLEU |
| -CLIFFORD RESOURCES INC | | | | RECEIVED: | 08/30/82 | JA: OK | | | |
| 8252387 | 15777 | 3507300000 | | 103 | | GEIS #2-7 | SOONER TREND | 70.0 | PHILLIPS PETROLEU |
| -CUMMINGS OIL CO | | | | RECEIVED: | 08/30/82 | JA: OK | | | |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252388 | 15578 | 3508300000 | | 103 | | FREEBORN #1-4 | S ELK HORN | 0.0 | EASON OIL CO |
| -DALCO PETROLEUM INC | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252355 | 15333 | 3507323324 | | 103 | | BREHM #1 | SOONER TREND | 91.3 | CITIES SERVICE GA |
| -EDWIN L COX | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252386 | 15776 | 3504921690 | | 103 | | CASON #1 | WEST LINDSAY | 4.0 | WARREN PETROLEUM |
| -EL PASO NATURAL GAS COMPANY | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252391 | 16818 | 3500906772 | | 108 | | HESTER #1 | SO ERICK BR DOLOMITE | 80.5 | EL PASO NATURAL G |
| -EXXON CORPORATION | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252407 | 15795 | 3509322259 | | 103 | | HODGDEN #2-14 | CLEO | 263.0 | |
| -FRED HARRIS | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252364 | 18055 | 3511720865 | | 103 | | HEWITT #7 | LAUDERDALE | 8.0 | MID-AMERICA GAS L |
| -GREAT WESTERN LAND CO INC | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252369 | 15530 | 3510721220 | | 103 | | TOLLE #1 | LYONS-QUINN | 3.6 | PHILLIPS PETROLEU |
| -GREEN OPERATING CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252389 | 16702 | 3504700000 | | 108 | | CECIL 4-1 | SOONER TREND | 8.0 | PARTNERSHIP PROPE |
| -JAN OIL CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252385 | 15912 | 3508100000 | | 108 | | CHASE #1 | S W MT VERNON | 11.5 | SUN GAS CO |
| 8252400 | 15913 | 3508100000 | | 108 | | EASON #1 | S W MT VERNON | 15.2 | SUN GAS CO |
| 8252384 | 15911 | 3508100000 | | 108 | | HAGER #1 | S W MT VERNON | 9.9 | SUN GAS CO |
| 8252415 | 15909 | 3508100000 | | 108 | | HARDING A #1 | S W MT VERNON | 10.9 | SUN GAS CO |
| 8252401 | 15908 | 3508100000 | | 108 | | HARDING-HUNT #1 | S W MT VERNONE | 15.5 | SUN GAS CO |
| 8252383 | 15910 | 3508100000 | | 108 | | HAYES #1 | S W MT VERNON | 3.9 | SUN GAS CO |
| 8252402 | 15907 | 3508100000 | | 108 | | JOHNSON #1 | S W MT VERNON | 13.9 | SUN GAS CO |
| -KAISER-FRANCIS OIL COMPANY | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252374 | 01310 | 3500721126 | | 108-ER | | ALBERT #1-3 | MOCANE LAVERNE | 30.0 | COLORADO INTERSTA |
| -KIRKPATRICK OIL CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252403 | 16002 | 3507323370 | | 103 | | STATES #3-4 | SOONER TREND | 0.0 | EXXON CO USA |
| -LUBELL OIL CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252381 | 16137 | 3510720260 | | 108 | | LUBELL #1-17 BURDEN | EAST WELEETKA | 7.0 | PHILLIPS PETROLEU |
| 8252354 | 15369 | 3509120094 | | 108 | | LUBELL #1-30 ADAMS "A" | NORTH RAIFORD | 5.1 | WELLHEAD ENTERPRI |
| 8252376 | 16102 | 3512120191 | | 108 | | LUBELL #1-35 VAUGHAN | ULAN | 12.0 | PUBLIC SERVICE CO |
| 8252378 | 16109 | 3512120215 | | 108 | | LUBELL #1-36 VAUGHAN "A" | ULAN | 0.0 | PUBLIC SERVICE CO |
| 8252377 | 16100 | 3509120029 | | 108 | | LUBELL #1-5 MCCLELLAN | WEST HANNA | 11.0 | PUBLIC SERVICE CO |
| 8252368 | 16100 | 3509120030 | | 108 | | LUBELL #1-9 JOHNSON | WEST HANNA | 7.0 | PUBLIC SERVICE CO |
| -MARLIN OIL CORPORATION | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252408 | 15806 | 3500721951 | | 103 | | CVANIGA #1 | MOCANE-LAVERNE | 273.0 | PANHANDLE EASTERN |
| -OKLAHOMA DRILLING CORP | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252406 | 15790 | 3508321649 | | 103 | | REIM #1 | NONE DESIGNATED | 0.0 | EASON OIL CO |
| -PHILLIPS PETROLEUM COMPANY | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252373 | 13321 | 3504721516 | | 108-PB | | ALWERT A #1 | SOONER TREND | 0.0 | TRANSOK PIPELINE |
| 8252357 | 13691 | 3501721026 | | 108-ER | | GRIFFIN D #1 | NORTH YUKON | 19.0 | PANHANDLE EASTERN |
| 8252356 | 14340 | 3500721112 | | 103 | | WHITE F #1 | MOCANE CHESTER | 0.0 | TRANSWESTERN PIPE |
| -POTTS-STEPHENSON EXPLORATION CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252365 | 15872 | 3512100000 | | 108 | | AMMO DEPOT #1-2A | S PINE HOLLOW | 16.0 | ARKANSAS LOUISIAN |
| -PROEX ENERGY CORP | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252413 | 15890 | 3509322326 | | 103 | | MCKINNEY #1 | N W AMES | 54.5 | PIONEER GAS PRODU |
| 8252414 | 15891 | 3509322327 | | 103 | | MCKINNEY #2 | N W AMES | 0.0 | PIONEER GAS PRODU |
| -SABINE CORP | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252393 | 16781 | 3504520492 | | 108 | | GILLISPIE 1-1 | PEEK SOUTH (COTTAGE G | 0.0 | PRODUCERS GAS CO |
| -SCOTT PRODUCTION CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252382 | 15778 | 3503723678 | | 103 | | CRAMER #2 OTC #037-73508 | | 14.6 | KERR-MCGEE CORP |
| -SENECA OIL COMPANY | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252350 | 12175 | 3501721863 | | 102-4 | | SIMPSON #1-4 | PIEDMONT | 220.8 | PHILLIPS PETROLEU |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252349 | 12176 | 3501721868 | | 102-4 | | SIMPSON #2-4 | PIEDMONT | 165.4 | PHILLIPS PETROLEU |
| -SOUTHLAND ROYALTY CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252397 | 19301 | 3509321806 | | 102-4 | | STAMBAUGH #2-32 | ORION | 36.0 | MICHIGAN WISCONSI |
| 8252399 | 19300 | 3504321305 | | 102-4 | | STAMBAUGH #7-32 | ORION | 164.0 | MICHIGAN WISCONSI |
| 8252396 | 19299 | 3509321865 | | 102-4 | | WOODRING #1-31 | ORION | 80.0 | PHILLIPS PETROLEU |
| 8252395 | 19298 | 3509322169 | | 102-4 | | WOODRING #4-31 | ORION | 50.0 | PHILLIPS PETROLEU |
| -SUN EXPLORATION & PRODUCTION CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252390 | 16721 | 3505900000 | | 108 | | O MARKER UT #1 | MOCANE-LAVERNE | 16.0 | COLORADO INTERSTA |
| 8252392 | 16722 | 3507300000 | | 108 | | STRINGER #1 | DOVER-HENNESSEY | 16.0 | EXXON COMPANY USA |
| -TEXOMA RESOURCES INC | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252366 | 15699 | 3507323480 | | 103 | | MITCHELL "A" #1-19 | SOONER TREND | 150.0 | EXXON CO USA |
| -TOWNER PETROLEUM CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252348 | 13358 | 3507323075 | | 103 | | LINDSEY #28-1 | SE ALPHA | 0.0 | PHILLIPS PETROLEU |
| -TXO PRODUCTION CORP | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252409 | 15807 | 3506120475 | | 103 | | EAKLE #1 | KINTA | 272.0 | |
| -UNION OIL COMPANY OF CALIF | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252398 | 06140 | 3505900000 | | 108-ER | | HIERONYMUS #1-18 | LAVERNE | 36.0 | MICHIGAN WISCONSI |
| -WHITMAR EXPLORATION CO | | | | RECEIVED: | | 08/30/82 JA: OK | | | |
| 8252353 | 15607 | 3504921463 | | 103 | | MURRAY #1-14 | ANTIOCH | 0.0 | BUCKEYE NATURAL G |
| ********** | | | | | | | | | |
| VIRGINIA DEPARTMENT OF LABOR & INDUSTRY | | | | | | | | | |
| ********** | | | | | | | | | |
| -PHILADELPHIA OIL COMPANY | | | | RECEIVED: | | 08/31/82 JA: VA | | | |
| 8252247 | | 4505120169 | | 108 | | ABEDNEGO KISER - #P-25 | NORA | 15.3 | KENTUCKY WEST VIR |
| 8252253 | | 4505120233 | | 108 | | BROWN TRUST - #P-52 | NORA | 8.4 | KENTUCKY WEST VIR |
| 8252243 | | 4505120142 | | 108 | | DAVID SMITH - #P-10 | NORA | 14.6 | KENTUCKY WEST VIR |
| 8252263 | | 4505120300 | | 108 | | EARL HILTON - #P-84 | NORA | 10.9 | KENTUCKY WEST VIR |
| 8252265 | | 4505120322 | | 108 | | ELEXIUS SMITH - #P-96 | NORA | 8.8 | KENTUCKY WEST VIR |
| 8252267 | | 4505119830 | | 107-DV | | FINIS E MCCOY - #P-119 | NORA | 7.3 | KENTUCKY WEST VIR |
| 8252262 | | 4505120302 | | 108 | | J A ODLE - #P-80 | NORA | 7.3 | KENTUCKY WEST VIR |
| 8252264 | | 4519520317 | | 108 | | J A ODLE - #P-91 | NORA | 3.6 | KENTUCKY WEST VIR |
| 8252260 | | 4505120293 | | 108 | | J W WRIGHT - #P-73 | NORA | 5.1 | KENTUCKY WEST VIR |
| 8252266 | | 4519520357 | | 108 | | JAMES H DUNN - #P-105 | NORA | 10.9 | KENTUCKY WEST VIR |
| 8252256 | | 4505120246 | | 108 | | JNO & VICEY M PAGE - #P-59 | NORA | 2.6 | KENTUCKY WEST VIR |
| 8252248 | | 4505120189 | | 108 | | LARKIN STANLEY - #P-32 | NORA | 13.5 | KENTUCKY WEST VIR |
| 8252245 | | 4505120155 | | 108 | | RAINWATER RAMSEY - #P-15 | NORA | 16.4 | KENTUCKY WEST VIR |
| 8252246 | | 4505120157 | | 108 | | RAINWATER RAMSEY - #P-16 | NORA | 10.2 | KENTUCKY WEST VIR |
| 8252242 | | 4505120128 | | 108 | | RAINWATER RAMSEY-#P-3 | NORA | 7.7 | KENTUCKY WEST VIR |
| 8252257 | | 4505120264 | | 108 | | SAMUEL HENSLEY - #P-65 | NORA | 10.6 | KENTUCKY WEST VIR |
| 8252259 | | 4505120273 | | 108 | | SAMUEL HENSLEY - #P-67 | NORA | 9.9 | KENTUCKY WEST VIR |
| 8252249 | | 4505120197 | | 108 | | STEINMAN DEVELOPMENT CO - #P-37 | NORA | 8.4 | KENTUCKY WEST VIR |
| 8252250 | | 4505120200 | | 108 | | STEINMAN DEVELOPMENT CO - #P-39 | NORA | 10.6 | KENTUCKY WEST VIR |
| 8252252 | | 4505120214 | | 108 | | STEINMAN DEVELOPMENT CO - #P-42 | NORA | 9.1 | KENTUCKY WEST VIR |
| 8252251 | | 4505120203 | | 108 | | STEINMAN DEVELOPMENT CO - #P-41 | NORA | 19.0 | KENTUCKY WEST VIR |
| 8252254 | | 4505120237 | | 108 | | THOMAS BISE - #P-55 | NORA | 18.6 | KENTUCKY WEST VIR |
| 8252255 | | 4505120255 | | 108 | | THOMAS BISE - #P-56 | NORA | 19.7 | KENTUCKY WEST VIR |
| 8252258 | | 4505120266 | | 108 | | THOMAS BISE - #P-66 | NORA | 4.7 | KENTUCKY WEST VIR |
| 8252244 | | 4505120144 | | 108 | | W T GOODLOE - #P-12 | NORA | 18.6 | KENTUCKY WEST VIR |
| 8252261 | | 4505120295 | | 108 | | WM G BAKER - #P-76 | NORA | 14.2 | KENTUCKY WEST VIR |
| ********** | | | | | | | | | |
| WEST VIRGINIA DEPARTMENT OF MINES | | | | | | | | | |
| ********** | | | | | | | | | |
| -CITIES SERVICE COMPANY | | | | RECEIVED: | | 08/30/82 JA: WV | | | |

| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252319 | | 4708703450 | | 107-DV | | COON "A" #1 | FLAT FORK | 31.0 | |
| -CONSOLIDATED GAS SUPPLY CORPORATION RECEIVED: 08/27/82 JA: WV | | | | | | | | | |
| 8252205 | | 4701701961 | | 108 | | C G FLEMING WN-4867 | WEST UNION | 3.0 | GENERAL SYSTEM PU |
| 8252203 | | 4700100708 | | 108 | | DAISY HEATHERLY WN 11947 | PLEASANT | 20.0 | GENERAL SYSTEM PU |
| 8252198 | | 4704103100 | | 103 | | GW WAGGONER WN 12727 | FREEMANS CREEK | 0.7 | GENERAL SYSTEM PU |
| 8252202 | | 4700100717 | | 108 | | J L MCBEE 11992 | PLEASANT DISTRICT | 21.0 | GENERAL SYSTEM PU |
| 8252207 | | 4701900243 | | 108 | | JEFFERY MFG CO WN 11775 | KANAWHA | 17.0 | GENERAL SYSTEM PU |
| 8252201 | | 4701300798 | | 108 | | LOUIS BENNETT WN-8882 | SHERMAN | 1.0 | GENERAL SYSTEM PU |
| 8252204 | | 4700100018 | | 108 | | N C HARDIN WN-8948 | ELK | 7.0 | GENERAL SYSTEM PU |
| 8252206 | | 4701701907 | | 108 | | N M MCDONALD WN-402 | SALEM | 15.0 | GENERAL SYSTEM PU |
| 8252199 | | 4703301069 | | 103 | | PEARL B JENKINS WN 12341 | ELK | 7.0 | GENERAL SYSTEM PU |
| 8252200 | | 4710900858 | | 103 | | POCAHONTAS LAND I-34 12733 | BARKERS RIDGE DISTRIC | 26.0 | GENERAL SYSTEM PU |
| 8252197 | | 4709702301 | | 103 | | WH O'DELL WN 12737 | WASHINGTON | 50.0 | GENERAL SYSTEM PU |
| 8252196 | | 4709702309 | | 103 | | WH O'DELL WN 12738 | WASHINGTON | 59.0 | GENERAL SYSTEM PU |
| 8252208 | | 4701900232 | | 108 | | WR JOHNSON WN 11675 | FALLS | 9.0 | GENERAL SYSTEM PU |
| -CONSOLIDATED GAS SUPPLY CORPORATION RECEIVED: 08/30/82 JA: WV | | | | | | | | | |
| 8252307 | | 4707700172 | | 108 | | BIRDIE MORGAN #11876 | VALLEY DISTRICT | 15.0 | GENERAL SYSTEM PU |
| 8252303 | | 4707700204 | | 108 | | C TRICKETT WN 12585 | LYON | 17.0 | GENERAL SYSTEM PU |
| 8252300 | | 4703301450 | | 108 | | CONSOLIDATED COAL CO WN-6998 | COAL | 0.3 | GENERAL SYSTEM PU |
| 8252302 | | 4704101774 | | 108 | | E W WAGGONER WN-8415 | FREEMANS CREEK | 17.0 | GENERAL SYSTEM PU |
| 8252295 | | 4704102093 | | 108 | | FLORA L HACKER 12081 | COURTHOUSE DISTRICT | 0.7 | GENERAL SYSTEM PU |
| 8252321 | | 4704700633 | | 108 | | GRETTA M EVANS #11872 | SANDY RIVER DISTRICT | 11.0 | GENERAL SYSTEM PU |
| 8252305 | | 4704900365 | | 108 | | H L JONES WN-2069 | MANNINGTON | 8.0 | GENERAL SYSTEM PU |
| 8252326 | | 4703302431 | | 108 | | J B & F W ALLMAN 12663 | GRANT DISTRICT | 4.0 | GENERAL SYSTEM PU |
| 8252309 | | 4703300139 | | 108 | | J J STROTHER WN-6149 | COAL | 5.0 | GENERAL SYSTEM PU |
| 8252325 | | 4704100089 | | 108 | | J L J BAILEY WN-8874 | FREEMANS CREEK | 17.0 | GENERAL SYSTEM PU |
| 8252301 | | 4704100258 | | 108 | | JOSEPH FALLON WN-297 | GILMER | 2.0 | GENERAL SYSTEM PU |
| 8252304 | | 4749000350 | | 108 | | JOSHUA HESS WN-1000 | MANNINGTON | 4.0 | GENERAL SYSTEM PU |
| 8252310 | | 4703300888 | | 108 | | LEMAR ROBINSON 11890 | EAGLE DISTRICT | 19.0 | GENERAL SYSTEM PU |
| 8252324 | | 4704101916 | | 108 | | MCKINLEY - BARB #11553 | FREEMANS CREEK DISTRI | 11.0 | GENERAL SYSTEM PU |
| 8252299 | | 4703300457 | | 108 | | P H HILKEY WN-8034 | UNION | 14.0 | GENERAL SYSTEM PU |
| 8252311 | | 4703301069 | | 108 | | PEARL B JENKINS WN 12341 | ELK | 6.0 | GENERAL SYSTEM PU |
| 8252320 | | 4704700773 | | 108 | | POCAHONTAS LAND CORP 12507 | ELKHORN DISTRICT | 19.0 | GENERAL SYSTEM PU |
| 8252306 | | 4705500073 | | 108 | | POCAHONTAS LAND CORP 12534 | ROCK DISTRICT | 17.0 | GENERAL SYSTEM PU |
| 8252322 | | 4704102694 | | 108 | | PORTER ARNOLD WN-1872 | COURT HOUSE | 7.0 | GENERAL SYSTEM PU |
| 8252308 | | 4707700173 | | 108 | | PRESTON COAL & COKE 11879 | VALLEY DISTRICT | 15.0 | GENERAL SYSTEM PU |
| 8252312 | | 4733013020 | | 108 | | SERENA ASHCRAFT WN-1402 | SARDIS | 9.0 | GENERAL SYSTEM PU |
| 8252323 | | 4704102113 | | 108 | | THOMAS R ELLIS WN-3587 | COURTHOUSE | 11.0 | GENERAL SYSTEM PU |
| -HARRY C BOGGS RECEIVED: 08/30/82 JA: WV | | | | | | | | | |
| 8252294 | | 4700701633 | | 103 | | M C CHAPMAN #4 | NICUT | 6.0 | COLUMBIA GAS TRAN |
| -HYDROCARBON ENERGIES INC RECEIVED: 08/27/82 JA: WV | | | | | | | | | |
| 8252194 | | 4709702318 | | 107-DV | | C HINKLE #2 H-E-4 | BUCKHANNON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252193 | | 4709702323 | | 107-DV | | D J STRADER #1 (H5-6) | BANKS DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252195 | | 4709702318 | | 103 | | HINKLE #2 (HE-5) | BUCKHANNON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252192 | | 4709702288 | | 107-DV | | O GOULD #1 H-E-2 | BUCKHANNON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| -KAISER ENERGY INC RECEIVED: 08/30/82 JA: WV | | | | | | | | | |
| 8252314 | | 4703501530 | | 103 | | ROGER HATCHER KEM #51 | ELK/POCA | 5.8 | ROARING FORK GAS |
| -PALEO INC RECEIVED: 08/30/82 JA: WV | | | | | | | | | |
| 8252296 | | 4701702742 | | 108 | | COLE #3 | COVE | 10.6 | CONSOLIDATED GAS |
| 8252297 | | 4708504231 | | 108 | | MOYERS I-633 | MURPHY | 11.2 | CONSOLIDATED GAS |
| 8252298 | | 4708504232 | | 108 | | MOYERS I-634 | MURPHY | 18.7 | CONSOLIDATED GAS |
| -ROBERT R JONES RECEIVED: 08/30/82 JA: WV | | | | | | | | | |
| 8252313 | | 4702103769 | | 107-DV | | H E SANDY #1 | GLENVILLE NORTH | 50.0 | COLUMBIA GAS TRAN |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| -STERLING DRILLING & PROD CO INC | | | | RECEIVED: | 08/27/82 | JA: WV | | | |
| 8252209 | | 4701502011 | | 103 | | MURPHY #558 | OTTER DISTRICT | 3.0 | BROOKLYN UNION GA |
| -STONEWALL GAS CO INC | | | | RECEIVED: | 08/30/82 | JA: WV | | | |
| 8252316 | | 4703302667 | | 103 | | BLAND #1 95-S | UNION DISTRICT | 15.0 | CONSOLIDATED GAS |
| 8252317 | | 4703302690 | | 103 | | MARTS #1 104-S | UNION DISTRICT | 17.0 | CONSOLIDATED GAS |
| 8252318 | | 4703302691 | | 103 | | MARTS #2 105-S | UNION DISTRICT | 57.0 | CONSOLIDATED GAS |
| 8252315 | | 4701703068 | | 103 | | SPALDING #1 120-S | GREENBRIER DISTRICT | 80.0 | CONSOLIDATED GAS |
| -UNION DRILLING INC | | | | RECEIVED: | 08/27/82 | JA: WV | | | |
| 8252226 | | 4703301195 | | 108 | | ARTHUR G MARTIN 1421 | EAGLE DISTRICT | 1.6 | CONSOLIDATED GAS |
| 8252212 | | 4709702234 | | 103 | | DENZIL REX LEIGH #1 1672 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252211 | | 4709702235 | | 103 | | DENZIL REX LEIGH #2 1673 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252231 | | 4709702248 | | 103 | | FOSTER - SETTLE #1 1674 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252230 | | 4709702249 | | 103 | | FOSTER - SETTLE #2 1696 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252225 | | 4703301023 | | 108 | | G B COFFMAN 7107 | EAGLE DISTRICT | 50.3 | CONSOLIDATED GAS |
| 8252220 | | 4709702069 | | 108 | | GASTON GROCERY #1 1543 | WASHINGTON DISTRICT | 35.5 | COLUMBIA GAS TRAN |
| 8252221 | | 4709702070 | | 108 | | GASTON GROCERY #2 1544 | UNION DISTRICT | 40.9 | COLUMBIA GAS TRAN |
| 8252219 | | 4709702011 | | 108 | | HARVEY GOLDEN #1 1541 | MEADE DISTRICT | 27.0 | COLUMBIA GAS TRAN |
| 8252227 | | 4709700787 | | 108 | | HOMER ROHR #1 1595 | WARREN DISTRICT | 8.9 | CONSOLIDATED GAS |
| 8252224 | | 4703301021 | | 108 | | JAMES A GRIFFIN 7106 | EAGLE DISTRICT | 47.9 | CONSOLIDATED GAS |
| 8252223 | | 4700101143 | | 108 | | JESSE SHEME #1 1486 | PLEASANT DISTRICT | 32.0 | CONSOLIDATED GAS |
| 8252215 | | 4708300180 | | 108 | | JOHN C CAIN #2 1394 | ROARING CREEK | 39.9 | COLUMBIA GAS TRAN |
| 8252218 | | 4709701941 | | 108 | | JOHN MONTGOMERY #2 1527 | UNION DISTRICT | 17.8 | COLUMBIA GAS TRAN |
| 8252222 | | 4709702092 | | 108 | | LENI ASH #1 1578 | BANKS DISTRICT | 32.9 | COLUMBIA GAS TRAN |
| 8252217 | | 4708300316 | | 108 | | LUCILLE TALLMAN #1 1524 | ROARING CREEK DISTRIC | 48.9 | COLUMBIA GAS TRAN |
| 8252216 | | 4708300315 | | 108 | | LUCILLE TALLMAN #2 1525 | ROARING CREEK DISTRIC | 8.0 | COLUMBIA GAS TRAN |
| 8252228 | | 4709701828 | | 108 | | MYRON & CECILE HYMES #4 M-417 | WASHINGTON DISTRICT | 54.4 | EQUITABLE GAS CO |
| 8252229 | | 4709702276 | | 103 | | PEARL LILLY #1 1698 | BANKS DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252214 | | 4700101575 | | 103 | | UDI-MIKE ROSS #2 1675 | VALLEY DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252213 | | 4709702224 | | 103 | | ZICKEFOOSE-LEIGH #1 1669 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |
| 8252210 | | 4709702231 | | 103 | | ZICKEFOOSE-LEIGH #3 1671 | WASHINGTON DISTRICT | 0.0 | COLUMBIA GAS TRAN |

** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, METAIRIE,LA

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| -TENNECO OIL COMPANY | | | | RECEIVED: | 08/31/82 | JA: 3 | | | |
| 8252342 | G2-2571 | 1770540288 | | 102-5 | | VERMILION 156 A-1 | VERMILION | 189.8 | TENNESSEE GAS PIP |
| -TRANSCO EXPLORATION COMPANY | | | | RECEIVED: | 08/31/82 | JA: 3 | | | |
| 8252421 | G2-2949 | 1770540520 | | 102-1 | | #8 | VERMILION | 3650.0 | TRANSCONTINENTAL |
| -AMOCO PRODUCTION CO | | | | RECEIVED: | 08/30/82 | JA: LA 3 | | | |
| 8252278 | G1-2384 | 1771040836 | | 102-5 | | OCS-G-0987 #B-9 | EUGENE ISLAND | 2000.0 | TEXAS GAS TRANSMI |
| -AMOCO PRODUCTION CO | | | | RECEIVED: | 08/31/82 | JA: LA 3 | | | |
| 8252339 | G1-2431 | 1771040940 | | 102-5 | | OCS-G-0987 #B-13 | EUGENE ISLAND | 200.0 | TEXAS GAS TRANSMI |
| 8252335 | G2-2596 | 1771940193 | | 102-5 | | OCS-G-1069 #8 | WEST DELTA | 200.0 | TENNESSEE GAS PIP |
| -CHEVRON U S A INC | | | | RECEIVED: | 08/31/82 | JA: LA 3 | | | |
| 8252340 | G1-2448 | 1772540221 | | 102-5 | | OCS-G-0374 #32 | MAIN PASS | 73.0 | MISSISSIPPI POWER |
| -CONOCO INC | | | | RECEIVED: | 08/30/82 | JA: LA 3 | | | |
| 8252285 | G1-2426 | 1772440159 | | 102-5 | | MAIN PASS BLK 311 #B-1 | MAIN PASS | 100.0 | SOUTHERN NATURAL |
| 8252287 | G1-2425 | 1772440195 | | 102-5 | | MAIN PASS BLK 311 #B-10 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252293 | G1-2289 | 1772440196 | | 102-5 | | MAIN PASS BLK 311 #B-11 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252291 | G1-2290 | 1772440196 | | 102-5 | | MAIN PASS BLK 311 #B-11D | MAIN PASS | 1100.0 | SOUTHERN NATURAL |
| 8252290 | G1-2294 | 1772440183 | | 102-5 | | MAIN PASS BLK 311 #B-2 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252279 | G1-2295 | 1772440183 | | 102-5 | | MAIN PASS BLK 311 #B-2D | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252292 | G1-2296 | 1772440192 | | 102-5 | | MAIN PASS BLK 311 #B-6 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252273 | G1-2297 | 1772440192 | | 102-5 | | MAIN PASS BLK 311 #B-6D | MAIN PASS | 50.0 | SOUTHERN NATURAL |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252281 | G1-2388 | 1772440193 | | 102-5 | | MAIN PASS BLK 311 #B-7 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252274 | G1-2352 | 1772440190 | | 102-5 | | MAIN PASS BLK 311 #B-8 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252276 | G1-2306 | 1772440194 | | 102-5 | | MAIN PASS BLK 311 #B-9 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252275 | G1-2307 | 1772440194 | | 102-5 | | MAIN PASS BLK 311 #B-9D | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252277 | G1-2387 | 1772440188 | | 102-5 | | MAIN PASS BLK 311 B-4 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252286 | G1-2353 | 1772440190 | | 102-5 | | MAIN PASS BLK 311 B-8D | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| -CONOCO INC | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252422 | G1-2113 | 1772440178 | | 102-5 | | MAIN PASS BLK 311 #A-14 | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| 8252423 | G1-2114 | 1772440178 | | 102-5 | | MAIN PASS BLK 311 #A-14D | MAIN PASS | 50.0 | SOUTHERN NATURAL |
| -EXXON CORPORATION | | | | RECEIVED: | | 08/30/82 JA: LA 3 | | | |
| 8252288 | G1-2423 | 1770240690 | | 102-5 | | OCS-G 2560 #A-18 | WEST CAMERON | 1500.0 | COLUMBIA GAS TRAN |
| -EXXON CORPORATION | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252426 | G2-2692 | 1771540451 | | 102-5 | | OCS-G 1251 #E-4 | SOUTH TIMBALIER | 4750.0 | TRUNKLINE GAS CO |
| 8252432 | G1-2219 | 1770240678 | | 102-5 | | OCS-G 2560 #A-16 | WEST CAMERON | 1400.0 | COLUMBIA GAS TRAN |
| 8252337 | G2-2859 | 1770940377 | | 102-5 | | OCS-G 3331 #A-5 | EUGENE ISLAND | 1500.0 | COLUMBIA GAS TRAN |
| 8252434 | G2-2655 | 1770940398 | | 102-5 | | OCS-G 3331 #A-7 | EUGENE ISLAND | 1500.0 | COLUMBIA GAS TRAN |
| -FOREST OIL CORPORATION | | | | RECEIVED: | | 08/30/82 JA: LA 3 | | | |
| 8252289 | G1-1845 | 1770840467 | | 102-5 | | SOUTH MARSH ISLAND BLK 143 B-7 | SOUTH MARSH ISLAND | 1050.0 | COLUMBIA GAS TRAN |
| -GULF OIL CORPORATION | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252343 | G2-2661 | 1772140199 | | 102-5 | | OCS-G 2177 A-13 S/P BLOCK 49 | SOUTH PASS | 1710.0 | TEXAS EASTERN TRA |
| 8252435 | G2-2660 | 1772140204 | | 102-5 | | OCS-G 2177 WELL A-14 S/P BLK 49 | SOUTH PASS | 1250.0 | TEXAS EASTERN TRA |
| 8252427 | G2-2673 | 1771140578 | | 102-5 | | SHIP SHOAL BLK 169 OCS-G-0820 #BB-3 | SHIP SHOAL | 182.0 | TRANSCONTINENTAL |
| 8252425 | G2-2662 | 1771140596 | | 102-5 | | SHIP SHOAL BLK 169 OCS-G-0820 #BB-5 | SHIP SHOAL | 35.0 | TRANSCONTINENTAL |
| -MARATHON OIL COMPANY | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252442 | G2-2577 | 1771040939 | | 102-5 | | EUGENE ISLAND BLK 349 WELL #B-10 | EUGENE ISLAND | 365.0 | TEXAS EASTERN TRA |
| 8252424 | G2-2709 | 1771040875 | | 102-5 | | EUGENE ISLAND BLK 349 WELL #B-5A | EUGENE ISLAND | 50.0 | TEXAS EASTERN TRA |
| -MOBIL OIL EXPLORATION & PROD S E | | | | RECEIVED: | | 08/30/82 JA: LA 3 | | | |
| 8252283 | G2-2954 | 1771040900 | | 102-1 | | EUGENE ISLAND 354 #A-6 | EUGENE ISLAND | 200.0 | SEA ROBIN PIPELIN |
| -OCEAN PRODUCTION CO | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252440 | G2-2615 | 1771140605 | | 102-5 | | OCS-065 #3A | SHIP SHOAL | 90.0 | TRANSCONTINENTAL |
| 8252429 | G2-2616 | 1771340099 | | 102-5 | | OCS-074 #29B | SOUTH PELTO | 36.0 | TRANSCONTINENTAL |
| -SHELL OIL CO | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252420 | G2-2890 | 1773140022 | | 102-1 | | OCS-G 3958 JA-1 | SABINE PASS | 0.0 | FLORIDA GAS TRANS |
| -SUPERIOR OIL CO | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252328 | G2-2934 | 1773140041 | | 102-1 | | #B-2 | SABINE PASS | 0.0 | |
| 8252418 | G2-2933 | 1773140042 | | 102-1 | | #B-6 | SABINE PASS | 0.0 | |
| -TENNECO OIL COMPANY | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252430 | G2-2573 | 1770540428 | | 102-5 | | VERMILION 155 A-3 | VERMILION | 1950.0 | TENNESSEE GAS PIP |
| 8252431 | G2-2574 | 1770540431 | | 102-5 | | VERMILION 155 A-4 | VERMILION | 0.0 | TENNESSEE GAS PIP |
| 8252341 | G2-2572 | 1770540422 | | 102-5 | | VERMILION 156 A-2 | VERMILION | 3650.0 | TENNESSEE GAS PIP |
| -TEXACO INC | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252331 | G2-2746 | 1771940221 | | 102-5 | | OCS-G-2937 W D 109 #A-4 | WEST DELTA | 310.0 | NATURAL GAS PIPEL |
| 8252347 | G2-2747 | 1771940227 | | 102-5 | | OCS-G-2937 WD 109 #A-6 | WEST DELTA | 747.0 | NATURAL GAS PIPEL |
| -TRANSCO EXPLORATION COMPANY | | | | RECEIVED: | | 08/30/82 JA: LA 3 | | | |
| 8252284 | G2-2950 | 1770540520 | | 102-1 | | D #8 | VERMILION | 3650.0 | TRANSCONTINENTAL |
| -TRANSCO EXPLORATION COMPANY | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252437 | G2-2946 | 1770540506 | | 102-1 | | #6 | VERMILION | 3650.0 | TRANSCONTINENTAL |
| 8252334 | G2-2947 | 1770540506 | | 102-1 | | #6-D | VERMILION | 3650.0 | TRANSCONTINENTAL |
| 8252443 | G2-2948 | 1770540512 | | 102-1 | | #7 | VERMILION | 3650.0 | TRANSCONTINENTAL |
| -UNION OIL COMPANY OF CALIF | | | | RECEIVED: | | 08/31/82 JA: LA 3 | | | |
| 8252346 | G2-2757 | 1770540238 | | 102-5 | | OCS 0206 #4 (ST.1) | VERMILION | 1100.0 | TENNESSEE GAS PIP |
| 8252433 | G2-2652 | 1770540184 | | 102-5 | | OCS-G 2870 #A-5 | VERMILION | 712.0 | NORTHERN NATURAL |
| 8252338 | G2-2847 | 1771040852 | | 102-1 | | OCS-G 3570 #A-2 | EUGENE ISLAND | 1119.0 | TEXAS GAS TRANSMI |

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| JD NO | JA DKT | API NO | D | SEC(1) | SEC(2) | WELL NAME | FIELD NAME | PROD | PURCHASER |
|---|---|---|---|---|---|---|---|---|---|
| 8252439 | G2-2599 | 1771240266 | | 102-5 | | OCS-G-1031 #E-6 | SHIP SHOAL BLOCK | 70.0 | TRANSCONTINENTAL |
| 8252336 | G2-2798 | 1771540436 | | 102-1 | | OCS-G-4000 #A-16 | SOUTH TIMBALIER | 1577.0 | TENNESSEE GAS PIP |
| -AMINOIL USA INC | | | | RECEIVED: | 08/31/82 | JA: TX 3 | | | |
| 8252441 | G2-2787 | 4271140316 | | 108 | | OCS-G-2405 WELL #A-1 | HIGH ISLAND AREA | 510.0 | NATURAL GAS PIPEL |
| 8252436 | G2-2788 | 4271140338 | | 108 | | OCS-G-2405 WELL #A-5 | HIGH ISLAND AREA | 510.0 | NATURAL GAS PIPEL |
| -CNG PRODUCING COMPANY | | | | RECEIVED: | 08/31/82 | JA: TX 3 | | | |
| 8252345 | G2-2783 | 4270940497 | | 102-5 | | A-5S1 | HIGH ISLAND | 1500.0 | CONSOLIDATED GAS |
| 8252438 | G2-2784 | 4270940556 | | 102-5 | | A-6S1 | HIGH ISLAND | 1200.0 | CONSOLIDATED GAS |
| 8252333 | G2-2785 | 4270940645 | | 102-5 | | A-7S1 | HIGH ISLAND | 1500.0 | CONSOLIDATED GAS |
| 8252332 | G2-2786 | 4270940631 | | 102-5 | | A-8S1 | HIGH ISLAND | 1300.0 | CONSOLIDATED GAS |
| -SHELL OIL CO | | | | RECEIVED: | 08/31/82 | JA: TX 3 | | | |
| 8252417 | G2-2675 | 4270840076 | | 102-5 | | OCS-G 3228 A-17A | GALVESTON | 1800.0 | UNITED GAS PIPE L |
| 8252419 | G2-2922 | 4271540004 | | 102-1 | | OCS-G 4143 JB-2A | SABINE PASS | 380.0 | FLORIDA GAS TRANS |
| 8252428 | G2-2674 | 4270600076 | | 102-5 | | OCS-0709 A-14B | GALVESTON | 150.0 | DOW CHEMICAL U S |
| -TENNECO OIL COMPANY | | | | RECEIVED: | 08/30/82 | JA: TX 3 | | | |
| 8252282 | G2-2968 | 4270640069 | | 102-1 | | GALVESTON AREA BLK 391 #A-2 | GALVESTON AREA | 0.0 | TENNESSEE GAS PIP |
| 8252280 | G2-2969 | 4270640078 | | 102-1 | | GALVESTON AREA BLK 393 #A-2 | GALVESTON AREA | 0.0 | TENNESSEE GAS PIP |
| -TENNECO OIL COMPANY | | | | RECEIVED: | 08/31/82 | JA: TX 3 | | | |
| 8252327 | G2-2943 | 4270640048 | | 102-1 | | GALVESTON AREA BLK 391 #A-1 | GALVESTON AREA | 0.0 | TENNESSEE GAS PIP |
| 8252330 | G2-2944 | 4270640052 | | 102-1 | | GALVESTON AREA BLK 391 #A-3 | GALVESTON AREA | 0.0 | TENNESSEE GAS PIP |
| 8252344 | G2-2945 | 4270640075 | | 102-1 | | GALVESTON AREA BLK 393 #A-1 | GALVESTON AREA | 0.0 | TENNESSEE GAS PIP |
| 8252329 | G2-2881 | 4271540018 | | 102-1 | | SABINE PASS 18 #A-7 | SABINE PASS | 2600.0 | TENNESSEE GAS PIP |
| ** BUREAU OF INDIAN AFFAIRS, OSAGE AGENCY, PAWHUSKA,OK | | | | | | | | | |
| -BEK OIL CO INC | | | | RECEIVED: | 08/27/82 | JA: OK 8 | | | |
| 8252184 | | 3511300000 | | 103 | | TINKER 2A | NW/4 SEC 8 T25N R9E | 7.3 | PHILLIPS PETROLEU |
| 8252185 | | 3511300000 | | 103 | | TINKER 3A | NW/4 SEC 8 T25N R9E | 10.0 | PHILLIPS PETROLEU |
| -J M GRAVES | | | | RECEIVED: | 08/27/82 | JA: OK 8 | | | |
| 8252182 | | 3511300000 | | 102-4 | | BAKER #2 | UNDESIGNATED | 20.0 | PHILLIPS PETROLEU |
| 8252183 | | 3511327042 | | 102-4 | | BAKER #3 | | 25.0 | PHILLIPS PETROLEU |
| -NADEL & GUSSMAN | | | | RECEIVED: | 08/27/82 | JA: OK 8 | | | |
| 8252177 | | 3511300000 | | 103 | | #3-A | KASHISKA | 3.0 | PHILLIPS PETROLEU |
| 8252176 | | 3511300000 | | 103 | | CASH #1-A | KASHISKA | 6.0 | PHILLIPS PETROLEU |
| 8252178 | | 3511300000 | | 103 | | CASH #4-A | KASHISKA | 2.5 | PHILLIPS PETROLEU |
| 8252179 | | 3511300000 | | 103 | | HOLIDAY #1 | PAXTON EAST | 2.5 | PHILLIPS PETROLEU |
| 8252180 | | 3511300000 | | 103 | | HOLIDAY #2 | PAXTON EAST | 3.0 | PHILLIPS PETROLEU |
| 8252186 | | 3511300000 | | 103 | | REED #4 | GILLILAND SOUTH | 1.4 | PHILLIPS PETROLEU |
| 8252187 | | 3511300000 | | 103 | | REED #5 | GILLILAND SOUTH | 1.4 | PHILLIPS PETROLEU |
| 8252188 | | 3511300000 | | 103 | | REED #6 | GILLILAND SOUTH | 1.4 | PHILLIPS PETROLEU |
| 8252189 | | 3511300000 | | 103 | | REED #7 | GILLILAND SOUTH | 1.4 | PHILLIPS PETROLEU |
| 8252190 | | 3511300000 | | 103 | | SHEWMAKER #3-A | BULL DOG NORTH | 3.5 | PHILLIPS PETROLEU |
| 8252191 | | 3511300000 | | 103 | | SHEWMAKER #4-A | BULL DOG NORTH | 3.5 | PHILLIPS PETROLEU |
| -TPEX EXPLORATION INC | | | | RECEIVED: | 08/27/82 | JA: OK 8 | | | |
| 8252181 | | 3511300000 | | 103 | | LABADIE #2-A | DOMES POND CREEK | 60.0 | NATIONAL ZINC CO |

Kenneth F. Plumb,

*Secretary.*

[FR Doc. 26060 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-C

[Project No. 6668-000]

## Energenics Systems, Inc., Application for Preliminary Permit

September 20, 1982.

Take notice that Energenics Systems, Inc. (Applicant) filed on September 1, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 6668 to be known as the Grand Valley Project located on the Colorado River in Mesa County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Granville J. Smith, President, Energenics Systems, Inc., 1717 K Street, Suite 706, Washington, D.C. 20006.

*Project Description*—The proposed project would utilize the existing U.S. Water and Power Resources Service's Grand Valley Diversion Dam and reservoir and would consist of a powerhouse with two generating units having a total rated capacity of 1.6 MW, a switchyard and a transmission line. The Applicant estimates that the average annual energy output would be 11,000,000 kWh. Energy generated at the project would likely be sold to the Public Service Company of Colorado for distribution to its customers.

*Purpose Scope of Studies Under Permit*—A preliminary permit, if issued, does not authorize construction. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, a study of environmental impacts, geotechnical investigations in the immediate area of the dam itself and in the area of the powerhouse tailrace, and of the project's compatibility with irrigation needs. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be $30,000.

*Competing Application*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before January 3, 1983, the competing application itself (see: 18 CFR 4.30 et. seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be filed with the Commission on or before December 2, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

*Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions To Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of the Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before December 2, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26043 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 6561-000]

## Energenics Systems Inc.; Application for Preliminary Permit

September 20, 1982.

Take notice that Energenics Systems Inc. (Applicant) filed on July 30, 1982, an application for preliminary permit pursuant to the Federal Power Act, 16 U.S.C. 791(a) 825(r) for Project No. 6561 to be known as the Rathbun Dam Hydroelectric Project located on the Chariton River in Appanoose County, Iowa. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Granville J. Smith, Energenics Systems Inc., 1717 K Street, N.W., Suite 706 Washington, D.C. 20006.

*Project Description*—The proposed project would utilize an existing U.S. Army Corps of Engineers' dam and reservoir. Project No. 6561 would consist of: (1) A proposed 6 foot diameter and 150-foot-long penstock at the right side of the existing dam; (2) a proposed powerhouse containing one turbine/generator with a total installed capacity of 2 MW; (3) a 50-foot-long, 14-foot-wide concrete trailrace; (4) a proposed transmission line, less than one mile long, interconnecting with the Iowa Southern Utilities; and (5) appurtenant facilities. Applicant estimates the average annual energy production to be 5.5 GWh.

*Proposed Scope of Studies Under Permit*—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months. during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with the consultation with Federal, state, and lical agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $35,000.

*Competing Applications*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before January 3, 1983, the competing application itself (see: 18 CFR 4.30 et. seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to file such an application in response to this notice. A notice of intent to file an

application for license or exemption must be filed to the Commission on or before October 4, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

*Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions To Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before October 4, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26044 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Project No. 6610-000]**

## Energenics Systems Inc.; Application for Preliminary Permit

September 21, 1982.

Take notice that Energenics systems Inc. (Applicant) filed on August 18, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 6610 to be known as the Mississippi River Lock and Dam No. 20 Hydroelectric project located on the Mississippi River in Lewis County, Missouri. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Granville J. Smith, Enérgenics Systems Inc., 1717 K Street, N.W., Suite 706, Washington, D.C. 20006.

*Project Description*—The proposed project would utilize an existing U.S. Army Corps of Engineers' dam and reservoir. Project No. 6610 would consist of: (1) A proposed powerhouse which will be built to replace a section of the existing dam weir; (2) the installation of two bulb units with a total installed capacity of 25 MW; (3) a proposed approach channel and tailrace; (4) a proposed transmission line, less than one mile long, interconnecting with a local utility company; and (5) appurtenant facilities. Applicant estimates the average annual energy production to be 130 GWh.

*Proposed Scope of Studies Under Permit*—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with the consultation with Federal, state, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $50,000.

*Competing Applications*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before December 13, 1982, the competing application itself (see: 18 CFR 4.30 et seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to file such an application in response to this notice. A notice of intent to file an application for license or exemption must be filed to the Commission on or before November 15, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

*Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions To Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before November 15, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26045 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5103-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Squaw Creek Hydroelectric Project No. 5103, has requested that its preliminary permit be terminated. The permit was issued on February 1, 1982, and would have expired July 31, 1983. The project would have been located on the Squaw Creek in Sanders County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5103 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26024 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5104-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Ruby Creek Hydroelectric Project No. 5104, has requested that its preliminary permit be terminated. The permit was issued on March 22, 1982, and would have expired August 31, 1983. The project would have been located on the Ruby Creek in Lincoln County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5104 is deemed acepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26025 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5105-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Six Mile Creek Hydroelectric Project No. 5105, has requested that its preliminary permit be terminated. The permit was issued on April 23, 1982, and would have expired September 30, 1983. The project would have been located of the Six Mile Creek in Lake County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5105 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26026 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5107-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Spruce Creek Hydroelectric Project No. 5107, has requested that its preliminary permit be terminated. The permit was issued on February 1, 1982, and would have expired July 31, 1983. The proposed project would have been located on the Spruce Creek in Boundary County, Idaho.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5107 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26027 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5110-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Curtis Creek Hydroelectric Project No. 5110, has requested that its preliminary permit be terminated. The permit was issued on February 2, 1982, and would have expired July 31, 1983. The proposed project would have been located on the Curtis Creek in Bonner County, Idaho.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5110 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26028 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5109-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Hellroaring Creek Hydroelectric Project No. 5109, has requested that its preliminary permit be terminated. The permit was issued on February 2, 1982, and would have expired July 31, 1983. The proposed project would have been located on the Hellroaring Creek in Boundary County, Idaho.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5109 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26029 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5479-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Camp Creek Hydroelectric Project No. 5479, has requested that its preliminary permit be terminated. The permit was issued on April 23, 1982, and whoud have expired September 30, 1983. The project would have been located on the Camp Creek in Lincoln County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5479 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26030 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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[Project No. 5106-001]

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Highland Creek Hydroelectric Project No. 5106, has requested that its preliminary permit be terminated. The permit was issued on

February 1, 1982, and would have expired July 31, 1983. The proposed project would have been located on the Highland Creek in Boundary County, Idaho.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5106 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26031 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 5100-001]**

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed Indian Springs Hydroelectric Project No. 5100, has requested that its preliminary permit be terminated. The permit was issued on March 22, 1982, and would have expired August 31, 1983. The proposed project would have been located on the Indian Creek in Lincoln County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5100 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26032 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 5475-001]**

## Homestake Consulting and Investments, Inc.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that Homestake Consulting and Investments, Inc., Permittee for the proposed O'Brien Creek Hydroelectric Project No. 5475, has requested that its preliminary permit be terminated. The permit was issued on April 23, 1982, and would have expired September 30, 1983. The project would have been located on the O'Brien Creek in Lincoln County, Montana.

The Permittee filed its request on August 23, 1982, and the surrender of the preliminary permit for Project No. 5475 is deemed accepted as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26033 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 6623-000]**

## Eric R. Jacobson; Application for Preliminary Permit

September 21, 1982.

Take notice that Eric R. Jacobson (Applicant) filed on August 20, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 6623 to be known as the Bridal Veil Project located on Bridal Veil Creek, near the town of Telluride, in the Uncompahgre National Forest in San Miguel County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Marian R. Jacobson, P.O. Box 2162, Grand Junction, Colorado 81502.

*Project Description*—The proposed project would consist of: (1) Upper Lewis Lake at elevation 12,881 feet M.S.L., Lower Lewis Lake at elevation 12,842 feet M.S.L., Blue Lake at elevation 12,202 feet M.S.L., and Mud Lake at elevation 12,255 feet M.S.L.; (2) a system of existing intakes or siphons at each lake connected by a 3.5-mile-long system of steel penstocks from 3 feet to 10 inches in diameter which would be repaired or replaced and connected to; (3) an existing historic powerhouse located at the head of Bridal Veil Falls to be restored and would include a rebuilt 350-kW turbine-generator; (4) a new 4620-foot-long, 4.4-kV transmission line along the existing right-of-way; and (5) appurtenant facilities. Energy produced would be sold to a local utility or industry. The proposed project would produce up to 3,048,480 kWh annually. The powerhouse is a National Historic Landmark and is owned by Idarado Mining Company.

*Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, coordination with the U.S. Forest Service, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. The Applicant has estimated that the cost of studies under the preliminary permit would be $150,000.

*Competing Applications*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before January 3, 1983, the competing application itself (see: 18 CFR 4.30 et. seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to file such an application in response to this notice. A notice of intent to file an application for license or exemption must be filed with the Commission on or before December 6, 1982, an should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

*Agency Comment*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions to Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025-26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before December 6, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch,

Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26046 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 6458-000]**

## Everand Jensen; Application for Exemption for Small Hydroelectric Power Project of 5 MW or Less Capacity

September 21, 1982.

Take notice that on June 23, 1982, Everand Jensen (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric Project No. 6458 would be located on Birch Creek, a tributary of the Snake River, near Hagerman, in Gooding County, Idaho. Correspondence with the Applicant should be directed to: Mr. Everand Jensen, Star Route, Box 32, Bliss, Idaho 83314.

*Project Description*—The proposed Birch Creek Hydroelectric project would consist of: (1) A 6-foot-high diversion structure with negligible storage; (2) two intake structures; (3) a 450-foot-long, 18-inch-diameter steel penstock for Powerhouse No. 1; (4) a 283-foot-long, 18-inch-diameter steel penstock for Powerhouse No. 2; (5) Powerhouse No. 1 containing one generating unit with an installed capacity of 24 kW; (6) Powerhouse No. 2 containing one generating unit with an installed capacity of 37 kW; and (7) a 0.25-mile-long, 34.5-kV transmission line. Applicant estimates that the average annual energy production would be 0.54 million kWh.

*Purpose of Exemption*—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

*Agency Comments*—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

*Competing Application*—Any qualified license applicant desiring to file a competing application must file with the Commission, on or before November 15, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Filing of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary pemit will not be accepted.

A notice of intent must conform with the requirements of 18 CFC 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

*Comments, Protests, or Motions to Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Commission Rules 211 or 214, 18 CFR 385.211 or 385.214 47 FR 19025-26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before November 15, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26047 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Docket Nos. ER82-670-000, and ER82-555-000, ER82-556-000, ER82-557-000, ER82-558-000, and ER82-559-000]**

## Michigan Power Co.; Order Accepting for Filing and Suspending Revised Rates, Noting Interventions, Granting Waiver of Notice, Consolidating Dockets, and Establishing Hearing Procedures

Issued: September 16, 1982.

On July 21, 1982, Michigan Power Company (Michigan) tendered for filing a proposed two-step rate increase for firm power service to its two wholesale customers, the City of Dowagiac and the Village of Paw Paw, Michigan.[1] The proposed Step I rates would increase revenues by approximately $248,000 (12%) for the calendar year 1981 (Period I) test period. The proposed Step II rate would further increase revenues by approximately $314,000 (a total increase of 27%). Michigan's submittal primarily reflects the pass-through of Michigan's increased purchased power costs incurred as a result of increased rates for service from Indiana and Michigan Electric Company (IME) in Docket Nos. ER82-555-000, *et al.*[2] By order dated July 14, 1982, in Docket Nos. ER82-555-000, *et al.*, the Commission, *inter alia*, accepted for filing IME's two-step rate increase applicable for service to Michigan and suspended IME's Step I and Step II rates for one day and five

[1] *See* Attachment A for rate schedule designations.

[2] Michigan purchases approximately 98% of its power and energy requirements from IME.

months to become effective on July 29, 1982, and December 29, 1982 subject to refund. Michigan requests waiver of the notice requirements to allow its proposed Step I and Step II rates to become effective coincident with the effective dates designated for IME's corresponding rates.

Notice of Michigan's filing was published in the Federal Register with responses due by August 17, 1982. Paw Paw and Dowagiac filed timely petitions to intervene although neither intervenor has raised any specific substantive issues.[3] Paw Paw states that it is a customer of Michigan and will be affected by the proposed rate increase. Dowagiac contends that Michigan's rates should be suspended on the same basis as were IME's inasmuch as Michigan's filing is predicated largely on purchased power costs. Dowagiac states that it does not object to Michigan's request or waiver of notice and a July 29 effective date for the Step I rates, if the rates become effective, subject to refund and suspensions consistent with our treatment of IME's filing.

**Discussion**

Under Rule 214(c)(1) of the Commission's Rules of Practice and Procedure (18 CFR 385.214), Paw Paw's and Dowagiac's timely interventions serve to make them parties to this proceeding absent opposition within 15 days of their pleadings.

Our preliminary examination of Michigan's filing indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we shall accept the rates for filing and shall suspend them as ordered below.

As we have previously noted, Michigan's submittal, in large part, represents a pass-through of increased purchased power costs attributable to IME's earlier filing. Apart from these purchased power costs, which at this time are properly reflected in Michigan's cost of service although they are being paid to IME subject to refund, our preliminary review suggests that Michigan's proposed rates may not produce substantially excessive revenues as defined in *West Texas Utilities Company,* Docket No. ER82-23-000 (February 26, 1982). Accordingly, we agree that it is appropriate to suspend Michigan's rates so that they become effective coincident with the rates filed by IME in Docket Nos. ER82-555-000, *et al.* With respect to Michigan's request for waiver of the notice requirements, we note that both Dowagiac and Paw Paw intervened in the IME proceeding with appropriate notice of that rate change and in anticipation of this filing by Michigan to recover associated purchased power costs. In addition, neither intervenor objects to the requested waiver. Thus, we find that good cause exists to waive the notice requirements and to suspend Michigan's proposed Step I and II rates to become effective on July 29, 1982, and December 29, 1982, respectively, subject to refund.

Because we find that common questions of law and fact may be presented in this docket and in Docket Nos. ER82-555-000, *et al.,* we shall consolidate these proceedings for purposes of hearing and decision.

*The Commission orders:* (A) Waiver of the notice requirements is hereby granted; Michigan's proposed rates are hereby accepted for filing and suspended, with the Step I and Step II rates to become effective, subject to refund, on July 29, 1982, and December 29, 1982, respectively.

(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 Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the justness and reasonableness of Michigan's rates.

(C) Docket No. ER82-670-000 is hereby consolidated with the pending proceeding in Docket Nos. ER82-555-000, *et al.,* for purposes of hearing and decision.

(D) The Commission staff shall serve top sheets in this proceeding on or before October 1, 1982.

(E) The administrative law judge designated to preside in Docket Nos. ER82-555-000, *et al.,* shall convene a conference in this proceeding promptly following the service of top sheets in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(F) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

**Kenneth F. Plumb,**

*Secretary.*

**Attachment A.—Michigan Power Company, Rate Schedule Designations, Docket No. ER82-670-000**

*Designation and Description*

(1) Ninth Revised Sheet No. 6 under FPC Electric Tariff Original Volume No. 1 (Supersedes Eighth Revised Sheet No. 6), Step I Rates.

(2) Fifth Revised Sheet No. 7 under FPC Electric Tariff Original Volume No. 1 (Supersedes Eighth Revised Sheet No. 7), Fuel Adjustment Clause.

(3) Tenth Revised Sheet No. 6 under FPC Electric Tariff Original Volume No. 1 (Supersedes (1) above), Step II Rates.

[FR Doc. 26022 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

[3] Dowagiac did, however, raise numerous cost of service issues in its petition to intervene in Docket Nos. ER82-555-000, *et al.* that petition was granted.

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**[Docket No. TA83-1-25-000]**

## Mississippi River Transmission Corp.; Rate Change Filing

September 15, 1982.

Take notice that on August 31, 1982 Mississippi River Transmission Corporation ("Mississippi") tendered for filing Eighty-Fourth Revised Sheet No. 3A to its FERC Gas Tariff, First Revised Volume No. 1. An effective date of October 1, 1982 is proposed.

Mississippi states that Eighty-Fourth Revised Sheet No. 3A is being submitted to reflect changes in purchased gas costs by reason of the rate filing of its principal pipeline supplier, United Gas Pipe Line Company at Docket No. RP82-57, which includes the effect on United of the commencement of deliveries through the new Northern Border Pipeline Co. system. Mississippi states that it expects such commencement date to occur sometime after September 1, 1982 but on or before October 1, 1982, and that it is submitting the instant filing with a proposed October 1, 1982 effective date in order to provide its sale for resale customers the normal thirty (30) day notice with respect to the filing. Mississippi requests that in the event deliveries from Northern Border do not commence on September 1, 1982, the date when Mississippi's previously-filed Alternate Eighty-Third Revised Sheet No. 3A is to become effective, that Eight-Fourth Revised Sheet No. 3A be accepted to be effective October 1, 1982. Mississippi further states that it will charge its Unrecovered Purchased Gas Cost Account for any increased gas cost caused by United's RP82-57 rate change from the date Northern Border deliveries do commence and to October 1, 1982.

Mississippi states that copies of its filing have been served on all

jurisdictional customers and interested state commissions.

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, N.E., Washington, D.C. 20426, in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, .214). All such petitions or protests should be filed on or before September 23, 1982. 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. 82-26016 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Docket No. CP81-79-001]**

## Natural Gas Pipeline Co. of America, Columbia Gulf Transmission Co., and Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.; Petition To Amend

September 17, 1982.

Take notice that on May 7, 1982, Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, Columbia Gulf Transmission Company (Columbia Gulf), 3805 West Alabama Avenue, Houston, Texas 77027, and Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), 1010 Milam, Houston, Texas 77002 filed in Docket No. CP81-79-001 a joint petition to amend the order issued June 18, 1981, in Docket No. CP81-79-000 pursuant to Section 7(c) of the National Gas Act so as to authorize a change in the ownership in joint offshore pipeline facilities, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioners state that Natural's present percentage dedication is 75 percent of West Delta Block 109 platform production, offshore Louisiana, and would likely increase from this level pending final unit determination at the conclusion of well drilling. Natural, it is asserted, has been advised that the final unit determination would not occur for several months but Natural's present ownership percentage of 81.82 percent would most likely be increased while the ownership percentages of Columbia Gulf and Tennessee would correspondingly be reduced.

It is indicated that because of the expected increase in Natural's percentage dedication in West Delta 109 production, Petitioners have agreed that Natural should own 100 percent of the facilities and that Natural would transport the remaining natural gas volumes through the West Delta 109 pipeline facilities.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 7, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 384.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26034 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 6433-000]**

## Warren B. Nelson; Application for Exemption for Small Hydroelectric Power Project of 5 MW or Less Capacity

September 21, 1982.

Take notice that on June 15, 1982, Warren B. Nelson (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric Project No. 6433 would be located on Riordan Creek near Yellow Pine in Valley County, Idaho. The proposed project would affect U.S. lands in Boise National Forest. Correspondence with the Applicant should be directed to: Mr. Joseph B. Nelson, P.O. Box 3382, Boise Idaho 83703.

*Project Description*—The proposed project would consist of: (1) A 6-foot-high, 40-foot-long diversion structure; (2) an 8,200-foot-long, 26-inch-diameter steel penstock; (3) a powerhouse with a rated capacity of 1,900 KW; and (4) a 250-foot-long, 6.9-kV transmission line. interconnecting with an existing Idaho Power Company transmission line. The estimated annual energy output is 9.6 million kWh.

*Purpose of Exemption*—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

*Agency Comments*—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

*Competing Application*—Any qualified license applicant desiring to file a competing application must file with the Commission, on or before November 15, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Filing of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the

requirements of 18 CFR 4.33(a) and (d) (1980).

*Comments, Protests, or Petitions to Intervene*—Anyone may file comments, a protest, or a petition to intervene in accordance with the requirements of Commission Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motions to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motion to intervene must be filed on or before November 15, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26048 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 6435-000]**

## Joseph B. Nelson; Application for Exemption for Small Hydroelectric Power Project of 5 MW or Less Capacity

September 21, 1982.

Take notice that on June 15, 1982, Joseph B. Nelson (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended* ),.for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric Project No. 6435 would be located on Trapper Creek near Yellow Pine in Valley County, Idaho. The proposed project would affect U.S. lands in Boise National Forest. Correspondence with the Applicant should be directed to: Mr. Warren B. Nelson, 3410 Montvue Drive, Meridian, Idaho 83642.

*Project Description*—The proposed project would consist of: (1) A 6-foot-high, 40-foot-long diversion structure; (2) a 5,800-foot-long 20-inch-diameter steel penstock; (3) a powerhouse with a rated capacity of 875 kW; and (4) a 50-foot-long, 6.–9kV transmission line interconnecting with an existing Idaho Power Company transmission line. The estimated annual energy output is 3.6 million kWh.

*Purpose of Exemption*—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

*Agency Comments*—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resouces are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

*Competing Application*—Any qualified license applicant desiring to file a competing application must file with the Commission, on or before November 15, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Filing of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

*Comments, Protests, or Motions to Intervene*— Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Commission Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025–26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before November 15, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary,*

[FR Doc. 82-26049 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Project No. 4493-001]**

## North Valley Land Corp.; Surrender of Preliminary Permit

September 17, 1982.

Take notice that North Valley Land Corporation, Permittee for the proposed Grider Creek Hydroelectric Project No. 4493, has requested that its preliminary permit be terminated. The preliminary permit was issued on August 14, 1981,

and would have expired July 31, 1983. The project would have been located on Grider Creek in Siskiyou County, California. The Permittee stated that a preliminary study found that the project would not be economically feasible.

The Permittee filed its request on August 13, 1982, and the surrender of the preliminary permit for Project No. 4493 is deemed effective as of the date of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26035 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Docket No. CP82-476-000]**

## Northern Natural Gas Company, Division of InterNorth, Inc.; Application

September 17, 1982.

Take notice that on August 9, 1982, Northern Natural Gas Company, Division of InterNorth, Inc. (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP82-476-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a delivery point and the modification of two existing delivery points, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Peoples Natural Gas Company (Peoples) has requested Applicant to construct a new delivery point to serve the town of Richland, Nebraska. It is indicated that Richland currently uses propane as its energy source but desires natural gas service to accommodate the increased expansion and growth that has occured in the city. The proposed delivery point would provide natural gas service to approximately forty-eight (48) residential, three (3) commercial and four (4) essential agricultural consumers, with an estimated annual usage of 117,000 Mcf of natural gas.

Peoples has requested Applicant to modify the Gretna, Nebraska Town Border Station #1A thereby increasing its annual firm load from 36,808 to 90,079 Mcf to provide for increased expansion and growth that has occurred behind the town border station, it is asserted. It is further explained that Peoples has agreed to provide natural gas service to the J.P. Parks Asphalt Plant which has requirements of 109 Mcf per hour.

It is stated that Applicant proposes to modify one delivery point for industrial and residential service for West Texas Gas, Inc. (WTG) in Pecos County, Texas, with an estimated annual usage of 365,000 Mcf of natural gas.

Additional volumes delivered through the proposed facilities would be within the present entitlements of Peoples and volumes sold to WTG would be made pursuant to Rate Schedule X-40 of Applicant's FERC Gas Tariff, Original Volume No. 2.

It is estimated that the cost of the proposed facilities would be $101,804, which cost would be financed from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 7, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a part in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

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

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

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26036 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Docket No. CP80-22-003]**

## Northern Natural Gas Company, Division of InterNorth, Inc.; Petition To Amend

September 17, 1982.

Take notice that on August 9, 1982, Northern Natural Gas Company, Division of InterNorth, Inc. (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP80-22-003 a petition to amend the order issued July 27, 1980, in Docket No. CP80-22 pursuant to Section 3 of the Natural Gas Act so as to authorize Petitioner to import from Canada up to 67,500 Mcf of natural gas per day for an additional two years ending October 31, 1989, 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 order of July 27, 1980, authorized it to import from Canada up to 100,000 Mcf of natural gas per day at a point near Monchy, Saskatchewan. Petitioner states that it also was authorized by the Economic Regulatory Administration (ERA) to import up to 200,000 Mcf per day and up to 73,000,000 Mcf per year at a point near Emerson, Manitoba minus whatever volumes Petitioner elected to import near Monchy for the period from November 1, 1981, through October 31, 1987. It is indicated that Petitioner purchased the subject gas from Consolidated Natural Gas Limited of Calgary, Alberta, Canada (Consolidated).

Pursuant to an amending agreement between Petitioner and Consolidated dated May 13, 1982, Petitioner proposes to extend the term of the original contract an additional two years, through October 31, 1989. The following import increases at Monchy would be pursuant to the Commission's authorization and import increases at Emerson would be pursuant to ERA authorization:

| | Contract year | Original authorized volumes (1,000³ per day) | Additional volumes proposed (1,000³ per day) | Total daily contract quantity (1,000³ per day) |
|---|---|---|---|---|
| At Monchy: | | | | |
| From 11/01/80 to 10/31/81 | 1st | 0 | 0 | 0 |
| From 11/01/81 to 8/31/82 | 2d Pt 1 | 0 | 0 | 0 |
| From 9/01/81 to 10/31/82 | 2d Pt 2 | 100,000 | 0 | 100,000 |
| From 11/01/82 to 10/31/83 | 3d | 100,000 | 0 | 100,000 |
| From 11/01/83 to 10/31/84 | 4th | 100,000 | 0 | 100,000 |
| From 11/01/84 to 10/31/85 | 5th | 75,000 | 25,000 | 100,000 |
| From 11/01/85 to 10/31/86 | 6th | 50,000 | 30,000 | 80,000 |
| From 11/01/86 to 10/31/87 | 7th | 25,000 | 42,500 | 67,500 |

| | Contract year | Original authorized volumes (1,000³ per day) | Additional volumes proposed (1,000³ per day) | Total daily contract quantity (1,000³ per day) |
|---|---|---|---|---|
| From 11/01/87 to 10/31/88 | 8th | 0 | 67,500 | 67,500 |
| From 11/01/88 to 10/31/89 | 9th | 0 | 67,500 | 67,500 |
| At Emerson: | | | | |
| From 11/01/80 to 10/31/81 | 1st | 60,000 | 0 | 60,000 |
| From 11/01/81 to 8/31/82 | 2d Pt 1 | 200,000 | 0 | 200,000 |
| From 9/01/81 to 10/31/82 | 2d Pt 2 | 100,000 | 0 | 100,000 |
| From 11/01/82 to 10/31/83 | 3d | 100,000 | 0 | 100,000 |
| From 11/01/83 to 10/31/84 | 4th | 100,000 | 0 | 100,000 |
| From 11/01/84 to 10/31/85 | 5th | 75,000 | 25,000 | 100,000 |
| From 11/01/85 to 10/31/86 | 6th | 50,000 | 30,000 | 80,000 |
| From 11/01/86 to 10/31/87 | 7th | 25,000 | 42,500 | 67,500 |
| From 11/01/87 to 10/31/88 | 8th | 0 | 67,500 | 67,500 |
| From 11/01/88 to 10/31/89 | 9th | 0 | 67,500 | 67,500 |

Petitioner states that the total additional volume it would import is 98,550,000 Mcf of gas at the international border price as set from time to time by the National Energy Board of Canada which is currently $4.94 per million Btu in U.S. dollars.

Petitioner asserts that production from presently connected sources of gas would be insufficient to meet its system demands by 1984 and that the additional imports would enable Petitioner to insure a reliable long term gas supply for its customers.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 12, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's rules.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26023 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. RP82-56-002]**

## Northwest Pipeline Corp.; Motion To Make Tariff Sheets Effective

September 15, 1982.

Take notice that on August 31, 1982, Northwest Pipeline Corporation filed with the Federal Energy Regulatory Commission a Motion for Waiver to Amend Suspended Tariff Sheets and to Make the Amended Tariff Sheets Effective. Northwest moves to make effective on October 1, 1982, subject to refund, revised tariff sheets incorporating two adjustments to those tariff sheets filed on March 31, 1982.

The rates set forth on the revised tariff sheets reflect (1) the reallocation of Northwest's cost of service due to termination of the Winter Service rendered by Northwest under Rate Schedule WS-1 and (2) the change in rate design to a conventional *Atlantic Seaboard* type of rate design. Northwest has requested waiver of the Commission's regulations and orders to the extent necessary to make proposed rates effective on October 1, 1982. Northwest states that the customers identified in the Motion do not oppose granting the requested waiver.

Northwest states that copies of this filing were served on the Company's jurisdictional customers, affected state regulatory agencies and otherwise upon all parties to this proceeding.

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, N.W., Washington, D.C. 20426, in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, .214). All such petitions or protests should be filed on or before Sept. 23, 1982. 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. 82-26019 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. ES82-73-000]**

## Pacific Power & Light Co.; Application

September 16, 1982.

Take notice that on September 8, 1982, Pacific Power and Light Company (Applicant) filed an application with the Federal Energy Regulatory Commission, pursuant to Section 204 of the Federal Power Act, seeking an order (1) authorizing it to issue and sell not more than $50,000,000 (1,000,000 shares if the stated value is $50 per share) of its Adjustable Rate No Par Serial Preferred Stock, and (2) granting it an exemption from competitive bidding pursuant to 18 CFR 34.2(b)(2).

An person desiring to be heard or to make any protest with reference to this application should, on or before October 7, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with 18 CFR 385.211 or 385.214, respectively. The application is on file with the Commission and available for public inspection.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26020 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. EF82-3041-000]**

## Southeastern Power Administration; Filing

September 17, 1982.

Take notice that on September 2, 1982, the Assistant Secretary for Conservation and Renewable Energy of the Department of Energy confirmed and approved, on an interim basis effective midnight September 30, 1982, an extension of Rate Schedules KP-1-B and KP-2-B and confirmed and approved a new Rate Schedule JHK-1-D for power from Southeastern Power Administration's (SEPA) Kerr-Philpott Projects. The approval extends through March 31, 1983.

The Assistant Secretary states that the Commission, by order issued March

19, 1982, in Docket No. EF81-3041, extended confirmation and approval of Rate Schedules KP-1-B, KP-2-B and JHK-1-C through September 30, 1982. JHK-1-D replaces JHK-1-C.

The interim rate schedules are submitted for confirmation and approval on a final basis pursuant to authority vested in the Commission by Delegation Order No. 0204-33. Approval is requested for a period ending March 31, 1983.

An person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 1, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26050 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

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**[Docket No. CP82-125-005]**

## Transcontinental Gas Pipe Line Corp.; Amendment

September 17, 1982.

Take notice that on August 10, 1982, Transcontinental Gas Pipe Line Corportion (Applicant), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP82-125-005 an amendment to its application filed in Docket No. CP82-125-000 pursuant to Section 3 of the Natural Gas Act to extend the requested period of import authorization for gas to be purchased from TransCanada PipeLines Limited (TransCanada) from a 10-year term to a 15-year term, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicant states that its application requests authority *inter alia,* to import a purchased quantity of up to 300,000 Mcf of natural gas per day from Canada and, as to storage quantities, the export to Canada of up to 300,000 Mcf of natural gas per day and import into the United States of up to 600,000 Mcf per day for a term of ten years. It is stated that Applicant also requested import and export authority to enable it to cause up to 40,000,000 Mcf of the natural gas to be purchased annually from TransCanada to be stored at two storage facilities: 20,000,000 Mcf at ANR Storage Company's (ANR Storage) storage facilities in Michigan, and 20,000,000 Mcf at Union Gas Limited's (Union Gas) storage facilities near Dawn, Ontario. Because the storage arrangements with ANR Storage and Union Gas provide for a 20-year term, Applicant asserts that an extension of purchases from TransCanada or some alternate source or sources of gas supply is necessary to maintain such storage arrangements after expiration of the initial term of ten years. Applicant states that it has amended its agreement with TransCanada, by an agreement dated June 9, 1982, and therefore, amends its application so as to extend the initial term of the purchase and sale from 10 to 15 years from the date of first deliveries and to set forth the corresponding increases in the total quantities to be delivered under the contract to 1,643,700,000 Mcf.

It is further stated that by this amendment, the make-up provisions were amended to provide a one-year make-up period for take or pay gas and for make-up from year-to-year and to limit excess gas available for best efforts transportation to ten percent of the daily contract quantity.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before October 7, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26037 Filed 921-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. RM79-34 and Docket No. ST82-359]**

## Transportation Certificates for Natural Gas Displacement of Fuel Oil and United Gas Pipe Line Co.; Self-Implementing Transactions

September 16, 1982.

Take notice that the following transactions have been reported to the Commission as being implemented pursuant to Part 284 of the Commission's Regulations and Sections 311 and 312 of the Natural Gas Policy Act of 1978 (NGPA). The "Recipient" column in the following table indicates the entity receiving or purchasing the natural gas in each transaction.

The "Part 284 Subpart" column in the following table indicates the type of transaction. A "B" indicates transportation by an interstate pipeline pursuant to § 284.102 of the Commission's Regulations.

A "C" indicates transportation by an intrastate pipeline pursuant to § 284.122 of the Commission's Regulations. In those cases where Commission approval of a transportation rate is sought pursuant to § 284.123(b)(2), the table lists the proposed rate and expiration date for the 150-day period for staff action. Any person seeking to participate in the proceeding to approve a rate listed in the table should file a petition to intervene with the Secretary of the Commission.

A "D" indicates a sale by an intrastate pipeline pursuant to § 284.142 of the Commission's Regulations and Section 311(b) of the NGPA. Any interested person may file a complaint concerning such sales pursuant to § 284.147(d) of the Commission's Regulations.

A "E" indicates an assignment by an intrastate pipeline pursuant to § 284.163 of the Commission's Regulations and Section 312 of the NGPA.

An "F" indicates a fuel oil displacement transaction implemented pursuant to § 284.202 of the Commission's Regulations. Any interested persons may file a complaint concerning such transaction pursuant to § 284.205(d) of the Commission's Regulations.

A "G" indicates transportation by an interstate pipeline on behalf of another interstate pipeline pursuant to a blanket certificate issued under § 284.221 of the Commission's Regulations.

A "G (HT)" or "G (HS)" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.222 of the Commission's Regulations.

**Kenneth F. Plumb,**
*Secretary.*

| Docket No. | Transporter/seller | Recipient | Date filed | Part 284 subpart | Expiration Date[1] | Transportation rate (cents per million Btu) |
|---|---|---|---|---|---|---|
| ST82-359 | United Gas Pipe Line Co | Entex, Inc | July 1, 1982 | B | | |
| ST82-360 | Mississippi Valley Gas Co | Texas Eastern Transmission Co | July 2, 1982 | E | Nov. 29, 1982 | 21.90 |
| ST82-361 | United Texas Transmission Co | Florida Gas Transmission Co | July 6, 1982 | C | | |
| ST82-362 | Mountain Fuel Supply Co | El Paso Natural Gas Co | July 8, 1982 | G | | |
| ST82-363 | United Gas Pipe Line Co | Florida Gas Transmission Co | July 22, 1982 | G | | |
| ST82-364 | Northern Natural Gas Co | El Paso Natural Gas Co | July 19, 1982 | G | | |
| ST82-365 | Transcontinental Gas Pipe Line Corp | Trunkline Gas Co | July 12, 1982 | G | | |
| ST82-366 | Transcontinental Gas Pipe Line Corp | United Gas Pipe Line Co | do | G | | |
| ST82-367 | Columbia Gulf Transmission Co | Tennessee Gas Pipeline Co | do | G | | |
| ST82-368 | Western Slope Gas Co | Panhandle Eastern Pipe Line | July 13, 1982 | G (HT) | | |
| ST82-369 | Taft Pipe line Co | Northern Natural Gas Co | July 14, 1982 | C | Dec. 11, 1982 | 43.00 |
| ST82-370 | Northern Illinois Co | Michigan Wisconsin Pipe Line Co | July 15, 1982 | G (HT) | Dec. 12, 1982 | 5.93 |
| ST82-371 | El Paso Natural Gas Co | Northern Natural Gas Co | July 13, 1982 | G | | |
| ST82-372 | Sea Robin Pipe line Co | Florida Gas Transmission Co | July 16, 1982 | G | | |
| ST82-373 | Northern Natural Gas Co | High Plains Natural Gas Co | July 19, 1982 | B | | |
| ST82-374 | Northern Illinois Gas Co | Alabama-Tennessee Natural Gas Co | July 20, 1982 | G (HT) | Dec. 17, 1982 | 76.30 |
| ST82-375 | Transcontinental Gas Pipe Line Corp | Columbia Gas Transmission Corp | July 21, 1982 | G | | |
| ST82-376 | Florida Gas Transmission Co | Esperanza Transmission Co | do | B | | |
| ST82-377 | United Gas Pipe Line Co | Northern Natural Gas Co | July 22, 1982 | G | | |
| ST82-378 | Midwestern Gas Transmission Co | Alabama-Tennessee Natural Gas Co | do | G | | |
| ST82-379 | Tennessee Gas Pipeline Co | United Gas Pipe Line Co | do | G | | |
| ST82-380 | Transcontinental Gas Pipe Line Corp | Sugar Bowl Gas Corp | July 23, 1982 | B | | |
| ST82-381 | J-W Gathering Co | Transcontinental Gas Pipe Line Corp | do | C | Dec. 20, 1982 | 43.00 |
| ST82-382 | Northern Illinois Gas Co | Southern Natural Gas Co | do | G (HT) | Dec. 20, 1982 | 5.93 |
| ST82-383 | Rocky Mountain Natural Gas Co | Colorado Interstate Gas Co | July 26, 1982 | C | | |
| ST82-384 | Northern Natural Gas Co | United Gas Pipe Line Co | do | G | | |
| ST82-385 | Northern Natural Gas Co | Michigan Wisconsin Pipe Line Co | do | G | | |
| ST82-386 | Tennessee Gas Pipeline Co | Alabama-Tennessee Natural Gas Co | do | G | | |
| ST82-387 | Gas Gathering Corp | Transcontinental Gas Pipe Line Corp | do | G | | |
| ST82-388 | Columbia Gulf Transmission Co | United Gas Pipe Line Co | July 27, 1982 | G | | |
| ST82-389 | Tennessee Gas Pipeline Co | Mid Louisiana Gas Co | July 28, 1982 | C | | |
| ST82-390 | Channel Industries Gas Co | East Tennessee Natural Gas Co | do | C | | |
| ST82-391 | Mountain Fuel Supply Co | Natural Gas Pipeline Co. of Americaa | do | G | | |
| ST82-392 | Delhi Gas Pipeline Co | Southern Natural Gas Co | do | C | | |
| ST82-393 | Panhandle Eastern Pipe Line Co | Texas Gas Transmission Corp | July 29, 1982 | G | | |
| ST82-394 | Southern Natural Gas Co | Florida Gas Transmission Co | July 30, 1982 | G | | |
| ST82-395 | Riverway Gas Co | Bridgeland Gas Co | July 29, 1982 | C | | |
| ST82-396 | Tennessee Gas Pipeline Co | Louisiana Intrastate Gas Corp | July 30, 1982 | B | Dec. 26, 1982 | 30.29 |

[1] The Intrastate Pipe Line has sought Commission approval of its transporation rate pursuant to section 284.123(b)(2) of the Commission's Regulations (18 CFR 284.123(B)(2)). Such rates are deemed fair and equitable if the Commission does not take action by the date indicated.

[FR Doc. 82-26038 Filed 9-21-82; 8:45 am]
BILLING CODE 6717-01-M

**[Project No. 6580-000]**

## Barbara James Williams; Application for Preliminary Permit

September 20, 1982.

Take notice that Barbara James Williams (Applicant) filed on August 9, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 6580 to be known as the Red Mill Dam Project located on the Browns River in Chittenden County, Vermont. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Ms. Barbara J. Williams, 20708 Corinth Road, Olympia Fields, Illinois 60461.

*Project Description*—The proposed project would consist of: (1) The proposed 17-foot-high dam 45 feet long; (2) a reservoir having a surface area of 2 acres with negligible storage with a normal surface elevation of 525 feet M.S.L.; (3) a new intake; (4) a new 5-foot diameter penstock 60 feet long; (5) a new powerhouse with three options: 1 unit with a generating capacity of 130 kW; 2 units with a generating capacity of 160 kW; and 2 units with a generating capacity of 130 kW; (6) a new tailrace; (7) a new 600-volt transmission line 50 feet long; (8) appurtenant facilities. Project facilities would be owned by Applicant. All project power would be sold to the Central Vermont Power Corporation.

*Proposed Scope of Studies Under Permit*—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time the Applicant would perform studies to determine the feasibility of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of the studies under permit would be $50,000.

*Competing Applications*—Anyone desiring to file a competing application for preliminary permit must file with the Commission, on or before December 2, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981); Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981).

The Commission will accept applications for license or exemption from licensing, or a notice of intent to file such an application in response to this notice. A notice of intent to file an application for license or exemption must be filed with the Commission on or before December 2, 1982, and should specify the type of application

forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Filing of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than January 31, 1983.

*Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

*Comments, Protests, or Motions To Intervene*—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before December 2, 1982.

*Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATIONS", "COMPETING APPLICATIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26021 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

**[Docket No. GP82-55-000]**

## Wyoming Oil and Gas Conservation Commission, NGPA Section 107 Determination, Amoco Production Company, Champlin 449 Amoco "A" No. 1, JD No. 81-45333; Petition To Reopen Final Well Category Determination and To Withdraw Application

September 16, 1982.

On September 1, 1982 Amoco Production Company (Amoco) filed with the Federal Energy Regulatory Commission (Commission) a petition to reopen a final well category determination made by the Wyoming Oil and Gas Conservation Commission (Wyoming) under section 107(c)(5) of the Natural Gas Policy Act of 1978 (NGPA) for the above referenced well. Amoco seeks to withdraw its application for such determination. The determination for the subject will become final by operation of § 275.202 of the Commission's regulations before the date on which Amoco's petition for reopening and withdrawal was made.

Amoco states that the subject well, located in Sweetwater County, is not producing from a tight formation area as originally thought. On August 13, 1981, the Commission received Wyoming's notice of determination that the above referenced well was producing from the "Mesaverde" tight formation under section 107(c)(5). The Commission's forty-five day review period for final determination ended on September 27, 1981. Amoco now states that the subject well is actually producing from "Lewis" formation, which is not a designated tight formation area, and thus requests that the Commission withdraw the determination under section 107(c)(5) of the NGPA for Champlin 449 Amoco "A" No. 1 well.

With respect to the question of refunds arising out of Amoco's request for withdrawal of final well category determination, notice is hereby given that whether refunds will be required is a matter subject to the review and final decision of the Commission.

Any person desiring to be heard or to protest this petition should file, within 30 days after publication of this notice in the **Federal Register** with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a protest or petition to intervene in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211 and 214. All protests filed with the Commission will be considered, but will not make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing must file a petition ot intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26039 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

## Northwest Alaskan Pipeline Co.; Availability

**[Docket No. CP78-123, et al.]**

September 17, 1982.

Take notice that the Commission's Alaskan Delegate, John B. Adger, Jr., has completed and filed a report on issues associated with authorizing "tracking" [1] for charges billed by the Alaska Natural Gas Transportation System (ANGTS). This report was requested by the Commission in an order of April 28, 1980, in Docket Nos. CP78-123, *et al.*[2] The report was filed in Docket No. RM 81-21 in anticipation of a possible rulemaking proceeding to consider the report's recommendations; however, it is also being served on all parties in Docket Nos. CP78-123, *et al.* The report is available for public inspection at the Commission's Division of Public Information, located in Room 1000 at 825 North Capitol Street, NE., in Washington, D.C.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 82-26-149 Filed 9-21-82; 8:45 am]

BILLING CODE 6717-01-M

## Office of Hearings and Appeals

## Implementation of Special Refund Procedures

**AGENCY:** Office of Hearings and Appeals, DOE.

**ACTION:** Notice of implementation of special refund procedures.

**SUMMARY:** The Office of Hearings and Appeals has directed that $40,000 in refunds made available pursuant to a consent order entered into by Lyon County Co-operative Oil Company be distributed to customers who were not members of the Lyon Co-operative and which purchased motor gasoline and

[1] "Tracking" refers to automatic adjustment of the shippers' FERC-approved rates for changes in the ANGTS charges which they incur.

[2] "Findings and Order Issuing Certificates of Public Convenience and Necessity and Authorizing the Importation of Natural Gas," Docket Nos. CP78-123, *et al.*, issued April 28, 1980, at 112. The Commission repeated this request in its "Order Granting Applications for Rehearing in Part," issued in the same proceeding on June 20, 1980, at page 40.

middle distillates from the firm during the consent order period.

**DATE AND ADDRESS:** Requests for adjustment in the refund mechanism specified must be received within 90 days of publication of this notice in the **Federal Register** and should be addressed to the Office of Hearings and Appeals, Department of Energy, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20461. All comments should conspicuously display a reference to case number HEF-0002.

**FOR FURTHER INFORMATION CONTACT:** Thomas O. Mann, Deputy Director, Office of Hearings and Appeals, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20461, (202) 633-8377.

**SUPPLEMENTARY INFORMATION:** In accordance with § 205.282(c) of the procedural regulations of the Department of Energy, 10 CFR 205.282(c), notice is hereby given of the issuance of the final Decision and Order set out below. The Order provides for the disbursement of the contents of an escrow account funded by Lyon County Co-operative Oil Company pursuant to a consent order entered into by Lyon and the DOE. The settlement covered Lyon's sales of motor gasoline and middle distillates for the period November 1, 1973 through December 31, 1974, to customers who were not members of the Lyon Co-operative.

On April 9, 1982, the Office of Hearings and Appeals issued a Proposed Decision and Order tentatively setting forth procedures to distribute refunds to parties who were injured by Lyon's violations. *Office of Enforcement,* No. HEF-0002 (April 9, 1982) (proposed decision); 47 Fed. Reg. 16396 (April 16, 1982). The Proposed Decision described a two-stage process for distribution of the funds made available by the Lyon consent order.

The Decision attached to this notice indicates that a mechanism different from that described in the Proposed Decision and Order will be used to distribute the Lyon funds for two reasons. First, DOE audit files indicate that all Lyon overcharges to non-member customers were attributable to sales to 16 parties. The audit files also identify these 16 non-member customers and specify the amount each customer was overcharged. Secondly, the audit files contain all of the information these 16 parties would have been required to submit in their applications for refund if the April 16 Decision and Order had been adopted without modification. That information indicates that each of the 16 customers qualifies for refunds. Accordingly, the final decision concludes that the $40,000 Lyon settlement fund plus accumulated interest should be distributed to those customers. The decision additionally states that refunds should not be disbursed to the Lyon customers until 90 days after the issuance of the final Decision and Order, in order to provide an opportunity for any aggrieved party to request an adjustment in the manner in which the refunds have been apportioned. During this 90 day period, any firm other than the 16 already identified in the decision may present its claim that it is entitled to a portion of the Lyon consent order funds. Any portion of principal and accumulated interest in the Lyon escrow account which cannot be disbursed to the allegedly overcharged customers will be deposited in the United States Treasury.

Requests for adjustments should be sent to the address set forth at the beginning of this notice. All requests must be received within 90 days of publication of this notice. All such requests will be available for public inspection between the hours of 1:00 and 5:00 p.m., Monday through Friday, except federal holidays, in the Public Docket Room of the Office of Hearings and Appeals, located in Room 1111, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20461.

Issued in Washington, D.C., on September 16, 1982.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

**Department of Energy**

*Washington, D.C. 20461*

September 16, 1982.

**Decision and Order of the Department of Energy**

*Special Refund Procedures*

Name of Petitioner: Office of Enforcement, Economic Regulatory Administration: In the Matter of Lyon County Co-operative Oil Company.

Date of Filing: October 9, 1981.

Case Number: HEF-0002.

This proceeding concerns a Petition for the Implementation of Special Refund Procedures filed by the Economic Regulatory Administration's Office of Enforcement (OE) (now the Office of Special Counsel) with the Office of Hearings and Appeals pursuant to the provisions of 10 CFR, Part 205, Subpart V. Under those procedural regulations the OE may request that the Office of Hearings and Appeals formulate and implement special procedures to make refunds in order to remedy the effects of alleged violations of DOE regulations. The OE filed the Petition in this case in connection with a consent order which the DOE entered into with Lyon County Co-operative Oil Company (Lyon) on October 9, 1981.

Lyon, with its home office located in Marshall, Minnesota, is engaged in the marketing of motor gasoline and middle distillates to resellers and end-users, and was subject to the Mandatory Petroleum Price and Allocation Regulations set forth at 10 CFR Part 212, Subpart F. A DOE audit of Lyon's records revealed possible violations of the DOE price regulations with respect to sales of motor gasoline, diesel fuel, and Nos. 1 and 2 fuel oil from November 1, 1973 through December 31, 1974. Based on those findings, on July 25, 1977, the OE issued a remedial order to Lyon. On December 14, 1978, the Office of Hearings and Appeals denied Lyon's appeal of the remedial order. *Lyon County Co-operative Oil Co.,* 2 DOE ¶ 80,196 (1978). In order to settle the dispute between Lyon and the DOE regarding Lyon's sales of petroleum products during the audit period, Lyon and the DOE entered into a consent order on June 6, 1979. Under the terms of the consent order, Lyon agreed to pay $40,000 to the DOE. This sum represented a refund of the full amount of the overcharges alleged in the remedial order and interest thereon through the date of the consent order. The settlement covered Lyon's sales of motor gasoline and middle distillates for the period November 1, 1973 through December 31, 1974, to resellers and end-users who were not members of the Lyon Co-operative. The $40,000 which Lyon paid the DOE is being held in an interest-bearing account established with the United States Treasury pending determination of its proper distribution.

On June 15, 1979, the OE published a notice in the **Federal Register** requesting interested persons who believed that they had claims to all or a portion of the Lyon refund amount to provide written notification of their claims to the DOE within 30 days of publication. 44 Fed. Reg. 34632 (1979). The DOE also gave notice through a press release issued the same day. The DOE did not receive any claims in response to the **Federal Register** notice or the press release. Subsequently, the OE filed its petition pursuant to Subpart V.

On April 9, 1982, the Office of Hearings and Appeals issued a Proposed Decision and Order tentatively setting forth procedures to distribute refunds to parties who were injured by Lyon's violations. *Office of Enforcement,* No. HEF-0002 (April 9, 1982) (proposed decision); 47 FR 16396 (April 16, 1982). In the Proposed Decision we described a two-stage process for distribution of the funds made available by the Lyon consent order. Specifically, we proposed to disburse funds in the first stage to claimants who could demonstrate that they were adversely affected by Lyon's overcharges in its sales of covered products during the applicable period. We also proposed several procedures for disbursing any funds remaining after the meritorious claimants had received their shares.

Since the issuance of the Proposed Decision and Order, we have reviewed the data gathered in the audit of Lyon's records. We have decided not to adopt the proposed two-stage distribution scheme for two reasons. First, the audit files indicate that all Lyon overcharges to non-member customers were attributable to sales to 16 parties. The audit files also identify these 16 non-member customers and specify the amount each

customer was overcharged. Secondly, the audit files contain all of the information which these 16 parties would have been required to submit in their applications for refund if we had adopted the April 16 proposal without modification. That information indicates that the 16 customers qualify for refunds.

In our proposed decision and other previous decisions establishing special refund procedures, we have required those parties claiming a portion of consent order funds in the first stage who are not end-users or consumers to demonstrate that they did not pass through the effects of alleged overcharges to their customers.[1] *E.g., Office of Special Counsel (Tenneco)*, 9 DOE ¶ 82,539 (1982). We have also stated in our prior decisions that parties that purchased relatively small amounts of product need not submit evidence showing that they did not pass the overcharges through to their customers to establish eligibility for a refund. In particular, firms claiming purchases averaging less than 50,000 gallons per product per month have been exempted from such a showing. *E.g., Office of Special Counsel (Tenneco)*, 9 DOE ¶ 82,538 at 85,204 (1982); *Office of Enforcement (Vickers)*, 8 DOE ¶ 82,597 at 85,396 (1981). Requiring relatively small purchasers of petroleum products to establish that they did not pass through price increases might prove too great a burden on those firms' recordkeeping and accounting capabilities. *See Office of Special Counsel (Tenneco); Office of Enforcement (Vickers).* Moreover, it is also probable that these smaller purchasers would not find it worthwhile to apply for a refund if they were required to show they absorbed the effects of overcharges. This is because the costs a firm would incur in preparing the detailed application might outweigh the benefits it would receive if its claim were approved. *See Tenneco Oil Co./Cary Oil Co.*, 9 DOE ¶ 82,598 at 85,520 (1982). The applicant's cost of submitting the application and the agency's cost of processing it should be proportional to the benefits obtained by applicants receiving refunds. *Uban Oil Co.*, 9 DOE ¶ 82,541 at 85,222 (1982).

The files from OE's audit of Lyon indicate that the customers in this case all purchased small volumes of product from Lyon. Our analysis of the material in the audit file indicates that Lyon's largest customer for any single product purchased approximately 50,000 gallons of that product per month and that all other firms purchased substantially less than 50,000 gallons per product per month. Consequently, the dollar amount each firm was overcharged was not considerable. The average amount each of the 16 customers was overcharged was only $2,265. For 13 of the customers, the amount overcharged each firm was less than 600.

In view of these considerations, we have concluded that it would impose an undue burden to require Lyon's customers to prove that they did not pass through the price increases. As we have stated, the purchase volumes of the 16 Lyon customers fall within the threshold amounts established in our prior cases and the average amount of overcharges was quite small in value. We have also determined that the DOE should refund the money in escrow to those overcharged on a *pro rata* basis rather than solicit additional claims. This is because those firms overcharged by Lyon have been identified, the amount each firm was overcharged has been adjudicated in a final agency order which is no longer subject to judicial review, and the amounts at issue are relatively small. The solicitation of additional claims now would not be equitable to the injured parties or efficient. Consequently, it is appropriate to distribute the Lyon funds at this stage.

Each of the 16 firms overcharged by Lyon will be refunded a share of the $40,000 consent order fund based on the ratio of the amount that firm was overcharged to the total amount remitted by Lyon. The interest earned on the funds received from Lyon will be apportioned using the same ratio. Appendix A sets forth the amount to be refunded and the percentaage of the interest to be awarded to each firm. The total amount paid to each firm will be determined at the time of actual disbursement from the escrow account.

In the event that the DOE is unable to ascertain the present location of one or more of the overcharged customers, we have determined that it would not be administratively efficient to distribute the remaining funds through a second stage refund process. Because of the small sums involved, the cost of any further tracing process to identify the firms or individuals who should receive refunds would be disproportionately large in comparison with the amount of the refund. Payment to the United States Treasury is appropriate when alternative schemes would not be practical in light of the small sums involved. *See Office of Enforcement (C.K. Smith)*, 9 DOE ¶ 82,594 at 85,501 (1982); *see also Terrace Mobil*, 9 DOE ¶ 83,045 at 86,333–34 (1982). Therefore, the portion of the refund and accumulated interest which cannot be disbursed to the overcharged customers will be deposited into the miscellaneous receipts account of the United States Treasury.[2]

Finally, the disbursement of funds as set forth above shall not be made until 90 days after the date of issuance of this Decision and Order in order to provide an opportunity for any aggrieved party to request an adjustment in the manner in which the refunds have been apportioned. The 90 day period will also permit any firm other than the sixteen already identified to present its claim that it is entitled to a portion of the Lyon refund. *See* 10 CFR 205.283(b).

It Is Therefore Ordered That:

(1) The Director of the Office of Washington Financial Services of the DOE's Office of the Controller shall disburse the deposit fund escrow account established at the Department of the Treasury for the Lyon County Co-operative Oil Company consent order funds as described in paragraph (2) below.

(2) Each Lyon customer listed in Column I of the Appendix to this Decision shall receive a refund in the amount indicated for that firm in Column II of the attached Appendix, plus that percentage of the interest accumulated in the Lyon escrow account which is specified in Column III.

(3) The disbursement of funds as ordered in Paragraph (2) above shall be made ninety (90) days after the date of the issuance of this Decision and Order.

(4) Any portion of the principal and accumulated interest in the Lyon escrow account which cannot be disbursed pursuant to paragraph (2) above shall be deposited in the United States Treasury.

(5) This is a final order of the Department of Energy.

Dated: September 16, 1982.

George B. Breznay,

*Director, Office of Hearings and Appeals.*

APPENDIX A

| Name and address of Lyon customer | Amount of refund [1] | Share of interest (percent) |
|---|---|---|
| Independent Oil Co., Canby, Minn. 56220 | $9,332 | 23.32956 |
| Vets Oil Co., Jackson, Minn. 56143 | 639 | 1.59799 |
| Bobs Truck Stop, Worthington, Minn. 56187 | 15,573 | 38.93135 |
| Acro Oil Co., Jordan, Minn. 56362 | 26 | 0.06624 |
| Johnson Leasing, Marshall, Minn. 56258 | 12,799 | 31.99844 |
| Yocum Oil Co., 2729 Stillwater Road, St. Paul, Minn. 55119 | 45 | 0.11316 |
| Midland Co-op, 2001 E. Hennepin Ave., Minneapolis, Minn. 55486 | 426 | 1.06533 |
| Mortell Oil Co., Sauk Centre, Minn. 56378 | 238 | 0.59614 |
| Melody Oil Co., Fairmont, Minn. 56031 | 47 | 0.11868 |
| Taylor Oil Co., Sioux Falls, S. Dak. 57101 | 149 | 0.37259 |
| Jim Samuelson Co., Sacred Heart, Minn. 56285 | 92 | 0.22907 |
| Grenz Oil Co., Tyler, Minn. 56178 | 55 | 0.13800 |
| Wades Interstate Texaco, Worthington, Minn. 56178 | 192 | 0.48023 |
| Perrizo Texaco, Redwood Falls, Minn. 56283 | 302 | 0.75622 |
| Warren Larson Co., Marshall, Minn. 56258 | 39 | 0.09660 |
| Ted Haugen Co., Marshall, Minn. 56258 | 44 | 0.11040 |
| Total | 39,998 | 100.00000 |

[1] Excluding interest, rounded off to nearest whole dollar.

[FR Doc. 82-26139 Filed 9-21-82; 8:45 am]

BILLING CODE 6450-01-M

## Office of the Secretary

## International Atomic Energy Agreements; Civil Uses; Proposed Subsequent Arrangements; Government of Japan

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of proposed "subsequent arrangements" under the Additional Agreement for Cooperation Between the Government

[1] The audit files do not specify whether these 16 customers were resellers or end-users. We have assumed that they all are resellers. If they were end-users, they would not have to show that they had been adversely affected by the overcharges in order to qualify for a refund. However, given the circumstances of this case, it makes no difference whether they are resellers or end-users.

[2] Due to the rounding off process in our calculations of the refund to be disbursed to each customer, the sum of $2.00 out of the $40,000 principal remains undistributed. This amount should also be deposited in the United States Treasury.

of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended, and the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy, a amended.

The subsequent arrangements to be carried out under the above mentioned agreements involve approval of the following sales:

1) Contract Number S-EU-746, the Central Bureau for Nuclear Measurement, Geel, Belguim, 10 grams of plutonium, for use as standard reference material.

2) Contract Number S-EU-745, to the Commissariat A L'Energie Atomique, France, 3 grams of plutonium and 2 grams of uranium depleted in the isotope U-235, for use as standard reference material.

3) Contract Number S-JA-323, to the Power Reactor and Nuclear Fuel Development Corporation, Tokyo, Japan, 5 grams of plutonium, for use as standard reference material.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of these nuclear materials will not be inimical to the common defense and security.

These subsequent arrangements will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Dated: September 15, 1982.

**Dennis J. O'Brien,**

*Acting Deputy Assistant Secretary for International Energy Security.*

[FR Doc. 82-26137 Filed 9-21-82; 8:45 am]

BILLING CODE 6450-01-M

## International Atomic Energy Agreements, Civil Uses; Proposed Subsequent Arrangement; Government of Japan

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of proposed "subsequent arrangement" under the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval of the following sale: Contract Number S-JA-325, to the Japan Atomic Energy Research Institute, 10 milligrams of plutonium-238, 10 milligrams of plutonium-240, 10 milligrams of plutonium-241, and 5 milligrams of plutonium-242, for use in the measurement of fission cross sections at the Fast Critical Assembly Facility.

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.

For the Department of Energy.

Dated: September 15, 1982.

**Dennis J. O'Brien,**

*Acting Deputy Assistant Secretary for International Energy Security.*

[FR Doc. 82-26138 Filed 9-21-82; 8:45 am]

BILLING CODE 6450-01-M

## Marias River Electric Cooperative, Inc.; Application for Amendment to Authorization To Export Electric Energy

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of Application by the Marias River Electric Cooperative, Inc. (MRE) for Authorization to Export Increased Amounts of Electric Energy.

**SUMMARY:** DOE has received an application from MRE for an amendment to the export authorization issued by the Federal Power Commission in Docket IT-6097 on October 19, 1970. Specifically, MRE has requested that its export authorization be increased from the previously authorized maximum amount of 2,000,000 kwh of electric energy per year at a maximum rate of transmission of 500 kw to 3,500,000 kwh at a maximum rate of transmission of 750 kw.

**FOR FURTHER INFORMATION CONTACT:**

Garet Bornstein, Office of Energy Emergency Operations (EP-42), Department of Energy, Forrestal Building, Mail Stop GB-270, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-1714

Lise Courtney M. Howe, Office of General Counsel (GC-11), Department of Energy, Forrestal Building, Mail Stop 6F-094, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-2900

**SUPPLEMENTARY INFORMATION:** On May 14, 1982, MRE filed an application with DOE requesting that the authorization to export electric energy granted in Docket IT-6097 be increased from 2,000,000 kwh per year at a maximum rate of transmission of 500 kw to 3,500,000 kwh per year at a maximum rate of transmission of 750 kw.

According to the application, the purchaser of the additional energy to be exported will continue to be Southern Utilities, Ltd., a Canadian corporation engaged in the distribution of electric energy in and around the Town of Coutts, Province of Alberta, Canada. These increased amounts of power and energy will be used by Southern Utilities, Ltd. in meeting its increased electrical utility loads. In the applicant's opinion, the increased level of exports, if authorized, will not impair the sufficiency of electrical supply within the United States or to any of the member/consumers within its serving area.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Office of Energy Emergency Operations (EP-42), Department of Energy, Forrestal Building, Mail Stop GB-270, 1000 Independence Avenue, SW., Washington, D.C. 20585, in accordance with § 1.8 or § 1.10 of the Rules of Practice and Procedure (18 CFR 1.8, 1.10

Any such petitions and protests should be filed on or before October 15, 1982. Such protests will be considered by DOE 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 application are available for public inspection and copying at the DOE Freedom of Information Act Reading Room, Room 1E-190, 1000 Independence Avenue, SW., Washington, D.C.

Issued in Washington, D.C., September 16, 1982.

**William A. Vaughan,**

*Assistant Secretary, Environmental Protection, Safety, and Emergency Preparedness.*

[FR Doc. 82-24714 Filed 9-21-82; 8:45 am]

BILLING CODE 6450-01-M

# ENVIRONMENTAL PROTECTION AGENCY

**[PF-292; PH FRL 2211-2]**

## Certain Companies; Pesticide, Food, and Feed Additive Petitions

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

**ACTION:** Notice.

**SUMMARY:** EPA has received pesticide, food, and feed additive petitions relating to establishment of tolerances for

residues of certain pesticide chemicals in or on certain raw agricultural commodities, and food and feed items.

**ADDRESS:** Written comments to the product manager (PM) cited in each specific petition at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agnecy, 401 M St., SW., Washington, D.C. 20460.

Written comments may be submitted while the petitions are pending before the Agency. The comments are to be identified by the document control number "[PF-292]" and the specific petition number. All written comments filed in response to this notice will be available for public inspection in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** The product manager cited in each petition at the telephone number provided.

**SUPPLEMENTARY INFORMATION:** EPA gives notice that the Agency has received the following pesticide, food, and feed additive petitions relating to establishment of tolerances for residues of certain pesticide chemicals in or on certain raw agricultural commodities, food and feed items in accordance with the Federal Food, Drug, and Cosmetic Act. The analytical method for determining residues, where required, is given in each petition.

*PP 2F2684.* Dow Chemical Co., PO Box 1706, Midland, MI 48640. Proposes amending 40 CFR 180.342 by establishing a tolerance for the combined residues of the insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodity cattle meat (fat basis) at 2.0 parts per million (ppm). The proposed analytical method for determining residues is gas chromatography. (PM 12, Jay Ellenberger, 703-557-2386).

*PP 2F2723.* Mobay Chemical Corp., PO Box 4913 Hawthorne Road, Kansas City, MO 64120. Proposes amending 40 CFR 180.349 by establishing a tolerance for residues of the nematocide ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl)phosphoramidate and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodity grapes at 0.1 ppm. The proposed analytical method for determining residues is gas chromatography with thermionic flame ionization. (PM-21, Henry Jacoby, 703-557-1900).

*PP 2F2728.* Rhone-Poulenc, Inc., PO Box 125 Black Horse Lane, Monmouth Junction, NJ 08852. Proposes amending 40 CFR 180.399 by establishing tolerances as follows.

(a) For residues of the fungicide iprodione 3-(3,5-dichlorophenyl)-*N*-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide and its metabolites 3-(1-methylethyl)-*N*-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide and 3-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide, in or on the raw agricultural commodities almond nutmeat at 0.05 ppm and almond hulls at 0.25 ppm.

(a) For the combined residues of 3-(3,5-dichlorophenyl)-*N*-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide, by converting the non-hydroxylated phenyl ring moiety to the *N*-heptafluorobutyrate derivative of 3-,5-dichloroaniline common moiety, as iprodione equivalents in or on the raw agricultural commodities meat, meat byproducts (meat, kidney, fat, and liver) of cattle, goats, hogs, horses, and sheep at 0.80 ppm.

(c) For the combined residues of 3-(3,5-dichlorophenyl)-*N*-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide, 3-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide, and *N*-(3,5-dichloro-4-hydroxyphenyl)-ureido carboxamide by converting respectively, the hydroxylated and the non-hydoxylated moiety to the 4-methoxy-3,5-dichloroaniline and the 3,5-dichloroaniline heptafluorobutyrates, as iprodione equivalents in or on the raw agricultural commodity milk at 0.15 ppm.

The proposed analytical method for determining residues is gas liquid chromatography with electron capture detector. (PM 21, Henry Jacoby, 703-557-1900).

*FAP 2H5362.* ICI Americas Inc., Concord Pike and New Murphy Road, Wilmington, DE 19897. Proposes amending 21 CFR Part 193 by establishing a regulation permitting residues of the insecticide (±)alpha-cyano-(3-phenoxyphenyl) methyl (±)-*cis,trans*-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate in or on foods at 0.05 ppm resulting from application of the insecticide in connection with an experimental use permit. (PM 17, Franklin Gee, 703-557-2690).

*FAP 2H5328.* FMC Corp., 2000 Market St., Philadelphia, PA 19103. Proposes amending 21 CFR Part 193 by establishing a regulation permitting residues of the insecticide (±)alpha-cyano-(3-phenoxyphenyl) methyl (±)-*cis,trans*-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate in or on cottonseed oil at 5.00 ppm. (PM 17, Franklin Gee, 703-557-2690).

*FAP 2H5366.* BFC Chemical Inc., 4311 Lancaster Pike, Wilmington, DE 19805. Proposes amending 21 CFR Part 561 by establishing a regulation permitting residues of the insecticide amitraz (*N'*-(2,4-dimethylphenyl)-*N*-[[(2,4-dimethylphenyl)imino]-methyl]-*N*-methylmethanimidamide) and its metabolites containing the 2,4-dimethylaniline moiety in or on the commodity dried apple pomace at 10.0 ppm in connection with an experimental use program. (PM 12, Jay Ellenberger, 703-557-2386).

*PP 2F2743.* Ciba-Geigy Corp., PO Box 18300 Greensboro, NC 27419. Proposes amending 40 CFR Part 180 by establishing a tolerance for the combined residues of the fungicide metalaxyl [*N*-(2,6-dimethylphenyl)-*N*-(methoxyacetyl) alanine methyl ester] and its metabolites containing the 2,6-dimethylaniline moiety, each expressed as metalaxyl, in or on raw agricultural commodities pineapples and pineapple fodder 0.1 ppm. The proposed analytical method for determining residues is gas chromatography with alkali flame ionization detector. (PM 21, Henry Jacoby, (703-557-1900).

*PP 2F2737.* Uniroyal Chemical, 74 Amity Road, Bethany, CT 06525. Proposes amending 40 CFR 180.406 by establishing a tolerance for residues of the harvest growth regulant (2,3-dihydro-5,6-dimethyl-1,4-dithiin 1,1,4,4-tetraoxide) in or on the raw agricultural commodity potatoes at 0.1 ppm. The proposed analytical method for determining residues is gas chromatography. (PM 25, Robert Taylor, 703-557-1800).

*PP 2F2727.* Elanco Products Co., 740 South Alabama St., Indianapolis, Indiana 46285. Proposes amending 40 CFR 180.390 by establishing a tolerance for the combined residues of the herbicide tebuthiuron (*N*-[5-1,1-dimethylethyl)-1,3,4-thiadiazol-2-yl]-*N,N'*-dimethylurea) and its metabolites containing the dimethylethyl thiadiazole moiety in or on the raw agricultural commodity milk at 0.2 ppm. The proposed analytical methods for determining residues are thin-layer chromatography, high pressure liquid chromatography, and mass spectrometry. (PM 25, Robert Taylor, 703-557-1800).

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 136); 409(b)(5), 72 Stat. 1786, (21 U.S.C. 348))

Dated: September 13, 1982.

**Douglas D. Campt,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 82-26078 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

[PF-293; PH-FRL 2207-8]

## Certain Companies; Pesticide and Feed Additive Petitions

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

**ACTION:** Notice.

**SUMMARY:** EPA has received pesticide and feed additive petitions relating to establishment and amendment of tolerances for residues of certain pesticide chemicals in or on certain raw agricultural commodities and feed items.

**ADDRESS:** Written comments to the product manager (PM) cited in each specific petition at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460.

Written comments may be submitted while the petitioners are pending before the Agency. The comments are to be identified by the document control number "[PF-293]" and the specific petition number. All written comments filed in response to this notice will be available for public inspection in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** The product manager cited in each petition at the telephone number provided.

**SUPPLEMENTARY INFORMATION:** EPA gives notice that the Agency has received the following pesticide and feed additive petitions relating to establishment and amendment of tolerances for residues of certain pesticide chemicals in or on certain raw agricultural commodities and feed items in accordance with the Federal Food, Drug, and Cosmetic Act. The analytical method for determining residues, where required, is given in each petition.

*PP 2F2733.* Dow Chemical Co., PO Box 1706, Midland, MI 48640. Proposes amending 40 CFR 180.350 by establishing indirect or inadvertent tolerances for residues of the soil microbiocide nitrapyrin [2-chloro-6-(trichloromethyl)pyridine and its metabolite, 6-chloropicolinic acid in or on the following raw agricultural commodities when present therein as a result of its application to the growing of crops listed in 40 CFR 180.350(a): soybeans at 0.5 part per million (ppm); soybean, forage at 1.0 ppm; and soybean straw at 2.0 ppm. The proposed analytical method for determining residues is gas chromatography using electron capture detector. (PM 23, Richard Mountfort, 703-557-1830).

*FAP 2H5365.* Dow Chemical Co. Proposes amending 21 CFR Part 561 by establishing a regulation permitting indirect residues of the soil microbiocide nitrapyrin and its metabolite in soybean meal at 1.0 ppm. This tolerance would cover residues resulting in soybeans from application of nitroapyrin to crops for which there are specific tolerances established, or from the irrigation water from treated rice fields. (PM 23, Richard Mountfort, 703-557-1830).

*FAP 2H5363.* Monsanto Co., 1101 17th St., NW., Washington, D.C. 20036. Proposes amending 21 CFR Part 561 by establishing a regulation permitting the combined residues of the herbicide glyphosate (*N*-phosphonomethyl)-glycine and its metabolite, aminomethylphosphonic acid in or on soybean hulls at 30.0 ppm in connection with an experimental use permit. (PM 25, Robert Taylor, 703-557-1800).

*PP 1F2500.* Ciba-Geigy Corp., PO Box 18300 Greensboro, NC 27419. In the **Federal Register** of June 9, 1981 (46 FR 30562), EPA announced that Ciba-Geigy Corp. had submitted a pesticide petition (PP 1F2500) which proposed the establishment of tolerances for the combined residues of the fungicide metalaxyl [*N*-(2,6-dimethylphenyl)-*N*-(methoxyacetyl) alanine methyl ester] and its metabolites containing the 2,6-dimethylaniline moiety, each expressed as metalaxyl, in or on the raw agricultural commodities spinach at 10 ppm; soybean forage and fodder at 7 ppm; green onions at 5 ppm; wheat forage and straw at 2 ppm; tomatoes and dry bulb onions at 1 ppm; kidney of cattle, goats, hogs, horses, poultry, and sheep at 1.0 ppm; broccoli, cabbage, and cauliflower at 0.6 ppm; cucumber, head lettuce, potatoes, and soybean grain at 0.5 ppm; melons at 0.3 ppm; liver of cattle, goats, hogs, horses, poultry, and sheep at 0.3 ppm; wheat grain at 0.2 ppm; cottonseed at 0.1 ppm; eggs and meat of poultry (excluding liver and kidney) at 0.05 ppm; meat, fat, and meat byproducts (excluding liver and kidney) of cattle, goats, hogs, horses, poultry, and sheep at 0.05 ppm; and milk at 0.02 ppm.

Ciba-Geigy Corp. has amended the petition by increasing the proposed tolerances on dry bulb onions from 1 ppm to 3.0 ppm; liver of cattle, goats, hogs, horses, poultry, and sheep from 0.3 ppm to 0.4 ppm; and decreasing tolerances on kidney of cattle, goats hogs, horses, pountry, and sheep from 1.0 ppm to 0.4 ppm. The proposed analytical method for determining residues is gas chromatography with flame ionization detector or mass spectrometry. (PM-21, Henry Jacoby, 703-557-1900).

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 136); 409(b)(5), 72 Stat. 1786, (21 U.S.C. 348))

Dated: September 9, 1982.

**Douglas D. Campt,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 82-25605 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

[OPP-180611; PH-FRL 2211-3]

## Emergency Exemptions

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted specific exemptions for the control of various pests in the States listed below. Also listed are 14 crisis exemptions initiated by certain States.

**DATES:** See each exemption for its effective dates.

**FOR FURTHER INFORMATION CONTACT:** See each exemption for the name of the contact person. The following information applies to all contact people: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 716, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1192).

**SUPPLEMENTARY INFORMATION:** EPA has granted specific exemptions to the:

1. Arizona Department of Agriculture and Horticulture for the use of acephate on citrus to control citrus thrips; July 29, 1982 to October 15, 1982. Arizona had initiated a crisis exemption for this use. (Jack E. Housenger)

2. Arizona Department of Agriculture and Horticulture for the use of imazalil on citrus to control *Penicillium* spp; August 2, 1982 to August 1, 1983. (Jack E. Housenger)

3. California Department of Food and Agriculture for the use of acephate on citrus to control citrus thrips; July 29, 1982 to October 30, 1982. California had initiated a crisis exemption for this use. (Jack E. Housenger)

4. California Department of Food and Agriculture for the use of benomyl on crucifer seeds to control *Phoma lingam*; August 9, 1982 to July 1, 1983, or upon registration of benomyl for this use in the State of California, whichever occurs first. California had initiated a crisis exemption for this use. EPA has not yet made its final determination concluding the rebuttable presumption against registration (RPAR) of pesticide products containing benomyl. (Libby Welch)

5. California Department of Food and Agriculture for the use of dichlorvos on figs to control dried fruit beetles; July 21, 1982 to October 30, 1982. California had initiated a crisis exemption for this use. (Jim Tompkins)

6. California Department of Food and Agriculture for the use of fenamiphos on grapes to control dagger and root-knot nematodes; August 1, 1982 to July 31, 1983. (Jim Tompkins)

7. California Department of Food and Agriculture for the use of imazalil on cotton (seed treatment) to control *Thielavopsis basicola*; July 21, 1982 to March 12, 1983. California had initiated a crisis exemption for this use. (Jack E. Housenger)

8. California Department of Food and Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

9. California Department of Food and Agriculture for the use of paraquat on rice to control weeds; August 2, 1982 to August 1, 1983. (Jim Tompkins)

10. California Department of Food and Agriculture for the use of metalaxyl on tomatoes to control late blight; July 29, 1982 to March 26, 1983. California had initiated a crisis exemption for this use. (Jack E. Housenger)

11. California Department of Food and Agriculture for the use of napropamide on basil, marjoram, and savory to control annual grasses and broadleaf weeds; July 29, 1982 to April 7, 1983. California had initiated a crisis exemption for this use. (Jack E. Housenger)

12. California Department of Food and Agriculture for the use of paraquat on kiwi fruit to control annual weeds and grasses; July 6, 1982 to August 31, 1982. California had initiated a crisis exemption for this use. (Jack E. Housenger)

13. California Department of Food and Agriculture for the use of permethrin on almonds to control navel orangeworms; July 9, 1982 to October 31, 1982. (Jim Tompkins)

14. California Department of Food and Agriculture for the use of permethrin or celery to control leafminers; July 19, 1982 to July 1, 1983. California has initiated a crisis exemption for this use. (Libby Welch)

15. California Department of Food and Agriculture for the use of propargite on sweet corn to control two-spotted and Pacific spider mites; July 19, 1982 to October 31, 1982. California has initiated a crisis exemption for their use. (Libby Welch)

16. California Department of Food and Agriculture for the use of sodium chlorate on beans (lima, blackeye, pinto, and mung) as a desiccant; July 29, 1982 to December 15, 1982. (Libby Welch)

17. Florida Department of Agriculture and Consumer Services for the use of imazalil on citrus to control *Penicillium digitatum;* August 2, 1982 to June 30, 1982. (Jack E. Housenger)

18. Georgia Department of Agriculture for the use of acephate on peanuts to control thrips; July 16, 1982 to October 1, 1982. (Libby Welch)

19. Georgia Department of Agriculture for the use of fenvalerate on southern peas to control cowpea *Curculio;* August 7, 1982 to October 31, 1982. (Libby Welch)

20. Idaho Department of Agriculture for the use of metalaxyl/captan on pea seed for export to the United Kingdom and Sweden to control downy mildew; August 2, 1982 to March 31, 1983. (Jack E. Housenger)

21. Idaho Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

22. Idaho Department of Agriculture for the use of triadimefon on sugar beets to control powdery mildew; July 9, 1982 to August 31, 1982. (Libby Welch)

23. Maryland Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to October 31, 1982. (Jack E. Housenger)

24. Maryland Department of Agriculture for the use of mevinphos on watercress to control aphids; July 26, 1982 to October 31, 1982. (Jack E. Housenger)

25. Massachusetts Department of Food and Agriculture for the use of acephate on cranberries to control brown spanworms; July 19, 1982 to August 1, 1982. Massachusetts had initiated a crisis exemption for this use. (Libby Welch)

26. Massachusetts Department of Food and Agriculture for the use of linuron on onions to control various weeds; July 31, 1982 to September 31, 1982. Massachusetts had initiated a crisis exemption for this use. (Libby Welch)

27. Missouri Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to October 31, 1982. (Jack E. Housenger)

28. New Jersey Department of Environmental Protection for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

29. New Jersey Department of Environmental Protection for the use of iprodione on onions and leeks to control white rot; July 6, 1982 to November 30, 1982. (Libby Welch)

30. New York Department of Environmental Conservation for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

31. Ohio Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

32. Ohio Department of Agriculture for the use of permethrin on mushrooms to control *Sciarid* and phorid flies; July 21, 1982 to June 12, 1983. (Jack E. Housenger)

33. Oklahoma Department of Agriculture for the use of metalaxyl on peanuts to control pod rot; July 16, 1982 to July 31, 1982. (Libby Welch)

34. Oregon Department of Agriculture for the use of methomyl on canberries to control leafrollers, orange *Tortrix,* and alfalfa loopers; August 7, 1982 to September 30, 1982. Oregon had initiated a crisis exemption for this use. (Libby Welch)

35. Oregon Department of Agriculture for the use of triadimefon on sugar beets to control powdery mildew; July 9, 1982 to August 31, 1982. (Libby Welch)

36. Pennsylvania Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

37. Pennsylvania Department of Agriculture for the use of mevinphos on watercress to control aphids; July 26, 1982 to October 31, 1982. Pennsylvania had initiated a crisis exemption for this use. (Jack E. Housenger)

38. South Carolina Division of Regulatory and Public Service Programs for the use of 1,2-dibromo-3-chlorpropane on peaches to control nematodes; August 13, 1982 to November 30, 1982. Notice of the conclusion of the rebuttable presumption against registration (RPAR) of pesticide products containing 1,2-dibromo-3-chloropropane was published in the **Federal Register** of October 29, 1979 (44 FR 65135). (Libby Welch)

39. Texas Department of Agriculture for the use of metalaxyl on peanuts to control pod rot; July 16, 1982 to July 31, 1982. (Libby Welch)

40. Utah Department of Agriculture for the use of cyhexatin on sweet and tart cherry trees to control spider mites; July 21, 1982 to Ocotober 1, 1982. (Jack E. Housenger)

41. Virginia Department of Agriculture and Consumer Services for the use of methiocarb on grapes to control

depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

42. Washington Department of Agriculture for the use of methiocarb on grapes to control depredating birds; July 14, 1982 to November 30, 1982. (Jack E. Housenger)

43. Washington Department of Agriculture for the use of metalaxyl/captan on pea seed for export to the United Kingdom and Sweden to control downy mildew; August 2, 1982 to March 31, 1983. (Jack E. Housenger)

44. Washington Department of Agriculture for the use of methomyl on caneberries to control leafrollers, orange *Tortrix*, and alfalfa loopers; August 7, 1982 to September 30, 1982. (Libby Welch)

45. West Virginia Department of Agriculture for the use of mevinphos on watercress to control aphids; July 26, 1982 to October 31, 1982. (Jack E. Housenger)

46. Wisconsin Department of Agriculture, Trade, and Consumer Protection for the use of oxyfluorfen on dry bulb onions to control weeds; July 29, 1982 to March 1, 1983. Wisconsin had initiated a crisis exemption for this use. EPA completed a rebuttable presumption against registration (RPAR) on this chemical; the final determination was published in the **Federal Register** of June 23, 1982 (47 FR 27118). (Jim Tompkins)

47. United States Department of the Interior for the use of sodium cyanide to control mammalian predators preying on whooping cranes at Gray's Lake National Wildlife Refuge in Idaho; October 1, 1982 to September 30, 1983. (Jim Tompkins)

Crisis exemptions were initiated by the:

1. California Department of Food and Agriculture on July 2, 1982, for the use of benomyl on crucifers to control blackleg. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 1, 1983. (Libby Welch)

2. California Department of Food and Agriculture on July 15, 1982, for the use of carbofuran on artichokes to control the cribrate weevil. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 15, 1983. (Jack E. Housenger)

3. California Department of Food and Agriculture on June 17, 1982, for the use of permethrin on alfalfa grown for seed to control the spotted alfalfa aphid. Since it was anticipated that this program would be needed for more than 15 days, California requested a specific exemption to continue it. The program ended on August 17, 1982. (Jack E. Housenger)

4. California Department of Food and Agriculture on July 2, 1982, for the use of propyzamide on artichokes to control annual weeds and grasses. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until December 31, 1982. (Libby Welch)

5. Ohio Department of Agriculture on July 9, 1982, for the use of metalaxyl on tobacco to control blue mold. The program ended July 24, 1982. (Libby Welch).

6. California Department of food and Agriculture on June 28, 1982, for the use of methiacarb on crucifer seeds to control depredating birds. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until June 25, 1983. (Libby Welch)

7. California Department of Food and Agriculture on July 2, 1982, for the use of permethrin on celery to control the leafminer. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 1, 1983. (Libby Welch)

8. California Department of Food and Agriculture on July 28, 1982, for the use of permethrin on tomatoes to control the pinworm, leafminer, and *Heliothis*. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 28, 1983. (Libby Welch)

9. California Department of Food and Agriculture on July 8, 1982, for the use of triadimefon on cucurbits to control powdery mildew. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 8, 1983. (Jack E. Housenger)

10. California Department of Food and Agriculture on July 6, 1982, for the use of triadimefon on sugar beets to control powdery mildew. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until July 15, 1983. (Libby Welch)

11. California Department of Food and Agriculture on June 29, 1982, for the use of vinclozolin on strawberries to control *Botrytis* gray mold. Since it was anticipated that this program would be needed for more than 15 days, California has requested a specific exemption to continue it. The need for this program is expected to last until June 29, 1983. (Jack E. Housenger)

12. North Carolina Department of Agriculture on July 21, 1982, for the use of chlorpyrifos on grapes to control the grape root borer. The need for this program ended August 9, 1982. (Jack E. Housenger)

13. Texas Department of Agriculture on July 27, 1982, for the use of permethrin on soybeans to control soybean loopers. Since it was anticipated that this program would be needed for more than 15 days, Texas has requested a specific exemption to continue it. The need for this program is expected to last until November 15, 1982. (Libby Welch)

14. Texas Department of Agriculture on July 27, 1982, for the use of permethrin on field corn to control the southwestern corn borer. Since it was anticipated that this program would be needed for more than 15 days, Texas has requested a specific exemption to continue it. The need for this program ended August 31, 1982. (Jack E. Housenger)

(Sec. 18, as amended, 92 Stat. 819 (7 U.S.C. 136))

Dated: September 10, 1982.

**Edwin L. Johnson,**

*Director, Office of Pesticide Programs.*

[FR Doc. 82-26079 Filed 9-21-82; 8:45 am]

BILING CODE 6560-01-M

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**[OPTS 46011; TSH FRL 2212-5]**

## Guidelines for Development of Test Data; Initiation of Annual Review Process

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

**ACTION:** Notice.

**SUMMARY:** The Office of Toxic Substances (OTS) has published guidelines for health effects, environmental effects and chemical fate testing which are available through the National Technical Information Service (NTIS), as announced in the **Federal Register** of July 30, 1982 (47 FR 33001). The Agency will now be conducting an annual review of the generic test guidelines to ensure that testing methodologies recommended by the Agency remain current and consistent

with advances in science. Interested persons are invited to submit written comments to the EPA on the TSCA test guidelines being published by NTIS.

**DATE:** These comments are to be received no later than the close of business January 3, 1983.

**ADDRESS:** Written comments should bear the document control number OPTS 46011 and should be submitted to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, D.C 20460.

**FOR FURTHER INFORMATION CONTACT:** Douglas G. Bannerman, Acting Director, Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Room E-511B, 401 M St., SW., Washington, D.C. 20460, In Washington, D.C.: (554-1404), Toll-free: (800-424-9065), Outside the USA: (Operator—202-554-1404).

**SUPPLEMENTARY INFORMATION:** Section 4(b)(2)(B) of TSCA [90 Stat. 2007 (15 U.S.C. 2603)], requires that, from time to time, but not less than once each 12 months, the Administrator shall review the adequacy of the standards for development of data prescribed in rules under subsection (a) and shall, if necessary, institute proceedings to make appropriate revisions of such standards. EPA's current policy, published for comment in the **Federal Register** of March 26, 1982 (47 FR 13012), calls for the development of test standards on a rule-by-rule basis, rather than incorporation of generic test standards into an individual rule. The rule-by-rule development of the test standards will itself achieve the major goals of the annual review requirement—assuring that testing performed pursuant to section 4(a) test rules for particular chemicals is performed according to the most up-to-date techniques which are available and validated. While it is possible that new testing developments will occur after the standards are imposed for an individual chemical, it is difficult to conceive of a situation in which it would be feasible to change the standards for a chemical already being tested. Thus, an annual review of standards for a chemical already being tested would not generally be performed in the absence of compelling reasons to do so.

In addition to the rule-by-rule development of test standards for individual chemicals subject to section 4(a) rules, EPA will achieve the purposes of section 4(b)(2)(B) through an annual review of is generic test methodology guidelines. These guidelines serve as one of several bases for the development of rule-by-rule test standards. To make the annual review process meaningful and in order to keep test guidelines current with advances and improvements in scientific methodology, the Agency has voluntarily developed a formal process for the annual review of generic test guidelines. Today's notice initiates the first of these reviews.

The OTS annual review will take optimum advantage of existing Agency internal and external resources for information gathering and processing. A comment period has been provided so that potential users and the general public can review the test guidelines and submit suggestions for future improvements, thereby, assisting the Agency in maintaining state of the art test guidelines. Comments offering suggestions or proposing changes in any of the generic test guidelines which will increase clarity or help to keep test guidelines current with advances in science will be carefully reviewed and incorporated as deemed appropriate in the development of guideline modifications or of new guidelines or in individual chemical test standards. The Agency will carefully evaluate public comments on the test guidelines. New guidelines or guideline modifications will be subjected to peer review prior to publication through NTIS so that these documents will represent current levels of scientific expertise available at the time of publication. The current public comment period is open through January 3, 1983 and comments will be accepted on all generic testing guidelines announced as available in the **Federal Register** of July 30, 1982 (47 FR 33001). The annual review, beginning in October of 1983 and in October of subsequent years, will request comment on new guidelines, guideline modifications, and and areas of focused concern requiring further scientific development. The Agency will not consider comments on issues resolved during previous reviews, unless new data have been developed to justify reappraisal.

A formal OTS annual review of test guidelines provides a structured process which will ensure that the Agency will recommend test guideance which is representative of state of the art technology. Development of up-to-date test guidelines will assist the Agency in utilizing the most appropriate and cost effective testing available on a chemical-by-chemical basis.

The annual review process will complete its first cycle in October, 1983. All future annual review cycles are scheduled to begin during the beginning of successive fiscal years.

Dated: September 14, 1982.

**Don R. Clay,**

*Director, Office of Toxic Substances.*

[FR Doc. 82-26077 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

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**[OPP-C31053A; PH-FRL 2211-5]**

## Mobay Chemical Corp.; Approval of Application To Register a Pesticide Product Involving a Changed Use Pattern

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

**ACTION:** Notice.

**SUMMARY:** EPA has approved the application by the Mobay Chemical Corp. to register the insecticide Oftanol 6 Emulsifiable Insecticide involving a changed use pattern pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** William Miller, Product Manager (PM) 16, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 211, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2600).

**SUPPLEMENTARY INFORMATION:** EPA issued a notice published in the **Federal Register** of January 13, 1982 (47 FR 1466) that the Mobay Chemical Corp., 1140 Connecticut Ave., NW., Washington, D.C. 20036, had submitted an application to register the insecticide Oftanol 6 Emulsifiable Insecticide containing 66 percent of the active ingredient 1-methylethyl 2-[[ethoxy[(1-methylethyl)amino]phosphinothioyl]oxy] benzoate. The application proposed a changed use pattern for this active ingredient.

The application was approved on July 19, 1982 as a restricted use pesticide for domestic use for control of termites. This active ingredient was previously registered only for non-domestic use on the agricultural crop, corn. The product was assigned EPA Registration No. 3125-339.

A copy of the approved label and the list of data references used to support registration are available for public inspection in the office of the product manager. The data and other scientific information used to support registration, except for the material specifically protected by section 10 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 819; 7 U.S.C. 136), will be available for public inspection in accordance with section

3(c)(2) of FIFRA within 30 days after registration date. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), EPA, 401 M St., SW., Washington, D.C. 20460. Such requests should: (1) identify the product name and registration number and (2) specify the data or information desired.

(Sec. 3(c)(2) FIFRA, as amended)

Dated: September 10, 1982.

**Edwin L. Johnson,**

*Director, Office of Pesticide Programs.*

[FR Doc. 82-26081 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

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**[OPP-C30204A; PH-FRL 2212-3]**

## Uniroyal Chemical Inc.; Approval of Application to Conditionally Register a Pesticide Product Containing a New Active Ingredient

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

**ACTION:** Notice.

**SUMMARY:** EPA has conditionally approved the application by Uniroyal Chemical Inc. to register the plant growth regulant Harvade 5F containing an active ingredient not included in any previously registered pesticide product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** Robert Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, CM#2 Rm. 245, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1800).

**SUPPLEMENTARY INFORMATION:** EPA issued a notice published in the **Federal Register** of October 13, 1981 (46 FR 50413) that Uniroyal Chemical Inc., 74 Amity Road, Bethany, CT 06525, had submitted an application to register the plant growth regulant Harvade 5F containing 49 percent of the active ingredient (2,3-dihydro-5,6-dimethyl-1,4-dithiin 1,1,4,4-tetraoxide) an ingredient not included in any previously registered product.

The application was approved on August 13, 1982 for general use in pesticide formulation. The product was assigned EPA Registration No. 400-155.

A copy of the approved label and the list of data references used to support registration are available for public inspection in the office of the product manager. The data and other scientific information used to support registration, except for the material specifically protected by section 10 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 819; 7 U.S.C, 136), will be available for public inspection in accordance with section 3(c)(2) of FIFRA within 30 days after registration date. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), EPA, 401 M St., SW., Washington, D.C. 20460. Such requests should: (1) identify the product name and registration number and (2) specify the data or information desired.

(Sec. 3(C)(2) FIFRA, as amended)

Dated: September 13, 1982.

**Edwin L. Johnson,**

*Director, Office of Pesticide Programs.*

[FR Doc. 82-26076 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

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## FEDERAL COMMUNICATIONS COMMISSION

**[Docket No. CC82-122]**

## Interconnection Arrangements Between and Among the Domestic and International Record Carriers

September 13, 1982.

By *Order*, Mimeo No. 5976, released August 25, 1982, we requested that carriers file contracts assertedly grandfathered by the Record Carrier Competition Act of 1981, Pub. L. No. 97-130, § 4, 95 Stat. 1687, for publication in the **Federal Register.** Interested persons may comment on the issue of whether the contracts are subject to Section 4 and are otherwise lawful. These comments must be filed within twenty (20) days of this publication in the **Federal Register.** Carriers submitting contracts may file replies within ten (10) days of the filing of comments.

Two carriers filed contracts listed below.

The text of contracts follows.

TRT Telecommunications Corp.—Contract of May 19, 1980, with Western Union Telegraph Co. and modification of July 1, 1980.

FTC Communications, Inc.—Contract of November 10, 1980, with Western Union Telegraph Co.

Federal Communications Commission,

**Gary M. Epstein,**

*Chief, Common Carrier Bureau.*

**TRT Telecommunications Corp.**

May 19, 1980.

Mr. Delmar Harmon,

*Vice President—Carrier Relations, Westrn Union Telegraph Company, One Lake Street, Upper Saddle River, New Jersey 07548.*

Dear Mr. Harmon: This letter will confirm the arrangements we have agreed to under which TRT will provide, on a non-exclusive basis, transiting facilities for a portion of the overseas transmission of international telex traffic filed with Western Union pursuant to Western Union's tariff for overseas telex routing service (OTRS) or such other similar traffic as to which Western Union assumes tariffing, billing and collection responsibilities.

For telex traffic transferred to TRT pursuant to this Agreement, Western Union will pay TRT $.30 per minute, except for UK-destined traffic as to which Western Union will pay TRT $.10 per minute. In addition, Western Union will pay TRT for the amounts due TRT's correspondents for their handling of the traffic. The above amounts will be paid on a monthly basis to TRT no later than ninety (90) days following the month in which the traffic is transmitted.

In consideration for TRT's entering into this Agreement, including TRT's investment in facilities to accommodate Western Union's anticipated traffic, Western Union agrees that it will route a minimum of fifty million (50,000,000) minutes of traffic (no more than ten million (10,000,000) minutes destined to the United Kingdom (UK) will be counted against this minimum) during the initial five year period after the effective date of this Agreement. (In all instances in this Agreement, minutes shall mean minutes as billed by Western Union to its customers.) In addition, if Western Union routes more than fifty million (50,000,000) minutes of traffic via TRT, it agrees that no more than 25% of the total telex traffic (in minutes) transferred to TRT pursuant to this Agreement will be destined to the United Kingdom. TRT agrees to accommodate up to forty thousand (40,000) minutes per day within ninety (9) days after the effective date of this Agreement, eighty thousand (80,000) minutes per day within one hundred-fifty (150) days after the effective date of this Agreement and up to one hundred twenty thousand (120,000) minutes per day upon Western Union's providing TRT with reasonable advance notice of its intention to transmit that volume of traffic. Western Union will provide TRT wth sufficient advance notice of its projected traffic volumes to allow TRT adequate opportunity to acquire the facilities necessary to accommodate Western Union's anticipated traffic.

If Western Union routes more than ten million (10,000,000) minutes of traffic subject to this Agreement to TRT during any of the five consecutive 12-month periods commencing with the effective date of this Agreement, the amounts due TRT for its handling of traffic to points other than the UK for such Excess Minutes (i.e., total minutes of traffic transferred during each such 12-month period minus ten million (10,000,000) minutes) shall, at Western Union's election, be reduced on a non-cumulative basis in accordance with the following discount schedule:

| Excess minutes | Discount minute |
|---|---|
| 0 to 3 million | $.02 |
| 3 to 6 million | .04 |
| 6 to 9 million | .06 |
| 9 to 12 million | .08 |
| Over 12 million | .10 |

The above discounts will not be applicable to traffic destined to the UK and UK-destined traffic shall not be considered in the calculation of the discounts applicable pursuant to the above schedule except that a maximum of two million (2,000,000) minutes of UK destined traffic may be included as part of the ten million (10,000,000) minutes of non-discounted traffic required before the discount schedule becomes applicable.

Western Union's fifty million (50,000,000) minute commitment under this Agreement must be satisfied solely out of traffic for which no Excess Minute Discount is applicable. However, should Western Union elect the above Excess Minute Discounts in any 12-month period, it may, within the next succeeding year, repay to TRT the average discount applicable during the preceding year for as much as five million (5,000,000) minutes of such discounted traffic and thereby qualify that traffic for satisfaction of Western Union's fifty million (50,000,000) minute commitment.

TRT will provide the same quality of international transmission and switching for Western Union's traffic pursuant to this Agreement that TRT provides to its own telex customers, except that TRT will have the option upon ninety (90) days notice to Western Union, to require it at any time after January 1, 1981, to switch all TRT-routed UK-destined traffic directly to TRT's overseas telex trunks. Traffic will be transferred to TRT via 50 baud telex trunks provided by Western Union and terminating at TRT's switching center in Ft. Lauderdale, Florida.

Western Union agrees that all outbound "OTRS" (or similar) traffic transmitted by TRT pursuant to this Agreement will be considered TRT's traffic for purposes of obtaining allocations of return telex traffic from foreign correspondents.

This Agreement is completely independent of the Western Union—TRT Agreement for Express Telex Service dated December 12, 1979, and telex traffic transmitted pursuant to this Agreement cannot be used to satisfy Western Union's obligations to TRT pursuant to the Agreement for Express Telex Service. Similarly, this Agreement does not apply to any other traffic originating on the Western Union system that is transmitted via TRT pursuant to (1) our Agreement of August 25, 1967 or (2) our similar arrangements for the exchange of TWX-originated international telex traffic.

This Agreement shall be binding upon both parties immediately upon execution as evidenced by your signature in the space provided at the end of this letter. However, the effective date of the Agreement shall be August 15, 1980, or as soon thereafter as Western Union, using its best efforts, is able to permit its customers to access TRT, via OTRS (or any similar service), for "conversational" or "live" connections with overseas telex subscribers.

In the event that performance of this Agreement is prohibited or enjoined by the Federal Communications Commission or by any court of competent jurisdiction, all obligations or duties arising out of this Agreement shall be postponed for the duration of such prohibition or injunction, and any such prohibition or injunction shall toll the running of the five year period and 12-month periods referred to above in connection with minimum traffic quarantees and the discount applicable to Excess Minutes.

On and after the effective date of this Agreement, this Agreement shall supersede the agreement between the parties evidenced by TRT's telex messages to Western Union dated October 4, 1979, and April 25, 1980.

Sincerely,

David H. Lubetzky.

Delmar Harmon.

**TRT Telecommunications Corp.**

July 1, 1980.

Mr. Richard C. Callaghan,
*Vice President, Western Union Telegraph Company, 1828 L Street, N.W., Washington, D.C. 20036.*

Dear Dick: TRT Telecommunications Corporation (TRT) has entered into an Agreement with The Western Union Telegraph Company (Western Union) evidenced by TRT's letter to Western Union, dated May 19, 1980, under which TRT will provide transiting telex facilities to Western Union. Said Agreement presently provides that "... the effective date of the Agreement shall be August 15, 1980 or as soon thereafter as Western Union, using its best efforts, is able to permit its customers to access TRT, via OTRS (or any similar services), for 'conversational' or 'live' connections with overseas telex subscribers.

In view of the fact that the parties desire to exchange traffic pursuant to this Agreement without further delay, it has now been agreed between Western Union and TRT to modify the May 19 Agreement to provide that said Agreement shall become effective as of the date of this letter. However, the five year period relating to the 50 million minute traffic guarantee by Western Union described in the last paragraph beginning on page 1 of the May 19, 1980 letter and the first consecutive 12-month period relating to the calculation of discounts described in the first paragraph beginning on page 2 of the May 19, 1980 letter shall be extended by an additional number of days equal to the number of days between the date of this letter and the earliest of the following dates:

1. The date on which the transfer by Western Union to TRT of the 500,000th minute of traffic pursuant to the Agreement occurs;

2. Any date on which transfer by Western Union to TRT of more than 10,000 minutes of traffic pursuant to the Agreement occurs;

3. December 1, 1980.

The traffic transferred to TRT pursuant to the Agreement between the date of this letter and the earliest of the above dates will be included as part of Western Union's 50 million minute traffic guarantee but will not be included in the calculation of the discounts pursuant to the schedule set forth at page two of the May 19, 1980 letter.

Except as described above, the aforesaid transiting facilities Agreement shall remain as set forth in the letter from TRT to Western Union, dated May 19, 1980.

Two copies of this letter have been furnished to you. To indicate Western Union's concurrence with this modification of the prior May 19, 1980 Agreement, would you please sign at the place designated below and return one signed copy to me.

Very, truly yours,

David H. Lubetzky.

Richard C. Callaghan,

*Vice President, Western Union Telegraph Company.*

**FTC Communications, Inc.**

November 10, 1980.

Mr. Delmar Harmon,
*Vice President, The Western Union Telegraph Company, One Lake Street, Upper Saddle River, NY 07950.*

Dear Mr. Harmon: This letter will confirm the arrangements we have agreed to under which FTCC will provide, on a non-exclusive basis, transiting facilities for overseas transmission of a portion of the international Telex traffic filed with Western Union pursuant to Western Union's tariff No. FCC 276 for International Telex Access Service or such other similar traffic as to which Western Union assumes tariffing, billing and collection responsibilities. Western Union agrees to transfer to FTCC all such traffic routed by the sender via FTCC.

For Telex traffic transferred to FTCC pursuant to this Agreement, Western Union will pay FTCC 30 cents per minute for all destination countries other than the United Kingdom, and 10 cents per minute to the United Kingdom, plus an allowance for payouts to foreign administrations. The allowance for payouts to foreign administrations shall be the lesser of: (1) the total actual FTCC payout to foreign administrations for the traffic transferred to FTCC pursuant to this Agreement, or (2) the total payout to foreign administrations for such traffic assuming the prime route payouts as reported from time to time to the Federal Communications Commission by TRT Telecommunications Corporation (TRT) pursuant to § 43.53 of the FCC's Rules; provided that in calculating (2) above, the payout rate applicable to traffic transmitted via FTCC shall not be reduced due to a reduction in the TRT prime route payout rate until 90 days from the effective date of said reduction in TRT payouts. FTCC shall provide Western Union with data applicable to it necessary for the performance of the foregoing computation. Western Union will pay FTCC the amounts due under this agreement no later than ninety (90) days following the month in which the traffic is transmitted.

FTCC shall supply Western Union with a list of destination countries to which it will accept traffic pursuant to this Agreement and will give Western Union advance notice of any changes in such list. Western Union shall file necessary revisions to applicable

Western Union tariffs within 15 days of receipt of such notice of change. The change shall become effective upon the effectiveness of such tariff revision.

Western Union agrees that it will not discourage senders from routing traffic via FTCC by charging senders rates for traffic covered hereby to any destination country which are higher than the rates charged by Western Union for traffic to the same country transmitted overseas by any other carrier; except that if such other carrier is willing to accept lower payment than that specified in the second paragraph above, Western Union may pass such reduction to the public in the form of reduced collection rates for traffic routed via such carriers. If Western Union reduces collection rates in accordance with the foregoing provision, FTCC shall have the right to accept a lower payment for its transmission services hereunder; and if it does so, Western Union will reduce its collection rates for traffic routed via FTCC to pass such reduction to the public.

FTCC will provide the same quality of international transmission and switching for Western Union's traffic pursuant to this Agreement that FTCC provides to its own Telex customers. Traffic will be transferred to FTCC via 50 baud Telex trunks provided by Western Union and terminating at FTCC's switching center in New York, New York. Western Union shall take such steps as necessary to prevent switching traffic to FTCC that is destined to a country not included on the list of countries provided by FTCC to Western Union.

Western Union agrees that all outbound "ITAS" (or similar) traffic transmitted by FTCC pursuant to this Agreement will be considered FTCC's traffic for purposes of obtaining allocations of return Telex traffic from foreign correspondents.

This Agreement does not apply to any traffic originating on the Western Union system that is transmitted via FTCC pursuant to (1) our Agreement of April 12, 1973 or (2) our similar arrangements for the exchange of TWX-originated international Telex traffic, or (3) to any traffic not billed by Western Union or not pursuant to a Western Union tariff.

This Agreement shall be binding upon both parties immediately upon execution as evidenced by your signature in the space provided at the end of this letter. However, the Effective Date of the Agreement shall be December 21, 1980, or as soon thereafter as Western Union, using its best efforts, is able to permit its customers to access FTCC, via ITAS (or any similar service), for "conversational" or "live", or store and forward connections with overseas Telex subscribers.

In the event that performance of this Agreement is prohibited, delayed or enjoined by the Federal Communications Commission or by any court of competent jurisdiction, all obligations or duties arising out of this Agreement shall be postponed for the duration of such prohibition, delay or injunction.

The term of this Agreement shall be five years from the Effective Date, and shall continue thereafter from year to year unless terminated by either party by written notice at least 60 days prior to the expiration of the then current term.

Sincerely,

R. Treglos,

*FTC Communications, Inc.*

Accepted:

The Western Union Telegraph Company,

Delmar Harmon,

*Vice President.*

Dated: November 13, 1980.

[FR Doc. 82-25764 Filed 9-21-82; 8:45 am]

BILLING CODE 6712-01-M

## FEDERAL ELECTION COMMISSION

**[Notice 1982-7]**

### Filing Dates for Indiana Special General Election

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of Filing Dates for Indiana Special General Election.

**SUMMARY:** Committees required to file reports in connection with the Special General Election to be held in the 1st Congressional District of Indiana on November 2, 1982, must file a 12-day pre-election report by October 21, 1982, and a 30-day post-election report by December 2, 1982.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bobby Werfel, Public Information Office 1325 K Street, NW., Washington, D.C. 20463, Tel: (202) 523-4068; Toll-free: (800) 424-9530.

### Notice of Filing Dates for Special General Election, 1st Congressional District, Indiana

All principal campaign committees of candidates in the Special General Election and all other political committees which suppport candidates in the Special General Election shall file a 12-day pre-election report due on October 21, 1982, and a 30 day post-election report due on December 2, 1982. In addition, because this Special Election coincides with the regularly scheduled General Election, all political committees filing monthly are also required to file the above mentioned reports. All other political committees should contact the Commission for further information concerning General Election reporting requirements.

Dated: September 17, 1982.

**Frank P. Reiche,**

*Chairman, Federal Election Commission.*

[FR Doc. 82-26158 Filed 9-21-82; 8:45 am]

BILLING CODE 6715-01-M

## FEDERAL MARITIME COMMISSION

**[Docket No. 82-45]**

### Cutters Exchange, Inc. v. Cargo International Inc., et al.; Filing of complaint and Assignment

Notice is given that a complaint filed by Cutters Exchange, Inc. against Cargo International Inc., et al. was served September 14, 1982. Complainant alleges that respondent has operated as an independent ocean freight forwarder without benefit of a bond, in violation of 46 U.S.C. 841 b(section 44, Shipping Act, 1916).

This proceeding has been assigned to Administative Law Judge Norman D. Kline. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

**Francis C. Hurney,**

*Secretary.*

[FR Doc. 82-26070 Filed 9-21-82; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Acquisition of Bank Shares by Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

**A. Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Manufacturers Hanover Corporation,* New York, New York; to acquire 100 percent of the voting shares or assets of MHC Holding (Delaware) Inc., Wilmington, Delaware and thereby indirectly acquire Manufacturers Hanover Bank (Delaware), Wilmington, Delaware. Comments on this application must be received not later than October 13, 1982.

**B. Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Mid-Central Bancshares Corporation,* Charleston, Illinois; to acquire 51 percent of the voting shares or assets of Ashmore State Bank, Ashmore, Illinois. Comments on this application must be received not later than October 13, 1982.

**C. Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *CharterCorp,* Kansas City, Missouri; to acquire 100 percent of the voting shares or assets of the successor by merger to American National Bank, St. Louis, Missouri. Comments on this application must be received not later than October 15, 1982.

2. *CharterCorp,* Kansas City, Missouri; to acquire 100 percent of the voting shares or assets of the successor by merger to City Bank, St. Louis, Missouri. Comments on this application must be received not later than October 15, 1982.

**D. Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *First Bancshares of Texas, Inc.,* Longview, Texas; to acquire 95.2 percent of the voting shares or assets of The Hamilton National Bank, Hamilton, Texas. Comments on this application must be received not later than October 13, 1982.

Board of Governors of the Federal Reserve System, September 16, 1982.

**Dolores S. Smith,**

*Assistant Secretary of the Board.*

[FR Doc. 82-26103 Filed 9-21-82; 8:45 am]

BILLING CODE 6210-01-M

## Formation of Bank Holding Companies

The companies listed in this notice have 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 bank holding companies by acquiring voting shares and/or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

**A. Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *MHC Holding (Delaware) Inc.,* Wilmington, Delaware; to become a bank holding company by acquiring 100 percent of the voting shares of Manufacturers Hanover Bank (Delaware), Wilmington, Delaware. Comments on this application must be received not later than October 13, 1982.

Board of Governors of the Federal Reserve System, September 16, 1982.

**Dolores S. Smith,**

*Assistant Secretary of the Board.*

[FR Doc. 82-26102 Filed 9-21-82; 8:45 am]

BILLING CODE 6210-01-M

## Formation of Bank Holding Companies

The companies listed in this notice have 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 bank holding companies by acquiring voting shares and/or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

**A. Federal reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *American Banking Corporation of Lake Wales,* Lake Wales, Florida; to become a bank holding company by acquiring 100 percent of the voting shares of American Bank of Lake Wales, Lake Wales, Florida. Comments on this application must be received not later than October 15, 1982.

2. *Dadeland Bancshares, Inc.,* Miami, Florida; to become a bank holding company by acquiring 100 percent of the voting shares of Dadeland Bank, Miami, Florida. Comments on this application must be received not later than October 12, 1982.

3. *F.M.B. Corporation,* Monticello, Florida; to become a bank holding company by acquiring 80 percent or more of the voting shares of Farmers & Merchants Bank, Monticello, Florida. Comments on this application must be received not later than October 15, 1982.

**B. Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *East Peoria Community Bancorp, Inc.,* Peoria, Illinois; to become a bank holding company by acquiring 98.95 percent or more of the voting shares of Community Bank of Greater Peoria, East Peoria, Illinois. Comments on this application must be received not later than October 15, 1982.

2. *Malta Bancshares, Inc.* Malta, Illionois; to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Malta, Malta, Illinois. Comments on this application must be received not later than October 15, 1982.

3. *The Waldron Financial Corporation,* Waldron, Indiana; to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to The State Bank of Waldron, Waldron, Indiana. Comments on this application must be received not later than October 15, 1982.

**C. Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Falkner Capital Corporation,* Falkner, Mississippi; to become a bank holding company by acquiring 80 percent of the voting shares of The Bank of Falkner, Falkner, Mississippi. Comments on this application must be received not later than October 15, 1982.

2. *First Southern Missouri Bancshares, Inc.,* Van Buren, Missouri; to become a bank holding company by acquiring 83.2 percent of the voting shares of Carter County State Bank, Van Buren, Missouri. Comments on this

application must be received not later than October 15, 1982.

D. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Community Corporation*, Enid, Oklahoma; to become a bank holding company by acquiring 99.5 percent of the voting shares of Community Bank & Trust Company, Enid, Oklahoma. Comments on this application must be received not later than October 15, 1982.

2. *First Fletcher Bancshares, Inc.*, Fletcher, Oklahoma; to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Fletcher, Fletcher, Oklahoma. Comments on this application must be received not later than October 15, 1982.

3. *Galva Bancshares, Inc.*, Galva, Kansas; to become a bank holding company by acquiring 95 percent of the voting shares of The Farmers State Bank, Galva, Kansas. Comments on this application must be received not later than October 15, 1982.

E. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Farmersville Bancshares, Inc.*, Dallas, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank at Farmersville, Farmersville, Texas. Comments on this application must be received not later than October 15, 1982.

2. *Liberty Bancshares, Inc.*, Dallas, Texas; to become a bank holding company by acquiring 80 percent or more of the voting shares of Liberty National Bank, Dallas, Texas. Comments on this application must be received not later than October 15, 1982.

3. *Sudan Bancshares, Inc.*, Lubbock, Texas; to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Sudan, Sudan, Texas. Comments n this application must be received not later than October 15, 1982.

F. **Board of Governors of the Federal Reserve System** (William W. Wiles, Secretary) Washington, D.C. 20551:

1. *First City Bancshares, Inc.*, Gainesville, Florida; to become a bank holding company by acquiring 80 percent of the voting shares of First City Bank, Gainesville, Florida. This application may be inspected at the offices of the Board of Governors of the Federal Reserve Bank of Atlanta. Comments on this application must be received not later than October 15, 1982.

Board of Governors of the Federal Reserve System, September 16, 1982.

**Dolores S. Smith,**

*Assistant Secretary of the Board.*

[FR Doc. 82-26101 Filed 9-21-82; 8:45 am]

BILLING CODE 6210-01-M

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## 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 novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and request for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated for each application.

**Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Barclays Bank PLC* and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (consumer finance; Alcoa, Tennessee): To engage through their subsidiary, BarclaysAmerican/Financial, Inc., in making direct consumer loans, including loans secured by real estate, and purchasing sales finance contracts representing extensions of credit such as would be made or acquired by a consumer finance company, and wholesale financing (floor planning) and acting as agent for the sale of related credit life, credit accident and health and health and credit property insurance. Credit life and credit accident and health insurance sold as agent may be underwritten or reinsured by BAC's insurance underwriting subsidiaries. This activity would be conducted from an office of BAC located in Alcoa, Tennessee, serving customers in Alcoa and surrounding areas in Tennessee. This notification is for the relocation of an existing office located in Alcoa, Tennessee. Comments on this application must be received not later than October 15, 1982.

2. *Barclays Bank PLC* and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (consumer finance; Salisbury, North Carolina): To engage through their subsidiaries BarclaysAmerican/Financial, Inc., BarclaysAmerican/Financial Services, Inc., and BarclaysAmerican/Mortgage, Inc., in making direct consumer loans, including loans secured by real estate, and purchasing sales finance contracts representing extensions of credit such as would be made or acquired by a consumer finance company, and wholesale financing (floor planning) and acting as agent for the sale of related credit life, credit accident and health and credit property insurance. Credit life and credit accident and health insurance sold as agent may be underwritten or reinsured by BAC's insurance underwriting subsidiaries. This activity would be conducted from an office of BAC located in Salisbury, North Carolina serving customers in Salisbury and surrounding areas in North Carolina. This notification is for the relocation of an existing office located in Salisbury, North Carolina. Comments on this application must be received not later than October 15, 1982.

3. *Barclays Bank PLC* and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (consumer finance; Charlotte, North Carolina): To engage through their subsidiary BarclaysAmerican/Financial, Inc., BarclaysAmerican Financial Services, Inc., and BarclaysAmerican/Mortgage, Inc., all North Carolina corporations, in making direct consumer loans, including loans secured by real estate, and purchasing sales finance contracts representing extensions of credit such as would be made or

acquired by a consumer finance company, and wholesale financing (floor planning) and acting as agent for the sale of related credit life, credit accident and health and credit property insurance. Credit life and credit accident and health insurance sold as agent may be underwritten or reinsured by BAC's insurance underwriting subsidiaries. This activity would be conducted from an office of BAC located in Charlotte, North Carolina serving customers in Charlotte and surrounding areas in North Carolina. This notification is for the relocation of an existing office located in Charlotte, North Carolina. Comments on this application must be received not later than October 15, 1982.

4. *Barclays Bank PLC* and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (consumer finance; Ontario, Oregon): To engage through their subsidiary, BarclaysAmerican/Financial, Inc., in making direct consumer loans, including loans secured by real estate, and purchasing sales finance contracts representing extensions of credit such as would be made or acquired by a consumer finance company, and wholesale financing (floor planning) and acting as agent for the sale of related credit life, credit accident and health and credit property insurance. Credit life and credit accident and health insurance sold as agent may be underwritten or reinsured by BAC's insurance underwriting subsidiaries. This activity would be conducted from an office of BAC located in Ontario, Oregon, serving customers in Ontario and surrounding areas in Oregon. This notification is for the relocation of an existing office located in Payette, Idaho. Comments on this application must be received not later than October 15, 1982.

5. *Barclays Bank PLC* and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (consumer finance; Monroe, Louisiana): To engage through their subsidiaries, BarclaysAmerican/Financial, Inc. and BarclaysAmerican/Financial Inc. (Texas), in making direct consumer loans, including loans secured by real estate, and purchasing sales finance contracts representing extensions of credit such as would be made or acquired by a consumer finance company, and wholesale financing (floor planning) and acting as agent for the sale of related credit life, credit accident and health and credit property insurance. Credit life and credit accident and health insurance sold as agent may be underwritten or reinsured by BAC's insurance underwriting subsidiaries. This activity would be conducted from an office of BAC located in Monroe, Louisiana, serving customers in Monroe and surrounding areas in Louisiana. This notification is for the relocation of an existing office in Ruston, Louisiana. Comments on this application must be received not later than October 15, 1982.

Board of Governors of the Federal Reserve System, September 16, 1982.

**Dolores S. Smith,**

*Assistant Secretary of the Board.*

[FR Doc. 82-26100 Filed 9-21-82; 8:45 am]

BILLING CODE 6210-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Alcohol, Drug Abuse, and Mental Health Administration

### Meetings

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following national advisory bodies scheduled to assemble during the month of October.

**Neuropsychology Research Subcommittee of the Basic Psychopharmacology and Neuropsychology Research Review Committee**

*October 4-6; 9:00 a.m.*

The Capitol Hill, Boardroom,
*200 C Street, S.E., Washington, D.C. 20003.*

Open—October 4, 9:00-10:00 a.m.
Closed—Otherwise
Contact: Shirley Maltz, Room 9C-26, Parklawn, Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-3944.
*Purpose:* The Neuropsychology Research Subcommittee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research activities in the field of basic neuropsychology and makes recommendations to the National Advisory Mental Health Council for final review.
*Agenda:* From 9:00-10:00 a.m., October 4, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Subcommittee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5U.S.C. Appendix I).

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**Alcohol Psychosocial Research Review Committee**

*October 6-8; 9:00 a.m.*

Embassy Square Hotel,
*2000 N Street, N.W., Washington, D.C. 20036.*

Open—October 6, 9:00 a.m.-1:30 p.m.
Closed—Otherwise
Contact: Jane A. Taylor, Ph.D., Parklawn Building, Room 16C-26, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-6106.
*Purpose:* The Committee is charged with the initial review of applications for assistance from the National Institute on Alcohol Abuse and Alcoholism for support of research and research training activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.
*Agenda:* From 9:00 a.m.-1:30 p.m., October 6, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Epidemiologic and Quantitative Services Subcommittee of the Epidemiologic and Services Research Review Committee**

*October 11-13; 9:00 a.m.*

Thomas Salon, Washington Marriott Hotel
*1221 22nd Street, N.W., Washington, D.C. 20037.*

Open—October 11, 9:00-10:00 a.m.
Closed—Otherwise
Contact: Gloria Yockelson, Room 9C-18, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-1367.
*Purpose:* The Epidemiologic and Quantitative Services Subcommittee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research and training activities in the fields of mental health epidemiology, mental health systems research, mental health services development, and evaluation methodology, and makes recommendations to the National Advisory Mental Health Council for final review.
*Agenda:* From 9:00-10:00 a.m., October 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Mental Health Behavioral Sciences Research Review Committee**

*October 14-15; 9:00 a.m.*

Capitol Hill Hotel, Premier Boardroom Suite,
*200 C Street, S.E., Washington, D.C. 20003.*

Open—October 14, 9:00-10:30 a.m.
Closed—Otherwise

Contact: Claudia Goad, Room 9C-26 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-3936

*Purpose:* The Mental Health Behavioral Sciences Research Review Committee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research activities in the fields of psychology, psychiatry, anthropology, and sociology and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00-10:30 a.m., October 14, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C., 552b(c)(6) and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Aging Subcommittee of the Life Course Review Committee**

*October 14-15; 9:00 a.m.*

The Shoreham Hotel, Calvert Road and Connecticut Avenue, N.W., *Washington, D.C. 20008*

Open—October 14, 9:00-10:00 a.m.
Closed—Otherwise

Contact: Dee Herman, Room 9C-02, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-1220

*Purpose:* The Aging Subcommittee of the life Course Review Committee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research activities in the field of aging and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00-10:00 a.m., October 14, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Subcommittee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Child and Family Subcommittee of the Life Course Review Committee**

*October 21-22; 9:00 a.m.*

The Capitol Hill, Capital Hill Conference Room, 200 C Street, S.E., Washington, D.C. 20003

Open—October 21, 9:00-10:00 a.m.
Closed—Otherwise

Contact: Christine Peers, Room 9C-08, Parklawn Building 5600 Fishers Lane, Rockville, Maryland 20857, (301)443-1177

*Purpose:* The Child and Family Subcommittee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research activities in the fields of child and family mental health and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00-10:00 a.m., October 21, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Subcommittee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Criminal and Violent Behavior Review Committee**

*October 20-22; 9:00 a.m.*

Gramercy Inn, *1616 Rhode Island Avenue, N.E., Washington, D.C. 20036.*

Open—October 20, 9:00-10:00 a.m.
Closed—Otherwise

Contact: Jean Byrne, Room 9C-14, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301)443-4868

*Purpose:* The Criminal and Violent Behavior Review Committee is charged with the initial review of applications for assistance from the National Institute of mental Health for support of research activities in the fields of criminal and violent behavior, and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00-10:30 a.m., October 20, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Mental Health Research Education Review Committee**

*October 21-22; 9:00 a.m.*

Sheraton Inn Washington Northwest, *8727 Colesville Road, Silver Spring, Maryland 20910*

Open—October 21, 1:30-3:00 p.m.
Closed—Otherwise

Contact: Emilie Embrey, Room 9-101, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-3857.

*Purpose:* The Mental Health Research Education Review Committee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research training activities in the fields of biological sciences, the psychological sciences, and the applied behavioral sciences areas, and makes recommendations to the National Advisory Mental Health Council if for final review.

*Agenda:* From 1:30-3:00 p.m., October 21, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Research Scientist Development Review Committee**

*October 25; 9:00 a.m.*

Washington Marriott Hotel, *1221 22nd Street, N.W., Washington, D.C. 20037.*

Open—October 25, 9:00-9:30 a.m.
Closed—Otherwise

Contact: Diana Souder, Room 9C-05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-6470

*Purpose:* The Research Scientist Development Review Committee is charged with the initial review of applications for assistance from the National Institute of Mental Health for the support of activities to develop and execute a program of Research Scientist and Research Scientist Development Awards to appropriate institutions for the support of individuals engaged full time in research and related activities relevant to mental health, and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00-9:30 a.m. October 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

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**Psychopathology and Clincial Biology Research Review Committee**

*October 25-27; 9:00 a.m.*

The Shoreham *Calvert Street and Connecticut Avenue, N.W., Washington, D.C. 20008*

Open—October 25, 9:00-10:00 a.m.
Closed—Otherwise

Contact: Irma Fisher, Room 9C-24, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-1340

*Purpose:* The Psychopathology and Clinical Biology Research Review Committee is

charged with the initial review of applications for assistance from the National Institute of Mental Health for support of activities in the fields of clinical psychopathology and clinical biology, and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00–10:00 a.m., October 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisons of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92–463 (5 U.S.C. Apendix I).

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**Psychosocial Research Subcommittee of the Durg Abuse Clincal, Behavioral, and Psychosocial Research Review Committee**

*October 25–27; 8:30 a.m.*

Conferance Rooms M and H, Parklawn Building,
*5600 Fishers Lane, Rockville, Maryland 20857*

Open—October 25, 8:30–9:00 a.m.
Closed—Otherwise
Contact: Ron Gold, Executive Secretary, DACA, Room 10–42, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–2620

*Purpose:* The Psychosocial Research Subcommittee is charged with the initial review of applications for assistance from the National Institute on Drug Abuse for support of research and research training activities and makes recommendations to the National Advisory Council on Drug Abuse for final review.

*Agenda:* From 8:30–9:00 a.m., October 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92–463 (5 U.S.C. Appendix I).

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**Drug Abuse Biomedical Research Review Committee**

*October 25–28; 9:00 a.m.*

Linden Hill Hotel, Sea Pines Room,
*5400 Pooks Hill Road, Bethesda, Maryland 20014*

Open—October 25, 9:00–9:30 a.m.
Closed—Otherwise
Contact: Dr. Alan A. Schreier, Executive Secretary, DABR, Room 10–42, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–2620

*Purpose:* The Drug Abuse Biomedical Research Review Committee is charged with the initial review of applications for assistance from the National Institute on Drug Abuse for support of research and research training activities and makes recommendations to the National Advisory Council on Drug Abuse for final review.

*Agenda:* From 9:00–9:30 a.m., October 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92–463 (5 U.S.C. Appendix I).

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**Drug Abuse Clinical and Behavioral Research Subcommittee of the Drug Abuse Clinical, Behavioral, and Psychosocial Research Review Committee**

*October 25–28; 9:00 a.m.*

Linden Hill Hotel, Longwood Room,
*5400 Pooks Hill Road, Bethesda, Maryland 20014*

Open—October 25, 9:00–9:30 a.m.
Closed—Otherwise
Contact: Daniel L. Mintz, Executive Secretary, DACB, Room 10–42, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–2620

*Purpose:* The Drug Abuse Clinical and Biomedical Research Subcommittee is charged with the initial review of applications for assistance from the National Institute on Drug Abuse for support of research and research training activities and makes recommendations to the National Advisory Council on Drug Abuse for final review.

*Agenda:* From 9:00–9:30 a.m., October 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Subcommittee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92–463 (5 U.S.C. Appendix I).

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**Cognition, Emotion, and Personality Research Review Committee**

*October 29–30; 9:00 a.m.*

Holiday Inn, Georgetown,
*2101 Wisconsin Avenue, N.W. Washington, D.C. 20007*

Open—October 29, 9:00–10:00 a.m.
Closed—Otherwise
Contact: Shirley Maltz, Room 9C–26, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–3944

*Purpose:* The Cognition, Emotion, and Personality Research Review Committee is charged with the initial review of applications for assistance from the National Institute of Mental Health for support of research and activities in the field of personality, cognition, emotion and higher mental processes and makes recommendations to the National Advisory Mental Health Council for final review.

*Agenda:* From 9:00–10:00 a.m., October 29, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of 5 U.S.C. 552b(c)(6), and Section 10(d) of Pub. L. 92–463 (5 U.S.C. Appendix I).

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Substantive information may be obtained from the contact persons listed above. Summaries of the meetings and rosters of Committee members may be obtained as follows: NIAAA: Mrs. Diana Widner, Committee Management Officer, Room 16C18, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4375. NIDA: Ms. Claudette Wright, Committee Management Officer, Room 10–22, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–1644. NIMH: Ms. Helen W. Garrett, Committee Management Officer, Room 17C26, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4333.

Dated: September 16, 1982.

**Sue Simons,**

*Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.*

[FR Doc. 82-26012 Filed 9-21-82; 8:45 am]
BILLING CODE 4160-20-M

## Centers for Disease Control

### Safety and Occupational Health Study Section; Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control announces the following National Institute for Occupational Safety and Health (NIOSH) committee meeting:

Name: Safety and Occupational Health Study Section
Date: October 19–20, 1982
Place: Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857
Time and type of meeting: Open—8:30 a.m. to 10:00 a.m.—October 19. Closed—10:00 a.m. to 5 p.m.—October 19. Closed—8:30 a.m. to 5 p.m.—October 20.
Contact person: Mark R. Green, Ph. D., Executive Secretary, 5600 Fishers Lane, Parklawn Building, Room 8–63, Rockville, Maryland 20857, Telephone: 301–443–4493
Purpose: The committee is charged with the initial review of research, training,

demonstration, and fellowship grant applications for Federal assistance in program areas administered by the National Institute for Occupational Safety and Health, and with advising the Institute staff on training and research needs.

Agenda: Agenda items for the open portion of the meeting will include consideration of minutes of previous meeting and administrative reports. Beginning at 10:00 a.m., October 19, through October 20, 1982, the Study Section will be performing the initial review of research, demonstration and training grant applications for Federal assistance, and will not be open to the public, in accordance with the provisions set forth in Section 552b(c)(6), Title 5 U.S. Code, and the Determination of the Director, Centers for Disease Control, pursuant to Public Law 92-463.

Agenda items are subject to change as priorities dictate.

The portion of the meeting so indicated is open to the public for observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: September 14, 1982.

**William H. Foege,**

*Director, Centers for Disease Control.*

[FR Doc. 82-26090 Filed 9-21-82; 8:45 am]

BILLING CODE 4160-19-M

## Health Care Financing Administration

## Medicare Program; Exclusion From Medicare Coverage of DMSO for Conditions Other Than Interstitial Cystitis

**AGENCY:** Health Care Financing Administration (HCFA), HHS

**ACTION:** Notice of ruling.

**SUMMARY:** This notice announces a HCFA ruling that restates Medicare policy for the coverage of the drug dimethyl sulfoxide (DMSO). DMSO is a covered service only when administered for the treatment of interstitial cystitis. This HCFA ruling assures uniform Medicare policy on the coverage of DMSO.

**EFFECTIVE DATE:** Effective for services furnished after September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Sheila Ryan, Director, Division of Medical Services Coverage Policy, (301) 594-8561.

**SUPPLEMENTARY INFORMATION:** We plan to compile and publish all rulings in the "Health Care Financing Administration Rulings" booklet which will be indexed for citation purposes. When this ruling is republished in the booklet, it will be known as HCFAR 82-1. The text of the HCFA ruling is as follows:

### Exclusion From Medicare Coverage of DMSO for Conditions Other Than Interstitial Cystitis

*HCFAR 82-1*

*Purpose:* This ruling restates HCFA policy regarding Medicare coverage of DMSO.

*Citations:* Section 1862(a)(1) of the Social Security Act; 42 U.S.C. 1395y(a)(1); 42 CFR 405.310(k); 20 CFR 422.40

*Pertinent history:* The Medicare statute prohibits payment for any expenses incurred for items or services "which are not reasonable and necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a malformed body member" (section 1862(a)(1) of the Act). HCFA has interpreted this statutory provision to exclude from Medicare coverage medical and health care services and items that are not demonstrated to be safe and effective by acceptable clinical evidence. HCFA's source of medical advice on issues of medical safety and efficacy of services and items is the Public Health Service (PHS).

DMSO has been used as an industrial solvent since the 1940s. In 1959, it was found to be useful in protecting biological tissues from damage when they are preserved by freezing. In 1963, DMSO was reported to have medicinal properties and an investigational new drug application for the study of its use in humans was approved by the Food and Drug Administration (FDA). Testing was halted, however, in 1965 after experiments in animals indicated that DMSO had adverse effects on the eyes. Experiments were resumed the following year in light of the lack of evidence of eye damage in humans.

In 1972, the FDA asked the National Academy of Sciences—National Research Council to evaluate all the data available to the FDA on use of DMSO in humans. A committee appointed by the Academy concluded that only a very small number of scientific reports could be used as the basis for scientific conclusions on the toxicity and effectiveness of DMSO. Further, the committee made the following conclusions:

- The evidence on DMSO does not warrant the general approval of the drug. There is suggestive evidence that DMSO may be effective in the treatment of acute traumatic injury and nontraumatic painful shoulder and in relieving the pain of rheumatoid arthritis.
- DMSO produces side effects, particularly of the skin, in many persons. In rare cases, DMSO has been linked to discolored patches of skin in humans. Also, when tested in some species of laboratory animals, DMSO altered the lens of the eye.
- DMSO should be restricted to investigational use until it can be clearly demonstrated that it therapeutic effects are sufficient to risk the side effects it may cause.
- More reliable data are needed on the possible adverse effects and on the way DMSO works in the body.

The FDA approved DMSO for use in the symptomatic relief of chronic interstitial cystitis in 1978. HCFA consulted with PHS when preparing this ruling, and again received advice that there is still insufficient evidence to establish that DMSO is safe and effective in conditions other than interstitial cystitis. The drug is currently being tested for other conditions.

*Ruling:* DMSO is not established to be safe and effective for any use other than interstitial cystitis, therefore, the use of DMSO for conditions other than interstitial cystitis is excluded from Medicare coverage under the authority of section 1862(a)(1) of the Act.

(Secs. 1102 and 1862(a)(1) of the Social Security Act; 42 U.S.C. 1302 and 1395y(a)(1))

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare—Hospital Insurance and No. 13.774, Medicare—Supplementary Medical Insurance)

Dated: September 16, 1982.

**Carolyne K. Davis,**

*Administrator, Health Care Financing Administration.*

[FR Doc. 82-26135 Filed 9-21-82; 8:45 am]

BILLING CODE 4120-03-M

## Office of the Secretary
## Office of Human Development Services

## Model Act for the Adoption of Children With Special Needs

*Correction*

In FR Doc. 82-23459 beginning on page 37836 in the issue of Thursday, August 26, 1982, make the following corrections:

1. On page 37836, first column, five lines from the bottom of the page, "section 302(c)" should have read "section 402(c)".

2. On page 37837, second column, six lines from the bottom of the page, "combination of" should have read "combination of the".

3. In the third column, in the last line of paragraph (c) *Continuing special need required for certification,* "eligible" should have read "eligible pursuant to:".

4. In the next line, "(a)(1) or (1)(2)" should have read "(a)(1) or (a)(2)", and

four more lines down, "(1)(3)" should have read "(a)(3)".

5. In the same column, the *Commentary to Section 403* contained errors and is reprinted correctly as follows:

Subsection (a). Assistance payments may begin after an agreement is signed—as early as the time of placement or after an interlocutory or final adoption decree has been issued. Adoption assistance may be made available for costs related to the adoption process, such as legal and court costs of adoption, other costs incidental to adoption placement, or costs for medical treatment or other needs.

Time-limited assistance is designed to help with expenses of integrating the child into the family or to provide funds for a specific short-term service. Long-term adoption assistance is designed for children who cannot be adopted unless their long-term financial needs are met by subsidy. The ceiling on the subsidy to accord with foster family allowances is based on current practice in a majority of the States. One objective of the adoption assistance program is to

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6. On page 37838, first column, second line from the top of the page, insert the word "or" at the end of the line.

7. In the same column, in the eighth and ninth lines from the bottom of the page, the words "Legislators debating enactment families" should be removed.

8. In the second column, five lines from the top of the page, after the words "necessary postadoption", insert "services were not available. In addition,".

BILLING CODE 1505-01-M

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### New Community Development Corporation

[Docket No. D-82-681]

### Redelegation of Authority

**AGENCY:** Department of Housing and Urban Development (HUD)/New Community Development Corporation.

**ACTION:** Redelegation of Authority

**SUMMARY:** This Redelegation of Authority authorizes the Regional Administrator and Deputy Regional Administrator, Region II (New York) and the Area Manager and Deputy Area Manager, New York Area Office, to exercise the authority of the General Manager, New Community Development Corporation, to transfer a parcel of Federally-owned surplus land, together with any improvements and related personal property, to the Town of East Hampton, New York.

**EFFECTIVE DATE:** September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Angelo M. Scioscia, Director, Office of Surplus Land, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 5182, Washington, D.C. 20410, Telephone 202/755-1862 (This is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** On September 24, 1980, at 45 FR 63360, the Secretary of the Department of Housing and Urban Development delegated the responsibility for management and disposition of surplus Federal property to the General Manager, New Community Development Corporation. The General Manager is redelegating this Authority in turn to the Regional Administrator, Deputy Regional Administrator, Region II (New York) and the Area Manager and Deputy Area Manager, New York Area Office to expedite the transfer of the below listed parcel of Federally-owned surplus land to the Town of East Hampton, N.Y.

Accordingly, the General Manager, New Community Development Corporation, redelegates to the Regional Administrator, Deputy regional Administrator, Region II (New York) and the Area Manager and Deputy Area Manager, New York Area Office, the authority to transfer the real property listed below, together with any improvements and related personal property, to the Town of East Hampton, New York: Montauk Air Force Station, Family Housing Area, Montauk, New York (GAS Control No. 2-D-NY-692-D)

(Sec. 414 of the Housing and Urban Development Act of 1969, 40 U.S.C. 484b; Delegation of Authority, September 24, 1980, 45 FR 63360)

Dated: September 9, 1982.

Warren T. Lindquist,

*General Manager, New Community Development Corporation, Department of Housing & Urban Development.*

[FR Doc. 82-26016 Filed 9-21-82; 8:45 am]

BILLING CODE 4210-01-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

### Powder River Federal Coal Production Region; Coal Lease Offering

September 13, 1982.

U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001. Notice is hereby given that certain coal resources in the tracts described below in Campbell County, Wyoming will be offered for competitive lease by sealed bid to the qualified bidder submitting the highest bonus bid for each tract in accordance with the provisions of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.). Each tract will be leased to the qualified bidder of the highest cash amount provided that the high bid for the tract equals or exceeds the fair market value of the tract as determined by the authorized officer after the sale. The sale will be held at 10:00 a.m., Friday, October 15, 1982, in the third floor conference room, Lea Building, 2515 Warren Avenue, Cheyenne, Wyoming. No bids received after 4:30 p.m., Thursday, October 14, 1982, will be considered.

**Coal Offered**

Fortin Draw Tract, W-78630

The coal resource to be offered consists of all recoverable reserves in the following-described lands located about five miles east of Gillette, Wyoming:

T. 50 N., R. 71 W., 6th P.M.,
Sec. 34, S½N½, SW¼.

Containing 320.00 acres, Campbell County, Wyoming.

Total recoverable reserves are estimated to be 26.6 million tons. The average overall quality of the coal in the tract is 8000 BTU/lb. with 6 percent ash, 30 percent moisture, and 0.5 percent sulfur.

*Surface Owner Consent Information:* This tract has one qualified surface owner. Consent granted by the surface owner has been filed with and verified by the Bureau of Land Management. All of the lands in the tract are covered by the consent.

*Purchase Price of Surface Owner Consent:* $125,000.

*Minimum Bid:* $4,200 per acre.

Rocky Butte Tract, W-78633

The coal resource to be offered consists of all recoverable reserves in the following-described lands located approximately seven miles southeast of Gillette, Wyoming:

T. 48 N., R. 71 W., 6th P.M.,
Sec. 1, lots 1, 2, 3, 4, S½N½, S½ (all);
Sec. 2, lots 1, 2, 3, 4, S½N½, S½ (all);
Sec. 3, lots 1, 2, 3, 4, S½N½, S½ (all);
Sec. 4, lots 1, 2, 3, 4, S½N½, S½ (all);
Sec. 5, lots 1, 2, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 8, E½, E½NW¼, SE¼SW¼;
Sec. 9, NE¼, W½, W½SE¼.
T. 49 N., R. 71 W., 6th P.M.,
Sec. 32, S½NE¼, N½SE¼, SE¼SE¼;
Sec. 33, S½N½, S½;

Sec. 34, SW¼, SW¼SE¼.

Containing 4,855.54 acres, Campbell County, Wyoming.

Total recoverable reserves are estimated to be 445 million tons. The average overall quality of the coal in the tract is 8,462 BTU/lb. with 5.0 percent ash, 30.2 percent moisture, 0.3 percent sulfur, 31.8 percent volatile matter and 33.3 percent fixed carbon.

*Surface Owner Consent Information:* This tract has five qualified surface owners. Consents granted by these surface owners (three consent agreements) have been filed with and verified by the Bureau of Land Management. The lands covered by each consent and the purchase price of the consents are shown below:

T. 48 N., R. 71 W., 6th P.M.,
Sec. 3, lot 1, SE¼NE¼.
T. 49 N., R. 71 W., 6th P.M.,
Sec. 33, SE¼NE¼, E½SE¼;
*Purchase Price:* $114,000.00 (consent also covers lands lying outside tract).

T. 48 N., R. 71 W., 6th P.M.,
Sec. 2, NE¼SW¼.
*Purchase Price:* $150,000.00.

T. 48 N., R. 71 W., 6th P.M.,
Sec. 5, lot 2, SW¼NE¼, SE¼NW¼, E½SW¼;
Sec. 8, E½NW¼.
T. 49 N., R. 71 W., 6th P.M.,
Sec. 32, S½NE¼, N½SE¼, SE¼SE¼;
Sec. 33, SW¼, S½NW¼, SW¼NE¼, W½SE¼.
*Purchase Price:* $6,000,000 (Consent also covers lands lying outside tract).
*Minimum Bid:* $100 per acre.

### Rental and Royalty

Leases issued as a result of this offering will provide for payment of an annual rental of $3.00 per acre per year and a royalty payable to the United States of 12.5 percent of the value of coal produced by strip or auger mining methods and 8.0 percent of the value of coal produced by underground methods. The value of the coal shall be determined in accordance with 30 CFR 211.63.

### Notice of Availability

Bidding instructions for each tract offered, the terms and conditions of surface owner consents filed and verified, and details on the post-sale transfer or assignment of surface owner consents are included in the Detailed Statements of Lease Sale. Copies of the Statements and of the proposed coal leases are available in the Wyoming State Office. Case file documents are also available for inspection in the Wyoming State Office.

### Additional Information

The environmental impact statement and land use plan on which the Secretary based his February 22, 1982, decision to offer these lease tracts for sale are being challenged in the consolidated lawsuit in the U.S. District Court for the District of Montana, *Northern Cheyenne Tribe* v. *Watt,* Civil No. 82-116-BLG, and *National Wildlife Federation* v. *Burford,* Civil No. 82-117-BLG.

**Harold G. Stinchcomb,**
*Chief, Branch of Lands and Minerals Operations.*

[FR Doc. 82-26083 Filed 9-21-82; 8:45 am]
BILLING CODE 4310-84-M

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[INT FEIS 82-35]

## Proposed Livestock Grazing Management Program for Clark County, Las Vegas District, Nevada

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of Availability of the Final Environmental Impact Statement (FEIS) on the Livestock Grazing Management Program in Clark County, Nevada.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared an FEIS concerning livestock grazing management on 3.6 million acres of BLM-administered land in Clark County in the Las Vegas District in southern Nevada. This program involves evaluation of proposed levels of rangeland management intensity on livestock grazing allotments, potential reclassification of selected allotments for ephemeral-perennial grazing, alternative methods of protection of crucial resource areas, and range improvements. The FEIS contains only comments, responses, and minor changes to the Draft Environmental Impact Statement (DEIS) and should be used together with the DEIS. This revised procedure has saved substantial time, money, and paperwork and is authorized under 40 CFR 1503.4(c). The DEIS was made available to the public on June 17, 1982, with comments due by August 13, 1982. The DEIS was the subject of a public hearing held in Las Vegas on July 15, 1982.

**FOR FURTHER INFORMATION CONTACT:** Kemp Conn, District Manager, Attn: EIS Team Leader, Bureau of Land Management, P.O. Box 26569, Las Vegas, NV 89126, (702) 385-6403.

Copies of the DEIS and FEIS are available for review at the following BLM offices:

Office of Public Affairs, 18th and C Streets, NW., Washington, D.C. 20240
Nevada State Office, 300 Booth Street, Reno, NV 89520
Battle Mountain District Office, North 2nd and Scott Streets, Battle Mountain, NV 89820
Carson City District Office, 1050 E. William Street, Carson City, NV 89701
Elko District Office, 2002 Idaho Street, Elko, NV 89801
Ely District Office, Star Route 5, Box 1, Ely, NV 89301
Las Vegas District Office, 4765 W. Vegas Drive, Las Vegas, NV 89126
Arizona Strip District Office, 8916 East Tabernacle, St. George, UT 84770
Cedar City District Office, 1579 North Main, Cedar City, UT 84720
Riverside District Office, 1695 Spruce Street, Riverside, CA 92507

Also, copies are available for review at the following public libaries:

Boulder City Library, 539 California Ave., Boulder City, NV 89005
Bunkerville Library, Bunkerville, NV 89007
Charleston Heights Library, 800 Brush St., Las Vegas, NV 89107
Clark County Community College, Learning Resource Center, 3200 E. Cheyenne Ave., North Las Vegas, NV 89030
Clark County Library, 1401 E. Flamingo Rd., Las Vegas, NV 89109
Las Vegas Public Library, 1762 E. Charleston Blvd., Las Vegas, NV 89104
Moapa Valley Library, Overton, NV 89040
North Las Vegas Library, 2300 Civic Center Dr., North Las Vegas, NV 89030
Searchlight Library, Searchlight, NV 89046
James Dickinson Library, Documents Division, University of Nevada, 4505 Maryland Parkway, Las Vegas, NV 89154
Getchell Library, Government Publications Department, University of Nevada, Reno, NV 89507
Virgin Valley Library, Mesquite, NV 89024
Nevada State Library, Library Building, Carson City, NV 89710

Dated: September 16, 1982.

**Edward F. Spang,**
*State Director, Nevada.*

[FR Doc. 82-26051 Filed 9-21-82; 8:45 am]
BILLING CODE 4310-84-M

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[INT FEIS 82-36]

## Proposed Livestock Grazing Management for the Bodie-Coleville Planning Units, Bishop Resource Area, Bankerfield District, California

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of

1969, the Bureau of Land Management has prepared a final environmental impact statement concerning a proposed grazing management program for the Bodie-Coleville Planning Units in Mono County in eastern California. The proposed action allocates 14,977 AUMs to livestock, 685 AUMs to deer, and 121 AUMs to wild horses. The alternatives analyzed include no grazing, no action (continue present management with 19,604 AUMs to livestock), maximization of livestock production (17,404 AUMs to livestock), maximization of environmental quality protection (10,999 AUMs to livestock) and a multiple use compromise (11,732 AUMs to livestock).

A limited number of copies of this document are available upon request at the:

Bishop Resource Area, Bureau of Land Management, 873 N. Main Street, Suite 201, Bishop, California 93514, (714) 872-4881

California State Office, Bureau of Land Management, 2800 Cottage Way, Sacramento, California 95825, (916) 484-4541

In addition to the above offices, copies of this EIS are available for public reading and review at:

Division of Rangeland Management, Bureau of Land Management, Premier Building, Room 909-H, 1725 I Street, N.W., Washington, D.C. 20006

Bakersfield District Office, Bureau of Land Management, Federal Building, Room 304, 800 Truxtua Street, Bakersfield, CA 93301

Dated: September 15, 1982.

**Ron Hofman,**

*Associate State Director.*

[FR Doc. 82-26052 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-84-M

## Rawlins District, Wyoming; Intent To Hold Public Scoping Meetings

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Hold public scoping meetings on Pan Aero Corporation's proposed wind energy development project near Medicine Bow, Carbon County, Wyoming.

**SUMMARY:** The proposed action is development of a wind energy production facility utilizing 872 wind turbine generators ranging from 120 feet to 390 feet high. The proposal would also require about 50 miles of access roads and 59 miles of transmission lines. The entire project would utilize about 150 acres and would be located entirely on public land. The project would take from 7 to 10 years to construct and would have the capacity to generate about 1,000 megawats of electricity.

All attendees of the public scoping meetings will be given an opportunity to participate and suggest topics for consideration in determining the issues to be considered and the extent of environmental analysis. Written comments are also welcome.

**DATES:** Public scoping meetings will be held in order to receive public comment and concerns. The dates, times and locations of the meetings are as follows:

October 19, 1982, 7 p.m., Albany County Library, 310 S. 8th Street, Laramie, Wyoming

October 20, 1982, 7 p.m., Town Hall, Medicine Bow, Wyoming

Any person wishing to submit written comments, including any issues, suggestions or alternatives to the proposed action should send these to the office listed below. Written comments will be accepted until November 15, 1982.

**ADDRESSES:** Information and materials providing a description of the project are available for review at the Bureau of Land Management, Rawlins District Office, 1300 3rd St., Rawlins, Wyoming.

For further information, contact Kirby Boldan, Bureau of Land Management, Rawlins District Office, P.O. Box 670, Rawlins, Wyoming 82301. Phone (307) 324-7171.

**Elbert W. Spencer,**

*Assistant District Manager*

[FR Doc. 82-26092 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-84-M

## Socorro District Grazing Advisory Board; Meeting

Notice is hereby given in accordance with Public Law 94-579, that a meeting of the Socorro District Grazing Advisory Board will be held on Tuesday, October 19, 1982.

The meeting will begin at 10:00 a.m., in the Community Hall on the rodeo grounds in Datil, New Mexico.

The agenda for the meeting will include:

(1) Response to inquiries made at the last meeting regarding Advisory Board elections, replacing boundary fences, base waters, cattleguards, and county agreements.

(2) Proposed grazing regulations.

(3) Implementation of the West Socorro Rangeland Management Program.

(4) Continued Implementation of the East Socorro Rangeland Management Program.

(5) Grazing management plans.

The meeting is open to the public. Interested persons may make oral statements to the Board at 1:00 p.m., or file written statements for the Board's consideration.

Dated: September 13, 1982.

**Donnie R. Sparks,**

*District Manager.*

[FR Doc. 82-26106 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-84-M

[U-51116, U-51450, U-51451]

## Utah; Order Providing for Opening of Lands

1. In an exchange of lands under the provisions of Section 206 of the Act of October 21, 1976, the following described lands have been reconveyed to the United States:

**Salt Lake Meridian, Utah**

T. 12 N., R. 14 W., (U-51116) Surface Only
Sec. 24, N½.
Containing 320.00 acres.

T. 5 N., R. 18 W., (U-51116) Surface Only
Sec. 5, lots 1, 2, 3, 4, S½N½, S½;
Sec. 7, lots 1, 2, 3, 4, E½, E½W½.

T. 6 N., R. 18 W., (U-51116) Surface Only
Sec. 17, all.

T. 4 N., R. 19 W., (U-51116) Surface Only
Sec. 5, lots, 1, 2, 3, 4;
Sec. 15, E½, E½W½;
Sec. 17, lots 1, 2, 3, 4;
Sec. 23, E½, E½NW¼, NE¼SW¼;
Sec. 27, E½;
Sec. 35, all.

T. 5 N., R. 19 W., (U-51116) Surface Only
Sec. 1, lots, 1, 2, 3, 4, S½N½, S½;
Sec. 3, lots 1, 2, 3, 4, S½N½, S½;
Sec. 11, all;
Sec. 13, all;
Sec. 15, all;
Sec. 23, all;
Sec. 27, all.

T. 6 N., R. 19 W., (U-51116) Surface Only
Sec. 1, lots, 1, 2, 3, 4, S½N½, S½;
Sec. 3, lots 1, 2, 3, 4, S½N½, S½;
Sec. 5, lots 1, 2, 3, 4;
Sec. 9, lot 1, NE¼NE¼, W½NE¼, NW¼, NE¼SW¼, NW¼SE¼;
Sec. 17, lots 1, 2, 3, 4;
Sec. 23, all;
Sec. 27, all;
Sec. 29, lots 1, 2, 3, 4.

T. 7 N., R. 19 W., (U-51116) Surface Only
Sec. 17, lots, 1, 2, 3, 4;
Sec. 21, all;
Sec. 23, E½;
Sec. 29, lots 1, 2, 3, 4;
Sec. 33, all;
Sec. 35, all.
Aggregating 13,822.51 acres.

T. 12 N., R. 6 E., (U-51450) Surface Only
Sec. 5, NW¼SW¼;
Sec. 8, NE¼NW¼.
Aggregating 80.00 acres.

T. 11 N., R. 17 W., (U-51451) Surface Only
Sec. 7, lots 1, 2, 3, NE¼, E½NW¼, NE¼SW¼, N½SE¼, SE¼SE¼, E½E½ SW¼SE¼.
Containing 520.62 acres.

2. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands described in paragraph one are hereby open to operation of the public lands laws generally. All valid applications received at or prior to 10:00 a.m. on October 12, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111.

Dated: September 14, 1982.

**J. K. Latimer,**

*Chief, Branch of Lands and Minerals Operations.*

[FR Doc. 82-26105 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-84-M

## Minerals Management Service

### Oil and Gas and Sulphur Operations in the Outer Continental Shelf

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the receipt of a proposed development and production plan.

**SUMMARY:** Notice is hereby given that Shell Offshore Inc. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 3560, Block 33, 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 Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

**SUPPLEMENTARY INFORMATION:** Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: September 13, 1982.

**John L. Rankin,**

*Acting Minerals Manager, Gulf of Mexico OCS Region.*

[FR Doc. 82-26087 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-31-M

## Office of Surface Mining Reclamation and Enforcement

**[Federal Lease No. 71692]**

### Availability of Draft Environmental Impact Statement and Public Hearing on the Proposed North Rochelle Mine, Campbell County, Wyo.

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Notice of availability of draft environmental impact statement (OSM-EIS-9) and public hearing.

**SUMMARY:** Pursuant to §1506.6 of Title 40, Code of Federal Regulations, notice is hereby given that the Office of Surface Mining (OSM), Western Technical Center, has prepared a draft environmental impact statement (EIS) on the proposed North Rochelle Mine. The EIS has been written to assist the Department in making a decision on Shell Oil Company Mining's application to surface mine about 197 million tons of coal over a period of 26 years. The proposed site is 50 miles south of the City of Gillette, Wyoming. The mine would encompass 4,587 acres of State, private and Federal land (Thunder Basin National Grasslands) of which 3,271 acres would be disturbed for mining, roads, railroad spur, and facilities.

Copies of the draft EIS may be obtained from OSM at the location listed under "**ADDRESSES**" below. Copies are also available for review at locations listed under "**ADDRESSES.**".

A public hearing will be held. All interested parties are invited to attend this hearing to give their comments. See "**DATES**" and "**ADDRESSES**" for time and location.

**DATES:** A public hearing will be held on October 27, from 7:00 to 9:00 p.m. The Draft EIS will be available on September 23 at the address listed under "**ADDRESSES**". All written comments should be received by the Office of Surface Mining at the location listed under "**ADDRESSES**" no later than November 24, 1982.

**ADDRESSES:** The public hearing will be held at the Campbell County Community Recreation Center in Gillette, Wyoming. Copies of the draft EIS may be obtained from and comments should be addressed to: Allen D. Klein, Administrator, Office of Surface Mining, Brooks Towers, 1020 Fifteenth Street, Denver, Colorado 80202.

Copies of the EIS are available for review at the Converse County Courthouse and the Douglas Library, Douglas, Wyoming; the Campbell County Courthouse and the George Amos Memorial Library, Gillette, Wyoming; and at the State of Wyoming, Department of Environmental Quality, 401 Nineteenth Street, Cheyenne, Wyoming.

**FOR FURTHER INFORMATION CONTACT:** Allen D. Klein, Attn: Charles Albrecht (telephone 303-837-5656) at the location given under "**ADDRESSES.**"

**SUPPLEMENTARY INFORMATION:** The EIS evaluates two alternative actions the Department could take on the mining and reclamation plan which has been submitted to OSM and the State of Wyoming. Those alternatives are approval and disapproval or no action.

OSM has identified a preferred alternative. The State of Wyoming, the Forest Service, and OSM have identified stipulations that would be attached to the permit if it is granted.

OSM, with assistance from the Geological Survey, Forest Service, Interstate Commerce Commission, and State of Wyoming, has analyzed the impacts of the alternatives. Public comments are sought on this analysis as presented in the EIS. All substantive comments, written or oral, will be considered in preparing the final EIS and in the final recommendation for action on the subject mining and reclamation plan. See "**DATES**" and "**ADDRESSES**" for information on the hearing and comments.

**J. Steven Griles,**

*Acting Director.*

[FR Doc. 82-26140 Filed 9-21-82; 8:45 am]

BILLING CODE 4310-05-M

## INTERSTATE COMMERCE COMMISSION

### Motor Carriers; Finance Applications; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed by Motor Carriers Under 49 U.S.C. 11344 and 11349,* 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register.** Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

*Amendments to the request for authority will not be accepted after the date of this publication.* However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

*We find,* with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectivenes of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Dated: September 17, 1982.

By the Commission, Review Board Number 3, Members Krock, Joyce and Dowell.

**Agatha L. Mergenovich,**

*Secretary.*

MC-F-14947, filed August 25, 1982. SURE-WAY TRANSPORTATION, INC. (SURE-WAY) (103 Buckner, Columbia, MO 65201)—PURCHASE (PORTION)—ECKLEY TRUCKING, INC. (ECKLEY) (P.O. Box 156, Mead, NE 68041). Representative: Peter A. Greene, Suite 700, 1920 N Street, NW, Washington, DC 20036. Sure-Way seeks to purchase a portion of the authority of Eckley. L. E. Clark, Jr. and Robert Jurgensmeyer, who control Sure-Way, seek authority to acquire control of the said rights through the transaction. Sure-Way is purchasing a portion of the interstate operating rights contained in No. MC-5227 (Sub-No. 89)X, Part 7, authorizing the transportation of *construction materials,* between Chicago, IL, and points in Will County, IL, on the one hand, and, on the other, points in IA, MO, KS, NE, CO, and MN. Sure-Way is authorized to operate as a common carrier pursuant to certificates issued in No. MC-147774 and subs thereunder.

[FR Doc. 82-26069 Filed 9-21-82; 8:45 am]

BILLING CODE 7035-01-M

## Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries about the following to Team 1 (202) 275-7992.

**Volume No. OP2-223**

Decided: September 14, 1982.

By the Commission, Review Board Number 1, Members Parker, Chandler and Fortier.

MC 128290 (Sub-23), filed September 7, 1982. Applicant: EARL HAINES, INC., PO Box 2557, Winchester, VA 22601. Representative: Bill R. Davis, Suite 101, Emerson Center, 2814 New Spring Rd., Atlanta, GA 30339 (404) 434-3381. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

Please direct status inquiries to Team 2, (202) 275-7030.

**Volume No. OP2-223**

Decided: September 14, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 156223 (Sub-1), filed August 27, 1982. Applicant: GENE MILWRICK d.b.a. MILWRICK TRUCKING SERVICE, 3530 North Durfee, Pico Rivera, CA 90660. Representative: Gene Milwrick (Same address as applicant) 616-426-4755. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 163723, filed September 7, 1982. Applicant: NATIONWIDE FREIGHT BROKERS OF ILLINOIS, P.O. Box 1021, Homewood, IL 60430. Representative: Edward G. Bazelon, 29 South LaSalle St., Chicago, IL 60603, 312-236-9375. As a *broker* of *general commodities* (exept household goods), between points in the U.S. (except AK and HI).

**Volume No. OP2-225**

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 129283 (Sub-1), filed September 9, 1982. Applicant: RAY THOMPSON MOVING & STORAGE, INC., P.O. Box 1064, Clarksville, TN 37040. Representative: David Earl Tinker, 1000 Connecticut Ave. NW, Suite 1112, Washington, DC 20036-5391, 202-887-5868. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI), (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI), (3) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI), and (4) as a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 140493 (Sub-4), filed September 10, 1982. Applicant: R & J INDUSTRIES, INC., P.O. Box 266, Elizabeth, NJ 07207. Representative: Lawrence E. Lindeman, 4660 Kenmore Ave., Suite 1203, Alexandria, VA 22304, 703-751-2441. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI), and (2) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI).

MC 152082 (Sub-13), filed September 1, 1982. Applicant: R. C. SERVICE, INC., P.O. Box 823, Bensenville, IL 60106. Representative: Daniel C. Sullivan, 180 N. Michigan. Ave., Suite 1700, Chicago, IL 60601, 312-263-1600. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 163692, filed September 1, 1982. Applicant: MO-ARK TRUCK SERVICES, INC., 6816 Englewood, Raytown, MO 64133. Representative: Mary L. Harvey (same address as applicant) (816) 737-3691. As a *broker* of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 163783, filed September 10, 1982. Applicant: PATRICK C. ROBIN d.b.a. P.C.R. TRUCK BROKERAGE, P.O. Box 160, Newman Lake, WA 99025. Representative: Patrick C. Robins (Same address as applicant) 509-922-9045. As a broker of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

Please direct status inquiries to Team 3, (202) 275-5223.

**Volume No. OP3-144**

Decided: September 15, 1982.

By the Commission, Review Board No. 2. Members Carleton, Williams and Ewing.

MC 148284 (Sub-6), filed September 1, 1982. Applicant: DON YOUNGBLOOD TRUCKING COMPANY, INC., P.O. Box 309, Mulberry, AR 72947. Representative: George Spencer, 7 North Block, Fayetteville, AR 72701 (501) 442-0585. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 160774 (Sub-2), filed August 26, 1982. Applicant: TRANSCO SERVICES, INC., P.O. Box 20133, Phoenix, AZ 85036. Representative: David Robinson, 2228 W. Northern Avenue B-201, Phoenix, AZ 85021, (602) 864-0999. Transporting (1) for or on behalf of the United States Government *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), and (2) as a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 162914, filed September 2, 1982. Applicant: LANCER TRANSPORTATION SERVICES, INC., 552 S. Washington St., Naperville, IL 60540. Representative: Daniel O. Hands, 104 S. Michigan Ave., Suite 410, Chicago, IL 60603, (312) 641-1944. As a *broker, transporting general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 163485, filed August 20, 1982. Applicant: DENVER F. SISSON, d.b.a. SISSON'S MOBILE HOME TRANSPORT AND TRAILER SERVICE, 6501 MacCorkle Ave., S.E., Charleston, WV 25304. Representative: Ada Kathelene Sission (same address as applicant). (304) 925-1451. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 163644, filed August 30, 1982. Applicant: EVA HART, d.b.a. ROAD RUNNER TRUCK BROKERAGE, 2501 Page St., Texarkana, TX 75501. Representative: Thomas R. Newman, 219 West Broad St., Texarkana, TX 75501, (214) 794-2461. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 163665, filed September 1, 1982. Applicant: METROPOLITIAN DELIVERY SERVICE, INC., 128 No. 23rd St., Philadelphia, PA 19103. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110, (215) 561-1030. Transporting *shipments weighing 100 pounds or less* if

transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 163695, filed September 2, 1982. Applicant: ALLAN P. JONES, d.b.a. ALLANSON TRUCK LINES, 7340 Amestoy St., Van Nuys, CA 91406. Representative: Terry E. Morgan, 2131 Alamanor St., Oxnard, CA 93030, (805) 485-2040. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

**Volume No. OP3-147**

Decided: September 16, 1982.

By the Commission, Review Board Number 2, Members Carleton, Williams, and Ewing.

MC 163675, filed September 2, 1982. Applicant: MATTHEW J. MORRA, d.b.a. G. M. M., INC., 7 Buckingham Circle, Pinebrook, NJ 07058. Representative: Matthew J. Morra, 2236 Morgan Ave., Bronx, NY 10469, (212) 655-6873. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 163745, filed September 8, 1982. Applicant: BRUCE M. BROWN, 9623 North Karlov Ave., Skokie, IL 60076. Representative: Allan C. Zuckerman, 221 N. LaSalle St. Chicago, IL 60601, (312) 641-5900. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 163764, filed September 9, 1982. Applicant: LARRY G. CRUTCHFIIELD and TERRY T. BAGBY, d.b.a. C & B TRUCKING COMPANY, R.R. 2, Huntsville, MO 65259. Representative: Larry G. Crutchfield (same address as applicant), (816) 277-3514. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

**Agatha L. Mergenovich,**

*Secretary.*

[FR Doc. 82-26066 Filed 9-21-82; 8:45 am]

BILLING CODE 7035-01-M

## Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

**Findings**

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

**Note.**—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier tuthority are those where service is for a named shipper "under contract".

Please direct status inquiries about the following to Team 1 (202) 275-7992.

**Volume No. OP1-157**

Decided: September 15, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 121801 (Sub-5), filed September 7, 1982. Applicant: HAYES MOTOR FREIGHT, INC., 2501 SE 15th Street, Oklahoma City, OK 73129. Representative: G. Timothy Armstrong, 200 N. Choctaw, PO Box 1124, El Reno, OK 73036 (405) 262-1322. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in OK, on the one hand, and, on the other, Chicago, IL; Shreveport, LA; Little Rock, AR; Memphis, TN; Topeka and Wichita, KS; Kansas City and St. Louis, MO; Dallas, Houston, San Antonio and Texarkana, TX.

**Note.**—Applicant intends to tack the requested authority with its existing regular route authority.

MC 150440 (Sub-6), filed September 3, 1982. Applicant: UNIVERSAL EXPRESS, LTD., 3820 University Avenue, West Des Moines, IA 50265. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309, (515) 244-2329. Transporting *such commodities* as are dealt in or used in the manufacture, distribution and repair of household and commercial laundry and kitchen appliances, between Indianapolis, IN, and points in Franklin, Jasper, and Jefferson Counties, IA; and Bradley County, TN, on the one hand, and, on the other, points in AZ, CA, ID, MN, MT, ND, NM, NV, OR, SD, UT, WA, and WY.

MC 163111 (Sub-1), filed September 7, 1982. Applicant: PRIVATE TRANSPORT CORP., 1000 Jorie Boulevard, Suite 228, Oakbrook, IL 60521. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603, (312) 782-8880. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with W. W. Grainger, Inc., of Chicago, IL; Health Foods, Inc., of Des Plaines, IL; and Marmon Keystone Corp., of Lemont, IL.

Please direct status inquires about the following to Team 2, (202) 275-7030.

**Volume No. OP2-224**

Decided: September 14, 1982.

By the Commission, Review Board Number 1, Members Parker, Chandler and Fortier.

MC 107012 (Sub-779), filed September 8, 1982. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (same as applicant) (219) 429-2234. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S., under continuing contract(s) with Convergent Technologies, Inc., of Santa Clara, CA.

MC 129923 (Sub-27), filed September 7, 1982. Applicant: SHIPPERS TRANSPORTS, INC., 5010 Commerce St., West Memphis, AR 72301. Representative: Edward G. Grogan, Twentieth Floor, First Tennessee Building, Memphis, TN 38103 (901) 526-2000. Transporting *food and related products*, between points in the U.S., (except AK and HI).

MC 146853 (Sub-14), filed September 3, 1982. Applicant: FRANK F. SLOAN, DBA, HAWKEYE WOODSHAVINGS, Rte. 1, Runnells, IA 50327. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309 (515) 244-2329. Transporting *plastic products* and *such commodities* as are dealt in or used in the manufacture and distribution of plastic products, (1) between points in Morrison County, MN, on the one hand, and, on the other, points in CO, IL, IN, MO, and MT, and (2) between points in Winnebago County, WI, on the one hand, and, on the other, points in Morrison County, MN.

MC 151332 (Sub-3), filed September 8, 1982. Applicant: GARRY E. THREADGILL, d.b.a. GARRY E. THREADGILL TRUCKING CO., 16216 S. E. 135th St., Renton, WA 98056. Representative: Jim Pitzer, 15 South Grady Way, Suite 321, Renton, WA 98055-3273, (206) 235-1111. Transporting *foundry supplies, hardware items, petroleum products, clay, concrete and glass products*, between points in the U.S. (except AK and HI), under continuing contract(s) with LaGrand Industrial Supplies, of Portland, OR.

MC 155022 (Sub-3), filed September 8, 1982. Applicant: PROCHNOW FARMS, INC., Route 5, Medford, WI 54451. Representative: James A. Spiegel, Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719, 608-273-1003. Transporting *roofing granules*, between points in Marathon County, WI, on the one hand, and, on the other, points in IA, IL, IN, MN, and OH.

MC 159823 (Sub-1), filed September 8, 1982. Applicant: WESTEXPRESS, INC., 421 West Erie St., Chicago, IL 60610. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge, OH 44440, 216-652-2789. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of textiles, fabrics, and related products, between points in the U.S. (except AK and HI).

MC 163733, filed September 8, 1982. Applicant: MINCPAC, INC., Box 655, Stamford, CT 06904. Representative: Charles B. Minckler, Gray Squirrel Dr., New Canaan, CT 06840, (203) 972-1298. Transporting *passengers*, between points in the U.S. (except AK and HI).

**Volume No. OP2-226**

Decided: September 15, 1982.

By the Commission, Review Board Number 1, Members Parker, Chandler and Fortier.

MC 682 (Sub-38), filed September 9, 1982. Applicant: BURNHAM VAN SERVICE, INC., 5000 Burnham Blvd., Columbus, GA 31907. Representative: David Earl Tinker, 1000 Connecticut Ave., N.W., Suite 1112, Washington, DC 20036-5391, 202-887-5868. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S., under continuing contract(s) with Phillips Petroleum Company, of Bartlesville, OK, and its subsidiaries which are listed as follows: (a) Phillips Products Co., Inc., (b) Applied Automation, Inc., (c) Phillips Pipe Line Company, (d) Phillips Chemical Company, (e) Phillips Natural Gas Company, (f) Drilling Specialties Company, all of Bartlesville, OK, (g) Phillips Driscopipe, Inc., of Dallas, TX, (h) American Fertilizer and Chemical Co., of Henderson, Co., (i) American Thermoplastics Corporation, of Houston, TX, (j) Phillips Fibers Corporation, of Greenville, SC, (k) Sealright Co., Inc., of Kansas City, MO, (l) H.P. Smith Paper Co., of Chicago, IL, (m) Phillips Uranium Corporation, of Albuquerque, NM, (n) Phillips Coal Company, of Richardson, TX, (o) Phillips Puerto Rico Core, Inc., of Guayama, PR, (p) Phillips Extruded Products, Inc., of Voucherville, CD, (q) Phillips Pacific Chemical Company, of Spokane, WA, and (r) Interplastic Corporation, of Minneapolis, MN.

MC 2392 (Sub-142), filed September 7, 1982. Applicant: WHEELER TRANSPORT SERVICE, INC., P.O. Box 14248, West Omaha Station, Omaha, NB 68124. Representative: Robert R. Harris, 1730 M St., N.W., Suite 501, Washington, DC 20036, 202-296-2900. Transporting *commodities in bulk* (a) between points in PA, on the one hand, and, on the other, points in AL, CA, CT, GA and VA and (b) between points in GA, on the one hand, and, on the other, points in IL, KS, MN and MO.

MC 15643 (Sub-15), filed September 8, 1982. Applicant: FOUR WINDS VAN LINES, INC., 7035 Convoy Court, San Diego, CA 92138. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW, Suite 1200, Washington, DC 20423, 202-785-0024. Transporting *general commodities* (except classes A and B explosives, and commodities in bulk), between points in the U.S., under continuing contract(s) with Hewlett-Packard Company, of Palo Alto, CA. 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 to the Secretary's office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 2, Room 2379.

MC-117322 (Sub-13), filed September 3, 1982. Applicant: LESTER NOVOTNY, d.b.a. CHATFIELD TRUCKING, Chatfied, MN 55923. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402, 612-333-1341. Transporting *such commodities* as are dealt in by grocery stores and food business houses, between points in MN, WI and those points in IL on and north of U.S. Hwy. 150, on the one hand, and, on the other, those points in the U.S. in and east of MN, WY, CO and NM.

MC 134272 (Sub-8), filed September 2, 1982. Applicant: DAY & ROSS, LTD., Mapleton Rd. Moncton, New Brunswick, Canada, E0J 1N0. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101, (202) 773-5651. Transporting *agricutural chemicals*, between ports of entry on the international boundary line between the United States and Canada in ME, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Rohm and Haas Company, of Philiadelphia, PA.

MC 134612 (Sub-12), filed September 3, 1982. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Rd., Brookfield, Representative: Albert A. Andrin, 180 North La Salle St., Chicago, IL 60601, (312) 332-5106. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between those points in the U.S. in and east of ND, SD, NE, KS, OK and TX. 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 to the Secretary's office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 2, Room 2379.

MC 138703 (Sub-6), filed September 8, 1982. Applicant: BOESDORFER TRUCKING, INC., Box 245, Pleasant Plains, IL 62677. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701, 217-544-5468. Transporting *machinery and farm implements,* between points in Cass and Sangamon Counties, IL, Cass County, ND, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 140273 (Sub-37), filed August 31, 1982. Applicant: BUESING BROS. TRUCKING, INC., 2285 Daniels St., Long Lake, MN 55356. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542-1121. Transporting (1) *food and related products,* and (2) *chemicals and related products,* between points in KS and MN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 145782 (Sub-6), filed September 3, 1982. Applicant: MERCHANTS HOME DELIVERY SERVICE OF TEXAS, INC., P.O. Box 5067, Oxnard, CA 93031. Representative: David B. Schneider, 210 W. Park Ave., Suite 1120, Oklahoma City, OK 73102, (405) 232-9990. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with (1) Levitz Furniture Company of the Eastern Region, Inc., (2) Levitz Furniture Company of the Midwest, Inc., (3) Levitz Furniture Company of Texas, Inc., (4) Levitz Furniture Company of the Pacific, Inc., and (5) Levitz Furniture Company of Washington, Inc., all of Miami, FL.

MC 145793 (Sub-3), filed September 9, 1982. Applicant: EMBERS EXPRESS TRUCKING COMPANY, P.O. Box 937, Lakc City, SC 29560. Representative: Kim D. Mann, 7101 Wisconsin Ave., Suite 1010, Washington, DC 20814, 301-986-1410. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with (a) Sonoco Products Company, of Hartsville, SC, and (b) Stone Container Corporation, of Florence, SC.

MC 149333 (Sub-9), filed September 1, 1982. Applicant: RICKY SHAW & SONS TRANSPORTATION COMPANY, INC., 500 Bennington, Kansas City, MO 64125. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141, 816-842-8600. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with RJW Enterprises, of Bloomingdale, IL.

MC 152383 (Sub-6), filed September 2, 1982. Applicant: C. C. M. ENTERPRISES, INC., Suite 40, 27 Produce Dr., Cincinnati, OH 45202. Representative: John R. Mateyko (same address as applicant), (513) 621-7568. Transporting (1) *metal products,* between St. Louis, MO, and points in OH, and MI, on the one hand, and, on the other, points in CA, and those points in the U.S. in and east of MT, WY, CO, and NM, and (2) *such commodities* as are dealt in or used by distributors of grease, between points in OH, MI, IN, and PA, on the one hand, and, on the other, points in CA, and those points in the U.S. in and east of MT, WY, CO, and NM.

MC 154732 (Sub-2), filed August 30, 1982. Applicant: HARPER TRANSPORT, INC., 3313 Concord Corner, Conyers, GA 30208. Representative: Huey Harper (same address as applicant), 404-483-9262. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 156073 (Sub-1), filed September 7, 1982. Applicant: MEMOREX DISTRIBUTION AND SERVICES CORPORATION, San Thomas at Central Expressway, Santa Clara, CA 95052. Representative: John Paul Fischer, 100 Bush St., Suite 410, San Francisco, CA 94104, (415) 421-6743. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Tandy Corporation, of Santa Clara, CA.

MC 160172 (Sub-1), filed September 7, 1982. Applicant: CARMAC TRANSPORT, INC., 273 Walker Ave., Clarendon Hills, IL 60514. Representative: William J. Boyd, 2021 Midwest Rd., Suite 205, Oak Brook, IL 60521, 312-629-2900. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 162443, filed September 7, 1982. Applicant: HOLLAND BROS., INC., P.O. Box 87, Wingo, KY 42088. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956, 414-722-2848. Transporting (1) *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in Graves County, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) *machinery,* between points in Fulton County, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 162733 (Sub-1), filed September 2, 1982. Applicant: RAY ALLEN, d.b.a. RAY ALLEN TRUCKING, P.O. Box 24552, Houston, TX 77119. Representative: John W. Carlisle, P.O. Box 967, Missouri City, TX 77459, (713) 437-1768. Transporting (1) *mercer commodities,* (2) *machinery and parts,* and (3) *metal products, by-products and derivatives,* between points in the U.S. (except AK and HI).

MC 163202, filed September 2, 1982. Applicant: MIDWEST DISTRIBUTION SYSTEM, INC., 4040 West 40th St., Chicago, IL 60632. Representative: Carl L. Steiner, 29 South LaSalle St., Chicago, IL 60603, 312-236-9375. Transporting (1) *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Chicago, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI); and (2) *food and related products, pulp, paper and related products, and containers,* between points in the U.S. (except AK and HI).

MC 163463, filed August 30, 1982. Applicant: B & D ENTERPRISES, INC., 52 E. Freeport Blvd., Sparks, NV 89431. Representative: Mike Pavlakis, Box 646, Carson City, NV 89702, (702) 882-0202. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in CA, ID, NV, OR, UT and WA.

MC 163652, filed September 7, 1982. Applicant: FRED PURDY ENTERPRISES, INC., 8401 Pawnee Trail, Pinckney, MI 48169. Representative: Joseph Michael Roberts, 1730 M St. NW—Suite 501, Washington, DC 20036-4579, 202-296-2900. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Rail-Van, Inc., of Mentor, OH.

MC 163682, filed September 1, 1982. Applicant: SELECT TRUCKING CO., INC., 714 Mancill Rd., Stafford, PA

19087. Representative: Russell R. Sage, P.O. Box 11278, Alexandria, VA 22312, (703) 750-1112. Transporting *general commodities* (except household goods, and classes A and B explosives), between points in the U.S. under continuing contract(s) with (1) R. T. Vanderbilt Company, Inc., of Norwalk, CT, (2) Vanderbilt Chemical Corporation, of Murray, KY, (3) Dixie Clay Company, of Bath, SC, (4) Gouverneur Talc Company, Inc., of Gouverneur, NY, (5) Standard Mineral Company, Inc., of Robbins, NC, (6) Vanderbilt Minerals Corporation, of Beatty, NV, and (7) Vanderbilt Export Corporation, of Norwalk, CT.

MC 163683, filed September 2, 1982. Applicant: DAWDY TRUCK LINE, INC., P.O. Box 1195, Sioux City, IA 51102. Representative: James M. Dawdy (same address as applicant), (712) 258-0147. Transporting *meats, meat products, meat by-products, and articles distributed by meat packinghouses,* between points in the U.S., under continuing contract(s) with John Morrell & Co., of Chicago, IL.

MC 163722, filed September 7, 1982. Applicant: C.M.R., INC., 5865 Burgis S.E., Kentwood, MI 49508. Representative: Harold O. Orlofske, P.O. Box 368, Neenah, WI 54956, 414-722-2848. Transporting *general cbmmodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with Richard Allan Medical Industries, of Richland, MI.

MC 163732, filed September 8, 1982. Applicant: ALASKA FREIGHTERS COOPERATIVE, INC., 3416 24th and S. Alston, Fairbanks, AK 99701. Representative: Shirley A. Willford (same address as applicant), (907) 479-2468. Transporting *general commodities* (except household goods), between points in the U.S. (except HI). Condition: To the extent this certificate authorizes classes A and B explosives, it shall be limited in term to a period expiring 5 years from its date of issuance.

**Agatha L. Mergenovich,**

*Secretary.*

[FR Doc. 82-26067 Filed 9-21-82; 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-202

The following applications were filed in Region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board, 211 Main St., Suite 501, San Francisco, CA 94105.

MC 99388 (Sub-6-1TA), filed September 10, 1982. Applicant: ALLTRANS EXPRESS U.S.A., 1335 6th St., San Francisco, CA 94107. Representative: Thomas R. Tuite, (same as applicant). *General Commodities, in ocean containers, having immediately prior or subsequent movement by water,* (1) Between Los Angeles, Los Angeles Harbor or Long Beach, CA on the one hand; and Oakland, San Francisco, Richmond or Stockton CA on the other for 270 days.

Note.— Applicant proposes to serve the Commercial zones of the above named points. Supporting shippers: Trident Navigation Company, Inc. Agent Yang Ming Lines, 332 Pine St, San Francisco, CA 94104: Pacific Oriental Terminal Company, Pier 27, San Francisco, CA.

MC 163818 (Sub-6-1TA), filed September 13, 1982. Applicant: C.P.H. TRANSPORT, INC., P.O.B 950. Florence, OR 97439. Representative: Robert H. Foster, Larry O. Gildea, P.C., 342 East 12th Ave., Eugene, OR 97401. *Forest Products, lumber and wood products,* and *pulp, paper and related products* between points in OR on the one hand and points in CA, ID, NV, UT, and WA on the other for 270 days. Supporting shipper: SeaTerm Services, Inc., P.O.B. 748, North Bend, OR 97459.

MC 42487 (Sub-6-71TA), filed September 13, 1982. Applicant: CONSOLIDATED FREIGHTWAYS, Corporation of Delaware, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Contract Carrier,* irregular routes: *General commodities,* (except Classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Ingersoll-Rand Company of Piscataway, NJ and its wholly owned subsidiaries, for 270 days. Supporting shipper(s); Ingersoll-Rand Company, 91 New England Ave., Piscataway, NJ 08854.

MC 163819 (Sub-6-1TA), filed September 13, 1982. Applicant: J & L FARMS, INC., 22239 S. 118th St., Chandler, AZ 85224. Representative: David Robinson and Lewis P. Ames, 2228 West Northern Ave., Suite B201, Phoenix, AZ 85021. *Fertilizer and fertilizer ingredients, feed and feed ingredients, cottonseed cake and meal, hay cubes and pellets in bulk or bags,* between points in AZ, CA, CO, ID, MT, NV, NM, OR, TX UT, WA and WY, restricted to the transportation of these commodities in walking floor trailers for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Aztec Feeds, 116 West Broadway, Mesa, AZ 85202; Western Farm Service, 3075 Citrus Circle, Suite 195, Walnut Creek, CA 94598.

MC 163798 (Sub-6-1TA), filed September 10, 1982. Applicant: HUNTSMAN AG. SERVICE, P.O. Box 189, Enterprise, UT 84725. Representative: Nicholas Huntsman (same address as applicant). *Building materials* between points in Los Angeles, Orange, Riverside and San Bernardino counties of CA, to points in UT and NV for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: There are (5) five supporting shippers. Their statements may be examined at the Regional office listed.

MC 129031 (Sub-6-1TA), filed September 13, 1982. Applicant:

KLAUSNER TRANSPORTATION CO, INC., 101 N. Ave. 18, Los Angeles, CA 90031. Representative: William Davidson, 5501 Pacific Blvd. Suite 200, Huntington Park, CA 90255. *Contract Carrier,* Irregular Routes: *Wearing apparel on hangers,* and such *commodities as are dealt in by retail department* and *retail chain stores;* Between Los Angeles CA Commercial Zone and points and places in the U.S. for 270 days. Supporting shippers: Transportation Alternatives Company 615 E Alondra Blvd, Gardena, CA; Orient GOH Uni-freight Systems, 22560 Lucerne St., Carson, CA.

MC 163789 (Sub-6-1TA), filed September 10, 1982. Applicant: LCI TRUCKING CO., P.O. Box 2177, Upland, CA 91786. Representative: Jim Pitzer, 15 South Grady Way—Suite 321, Renton, WA 98055-3273. (1) *Commodities as may be dealt in or used by wholesale or retail stores:* (2) *General Commodities* (excluding classes A or B explosives and household goods); between points in AK, CA, OR, WA, for 270 days. There are 5 supporting shippers. Their statements may be examined at the Regional office shown above.

MC 150255 (Sub-6-4TA), filed September 10, 1982. Applicant: LEPRINO TRANSPORTATION COMPANY, 3740 Shoshone St., Denver, CO 80211. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202-3357. *Contract carrier,* irregular routes: *Alcoholic beverages and liquor,* from St. Louis, MO, Seattle, WA, Phoenix, AZ, La Crosse, WI, Omaha, NE, and Ripon and Long Beach, CA to the facilities of C & C Distributing Company at Denver, CO, under continuing contract(s) with C & C Distributing Company of Denver, CO, for 270 days. Supporting shipper: C & C Distributing Company, 6275 E. 39th Ave., Denver, CO 80216.

MC 730 (Sub-6-19TA), filed September 13, 1982. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 8004, Walnut Creek, CA 94596. Representative: Alfred G. Krebs (same address as applicant). *Contract,* irregular; *General commodities* (except Class A and B explosives, household goods and commodities in bulk) between points in the U.S. (except AK and HI), under continuing contract(s) with North American Philips Corporation and subsidiaries, for 270 days. Supporting shipper North American Philips of 100 E. 42nd Street, New York, NY 10017

MC 163831 (Sub-6-1TA), filed September 13, 1982. Applicant: RAIL-TRAIL CO., 3203 Third Ave. North, Suite 301, Billings, MT 59101. Representative: Mr. Gene Radermacher, 3203 Third Ave. North, Suite 301, Billings, MT. *Contract carrier:* Irregular routes: *freight all kinds,* (except commodities in bulk, household goods and hazardous materials), having a prior and/or subsequent interstate rail haul Between Billings and Laurel, MT, on the one hand, and all points in MT and WY on the other; Between Fargo, ND, on the one hand, and all points in SD, ND and MN on the other; Between Spokane, WA, on the one hand, and all points in WA, ID, OR and MT on the other; Between Denver, CO, on the one hand, and all points in CO, NE and WY on the other, under continuing contract(s) with Burlington Northern Railroad, for 270 days. Supporting shipper: Burlington Northern Railroad, 2100 Executive Tower, 1405 Curtis St., Denver, CO 80202.

MC 54567 (Sub-6-4TA), filed September 13, 1982. Applicant: RELIANCE TRUCK CO., 2500 N. 24th Ave., Phoenix, AZ 85009. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014. *Oil refinery; parts and sections thereof,* from the Conoco Refinery site near Carlton, MN to the Tonkawa Refinery site near Arnett, OK, for 270 days. Supporting shipper: American General Constructers, Inc., P.O. Box 207, Carlton, MN 55718.

MC 163830 (Sub-6-1TA), filed September 13, 1982. Applicant: RICO L CORPORATION, P.O. Box 1878, Grants Pass, OR 96526. Representative: Rich Gallagher, P.O. Box 1346, Grants Pass, OR 97526, *Equipment and machinery* from, to or between all points in Curry, Jackson, Klamath, Josephine, Doulgas, Deschutes Counties, OR: Del Norte, Siskiyou, Modoc, Humboldt, Shasta, Lassen, Tehama, and Trinity Counties, CA, for 270 days. Supporting shippers: There are eleven shippers. Their statements may be examined at the Regional Office listed above.

MC 151853 (Sub-6-2TA), filed September 13, 1982. Applicant: DONALD L. SHIRLEY, 5242 West Via Camille, Glendale, AZ 85306. Representative: James F. Crosby, 7363 Pacific St., Suite 210B, Omaha, NE 68114. *Beer,* from Portland, OR to Indio, CA (and points in their commercial zones), for 270 days. An underlying ETA seeks 120-day authority. Supporting shipper: Sun Gold Distributing Co., 83-912 Ave. 45, Suite F, Indio, CA 92201.

MC 161974 (Sub-6-2TA), filed September 10, 1982. Applicant: TRIDENT TRUCK LINE, INC., P.O. Box 4030, Hayward, CA 94540. Representative: Manuel R. Senna (same as applicant). *Contract Carrier,* irregular routes: (1) *food industry equipment and meat packers supplies,* between AZ, CA, NV, OR and WA, under continuing contract with S. Blondheim & Co., Inc.; (2) *electrical switchboards, circuits and components,* between AZ, CA, NV, OR and WA under continuing contract with Industrial Electric Manufacturing, Inc.; (3) *truck parts and related equipment,* between AZ, CA, NV, OR and WA, under continuing contract with Dana Corporation; and (4) *forgings, marine hardware, turnbuckles, block assemblies, clevises and related articles,* between CA, NV, OR and WA, under continuing contract with Gardiner Manufacturing Co., for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: S. Blondheim & Co. Inc., 2444 Cypress St., Oakland, CA 94623; Dana Corp., 3390 Enterprise Ave., Hayward, CA 94545; Industrial Electric Mfg. Inc., 982 Washington Blvd., Fremont, CA 94539; Gardiner Mfg. Co., 2711 Union St., Oakland, CA 94607.

MC 163832 (Sub-6-1TA), filed September 13, 1982. Applicant: RANDY YTTRI TRUCKING, 9218 Iverson Rd., Sohomish, WA 98290. Representative: James E. Wallingford, P.O. Box 2647, Spokane, WA 99220. Contract Carrier irregular routes transporting *building materials and office and kitchen cabinets and parts thereof* between points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA & WY, for 270 days. Supporting shippers: Cascade Cabinet Company, 21415—87th Ave., SE, Woodinville, WA 98072; and Western Cabinet and Millwork, 15300 Woodinville-Redmond Rd., NE, Woodinville, WA 98072.

**Agatha L. Mergenovich,**

*Secretary.*

[FR Doc. 82-26068 Filed 9-21-82; 8:45 am]

BILLING CODE 7035-01-M

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**[Ex Parte No. 387 (Sub-264)]**

## Rail Carriers; the Atchison, Topeka and Santa Fe Railway Co., Exemption for Contract Tariff ICC-ATSF-C-0114 (Fertilizer)

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

**DATE:** Protests are due within 15 days of publication in the **Federal Register.**

**ADDRESS:** An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Douglas Galloway (202) 275-7278.

**SUPPLEMENTARY INFORMATION:** The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions:

This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Decided: September 15, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Taylor is assigned to this Division for the purpose of resolving tie votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

**Agatha L. Mergenovich**

*Secretary.*

[FR Doc. 82-26062 Filed 9-21-82; 8:45 am]

**BILLING CODE 7035-01-M**

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**[Docket No. AB-6 (Sub-121)]**

## Rail Carriers; Burlington Northern Railroad Co.—Abandonment—In Dunklin County, Mo; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that the Commission, Review Board Number 3, has issued a certificate authorizing the Burlington Northern Railroad Company to abandon its rail line between Kennett, near railroad milepost 231.5 and Holcomb, near railroad milepost 242.5, a distance of 11 miles in Dunklin County, MO, subject to certain conditions. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on the applicant, with copies to Louis E. Gitomer, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

**Agatha L. Mergenovich,**

*Secretary.*

[FR Doc. 82-26065 Filed 9-21-82; 8:45 am]

**BILLING CODE 7035-01-M**

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**[Ex Parte No. 387 (Sub-258)]**

## Rail Carriers; Chicago, Milwaukee, St. Paul and Pacific Railroad Co., Exemption for Contract Tariff, ICC-MILW-C-0216 (Iron and Steel Articles)

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

**DATE:** Protests are due within 15 days of publication in the **Federal Register.**

**ADDRESS:** An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Douglas Galloway (202) 275-7278.

**SUPPLEMENTARY INFORMATION:** The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions:

This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Decided: September 15, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Taylor is assigned to this Division for the purpose of resolving tie votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

**Agatha L. Mergenovich,**

*Secretary.*

[FR Doc. 82-26063 Filed 9-21-82; 8:45 am]

**BILLING CODE 7035-01-M**

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**[Ex Parte No. 387 (Sub-260)]**

## Southern Pacific Transportation Co.; Exemption for Contract Tariff, ICC-SP-C-0189 (Pulpboard)

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

**DATES:** Protests are due within 15 days of publication in the **Federal Register.**

**ADDRESS:** An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Douglas Galloway (202) 275-7278.

**SUPPLEMENTARY INFORMATION:** The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions:

This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Decided: September 15, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Taylor is assigned to this Division for the purpose of resolving tie votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

Agatha L. Mergenovich

*Secretary.*

[FR Doc. 82-26064 Filed 9-21-82; 8:45 am]

BILLING CODE 7035-01-M

## UNITED STATES INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-122]

### Certain Miniature, Battery-Operated, All-Terrain, Wheeled Vehicles; Notice of Commission Request for Comments Regarding Proposed Termination of Respondents Based on a Settlement Agreement

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Request for public comments on proposed termination of investigation as to three respondents based on a settlement agreement.

**SUMMARY:** The settlement agreement would result in the termination of this investigation as to respondents LJN Toys, Ltd. (LJN), LJN Toys (Hong Kong), Ltd. (LJN HK) and Universal International (Holdings) U.S.A. Ltd. (Universal). This notice requests comments from the public on the proposed termination of these respondents.

**DATES:** Comments will be considered if received within 15 days of publication of this notice. They should conform with section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR § 201.8), and should be addressed to Kenneth R. Mason, Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436. Under the authority of section 201.4(b) of the Commission's rules (19 CFR § 201.4(b)), the period for filing comments has been shortened to 15 days from the 30 days prescribed by section 210.51(c)(2) of the Commission's rules (19 CFR § 210.51(c)(2)) because of the short time remaining for the completion of the investigation.

**SUPPLEMENTARY INFORMATION:** This investigation is being conducted under section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) and concerns alleged unfair trade practices in the importation into and sale in the United States of certain miniature, battery-operated, all-terrain, wheeled vehicles. Notice of the institution of the investigation was published in the **Federal Register** of May 19, 1982 (47 FR 21638). An amendment to the notice of investigation was published in the **Federal Register** of August 11, 1982 (47 FR 34864).

On July 19, 1982, complainants Schaper Manufacturing Co., Division of Kusan, Inc. (Schaper) and A. Eddy Goldfarb, d.b.a. A. Eddy Goldfarb and Associates (Goldfarb) and respondents LJN, LJN HK and Universal jointly moved to terminate this investigation as to those respondents pursuant to a settlement agreement. The Commission investigative attorney filed a response to the motion which supports termination. On August 19, 1982, the presiding officer recommended that the joint motion be granted.

**SUMMARY OF SETTLEMENT AGREEMENT:** The settlement agreement provides that:

1. Certain related concurrent litigation is to be terminated by the execution and filing of Consent Judgments which are annexed to the settlement agreement.

2. The Commission's investigation as to respondents LJN, LJN HK and Universal is to be terminated on the basis of the settlement agreement pursuant to a joint motion to terminate.

3. Complainant Schaper is to grant and does grant a nonexclusive license to respondents LJN and LJN HK permitting them to "manufacture, have manufactured for them, export to the United States, import into the United States, offer for sale, distribute and sell throughout the world miniature toy vehicles" under the terms of a license agreement which is annexed to the settlement agreement. The subject matter of the license agreement is certain proprietary rights relating to "toy vehicles", including U.S. Patent No. 4,306,375, other patents, designs, copyrights, and rights to trade dress and indicia of source or origin, but excluding trademarks, asserted or potentially assertable as of June 30, 1982, against those respondents. Corresponding foreign rights are also granted to the extent they do not conflict with those preexisting exclusive licensees. The royalty is payable in equal shares to both complainants and includes an initial lump sum minimum royalty payment and a running royalty expressed as a percentage of net selling price, which declines over time. In addition, certain other payments are to be made over the duration of the license agreement to both complainants and an advertising campaign is to be conducted during 1983 to promote the sale of toy vehicles under the license agreement. The license agreement states that "it is intended that the definition of Toy Vehicle and the basis for royalty payments be broader than the scope of rights granted." The term of the license is coincident with the term of United States Patent No. 4,306,375 and other proprietary rights granted, but will continue at least through December 31, 1984. The respondents may not sublicense nor may they assign the rights granted except to a successor of their entire business as a going concern. The license agreement includes a most-favored licensee clause.

4. Complainants and the moving respondents mutually release one another from any and all claims which have been or might have been asserted by them relating to "miniature toy vehicles" through June 30, 1982, the release by complainants being subject to the rights of any preexisting exclusive licensees of complainant Schaper under its foreign rights.

5. Respondents LJN, LJN HK and Universall acknowledge and agree that all past use or future use by them under license of complainants Schaper's trade dress and indicia of origin in the configuration of "toy vehicles" shall innure to the benefit of Schaper.

6. The parties will issue a joint press release annexed to the settlement agreement which announces the settlement and will otherwise take steps to make the settlement known.

**WRITTEN COMMENTS REQUESTED:** In order to discharge its statutory obligation to consider the public interest, the Commission seeks written comments from interested persons regarding the proposed termination of this investigation based on the settlement agreement on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) the production of like or directly competitive articles in the United States, and (4) U.S. consumers. All written comments must be filed with the Secretary to the Commission no later than 15 days after the publication of this notice in the **Federal Register**. In addition, pursuant to 19 CFR § 210.14(a)(2), the Commission has requested comments from the Department of Health and Human Services, the Department of Justice, the Federal Trade Commission, and the U.S. Customs Service.

**ADDITIONAL INFORMATION:** The original and 14 copies of all written submissions must be filed with the Secretary to the Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0161. Any person desiring to submit

a document (or portion thereof) to the Commission in confidence must request *in camera* treatment. Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons the Commission should grant such treatment. The Commission will either accept the submission in confidence or return it. All nonconfidential written submissions will be available for public inspection at the Secretary's Office.

**FOR FURTHER INFORMATION CONTACT:** Wayne W. Herrington, Esq., Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436; telephone 202-523-0480.

Issued: September 17, 1982.

By order of the Commission.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 26122 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigation No. 731-TA-46 (Final)]**

## Certain Steel Wire Nails From The Republic of Korea; Errata

In reference to Views of the Commission on Inv. No. 731-TA-46 (Final) published in 47 FR 34864 on August 11, 1982, the first sentence which reads:

On the basis of the record, we have found that there is a reasonable indication that a domestic industry is materially injured by reason of imports of steel wire nails from Korea, which the Department of Commerce has found to be sold in the United States at less than fair value.

Should be changed to read:

On the basis of the record, we have found that a domestic industry is materially injured by reason of imports of steel wire nails from Korea, which the Department of Commerce has found to be sold in the United States at less than fair value.

Dated: September 14, 1982.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 82-26119 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigation No. 337-TA-124]**

## Certain Textile Spinning Frames and Automatic Doffers Therefor; Notice

Notice is hereby given that the oral presentations scheduled for September 30, 1982 (47 FR 39748, September 9, 1982) are cancelled.

The Secretary shall publish this Notice in the **Federal Register.**

Issued: September 14, 1982.

**Janet D. Saxon,**

*Administrative Law Judge.*

[FR Doc. 82-26116 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigations Nos. 701-TA-187 (Preliminary) and 731-TA-100 (Preliminary)]**

## Certain Tool Steels From Brazil and West Germany; Determinations

### Determinations

On the basis of the record[1] developed in investigation No. 701-TA-187 (Preliminary), the Commission determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a)), that there is a reasonable indication that an industry in the United States is materially injured or is threatened with material injury by reason of imports of tool steel bar and rod provided for in items 606.9300, 606.9400, 606.9505, 606.9510, 606.9520, 606.9525, 606.9535, 606.9540, 607.2800, 607.3405, 607.3420, 607.4600, 607.5405, and 607.5420 of the Tariff Schedules of the United States Annotated (TSUSA), which are alleged to be subsidized by the Government of Brazil.[2,3]

On the basis of the record[1] developed in investigation No. 731-TA-100 (Preliminary), the Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured or is threatened with material injury by reason of imports from West Germany of tool steel bar and rod provided for in items 606.9300, 606.9400, 606.9505, 606.9510, 606.9520, 606.9525, 606.9535, 606.9540, 607.2800, 607.3405, 607.3420, 607.4600, 607.5405, and 607.5420 of the Tariff Schedules of the United States Annotated (TSUSA), which are alleged to be sold in the United States at less than fair value (LTFV).[2,3]

### Background

On July 30, 1982, a petition was filed with the U.S. International Trade Commission and the U.S. Department of Commerce by counsel for Al Tech Specialty Steel Corp., Continental Copper & Steel Industries Inc. (Braeburn Alloy Steel Division), Carpenter Technology Corp., Columbia Tool Steel Company, Colt Industries, Inc. (Crucible Specialty Metals Division), Cyclops Corp., Guterl Special Steel Corp., Jessop Steel Company, Latrobe Steel Company, and the Untied Steelworkers of America (AFL-CIO/CLC), alleging that producers, manufacturers, or exporters of tool steel bar and rod in Brazil receive, directly or indirectly, subsidies from the Brazilian Government and that the U.S. industry producing these products is materially injured and is threatened with material injury by reason of the subsidized imports from Brazil. Accordingly, the Commission instituted countervailing duty investigation No. 701-TA-187 (Preliminary) under section 703(a) of the Tariff Act of 1930 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 of such merchandise from Brazil.

On July 30, 1982, a second petition was filed by counsel on behalf of the same group of petitioners with the Commission and the Department of Commerce alleging that tool steel bar and rod from the Federal Republic of Germany are being, or are likely to be, sold in the United States at LTFV and that the U.S. industry producing these products is materially injured, or threatened with material injury, by reason of LTFV imports from the Federal Republic of Germany. Accordingly, the Commission instituted antidumping investigation No. 731-TA-100 (Preliminary) under section 733(a) of the Tariff Act of 1930 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 of such merchandise from the Federal Republic of Germany.

Notice of the institution of the Commission's investigations and of the public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, D.C., and by publishing the notice in the **Federal Register** of Aug. 11, 1982 (47 FR 34868). The conference was held in Washington, D.C. on August 23, 1982, at which time all persons who requested the opportunity were permitted to appear in person or by counsel. The

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[1] The "record" is defined in sec. 207.2(i) of the Commission's Rules of Practice and Procedure (47 FR 6190, Feb. 10, 1982).

[2] Commissioner Haggart determines only that there is a reasonable indication that an industry in the United States is materially injured.

[3] Commissioner Calhoun did not participate in this investigation.

Commission voted on these investigations on September 8, 1982.

**Views of the Commission** [4]

*Introduction*

We deterimne, pursuant to section 703(a) of the Tariff Act of 1930 (hereinafter the Act),[5] that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury [6] by reason of imports o tool steel bar and rod which are alleged to be subsidized by the Government of Brazil.[7 8 9 10] Further, we determine, pursuant to section 733(a) o the Act,[11] that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury 6 by reason of imports of tool steel bar and rod from West Germany which are alleged to be sold at less than fair value.[12 13]

*Domestic Industry*

Section 771(4)(A) of the Act defines the term "industry" as the "domestic producers as a whole of a like product or those producers whose collective output of the like product constitutes a major portion of the total domestic production of that product." [14] Section 771(10) defines "like product," in turn, as a "product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation." [15]

The imported articles which are the subject of these investigations are tool steel bar and rod. Both imported and domestic tool steel bar and rod are alloy steels used in tools for cutting, shaping, forming, and blanking of materials at either ordinary or elevated temperatures. Tool steels are capable of being hardened and tempered, and are used in those products requiring hot-hardness, wear resistance, and toughness.[16] Types of tool steels vary in chemical composition and in form of finishing, depending upon the final use to which the steel will be put. The production of all tool steels (regardless of chemical composition) occurs on the same production line initially, with some differing procedures occurring during the final stages of production to achieve the desired physical characteristics. These characteristics of each type of tool steel are such as to permit some substitutability. Therefore, for purposes of this preliminary investigation, we have not differentiated among the different specifications of tool steel in our like product analysis.[17]

Tool steel is imported and produced domestically as both bar and rod, although almost all tool steel consists of bar. Bar and rod have certain distinguishable characteristics, namely that rod is always produced in coils and not cut to length while bar is cut to length. Bar can also be made by cutting rod to length. The production process for both bar and rod is similar. However, there are limitations on the diameter possible for rod, and therefore, it may not be suitable for some end uses where a larger diameter of steel is required. We have determined for purposes of this preliminary investigation, that there are two "like products" corresponding to imported bar and imported rod, and accordingly, two corresponding industries producing these products.[18 19 20]

In this preliminary investigation, the information available to the Commission is essentially on a combined basis for bar and rod.[21] Separate data are not maintained for bar and rod operations. Therefore, for purposes of assessing the effect of the allegedly subsidized or LTFV imports in these investigations, we have used the data regarding the domestic product line which includes both bar and rod pursuant to section 771(4)(D) of the Act.[22]

*Material Injury by Reason of LTFV or Subsidized Imports*

In a preliminary investigation, the Commission is directed by title VII of the Tariff Act of 1930 to determine, based upon the best information available at the time of the determination, 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 of the merchandise that is the subject of the investigation.[23]

Section 717(7) of the Act directs the Commission to consider, in making its determination, among other factors, (1) the volume of imports of the merchandise under investigation, (2) their impact or domestic prices and (3) the consequent impact on the domestic industry.[24]

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[4] Commissioner Calhoun did not participate in these investigations.

[5] 19 U.S.C. § 1671b(a).

[6] Commissioner Haggart determines only that there is a reasonable indication of material injury, and therefore does not reach the issue of threat of material injury.

[7] Retardation of establishment of an industry in the United States is not an issue in these investigations and will not be disucssed further.

[8] We have made these determinations on a case-by-case basis. Should either of the affirmative preliminary cases return for final determinations, however, we do not preclude cumulation of the imported products if the record developed shows that such cumulation is appropriate.

[9] For a further disucssion of related cumulation issued by Commissioner Stern, *see* Stainless Steel Sheet and Strip from West Germany, inv. No. 731-TA-92 (Preliminary), USITC Pub. No. 1252, pp. 7-10 (1982).

[10] Commissioner Frank disagrees with the other Commissioners in this opinion. He believes that cumulation of like products from Brazil and West Germany is appropriate now and thee is no need to separate imports of tool steel bar and rod or make it difficult to anlayze available financial or other data.

Commissioner Frank notes that a low threshold applies in preliminary investigations. His views on this are discussed in Certain Steel Products from Belgium, France, Italy, Luxembourg, the Netherlands, Romania, the United Kingdom, and West Germany, inv. Nos. 701-TA-86 (Preliminary), *et al.*, USITC Pub. No. 1221, Vol. 1 (1982).

[11] 19 U.S.C. § 1673b(a).

[12] *See* footnote page 4.

[13] *See* footnote page 4.

[14] 19 U.S.C. § 1677(4)(A).

[15] 19 U.S.C. § 1677(10).

[16] For a description of these qualities, *see* Report, p. A-9.

[17] During the course of the investigations, counsel for the Brazilian and West German importers alleged that certain types of tool steel are not produced in the United States and, therefore, that imports of these steels could not injure a domestic industry. For one of these products, West German mold steel, the Commission has ascertained that there is production of such steel in the United States. It likewise appears that there may also be U.S. production of the other tool steels cited by those in opposition to the petition.

[18] It appears that most of the domestic producers of bar also produce rod as well. Producers of either bar or rod of both are as follows: Al Tech Specialty Steel Corp.; Braeburn Allow Steel Division, Continental Copper and Steel Industries, Inc.; Columbia Tool Steel Co.; Crucible Specialty Metals Division, Colt Industries, Inc.; Jessop Steel Co.; Latrobe Steel Co.; Carpenter Technology Corp.; Cyclops Corp.; and Cuterl Special Steel Corp.; National Forge Co.; Electrolloy Steel Co.; A. Finkl & Sons; Champaion Steel Co.; and Copperweld Steel Co.

[19] We emphasize that the definition of the domestic industry in this preliminary investigation is based on the information now available. Based on the record developed in any final investigation, a different definition of the domestic industry is not precluded.

[20] Commissioner Frank determines that despite some of the pre-finishing production processes being slightly different, tool steel bar and rod (which are alloy steels) are like products and does not find two like products. He considers minor chemical composition or end-uses not to be important enough differences to require finding two like products where one like product should be found.

[21] At the conference and in their post-conference briefs, those opposed to the petition argued that tool steel plate should be considered as part of the domestic industry. Tool steel plate may be an intermediate product in the production of bar as well as in the production of other shapes and products, such as octogons and stamping dies, or it may be sold by the producers directly. Plate that is produced and cut into bars by the U.S. tool steel producers has been included in the domestic industry data.

[22] 19 U.S.C. § 1677(4)(D).

[23] 19 U.S.C. §§ 1671b, 1673b.

[24] 19 U.S.C. § 1677(7).

*Condition of the Domestic Industry*

The condition of the domestic tool steel industry has been deteriorating since 1979, and this downward trend has quickened in the first half of 1982. Although domestic capacity to produce tool steels has remained relatively constant during the 1979–1982 period, shipments by U.S. producers have declined steadily from 94,560 tons in 1979 to 67,360 tons in 1981. Domestic producers' share of the U.S. market declined from 78.4 percent in 1979 to 69.9 percent in 1981.[25] Comparing the first half of 1981 to the first half of 1982, U.S. producer shipments declined more than 9,000. For the period 1979–1981, capacity utilization fell from 62 percent to 53 percent and from January–June 1981 to January–June 1982, capacity utilization declined again from 53 percent to 33 percent.[26]

While the levels of inventories reported by the U.S. producers declined between 1978 and 1981, the number of days' supply in inventory has steadily increased, reflecting the reduced levels of sales.[27]

Employment patterns have exhibited a steadily downward trend. Employment among production and related workers declined 17 percent from 1979 to 1981. From January–June 1981 to January–June 1982, the decline was 26 percent. The number of hours paid—a useful indicator of employment trends in an industry with reduced production—fell by more than 20 percent between 1979 and 1981, and by more than 30 percent during the first half of 1982 as compared with first half of 1982.[28]

Financial performance information reported to the Commission was provided by producers accounting for 70 percent of domestic production. Sales, gross profits, and net profits before taxes fell steadily between 1979 and 1981. As with other factors discussed above, sales, gross profits, and net profits declined precipitously from January–June 1981 to the corresponding period of 1982. The number of domestic firms reporting operating losses more than doubled from January–June 1981 to January–June 1982.[29] [30]

*Reasonable Indication of Material Injury or Threat of Material Injury*[31] *by Reason of Imports from Brazil*

Imports from Brazil rose from negligible amounts in 1979 to 1,751 tons in 1981. From January–June 1981 to January–June 1982 imports rose from 311 tons to 1,637 tons. In addition, the percentage of domestic consumption represented by imports from Brazil increased from less than .05 percent in 1979 to 1.9 percent in 1981. From January–June 1981 to January–June 1982, the percentage of domestic consumption represented by imports Brazil increased from 0.7 percent to 3.7 percent.[32]

This investigation also showed that Brazilian tool steel undersold comparable domestic tool steel in nearly every quarter for which a comparison is available. Margins of underselling ranged from 3 to 26 percent. Price was found to be a major consideration in the purchase of tool steel bar and rod.[33]

With regard to threat, we base our determination on the above factors as well as the following information. Brazil's total exports of tool steel products increased 13.9 percent from 1980 to 1981, even though Brazilian production declined over that period.[34] Brazil has gone from being the 12th largest source of U.S. imports of tool steel in 1979 to the fifth largest in 1981. For the priod January–June 1982, Brazil was the forth largest supplier of U.S. imports.[35] The record indicates that Brazil's two leading producers of specialty steel have both increased their capacities in 1980 and 1981. One of these companies is participating in a government program to promote exports and the principal targets of this effort include, in particular, the United States market.[36] [37]

*Reasonable Indication of Material Injury or Threat of Material Injury*[38] *by Reason of Imports From West Germany*

Imports from West Germany more than tripled from 1979 to 1981. From January–June 1981 to January–June 1982, imports from West Germany more than doubled. As a percentage of apparent U.S. consumption, imports from West Germany increased from 1.7 percent in 1979 to 7.4 percent in 1981. From January–June 1981 to January–June 1982, imports from West Germany as a percentage of apparent U.S. consumption increased from 5.3 to 11.1 percent. By June 1982, West Germany had become the largest source of U.S. tool steel imports.[39]

Price comparisons revealed that West German tool steel bar and rod has undersold domestic tool steel bar and rod by significant margins in most instances. Margins of underselling ranged from 3 to 45 percent.[40] Lost sales information confirms the importance of price to purchasers. The Commission was able to confirm three instances of lost sales and in each case purchasers indicated that price was a major consideration. In two cases, purchasers indicated that domestic producers lowered their prices to meet the West German price.[41]

With regard to threat, we base our determination on the above factors as well as the following information. Imports from West Germany have increased since 1979, and the rate of increase in imports from West Germany appears to be accelerating. Information on West German productive capacity is not available at this time and we believe that further information should be available in the event of a final investigation.[42]

*Conclusion*

Our investigation reveals that the domestic industry is losing market share, its sales are decreasing, and its financial position is deteriorating. At the same time, imports from both Brazil and West Germany are increasing, both in absolute numbers and in market share. Imports from both Brazil and West Germany undersell the domestic product by significant margins. Historically, Brazilian production has been directed toward the U.S. market and Brazilian capacity has been increasing.[43] Imports from West Germany have likewise steadily increased and that country is now the largest single source of imports.[44] Therefore, we conclude that there is a reasonable indication that the domestic tool steel industry is materially injured or threatened with material

[25] Report, p. A-31.

[26] Report, pp. A-18-20.

[27] Report, p. A-20.

[28] Report, pp. A-21-23.

[29] Report, p. A-24.

[30] The number of firms reporting losses in 1982 accounted for nearly one third of domestic tool steel production.

[31] *See* footnote 6, page 4.

[32] Report, p. A-31.

[33] Report, pp. A-45, A-40, A-42-44.

[34] Report, p. A-29.

[35] Report, p. A-31.

[36] Report, pp. A-29-30.

[37] Commissioner Frank notes that there is not adequate domestic demand in Brazil or in third countries' markets to utilize this increased Brazilian capacity according to preliminary investigation findings.

[38] *See* footnote 6, page 4.

[39] Report, pp. A-31 and A-35.

[40] Report, pp. A-40 and A-42-44.

[41] Report, p. A-47

[42] Commissioner Frank notes that there appears to be inadequate alternative demand in domestic West Germany or third countries' markets to utilize available unused capacity.

[43] Commissioner Frank notes that such imports will have harmful impacts on the domestic tool steel industry and on prices the industry can obtain.

[44] Commissioner Frank notes that harm to domestic producers and their prices appears to be probable.

injury by reason of the allegedly subsidized imports of tool steel bar and rod from Brazil and by reason of tool steel bar and rod imports from West Germany which are allegedly sold at less than fair value.

Issued: September 13, 1982.

By Order of the Commission.

Kenneth R. Mason,

*Secretary.*

[FR Doc. 82-26115 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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[TA-201-47]

## Heavyweight Motorcycles, Engines, and Power Train Subassemblies; Investigation and Hearing

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of an investigation under section 201 of the Trade Act of 1974 (19 U.S.C. § 2251) to determine whether motorcycles having engines with total piston displacement over 700 cubic centimeters (cc) and engines and power train subassemblies therefore (whether imported separately or in combination), and parts of such engines and subassemblies, all the foregoing provided for in items 692.50, 660.56, 660.67, and 692.55 of the Tariff Schedules of the United States, are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing articles like or directly competitive with the imported articles.

For the purposes of this investigation, the term "power train subassemblies" covers transmissions and the other parts of a motorcycle which transmit power from the engine to the rear wheel.

**EFFECTIVE DATE:** September 16, 1982.

**FOR FURTHER INFORMATION CONTACT:** Daniel Leahy, Senior Investigator, U.S. International Trade Commission, Washington, D.C. 20436 (202-523-1369).

**SUPPLEMENTARY INFORMATION:**

*Background.*—The investigation (No. TA-201-47) was instituted following receipt of a petition on September 1, 1982, filed on behalf of Harley-Davidson Motor Co., Inc., and Harley-Davidson York, Inc. This investigation is governed by the Commission's Rules of Practice and Procedure, part 201 (19 CFR § 201) and part 206, subparts A and B (19 CFR § 206, subparts A and B).

*Public hearing.*—A public hearing in connection with this investigation will be held in Washington, D.C., at 9:30 a.m., on Tuesday, November 30, 1982, in the Hearing Room, U.S. International Trade Commission Building, 701 E Street, NW. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission at his office in Washington no later than the close of business Friday, November 19, 1982.

*Prehearing procedures.*—To facilitate the hearing process, it is requested that persons wishing to appear at the hearing submit prehearing briefs enumerating and discussing the issues which they wish to raise at the hearing. An original and fourteen copies of such prehearing briefs should be submitted to the Secretary no later than the close of business Monday, November 22, 1982 (19 CFR § 201.8). Confidential submissions should be in accordance with the requirements of section 201.6 of the Commission's rules (19 CFR § 201.6). Copies of any prehearing briefs submitted will be made available for public inspection in the Office of the Secretary. Any prepared statements submitted will be made a part of the transcript. Oral presentations at the hearing should, to the extent possible, be limited to issues raised in the prehearing briefs.

A prehearing conference will be held on Wednesday, November 24, 1982, at 10 a.m., in Room 117 of the U.S. International Trade Commission Building.

Persons not represented by counsel or public officials who have relevant matters to present may give testimony without regard to the suggested prehearing procedures outlined above.

*Other written submissions.*—Other written submissions should be filed with the Secretary to the Commission not later than December 6, 1982. Commercial or financial data which are confidential should be clearly marked "Confidential Business Information" and should be submitted in accordance with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR § 201.6). Submissions should also conform to the general requirements of section 201.8 of the Commission's rules (19 CFR § 201.8).

*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.

Issued: September 17, 1982.

By order of the Commission.

Kenneth R. Mason,

*Secretary.*

[FR Doc. 82-26112 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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[Investigation No. 701-TA-87 (Final)]

## Hot-Rolled Carbon Steel Plate From Brazil

**AGENCY:** United States International Trade Commission.

**ACTION:** Suspension of final countervailing duty investigation.

**SUMMARY:** On September 7, 1982, the United States Department of Commerce suspended its countervailing duty investigation involving hot-rolled carbon steel plate from Brazil (47 FR 39394, September 7, 1982). The basis for the suspension is an agreement by the Government of Brazil to offset all benefits which Commerce found to constitute subsidies with an export tax on all exports of the subject products to the United States. Accordingly, the United States International Trade Commission hereby gives notice of the suspension of its countervailing duty investigation involving hot-rolled carbon steel plate, provided for in items 607.6615, 607.9400, 608.0710, and 608.1100 of the Tariff Schedules of the United States Annotated, from Brazil (investigation No. 701-TA-87 (Final)).

**EFFECTIVE DATE:** September 13, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Eninger (202-523-0312), Office of Investigations, U.S. International Trade Commission.

This notice is published pursuant to section 207.40 of the Commission's Rules of Practice and Procedure (19 CFR 207.40).

Issued: September 14, 1982.

By order of the Commission.

Kenneth R. Mason,

*Secretary.*

[FR Doc. 82-26114 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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[Investigation No. 731-TA-107 (Preliminary)]

## Melamine From Brazil; Investigation and Conference

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of a preliminary antidumping investigation and scheduling of a conference to be held in connection with the investigation.

**SUMMARY:** The U.S. International Trade Commission hereby gives notice of the institution of investigation No. 731-TA-107 (Preliminary) under section 733(a) of the Tariff Act (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 Brazil of melamine, provided for an item 425.10 of the Tariff Schedules of the United States, which are alleged to be sold in the United States at less than fair value.

**EFFECTIVE DATE:** September 13, 1982.

**FOR FURTHER INFORMATION CONTACT:** Ms. Abigail Eltzroth, Office of Investigations, U.S. International Trade Commission; telephone 202-523-0289.

**SUPPLEMENTARY INFORMATION:**

*Background.*—This investigation is being instituted following receipt of a petition filed by Melamine Chemicals, Inc. on September 13, 1982. Copies of the petition are available for public inspection in the Office of the Secretary, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. The Commission must make its determination in this investigation within 45 days after the date of the filing of a petition, or by October 28, 1982 (19 CFR § 207.17). 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 47 FR 6190), and particularly subpart B thereof. Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided for in section 201.11 of the Commission's Rules of Practice and Procedure (19 CFR § 201.11), not later than seven (7) days after the publication of this notice in the **Federal Register.** Any entry of appearance filed after this date will be referred to the Director of Operations, who shall determine whether to accept the late entry for good cause shown by the person desiring to file the notice.

*Service of documents.*—The Secretary will compile a service list from the entries of appearance filed in this investigation. Any party submitting a document in connection with the investigation shall, in addition to complying with section 201.8 of the Commission's rules (19 CFR § 201.8), serve a copy of each such document on all other parties to the invesigation. Such service shall conform with the requirements set forth in section 201.16(b) of the rules (19 CFR § 201.16(b)).

*Written submissions.*—Any person may submit to the Commission on or before October 8, 1982, a written statement of information pertinent to the subject matter of this investigation. A signed original and fourteen 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 section 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 this investigation for 9:30 a.m., on October 6, 1982 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 investigator for the investigation, Ms. Abigail Eltzroth, telephone 202-523-0289, not later than October 4, 1982, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and B (19 CFR 207), and part 201, subparts A through E (19 CFR 201). Further information concerning the conduct of the conference will be provided by Ms. Eltzroth.

This notice is published pursuant to section 207.12 of the Commission's Rules of Practice and Procedure (19 CFR 207.12).

Issued: September 15, 1982.

By order of the Commission.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 82-26116 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigation No. 701-TA-190 (Preliminary)]**

## Nitrocellulose From France

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of preliminary countervailing duty investigation and scheduling of a conference to be held in connection with the investigation.

**SUMMARY:** The U.S. International Trade Commission hereby gives notice of the institution of investigation No. 701-TA-190 (Preliminary) under section 703(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(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 nitrocellulose,[1] provided for in item 445.25 of the Tariff Schedules of the United States, which are alleged to be subsidized by the Government of France.

**EFFECTIVE DATE:** September 14, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bill Schechter, Office of Investigations, U.S. International Trade Commission; telephone 202/523-0300.

**SUPPLEMENTARY INFORMATION:**

### Background

This investigation is being instituted following receipt of a petition filed by counsel for Hercules, Inc., Wilmington, Delaware. A nonconfidential copy of the petition is available for public inspection during official working hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, telephone (202-523-0448). The Commission must make its determination in this investigation within 45 days after the date of the filing of the petition, or by October 29, 1982 (19 CFR 207.17). 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 47 FR 6190), and particularly subpart B thereof.

Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission not later than seven (7) days after the publication of this notice in the **Federal Register** (19 CFR 201.11). Any entry of appearance filed after this date will be referred to the Chairman, who shall determine whether to accept the late entry for good cause shown by the person desiring to file the notice.

*Service of documents.*—The Secretary will compile a service list from the entries of appearance filed in this investigation. Any party submitting a document in connection with the investigation shall, in addition to complying with section 201.8 of the Commission's rules (19 CFR 201.8), serve a copy of each such document on all other parties to the investigation. Such service shall conform with the

[1] Also known as cellulose nitrate.

requirements set forth in section 201.16(b) of the rules (19 CFR 201.16(b)).

In addition to the foregoing, each document filed with the Commission in the course of this investigation must include a certificate of service setting forth the manner and date of such service. This certificate will be deemed proof of service of the document. Documents not accompained by a certificate of service will not be accepted by the Secretary.

*Written submissions.*—Any person may submit to the Commission on or before October 7, 1982, a written statement of information pertient to the subject matter of this investigation (19 CFR 207.15). A signed original and fourteen (14) copies of such statements must be submitted (19 CFR 201.8).

Any business information which a submitter desires the Commission to treat as confidential shall be submittal separately, and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of section 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 this investigation for 9:30 a.m., on October 5, 1982, 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. Jim McClure, telephone 202/523-0439, not later than September 29, 1982, to arrange for their appearance. Parties in support of the imposition of countervailing duties and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

*Record.*—The record of Commission investigation No. 731-TA-96 (Preliminary), Nitrocellulose from France, will be incorporated in the record of investigation No. 701-TA-189 (Preliminary).

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and B (19 CFR 207), and part 201, subparts A through E (19 CFR 201), 47 FR 6182, February 10, 1982 and 47 FR 13791, April 1, 1982. Further information concerning the conduct of the conference will be provided by Mr. McClure.

This notice is published pursuant to section 207.12 of the Commission's Rules of Practice and Procedure (19 CFR 207.12).

Issued: September 17, 1982.

By order of the Commission.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 82-26113 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigation No. 731-TA-52 (Final)]**

## Sheet Piling From Canada

**AGENCY:** United States International Trade Commission.

**ACTION:** Suspension of final antidumping investigation.

**EFFECTIVE DATE:** September 15, 1982.

**SUMMARY:** On September 15, 1982, the United States Department of Commerce suspended its antidumping investigation involving sheet piling from Canada (47 FR 40683, September 15, 1982). The basis for the suspension is an agreement by the Acier Casteel, Inc., a manufacturer and exporter which accounts for substantially all the known imports of this product from Canada, to revise their prices to eliminate sales of this merchandise to the United States at less than fair value. Accordingly, the United States International Trade Commission hereby gives notice of the suspension of its antidumping investigation involving sheet piling, provided for in items 609.96 and 609.98 of the Tariff Schedules of United States Annotated, from Canada (investigation No. 731-TA-52 (Final)).

**FOR FURTHER INFORMATION CONTACT:** Mr. Larry Reavis (202-523-0296), Office of Investigations, U.S. International Trade Commission.

This notice is published pursuant to section 207.40 of the Commission's Rules of Practice and Procedure (19 CFR 207.40).

Issued: September 15, 1982.

By order of the Commission.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 82-26117 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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# INTERNATIONAL TRADE COMMISSION

## Appointment of Individuals To Serve as Members of Performance Review Boards

**AGENCY:** International Trade Commission.

**ACTION:** Appointment of Individuals to Serve as members of Performance Review Boards.

**SUPPLEMENTARY INFORMATION:** The Chairman of the U.S. International Trade Commission has appointed the following individuals to serve on the Commission's Performance Review Board (PRB).

Acting Chairman of PRB—Commissioner Paula Stern
Member—Commissioner Veronica A. Haggart
Member—Charles W. Ervin
Member—E. William Fry
Member—Lorin L. Goodrich
Member—Norris A. Lynch
Member—Eugene A. Rosengarden
Member—Michael H. Stein
Member—John W. Suomela

Notice of these appointments is being published in the **Federal Register** pursuant to the requirement of 5 U.S.C. 4314(c)(4).

**FOR FURTHER INFORMATION CONTACT:** Terry P. McGowan, Director of Personnel, U.S. International Trade Commission, (202) 523-0182.

Issued: September 14, 1982.

By order of the Chairman.

**Kenneth R. Mason,**

*Secretary.*

[FR Doc. 82-26120 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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**[Investigation No. 337-TA-124]**

## Certain Textile Spinning Frames and Automatic Doffers Therefor

Notice is hereby given that the prehearing conference and hearing scheduled for September 27, 1982 (47 FR 38647, September 1, 1982) are cancelled.

The Secretary shall publish this Notice in the **Federal Register.**

Issued: September 10, 1982.

**Janet D. Saxon,**

*Administrative Law Judge.*

[FR Doc. 82-26121 Filed 9-21-82; 8:45 am]

BILLING CODE 7020-02-M

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# DEPARTMENT OF JUSTICE

## Canada Coal Co.; Proposed Consent Decree in Action To Enjoin Discharge of Water Pollutants

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a proposed consent decree in *United States* v. *Canada Coal Company, Inc.*, Civil Action No. 78-234, has been lodged with the United States District Court for the Eastern District of Kentucky. The proposed consent decree requires the payment of $60,000 in

settlement of all civil penalty claims asserted in the case for violation of the Clean Water Act, 33 U.S.C. 1251, *et seq.*, as well as increased monitoring and sampling.

The Department of Justice will receive written comments for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States* v. *Canada Coal Company, Inc.*, (D.J. Ref. No. 90-5-1-1-1109).

The proposed consent decree may be examined at the Office of the United States Attorney, Eastern District of Kentucky, 206 Federal Building, Barr and Limestone Streets, Lexington, Kentucky, 40501; at the Region IV Office of the Environmental Protection Agency, 345 Courtland Street, N.E., Atlanta, Georgia, 30308; and at the Environmental Enforcement Section, Land and Natural Resources Division, U.S. Department of Justice, Room 1515, 10th and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, U.S. Department of Justice.

**Carol E. Dinkins,**

*Assistant Attorney General, Land and Natural Resources Division.*

[FR Doc. 82-26104 Filed 9-21-82; 8:45 am]

BILLING CODE 4410-01-M

## Antitrust Division

### Itoh and Co. et al. and Pan-Alaska Fisheries. Inc.; Proposed Judgments

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. section 16c, the Antitrust Division publishes below, two comments it received on the proposed judgments in the cases of *United States v. C. Itoh & Co., Ltd., et al.*, Civil No. C-82-810 and *United States v. Pan-Alaska Fisheries, Inc., et al.*, Civil No. C-82-809, together with its responses to such comments.

**Joseph H. Widmar,**

*Director of Operations.*

*United States Department of Justice and U.S. District Court, in Seattle, Wash. Washington, D.C.*

Dear Sirs: Regarding the proposed consent decree on crabs of Alaska.

I am an economist and my family is a consumer occasionally of crabs. We buy our crabs—usually in a can and usually at orientally owned and operated stores. The crabs we get are usually from Japan, Korea, Tailand [sic], Formosa as are shrimp which come from warmer waters. The point is that real competition from these areas will fill the market with product if Alaskan prices rise and I would like to address the possible results of your proposed decree:

1. Greater "competition" in the Alaska and Seattle local market place should make for a greater bureaucracy to deal with girating [sic] prices and less real productivity.
2. To maintain profit levels high enough to attract capital and retain it—would require higher prices for product or lower prices to producers to pay for the bureaucracy.
3. Higher prices to consumers would shift consumer demand to foreign sources over which US has little control and decrease market share for Alaska and Seattle.
4. Lower prices to producers (fisherman) would presumably negate the whole purpose of your decree since it would benefit no one.

You'll forgive my scepticism of "justice" and "bureaucrats" but it is born of long gov't service, broad corporate ownership, community forum participation, and yearning for a better society with increased productivity, competitive capacity and spirit, independent of gov't duress.

I have been disturbed by recent developments in Japan relations and believe that the Japanese Government deeply shares that concern.

Bilaterial trade in seafood and grain are also high on the agenda and what we do to grain prices certainly can't come close to the small amount of control exercised here.

Perhaps the U.S. Gov't should remove itself from the grain marketing picture? Metal? Aircraft Credit?

Regards.

David S. Smith,

*1913 Westmont Drive, Alhambra, CA 98103, 213-284-5952.*

**U.S. Department of Justice**

*Washington, D.C. 20530*

July 30, 1982.

*Mr. David S. Smith,*
*1913 Westmont Drive, Alhambra, California 91803.*

Dear Mr. Smith: Thank you for your letter of July 1, 1982. As you may be aware, the Antitrust Division of the Department of Justice filed complaints and proposed consent decrees on June 30, 1982 in two cases involving anticompetitive practices in the Alaska seafood industry. I am enclosing with this letter copies of the complaints and proposed consent decrees for your perusal. The proposed consent decrees are designed in each case to ensure price competition among buyers of certain Alaskan seafood products.

Although the proposed consent decrees do place the defendant companies under certain obligations, they do not in any sense impose a regime of government control over Alaska seafood markets. The terms of the consent decrees simply obligate the defendants to act independently of each other in the marketplace, and require the companies to set up antitrust compliance programs to ensure that their employees understand their responsibilities in this regard. The net effect of these requirements should be to restore free and open competition in Alaska seafood markets.

Thank you for your interest in the effective enforcement of the antitrust laws.

Sincerely yours,

Charles S. Stark,

*Chief, Foreign Commerce Section, Antitrust Division.*

Enclosures.

July 18, 1982.

Mr. Stark: I read the legal notice in our local paper The Post Intelligencer here in Seattle, Wash. In regard to Crab Fishing in Alaska I am a crab fisherman and would appreciate any information regarding the notices or what other steps we or I am to take or do. Thank you.

William E. Goodfellow,

*4625 So. 289 Pl., Auburn, Wash. 98002.*

**U.S. Department of Justice**

*Washington, D.C. 20530*

August 11, 1982.

*Mr. William E. Goodfellow,*
*4625 So. 289 Place, Auburn, Washington 98002.*

Dear Mr. Goodfellow: Thank you for your letter of July 18, 1982. The legal notices recently published in Seattle newspapers were designed to inform the public that the Justice Department has submitted two proposed "consent decrees" to the federal district court in Seattle that would settle two antitrust cases brought by the Department involving alleged price fixing in certain Alaska seafood markets. One case charged that four Dutch Harbor crab processing companies had unlawfully agreed with one another on the price they would pay for live Bering Sea crab, and that an association of crab fishermen had participated in that agreement. In the second case, the complaint alleged that eight Japanese companies had fixed the price they paid to processors for processed Bering Sea tanner crab.

The consent decrees are proposed court orders that would prevent the defendants from repeating the conduct challenged in the complaints. Although the consent decrees have been signed by the defendants, as well as by the Justice Department, they must be approved by the federal district court before they become effective. The court may wish to consider comments from the public in deciding whether to enter the decrees.

I am enclosing for your review copies of the complaints, proposed consent decrees (called "final judgments" in legal terminology), and competitive impact statements, which explain the decrees. If you have any comments concerning the proposed decrees that you wish the court to consider, please send them to me at the above address by September 30, 1982. We will publish them in the Federal Register and file them with the court.

Thank you for your interest in this matter.

Sincerely yours,

Charles S. Stark,

*Chief, Foreign Commerce Section, Antitrust Division.*

Enclosures.

[FR Doc 82-26091 Filed 9-21-82; 8:45 am]

BILLING CODE 4410-01-M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (82-53)]

### NASA Advisory Council, Aeronautics Advisory Committee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Meeting

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Aeronautics Advisory Committee, Ad Hoc Informal Advisory Subcommittee on NASA Aeronautical Projects.

**DATE AND TIME:** October 15, 1982, 8:30 a.m. to 4:30 p.m.

**ADDRESS:** National Aeronautics and Space Administration, 600 Independence Avenue SW, Room 647, Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frederick P. Povinelli, National Aeronautics and Space Administration, Code R, Washington, D.C. 20546 (202/755-8550).

**SUPPLEMENTARY INFORMATION:** The Ad Hoc Informal Advisory Subcommittee on NASA Aeronautical Projects is meeting to continue their study of NASA/industry responsibilities in the conduct of aeronautical technology development programs. The Ad Hoc Subcommittee, chaired by Dr. Robert Loewy is comprised of 10 members. The meeting will be open to the public up to the seating capacity of the room (approximately 20 persons including the subcommittee members and participants).

Type of Meeting: Open.

AGENDA:

8:30 a.m.—Chairperson's Remarks
9 a.m.—Presentation of Project Information
1:30 p.m.—Discussion of Information and Identification of Future Activity
4:30 p.m.—Adjourn

**Richard L. Daniels,**

*Director, Management Support Office, Office of Management.*

September 15, 1982.

[FR Doc. 82-26007 Filed 9-21-82; 8:45 am]

BILLING CODE 7510-01-M

[Notice (82-54)]

### NASA Advisory Council (NAC); Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Informal Task Force for the Study of Issues in Selecting Private Citizens for Space Shuttle Flight.

**DATE AND TIME:** October 7-8, 1982, 9 a.m. to 5 p.m.

**ADDRESS:** Lyndon B. Johnson Space Center, Conference Room 945, Building 1, Houston, Texas 77058.

**FOR FURTHER INFORMATION CONTACT:** Mr. Carl R. Praktish, Code LB-4, National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8380).

**SUPPLEMENTARY INFORMATION:** The NASA Advisory Council Informal Task Force for the Study of Issues in Selecting Private Citizens for Space Shuttle Flight was established under the NASA Advisory Council to conduct a study of the relevant issues and to report its findings and recommendations to the Council. The Task Force is comprised of its Chairman, Dr. John E. Naugle, and seven other members.

The meeting will be closed to the public as follows: (1) October 7, 1:15-2:15 p.m. The discussion of lessons learned from the astronaut selection process will consider the qualifications of specific astronaut candidates; (2) October 8, 9 a.m.-5 p.m. The discussion will evaluate candidates from whom to solicit advice on the options for the selection process. During these sessions, the qualifications of persons considered for astronaut positions and candidates to provide advice to the Task Force will be candidly discussed and appraised.

Because these sessions will be concerned throughout with matters listed in 5 U.S.C. 552b(c)(6), it has been determined that these sessions should be closed to the public.

The morning meeting in Conference Room 945, Building 1 will be open and visitors will be admitted up to its capacity which is approximately 35 persons, including Task Force members and other participants. The afternoon tour of facilities, et al, will be open and visitors will be admitted up to a capacity of approximately 12 persons imcluding Task Force members and other participants.

Visitors should ask for the appropriate badge at the Receptionist's Desk, Building 1, to meet Johnson Space Center security requirements.

Visitors will be requested to sign a register at the Conference Room.

Type of meeting: Open—except for two closed sessions as noted in the agenda below.

**October 7, 1982**

9 a.m.—Introduction, Mission Opportunities, Medical and Training Requirements, Flight Experience and Onboard Role (open)
1:15 p.m.—Astronaut Selection Process Review and Evaluation (closed)
2:15 p.m.—Tour
5 p.m.—Adjourn

**October 8, 1982**

9 a.m.—Evaluation of Candidates From Whom to Solicit Advice on Selection Process Options (closed)
5 p.m.—Adjourn

**Richard L. Daniels,**

*Director, Management Support Office, Office of Management.*

September 16, 1982.

[FR Doc. 82-26008 Filed 9-21-82; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL ENDOWMENT FOR THE ARTS

### Inter-Arts Panel; Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Inter-Arts Panel (Presenting Organizations) to the National Council on the Arts will be held on October 12, 1982, from 9:00 a.m.-5:00 p.m., October 13, 1982, from 9:00 a.m.-5:00 p.m., October 14, 1982, from 9:00 a.m.-5:00 p.m., and October 15, 1982, from 9:00 a.m.-5:00 p.m. in room 1422 of the Columbia Plaza Office Complex, 2401 E Street, N.W., Washington, D.C. 20506.

A portion of this meeting will be open to the public on October 15, 1982, from 10:00 a.m.-12:00 noon to discuss guidelines.

The remaining sessions of this meeting on October 12-14, from 9:00 a.m.-5:00 p.m., October 15, 1982, from 9:00 a.m.-10:00 a.m. and 12:00 noon-5:00 p.m. 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. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National

Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

**John H. Clark,**

*Director, Office of Council and Panel Operations, National Endowment for the Arts.*

[FR Doc. 82-26088 Filed 9-21-82; 8:45 am]

BILLING CODE 7537-01-M

## Visual Arts Panel; Overview Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Visual Arts Panel to the National Council on the Arts will be held on October 7-8, 1982 from 9:00 a.m.-5:00 p.m. in the Columbia Plaza Office Complex, 2401 E Street N.W., Washington, D.C. Room 1422.

This meeting will be open to the public on a space available basis. The topic for discussion will be briefing on Visual Arts Seminar and Guidelines.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

**John H. Clark,**

*Director, Office of Council and Panel Operations, National Endowment for the Arts.*

[FR Doc. 82-26089 Filed 9-21-82; 8:45 am]

BILLING CODE 7537-01-M

# NUCLEAR REGULATORY COMMISSION

## Advisory Committee on Reactor Safeguards; Proposed Meetings

In order to provide advance information regarding proposed meetings of the ACRS Subcommittees and of the full Committee, the following preliminary schedule reflects the current situation, taking into account additional meetings which have been scheduled and meetings which have been postponed or cancelled since the last list of proposed meetings published August 25, 1982 (47 FR 37319). Those meetings which are definitely scheduled have had, or will have, an individual notice published in the **Federal Register** approximately 15 days (or more) prior to the meeting. Those Subcommittee meetings for which it is anticipated that there will be a portion or all of the meeting open to the public are indicated by an asterisk (*). It is expected that the sessions of the full Committee meeting designated by an asterisk (*) will be open in whole or in part to the public. ACRS full Committee meetings begin at 8:30 a.m. and Subcommittee meetings usually begin at 8:30 a.m. The time when items listed on the agenda will be discussed during full Committee meetings and when Subcommittee meetings will start will be published prior to each meeting. Information as to whether a meeting has been firmly scheduled, cancelled, or rescheduled, or whether changes have been made in the agenda for the October 1982 ACRS full Committee meeting can be obtained by a prepaid telephone call to the Office of the Executive Director of the Committee (telephone 202/634-3267, Attn: Barbara Jo White) between 8:15 a.m. and 5:00 p.m., Eastern Time.

### ACRS Subcommittee Meetings

**Emergency Core Cooling Systems (ECCS)*, September 28, 1982, Washington, DC. The Subcommittee will discuss: (1) natural circulation modeling in Babcock and Wilcox Small Break LOCA Model; (2) Reactor Coolant Pump trip requirement status; (3) results of recent Semiscale tests and status of Mod-5 proposal; (4) status of Appendix K review proposal; (5) status of LOFT consortium effort.

**Reactor Operations*, September 29, 1982, Washington, DC. The Subcommittee will discuss: (a) the pressure transients during shutdown at Turkey Point Unit 4 and other related incidents with the Staffs of the Offices of Analysis and Evaluation of Operational Data, Nuclear Reactor Regulation, Inspection and Enforcement, and Region II: (b) discussion of Quality Assurance Policy, Accreditation of Licensee's Quality Assurance Program; and (c) a discussion of suppression pool or containment sump water contamination with potential adverse effects on post-accident cooling pumps.

**Metal Components Working Group*, September 30, 1982, Washington, DC. The Subcommittee will hear and discuss with the NRC Staff its interim position on pressurized thermal shock. The views of the industry and others on this matter will also be heard.

**Clinch River Breeder Reactor (CRBR) Working Group On Systems Integration and Instrumentation Control*, September 30, 1982, Washington, DC. The Subcommittee will be briefed on the design of the CRBR plant protection and instrument and control systems.

**Anticipated Transients Without Scram (ATWS)*, October 1, 1982, Washington, DC. The Subcommittee will discuss the proposed plan and schedule of the NRC Task Force on ATWS for resolution of this issue.

*Meeting with Reactor Safety Commission (RSK)*, October 5 and 6, 1982, Washington, DC. The Subcommittee will discuss the use of Probabilistic Risk Assessment (PRA) and quantitative safety goals in the design and regulation of nuclear power plants; recent or proposed changes in safety-related policy, including items such as consideration of Class 9 accidents in the design of nuclear plants; changes in safety-related technology, including items such as the use of the Double-Ended Pipe Break as the basis for plant design and consideration of pressurized thermal shock of reactor pressure vessels; and handling/disposal of radioactive wastes.

**Extreme External Phenomena*, October 21 and 22, 1982, Los Angeles, CA. The Subcommittee will review the issues associated with the flooding and seismic hazards at Systematic Evaluation Program (SEP) plants, the NRC Staff's proposed solutions for plants which do not meet the requirements of the Standard Review Plan (SRP), the site-specific development of design basis tornado windspeeds, and the recent ACRS recommendations on the evaluation of seismic design margins.

**Clinch River Breeder (CRBR) Thermal Hydraulic Design*, October 26, 1982, Washington, DC. The Subcommittee will review the thermal hydraulic aspects of the CRBR plant design.

**Systematic Evaluation Program (SEP)*, October 26 and 27, 1982, Washington, DC. The Subcommittee will review the completion of Integrated Plant Safety Assessment/Systematic Evaluation for Oyster Creek and, to the extent possible, for Dresden 2 and Millstone 1.

**Clinch River Breeder Reactor (CRBR)*, October 27 and 28, 1982, Washington, DC. The Subcommittee will continue the review of the Hypothetical Core Disruptive Accident energetics for CRBR.

**Procedures*, November 3, 1982, Washington, DC. The Subcommittee will review activities of ACRS Members regarding (1)(a) working group activities sponsored by ACRS, (b) attendance at ACRS meetings, and (c) comments by ACRS members as individuals prior to ACRS consideration of a matter; (2) review and distribution of Category B documents; and (3) working relations with NRC Regional Offices.

**Safety Philosophy, Technology and Criteria*, November 3, 1982, Washington, DC. The Subcommittee will continue discussions of Safety Goals and their implementation, and severe accident and backfitting policy.

**Waterford Station Unit 3*, November 9, 1982, New Orleans, LA. The Subcommittee will review the Operator Training Program with the Licensee, the

Region IV Office, and the cognizant NRR Staff members.

*Clinch River Breeder Reactor (CRBR) Structures and Materials,* November 18, 1982 (Tentative), Washington, D.C. The Working Group will continue its review of the CRBR structures and materials to include leak before break, inservice inspection, weldments, and structural seismic margins.

*Reactor Radiological Effects,* November 18 and 19, 1982, Washington, DC. The Subcommittee will (1) review FY 1983–87 Long-Range Research Plan on radiation safety and waste management programs; (2) review research needs regarding control room habitability and occupational radiation exposures; (3) be briefed by the Department of Energy (DOE) on DOE's radiation safety research programs; and (4) review and comment on DOE's Dose Reduction Working Group draft recommendations (established in response to PL 96–567).

*Emergency Core Cooling Systems (ECCS),* November 30 and December 1, 1982, San Jose, CA. The Subcommittee will discuss revision of the General Electric (GE) SAFER/GESTER Code and GE's proposals for revision of Appendix K of 10 CFR 50.

*Reactor Radiological Effects and Site Evaluation,* Date to be determined (November, Tentative), Washington, DC. The Subcommittees will (1) review and comment on Federal Emergency Management Agency's (FEMA) draft national plan on the use of potassium iodide (KI) as a thyroid blocking agent in the event of a radiation accident; (2) discuss consideration of seismic events in nuclear power plant emergency planning; (3) review NRC proposed revision to 10 CFR Part 20 (Standards for Protection Against Radiation); (4) be briefed by the Environmental Protection Agency (EPA) on proposed Federal Radiation Protection Guidance for Occupational Exposure; and (5) be briefed by the Department of Energy (DOE) on its comments on NRC's proposed revision to Part 20.

*Metal Components,* Date to be determined (November, Tentative), Washington, DC. The Subcommittee will review the elimination of the double-ended pipe break criteria for pipe whip supports.

*Metal Components and Three Mile Island Unit 1,* December 1, 1982, Washington, DC. The Subcommittee will review the Steam Generator Generic Recommendation Report and TMI–1 steam generator problems and corrective actions.

*Safety Research Program,* December 8, 1982, Washington, DC. The Subcommittee will discuss the NRC Safety Research Program and Budget for FY 1984 and 1985 and also Draft 1 of the ACRS Report to the Congress on this matter.

*Metal Components,* Date to be determined (December, Tentative), Washington, DC. The Subcommittee will review the NRC action plan on integrity of steel bolts.

*Seabrook Nuclear Plant Units 1 and 2,* Date and location to be determined (December, Tentative). The Subcommittee will visit the site and review the application of the Public Service of New Hampshire for an operating license.

*Combination of Dynamic Loads,* Date to be determined (February, Tentative), Washingtin, DC. The Subcommittee will discuss the status report on work being done on the combination of dynamic loads.

*Reliability and Probabilistic Assessment,* Date to be determined, Washington, DC. The Subcommittee will discuss the ACRS review of the Limerick Probabilistic Risk Assessment.

**ACRS Full Committee Meeting**

October 7–9, 1982: Items are *Tentatively* scheduled.

*A. *Washington Public Power Supply System Unit 2 (WPPSS)*—Operating License.

*B. *Integrity of Reactor Pressure Vessels*—NRC Action Plan to resolve problems associated with reactor pressure vessel thermal shock.

*C. *ECCS Evaluation Models*—Proposed changes in 10 CFR Part 50, Appendix K, ECCS Evaluation Models.

*D. *Anticipated Transients Without Scram*—Proposed NRC Action Plan to resolve ATWS issues.

*E. *Human Factors Integrated Program Plan*—Proposed NRC Action Plan regarding human factors considerations in the design and operation of nuclear power plants.

*F. *ACRS Subcommittee Activity*—Reports of ACRS Subcommittees regarding safety-related matters such as nuclear power plant operations, staffing of nuclear plants, impact of Small Break LOCA's on natural circulation, and the CRBR control and instrumentation system.

*G. *Future ACRS Activities*—Discuss anticipated subcommittee activities and proposed full committee activities.

November 4–6, 1982: Agenda to be announced.

December 9–11, 1982: Agenda to be announced.

Dated: September 16, 1982.

**Samuel J. Chilk,**

*Acting Advisory Committee Management Officer.*

[FR Doc. 82-26132 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

## Applications for Licenses To Export/Import Nuclear Facilities or Materials

Pursuant to 10 CFR 110.70(b) "Public notice of receipt of an application," please take notice that the Nuclear Regulatory Commission has received the following applications for import/export licenses. A copy of each application is on file in the Nuclear Regulatory Commission's Public Document Room located at 1717 H Street, NW., Washington, D.C.

A request for a hearing or a petition for leave to intervene may be filed within 30 days after publication of this notice in the **Federal Register.** Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, the Secretary, U.S. Nuclear Regulatory Commission and the Executive Secretary, Department of State, Washington, D.C. 20520.

In its review of applications for licenses to export production or utilization facilities, special nuclear material or source material, noticed herein, the Commission does not evaluate the health, safety or environmental effects in the recipient nation of the facilities or material to be exported. The table below lists all new major applications.

Dated this 14th day of September at Bethesda, Maryland.

For the Nuclear Regulatory Commission.

**Marvin R. Peterson,**

*Acting Assistant Director, Export/Import and International Safeguards, Office of International Programs.*

[FR Doc. 82-26124 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

FEDERAL REGISTER (EXPORT/IMPORT)

| Name of applicant, date of application, date received, application No. | Material type | Material in kilograms | | | |
|---|---|---|---|---|---|
| | | Total element | Total isotope | End-use | Country of destination |
| Exxon Nuclear Company, Inc., Aug. 30, 1982, Sept. 2, 1982, XSNM01985. | 3.30% Enriched Uranium | 26,000 | 860 | For use as fuel in one of Electricite de France (EDF) Reactors. | France. |
| Separative Work Unit Corp., Sept. 10, 1982, Sept. 10, 1982, ISNM82016. | 5% Enriched Uranium | 300,000 | 15,000 | For enrichment for use in domestic reactors or re-export. | From various countries. |
| | Natural Uranium | (1) | (1) | Feed for enrichment and use in domestic reactors or re-export. | Do. |

[1] Two (2) million pounds.

[FR Doc. 82-26124 Filed 9-21-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-369]

## Duke Power Co.; Issuance of Amendment Facility Operating License No. NPF-9

The U.S. Nuclear Regulatory Commission (the Commission ) has issued Amendment No. 16 to Facility Operating License No NPF-9, issued to Duke Power Company (licensee) for the McGuire Nuclear Station, Unit 1 (the facility) located in Mecklenburg County, North Carolina. The amendment is effective as of its date of issuance.

This amendment revises the descriptions of the offsite organization and the station organization.

Issuance of this amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CRF 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 CRF 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) Duke Power Company letter date July 30, 1982, (2) Amendment No 16 to Facility Operating License No. NPF-9 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, NW., Washington, D.C., and the Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223. A copy of these items 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 14th day of September 1982.

For the Nuclear Regulatory Commission.

**Carl R. Stahle,**

*Acting Chief, Licensing Branch No. 4, Division of Licensing, NRR.*

[FR Doc. 82-26125 Filed 9-21-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-389A]

## Florida Power & Light Company, Orlando Utility Commission and Florida Municipal Power Agency; Finding of No Significant Antitrust Changes and Time for Filing Requests for Reevaluation

The Director of Nuclear Reactor Regulation has made an initial finding in accordance with section 105c(2) of the Atomic Energy Act of 1954, as amended, that no significant (antitrust) changes in the licensees' activities or proposed activities have occurred subsequent to the previous construction permit review of Unit 2 of the St. Lucie Plant by the Attorney General and the Commission. The finding is as follows:

Section 105c(2) of the Atomic Energy Act of 1954, as amended, provides for an antitrust review of an application for an operating license if the Commission determines that significant changes in the licensee's activities or proposed activities have occurred subsequent to the previous construction permit review. The Commission has delegated the authority to make the "significant change" determination to the Director, Office of Nuclear Reactor Regulation. Based upon an examination of the events since the St. Lucie Unit No. 2 construction permit antitrust review, the staffs of the Antitrust and Economic Analysis Branch, Office of Nuclear Reactor Regulation and the Antitrust Section of the Office of the Executive Legal Director, hereafter referred to as "staff," have jointly concluded, after consultation with the Department of Justice, that the changes that have occurred are not of the nature to require a second antitrust review at the operating license stage of the application.

The conclusion of the staff's analysis is as follows:

Subsequent to the completion in March of 1982 of the construction permit antitrust proceedings, Seminole Electric Cooperative has decided to withdraw its proposed six percent participation in St. Lucie 2. The reasons given were the current uncertainties of the nuclear industry, the lack of support from the financial community for nuclear projects, and the overall costs of St. Lucie 2. In addition, Seminole has found an economic alternative to St. Lucie 2 in two-600MW coal fired units that it has under construction with delivery of the power from those units to its members using transmission services afforded by Florida Power and Light and Florida Power Corporation. Thus, the decision by Seminole to withdraw from St. Lucie 2 appears to be a reasonable business decision.

Orlando's planned participation in St. Lucie 2 has not changed. In addition, Orlando is planning a 415 MW coal fired unit in which Florida Municipal Power Agency would receive a 35 percent ownership participation. Power will be delivered to FMPA members utilizing the transmission systems of Orlando, Florida Power and Light Co. and Florida Power Corporation. These power supply arrangements are each considered to be pro-competitive.

Florida Municipal Power Agency will acquire an 8.806 percent ownership interest in St. Lucie 2 on behalf of the nineteen of its twenty six members that chose to participate in the project. Florida Power and Light Company will provide the necessary transmission service to deliver the power to the participants to which it is connected or to other electric systems for delivery of the power to those participants to which it is not connected.

Joint action agencies, such as Seminole Electric Cooperative and Florida Municipal Power Agency, coupled with transmission services by Florida Power and Light and Florida Power Corporation have made power supply options available to small cooperative and municipal electric systems statewide. These are positive developments consistent with the antitrust license conditions and settlement provisions of the construction permit antitrust proceedings. Staff therefore concludes that they do not represent significant changes that would warrant a

second antitrust review in connection with the operating license application.

Based on the staff's analysis, it is my finding that a formal operating license antitrust review of the St. Lucie Plant, Unit 2 is not required.

Signed on September 14, 1982, by Harold R. Denton, Director of Office of Nuclear Reactor Regulation.

Any person whose interest may be affected by this finding may file with full particulars a request for reevaluation with the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 by (30 days).

For the Nuclear Regulatory Commission.

**Argil Toalston,**

*Chief, Antitrust and Economic Analysis Branch, Division of Engineering, Office of Nuclear Reactor Regulation.*

[FR Doc. 82-26126 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

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**[Docket Nos. 50-315 and 50-316]**

## Indiana and Michigan Electric Co.; Issuance of Amendments To Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 61 to Facility Operating License No. DPR-58 and Amendment No. 44 to Facility Operating License No. DRP-47 issued to Indiana and Michigan Electric Company (the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2 (the facilities) located in Berrien County, Michigan. The amendments are effective as on the date of issuance.

The amendments revise the Technical Specifications to reflect a revised LOCA analysis for Unit 1 and implementation of Supplement 2 to the PDC-II power distribution control procedures for both Units.

The applications for amendments 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 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 applications for amendments dated April 7, 1982 and July 12, 1982, (2) Amendment Nos. 61 and 44 to License Nos. DPR-58 and DPR-74, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 15th day of September, 1982.

For the Nuclear Regulatory Commission.

**Steven A. Varga,**

*Chief, Operating Reactors Branch No. 1, Division of Licensing.*

[FR Doc. 82-26127 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

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**[Docket No. 50-309]**

## Maine Yankee Atomic Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 64 to Facility Operating License No. DPR-36 issued to the Maine Yankee Atomic Power Company (the licensee), which revised the license for operation of the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine. The amendment is effective as of the date of issuance and is to be implemented in accordance with the provisions of 10 CFR 73.40(b) and 10 CFR 73.55(b)(4).

The amendment adds license conditions to include the Commission approved Guard Training and Qualification Plan and the Safeguards Contingency Plan as a part of the license.

The licensee's filing, which has been handled by the Commission as an application, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards condition.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

The licensee's filing dated June 1, 1982 consists of Safeguards Information required to be protected from public disclosure pursuant to 10 CFR 73.21.

For further details with respect to this action, see (1) Amendment No. 64 to Facility Operating License No. DPR-36 and (2) the Commission's related letter to the licensee dated Sept. 15, 1982. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine. A copy of items (1) and (2) may be obtained upon request to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 15th day of September, 1982.

For the Nuclear Regulatory Commission.

**Robert A. Clark,**

*Chief, Operating Reactors Branch No. 3, Division of Licensing.*

[FR Doc. 82-26128 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

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**[Docket Nos. 50-338 and 50-339]**

## North Anna Power Station, Units No. 1 and No. 2; Proposed Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating Licenses No. NPF-4 and No. NPF-7, issued to Virginia Electric and Power Company (the licensee), for operation of the North Anna Power Station, Units No. 1 and No. 2, located in Louisa County, Virginia.

In accordance with the licensee's application for amendment dated July 13, 1982, the amendment would revise Facility Operating Licenses No. NPF-4 and No. NPF-7 to permit the receipt and storage of 500 spent fuel assembles from the Surry Power Station, Units No. 1 and No. 2.

Prior to issuance of the proposed license amendments, the Commission

will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By October 22, 1982, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (In Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Robert A. Clark: (Petitioner's name and telephone number); (date petition was mailed); (Plant name); and (publication date and page number of this **Federal Register** Notice). A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael W. Maupin, Esq., Hunton, Williams, Gay and Gibson, P.O. Box 1535, Richmond, Virginia 23212, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated July 13, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22902.

Dated at Bethesda, Maryland this 16th day of September 1982.

For the Nuclear Regulatory Commission.

**Robert A. Clark,**

*Chief, Division of Licensing.*

[FR Doc. 82-26129 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

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**[Docket Nos. 50-338 and 50-339]**

## North Anna Power Station, Units No. 1 And No. 2; Proposed Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating Licenses No. NPF-4 and No. NPF-7, issued to Virginia Electric and Power Company (the licensee), for operation of the North Anna Power Station, Units No. 1 and No. 2, located in Louisa County, Virginia.

In accordance with the licensee's application for amendment dated August 20, 1982 the amendment would revise the Technical Specifications to permit the expansion of fuel storage capacity for North Anna units Nos. 1 and 2 from 966 to 1737 fuel assemblies and identify a new nominal center-to-center spacing between fuel assemblies of 10 9/16 inches.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By October 22, 1982, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing

Board Panel will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or a appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C. by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (In Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Robert A. Clark: (Petitioner's name and telephone number); (date petition was mailed); (Plant name); and (publication date and page number of this **Federal Register** Notice). A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission Washington, D.C. 20555, and to Michael W. Maupin, Esq., Hunton, Williams, Gay and Gibson, P.O. Box 1535, Richmond, Virginia 23212, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714.

For further details with respect to this action, see the application for amendment dated August 20, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW. Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22902.

Dated at Bethesda, Maryland this 16th day of September 1982.

For the Nuclear Regulatory Commission.

**Robert A. Clark,**

*Chief, Operating Reactors Branch No. 3, Division of Licensing.*

[FR Doc. 82-26130 Filed 9-21-82 8:45 am]

BILLING CODE 7590-01-M

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**[Docket No. 50-460-OL; ASLBP No. 82-479-06-OL]**

## Washington Public Power Supply System; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28710 (1972), and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established in the following proceeding to rule on petitions for leave to intervene and/or requests for hearing and to preside over the proceeding in the event that a hearing is ordered:

**Washington Public Power Supply System**

*WPPSS Nuclear Project No. 1*

Construction Permit No. CPPR-134

This Board is being constituted pursuant to a notice published by the Commission on August 16, 1982, in the **Federal Register** (47 FR 35567-68) entitled, "Receipt of Application for Facility Operating License; Availability of Applicant's Environmental Report; Consideration of Issuance of Facility Operating License; and Notice of Opportunity for Hearing."

The Board is comprised of the following Admininstrative Judges:

Ivan W. Smith, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Glenn O. Bright, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Jerry Harbour, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Issued at Bethesda, Maryland this 16th day of September 1982.

**B. Paul Cotter, Jr.,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 82-26131 Filed 9-21-82; 8:45 am]

BILLING CODE 7590-01-M

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# OFFICE OF THE U.S. TRADE REPRESENTATIVE

## U.S. Generalized System of Preferences

The purpose of this notice is to announce the withdrawal of the 1982 petition (case number 82-65) filed by Pfizer, Inc. to remove imports of sorbitol from Mexico and the Republic of Korea from the U.S. Generalized System of Preferences (GSP) and to modify the product description for transformers (case number 82-68) currently under review.

| Case No. | TSUSA [1] Item No. | Article | Petitioner |
|---|---|---|---|
| Request for Withdrawal [2]: 82-65 | 493.4820 (Republic of Korea, Mexico). | Polysaccharides, rare saccharides and their polyhydric alcohols; [Lactose; levulose; salicine] Other: Sorbitol. | Pfizer, Inc., New York, NY. |
| Product Description Modification [2]: 82-68 | 682.0540 (Hong Kong) | Transformers: Rated at less than 1 kva: Rated at 40 va or more. | France, Fairview, TN. |

[1] Tariff Schedules of the United States annotated.
[2] The country or countries named are those beneficiary developing countries specified by the petitioner. While the Trade Policy Staff Committee's (TPSC) review will focus on those countries, the TPSC reserves the right to address removal of GSP status for countries other than those specified by the petitioner.

Announcement of the acceptance of these petitions for the 1982 GSP product review appeared in the **Federal Register** of July 16, 1982. The Trade Policy Staff Committee has granted the petitioner's request for withdrawal in the Pfizer case and the TSUSA modification in the France request and is notifying the U.S. International Trade Commission of this action.

**Frederick L. Montgomery,**

*Chairman, Trade Policy Staff Committee.*

[FR Doc. 82-26001 Filed 9-21-82; 8:45 am]

BILLING CODE 3190-01-M

## SECURITIES AND EXCHANGE COMMISSION

### Forms Under Review by Office of Management and Budget

**Agency Clearance Officer—George G. Kundahl—(202) 272-2700**

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549.

*Extension*

Form N-1R (17 CFR 274.101)
SEC File No. 270-223

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for extension of approval Form N-1R under the Investment Company Act of 1940 and the Securities Exchange Act of 1934. Form N-1R is the annual report form to be used by registered open-end and closed-end management investment companies to make publicly available current information concerning the company's operations and financial condition.

The potential respondents are all registered open-end and closed-end management investment companies.

Submit comments to OMB Desk Officer: Robert Veeder—(202) 395-4814.

**George A. Fitzsimmons,**

*Secretary.*

September 15, 1982.

[FR Doc. 82-26074 Filed 9-21-82; 8:45 am]

BILLING CODE 8010-01-M

### Forms Under Review by Office of Management and Budget

**Agency Clearance Officer—George G. Kundahl—(202) 272-2700**

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549

*Extension*

Rule 17f-2 (17 CFR 270.17f-2)
SEC File No. 270-233

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for extension of approval Rule 17f-2 under the Investment Company Act of 1940 concerning the custody of investments by registered management investment companies. Rule 17f-2 sets forth certain standards to be followed by such companies that maintain in their own custody their portfolio securities.

The potential respondents are registered management investment companies.

Submit comments to OMB Desk Officer: Robert Veeder (202) 395-4814.

**George A. Fitzsimmons,**

*Secretary.*

September 15, 1982.

[FR Doc. 82-26075 Filed 9-21-82; 8:45 am]

BILLING CODE 8010-01-M

**[Release No. 22630; (70-6780)]**

### Michigan Power Co.; Proposed Issuance and Sale of Long-Term Notes to Banks

September 10, 1982.

Michigan Power Company ("Michigan"), P.O. Box 413, Three Rivers, Michigan 49093, a public-utility subsidiary of American Electric Power Company, Inc., a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act").

Michigan has $20 million of notes outstanding evidencing borrowings from Manufacturers Hanover Trust Company and National Bank of Detroit in aggregate amounts of $13 million and $7 million, respectively. Each such note matures December 31, 1987, and bears interest through December 31, 1982, at a fluctuating rate per annum equal at all times to the rate of interest publicly announced by Manufacturers Hanover Trust Company as its prime rate; at a rate of 102% of said prime rate through December 31, 1985; and at 104% of said rate thereafter. At August 31, 1982, such prime rate was 13½%. Each note is prepayable, in which or in part and without payment of a premium or penalty, at any time prior to maturity. Michigan believes that it would be desirable to refinance such notes with the proceeds of fixed rate bank borrowings at such time as interest rates fall sufficiently to warrant such refinancing.

Accordingly, Michigan requests authorization to issue and sell through December 31, 1983, up to $20 million principal amount of its unsecured promissory notes (the "Notes") in connection with borrowings by the company from one or more commercial banks pursuant to a proposed Term Loan Agreement (the "Agreement"). Each Note will be due and payable on a date which shall not be less than two nor more than ten years from the date thereof; and will bear interest on the unpaid principal amount which shall be no greater than the rate of interest payable by the company to Manufacturers Hanover Trust Company under the existing Term Loan Agreement as of the date upon which a definitive Agreement is executed. No compensating balances shall be maintained or fees paid in the form of substitute interest by the company with respect to a lending bank's commitment under the Agreement. The proposed Agreement further specifies that, in the event a Note is paid prior to maturity in whole or in part, Michigan shall pay a

fee to the lending bank calculated to reimburse the bank for interest lost, if any, as a result of the prepayment. Michigan will apply all of the proceeds of the Note or Notes, at the time of such borrowings, to the repayment of notes evidencing indebtdess to Manufacturers Hanover Trust Company and National Bank of Detroit.

Michigan believes that long-term debt financing in the form of unsecured notes issued to commercial banks is the most practicable and cost-effective alternative available to it because of the company's modest size and capital needs and its relatively weak financial strength. The company also feels that the ability to carry out fixed rate financing through unsecured debt at an appropriate time will provide valuable flexibility.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by October 6, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

*Secretary.*

[FR Doc. 82-26072 Filed 9-21-82; 8.45 am]

BILLING CODE 8010-01-M

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**[Release No. 34-19047; File No. SR-NYSE-82-14]**

## Self-Regulatory Organization; New York Stock Exchange, Inc.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on September 8, 1982, the New York Stock Exchange, Inc., filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change will facilitate the operation of R4 on a six-month experimental basis and will implement trade comparison procedures using universal contraparty names and automatic submission of trade data into comparison in conjunction with R4. The text of the proposed rule change consists of procedures to be followed in implementing the R4 experiment.

These procedures are intended as "interim rules" for the operation of the experiment and would supersede any other rule inconsistent therewith. Prior to the expiration of the six-month period, the Exchange expects either to submit a formal codification of the procedures, revised as appropriate based on the Exchange's experience with R4, or to request an extension of the time period for the experiment pending further study and evaluation. The Exchange may also terminate the experiment at any time.

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

*A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change.*

Intense competition for small-size order flow resulting from the availability of automatic execution services on other exchanges (i.e. MAX on the Midwest Stock Exchange, PACE on the Philadelphia Stock Exchange and SCOREX on the Pacific Stock Exchange), has prompted the Exchange to investigate ways in which it can compete more effectively for such orders. The Exchange is planning to test several procedures to provide rapid execution and efficient order handling. R4 is one such experiment.

The R4 experiment is intended as a step in the possible development by the Exchange of a product which would allow member organizations to provide their customers with near-instantaneous executions of small-size market orders, ultimately through equipment developed for the Service, including an intelligent interactive terminal which could be used by the Registered Representative in his office. The execution price would be based upon the quotation displayed by the Exchange's published quotation (bought on offer or sold on bid). The ultimate system would automatically send an execution report back to the Registered Representative and print a report on the Floor. Thus, there would be a minimal lapse between the time the Registered Respresentative enters the order into the system and the time the Registered Representative receives an execution report. Ultimately, this product would also cause a transaction effected through the system to be reported to the Consolidated last sale reporting system (the "Tape"). It would also update the Exchange's published quotation and would automatically submit trade data within the system into comparison. The above description is based on the Exchange's present perception of how such a product would work, the details of which are subject to change.

Although the R4 experiment is consistent with a program designed to provide member organizations with the ability to give near-instantaneous executions to those customers who desire them, the facilities necessary to provide the ultimate product described above are not presently available. The R4 experiment will therefore utilize the order-routing channels presently available to member organizations through the Designated Order Turnaround ("DOT"). System and the procedures outlined below will be followed to provide execution reports to customers.

Initially, eligible participants in the experiment are Merrill Lynch, Pierce, Fenner & Smith Inc. and Dean Witter Reynolds Inc. Eligible stocks are expected to be the thirty Dow Jones Industrial stocks. As the experiment progresses, the member organizations which participate may be changed and stocks may be added and deleted.

The key aspects of the procedures for the R4 experiment can be summarized as follows:

- Registered Representatives commit an immediate and guaranteed execution to a customer based upon the composite quotation.
- Registered Representatives do not send an order to the Floor for execution—they send

a *completed report of execution* to the Floor.

- R4 transactions are executed through an Exchange facility and the time of execution is considered the point at which the execution report passes programmed validation guidelines. The trades, however, will not be considered to have occurred in the regular market on the Floor and Exchange rules will apply accordingly.
- The specialist, when receiving a report via R4, shall accept that report as the report of an execution which has already taken place at the reported price, inclusive of any commission, commission equivalent, differential or other charge imposed by the specialist.
- When an R4 report reaches the Floor and the reported price of the completed transaction is at the current quotation on the Floor at that time and such current quotation is on behalf of the book or the Crowd, the specialist gives up the book or the Crowd, based on priority. Of course, if the specialist has priority over an order in the Crowd at the price of the current quotation, he is not precluded from taking the R4 report into his own account.
- When an R4 report reaches the Floor and the reported price of the completed transaction is either between or outside the current quotation on the Floor at that time, the specialist must accept the execution for his own account.
- If an R4 report does not pass programmed validation guidelines and is rejected back to the entering organization, such member organization is responsible for providing the customer with the guaranteed execution by following the procedure it normally uses to correct an error.
- Registered Representatives are prohibited from using R4 to execute customer "short" sale orders.
- R4 uses the universal contras *RX* and *RR* for comparison purposes and automatically submits completed trade data into comparison.

The Exchange is aware that certain aspects of the proposed R4 procedures might have an impact on the market on the Floor for the stocks involved in the experiment or might raise other questions or concerns including some that relate to the structure of the market. The purpose of the experiment—which we plan to monitor closely—is to help determine the impact, if any, of the R4 experimental procedures and identify unanticipated problems.

The Service offers the following benefits to member organizations and their customers:

—Provides a greater choice in the way customers' orders can be executed; i.e., through R4, a customer can receive an execution the second the customer decides to buy or sell and agrees on the price based on the composite quotation *or* a customer can have the order sent to the Floor through the Exchange's Designated Order Turnaround ("DOT") System if the customer feels it would allow him to obtain a better price.

—Relieves R4 subscribers and specialists of the expense of submitting R4 trade date into comparison and eliminates errors and omissions which might otherwise occur if they submitted their own data.

—Provides a fully compared trade on trade date.

—Reduces frequency of uncompared trades through the use of universal contras.

The procedures for the experiment constitute rules in that they revise current comparison procedures and the way orders are normally executed on the Exchange. The Exchange is also requesting an exemption for the specialist from the short selling rules pursuant to paragraph (f) of SEC Rule 10a-1 with respect to principal short sales effected to fill R4 reports at a price which represents a "minus" or "zero minus" tick on the Exchange. The Exchange is also modifying its rules with respect to a specialist's principal transactions pursuant to an R4 report from the tick restrictions in Rule 104 and from the general prohibition against the specialist dealing for his own account unless such dealings are reasonably necessary to maintain a fair and orderly market (*i.e.*, the specialist's negative obligation). In addition, the Exchange is modifying its rules with respect to a transaction for his own account in a specialty stock that would result in putting into effect any stop order he may have on his book.

Reporting and comparison procedures for R4 will also prevail over existing rules governing these procedures. In addition, odd-lot and PRL orders executed through R4 would be executed in the same manner and at the same price as the round-lot orders, *i.e.*, on the basis of the best composite quotation at the time the order is received by the Registered Representative rather than on the basis of the price of the next round-lot sale as called for presently in Rule 124.

*Statutory Basis for the Proposed Rule Change*

The R4 experiment proposed herein is designed to facilitate transactions involving small-size market orders on the Exchange and to provide for efficient clearance and settlement of these transactions. Implementation of the experiment will be consistent with those provisions of the Securities Exchange Act of 1934 (the "Act") which encourage use of new data processing and communications techniques and more efficient market operations. It will also advance the prompt and accurate clearance and settlement of securities transactions. See Sections 11A(a)(1) and 17A(a)(1).

*B. Self-Regulatory Organization's Statement on Burden on Competition*

As explained above, the R4 experiment provides an opportunity for the Exchange to compete more effectively for small-size order flow with other exchanges which utilize automatic execution systems. Thus, the Exchange does not believe the R4 experiment will impose any burden on competition.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

The Exchange has neither solicited nor received written comments on the proposed rule change. However, the Exchange has consulted with the member organizations that will participate in the experiment and has been informed that the procedures satisfy their needs.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The Commission has found good cause for approving the proposed rule change on an accelerated basis in that it may prove useful for the NYSE to experiment with this rapid execution system as soon as possible in light of the recent periods of high volume on the NYSE. In addition, the NYSE has completed all preliminary work necessary to implement the experiment and the NYSE notes the temporary nature of the proposed rule change. Accordingly, the Commission has found that notice for 30 days prior to approval of the proposed rule change is unnecessary and that accelerated approval is in the public interest.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the Provisions of 5 U.S.C. 552, will be available for inspection and copying in the

Commission's Public Reference Section, 450 5th Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: September 14, 1982.

**George A. Fitzsimmons,**

*Secretary.*

[FR Doc. 82-26073 Filed 9-21-82; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### Commissioner's Advisory Group; Notice of Open Meeting

There will be a meeting of the Commissioner's Advisory Group on October 12 and 13, 1982. The meeting will be held in Room 3313 of the Internal Revenue Service Building. The building is located at 1111 Constitution Ave., N.W., Washington, D.C. The meeting will begin at 9:00 a.m. on Tuesday, October 12, and 9:00 a.m. on Wednesday, October 13. The agenda will include the following topics:

**Tuesday, October 12, 1982**

Tax Compliance Legislation of 1982, Request for Expeditious Treatment on Field Audits and Rulings, IRS Undercover Programs, IRS Paperwork Reduction Efforts.

**Wednesday, October 13, 1982**

FY 1983 Taxpayer Service Program Pro Se Taxpayer—Approaches by Counsel and Appeals.

The meeting, which will be open to the public, will be in a room that accommodates approximately 50 people. If you would like to have the Committee consider a written statement, please call or write to John E. Burke, Assistant to the Deputy Commissioner, 1111 Constitution Ave., N.W., Washington, D.C. 20224.

**FOR FURTHER INFORMATION CONTACT:** John E. Burke, Assistant to the Deputy Commissioner (202) 566-4143 (Not toll free).

**James I. Owens,**

*Acting Commissioner.*

[FR Doc. 82-26134 Filed 9-21-82; 8:45 am]

BILLING CODE 4830-01-M

## Office of the Secretary

### Supplement to Department Circular; Public Debt Series No. 23-82

September 16, 1982.

The Secretary announced on September 15, 1982, that the interest rate on the notes designated Series W-1984, described in Department Circular—Public Debt Series—No. 23-82 dated September 9, 1982, will be 12⅛ percent. Interest on the notes will be payable at the rate of 12⅛ percent per annum.

**Gerald Murphy,**

*Acting Fiscal Assistant Secretary.*

[FR Doc. 82-26160 Filed 9-21-82; 8:45 am]

BILLING CODE 4810-40-M

### Amendment To Department Circular; Public Debt Series—No. 23-82

September 16, 1982.

Department of the Treasury Circular, Public Debt Series—No. 23-82, dated September 9, 1982, as supplemented, descriptive of the 12⅛ percent Treasury Notes of Series W-1984, is hereby amended, effective September 30, 1982, to issue the notes as an additional issue of the 12⅛ percent Treasury Notes of Series F-1984, as described in Department of the Treasury Circular, Public Debt Series—No. 29-80, dated September 15, 1980, as supplemented. The provision in Department of the Treasury Circular, Public Debt Series—No. 23-82, for a $5,000 minimum denomination on the Series W-1984 notes will have no effect following the merger of the two issues. Both series of 12⅛ percent notes will have a $1,000 minimum denomination and will mature on September 30, 1984.

The additional issue of the 12⅛ percent Treasury Notes of Series F-1984 will accrue interest from September 30, 1982, and payment for the notes will be calculated on the basis of the auction price determined in accordance with Department of the Treasury Circular, Public Debt Series—No. 23-82. Otherwise, the notes are as described in the following excerpt from Department of the Treasury Circular, Public Debt Series—No. 29-80:

"2.1. The securities will be dated September 30, 1980, and will bear interest [1] from that date, payable on a semiannual basis on March 31, 1981, and each subsequent 6 months on September 30 and March 31, until the principal becomes payable. They will mature September 30, 1984, and will not be subject to call for redemption prior to maturity.

"2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

"2.3. The securities will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

"2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000. Book-entry securties will be availabe to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

"2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date."

The foregoing amendment was effected under authority of Sections 18 and 20 of the Second Liberty Bond Act, as amended (49 Stat. 21, as amended; 31 U.S.C. 753, 754b), and 5 U.S.C. 301. Notice and public procedures thereof are unnecessary as the fiscal policy of the United States is involved.

**Gerald Murphy,**

*Acting Fiscal Assistant Secretary.*

[FR Doc. 82-26161 Filed 9-21-82; 8:45 am]

BILLING CODE 4810-40-M

[1] On September 23, 1980, the Secretary of the Treasury announced that the interest rate on the notes would be 12⅛ percent per annum.

# Sunshine Act Meetings

Federal Register
Vol. 47, No. 184
Wednesday, September 22, 1982

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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**CIVIL AERONAUTICS BOARD**

**[M-362, September 16, 1982]**

**TIME AND DATE:** 10 a.m., September 23, 1982.

**PLACE:** Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

**SUBJECT:**

1. Ratification of Items Adopted by Notation.
2. Dockets 40815 and 40894, Notices of Golden West and Aspen to suspend service at Lake Tahoe, California. (BDA, OCCCA)
3. Dockets 40808 and 40809, Republic's Notices to suspend service at Klamath Falls and Bend/Redmond, Oregon. (BDA, OCCCA)
4. Dockets 40807 and 40817, Wien's 90-day notice to suspend service at 109 communities in Alaska effective October 1, 1982, and Alaska Airlines' 90-day notice to suspend service at 28 communities in Alaska effective October 1, 1982. (BDA, OCCCA)
5. Docket 40810, Republic's notice of intent to suspend all service at Benton Harbor/St. Joseph, Michigan. (BDA, OCCCA)
6. Docket 40210 and Docket EAS-550, Metroflight, Inc.'s notice of intent to suspend service at Lawton/Ft. Sill, Oklahoma and Lawton's EAS determination. (Memo 950-A, BDA, OCCCA, OGC)
7. Docket 38818, Second-year subsidy rate for Precision Valley Aviation for provision of essential air service at Montpelier/Barre, Vermont. (Memo 304-B, BDA, OCCCA, OC)
8. Docket 36244, Pioneer Airways, Inc.'s application for compensation for losses in Southern Nebraska. (BDA, OC, OCCCA, BCAA)
9. Dockets 32484, 38011, 30226, 40661, and 40801, Termination of section 406 subsidy payments at end of FY 1982. (BDA, OCCCA, OGC, OC)
10. Commuter carrier fitness determination of Manu'a Air Transport, Inc. (Memo 1497, BDA)
11. Dockets 40674, 40726, and 40647, Motion of Aloha Airlines to consolidate three section 401 certificate applications for intra-Hawaii authority to be heard in one formal hearing. (BDA)
12. Dockets 40832 and 40833, Application of International Air Associates, Inc. waiver of service requirements of section 302.1705 of the Board's Regulations. (BDA)
13. Dockets 40634 and 40635, Applications of United Air Carriers, d.b.a. Overseas National Airways. (Memo 1402-A, BDA)
14. Docket 40673, *Regulatory Flexibility Act;* definition of "small business", (Memo 1255-A, OGC)
15. Docket 40500, *Conner Air Lines, Inc.* v. *Seagreen Air Transport, Ltd.,* petition for Board review of dismissal by the Enforcement Division of OGC of Conner's complaint alleging Seagreen's violation of its section 402 foreign air carrier permits. (Memo 1495, OGC)
16. Docket 39387, USAir petition for permanent confidential treatment for detailed domestic service segment data. (OC, BDA, BIA, BCAA, OEA, OCCCA, OGC)
17. Dockets 39932 and 36294, Denied Board Compensation. (OGC, BDA, BIA, OC, OEA, OCCCA)
18. Docket 40399, Application of Action Air Cargo Corporation for a certificate of public convenience and necessity U.S.-Azores/Africa. (Memo 1491, BIA, OGC, BALJ)
19. Docket 40793, Application of United Air Carriers, Inc. d.b.a. Overseas National Airways for a certificate of public convenience and necessity to engage in scheduled foreign air transportation (New York-Beirut-Amman-Kuwait-Abu Dhabi-Dubai) (Memo 1498, BIA, OGC, BALJ)
20. Docket 35634, IATA agreement proposing a new cargo rate structure within Asia. (Memo 1481, BIA)
21. Docket 36496, Guaranteed Air Fare Rule. (BIA)
22. Report on Canada. (BIA)
23. Discussion on Upcoming Civil Aviation Negotiations with Peru. (BIA)
24. Update on United States-Chile Negotiations. (BIA)
25. Docket 40915, Pan American's Section 23 Complaint against British Airways. (BIA)

**STATUS:** 1-21 (open), 22-25 (closed).

**PERSON TO CONTACT:** Phyllis T. Kaylor, the Secretary (202) 673-5068.

[S-1351-82 Filed 9-17-82; 4:49 pm]

BILLING CODE 6320-01-M

2

**CIVIL AERONAUTICS BOARD**

**[M-361 Amdts. 1, 2 and 3, September 10, 1982]**

Deletions and Additions to the September 14, 1982 Meeting

**TIME AND DATE:** 10 a.m., September 14, 1982.

**PLACE:** Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

**SUBJECT:**

4. Dockets EAS-765 and EAS-792, Coastal Airlines' Petition for reconsideration of Order 82-6-61 selecting Air Vermont to provide essential air service at Berlin, New Hampshire, and Newport, Vermont. (Memo 518-E, BDA, OCCCA)
15. Docket 35634, IATA agreement proposing a new cargo rate structure within Asia. (Memo 1481, BIA)
15a. Dockets 40534, *et al.,* Order instituting the *Braniff South American Route Transfer Case.* (Memo 1482, BIA, OGC)
17. Dockets 40831, 40940, Applications of Arrow Airways, Inc. for certificate of public convenience and necessity and exemption (Denver-London). (BIA, OGC, BALJ)
24. Report on Japan. (BIA)

**STATUS:** 4 (open), 15 (open), 15a (open), 17 (open), 24 (closed).

**PERSON TO CONTACT:** Phyllis T. Kaylor, the Secretary (202-673-5068).

[S-1352-82 Filed 9-17-82; 4:49 pm]

BILLING CODE 6320-01-M

3

**COMMODITY FUTURES TRADING COMMISSION**

**TIME AND DATE:** 10 a.m., Tuesday, September 28, 1982.

**PLACE:** 2033 K Street, N.W., Washington, D.C. fifth floor hearing room.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:**

MACE Sugar Designation
NOCE Corn Designation
CBOT 90-Day T-Bill Designations
Rule 21.03 Selected Special Calls—Final Rule.

**CONTACT PERSON FOR MORE INFORMATION:** Jane Stuckey, 254-6314.

[S-1356-82 Filed 9-20-82; 3:54 pm]

BILLING CODE 6351-01-M

4

**FEDERAL ELECTION COMMISSION**

**[Federal Register No. 1326]**

**PREVIOUSLY ANNOUNCED DATE AND TIME:** Thursday, September 23, 1982 at 10 a.m.

**CHANGE IN MEETING:** The following matter has been added to the open meeting scheduled for this date:

Public Comments on Proposed Rules for Presidential Primary Matching Fund

**PERSON TO CONTACT FOR INFORMATION:** Mr. Fred Eiland, Public Information Officer; telephone: 202-523-4065.

Majorie W. Emmons,

*Secretary of the Commission.*

[S-1354-82 Filed 9-20-82; 12:43 pm]

BILLING CODE 6715-01-M

5

**FEDERAL MARITIME COMMISSION**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 47 FR 40977, September 16, 1982.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING:** 9 a.m., September 22, 1982.

**CHANGE IN THE MEETING:** The meeting of September 22, 1982 at 9:00 a.m. has been cancelled.

[S-1355-82 Filed 9-20-82; 3:49 pm]

BILLING CODE 6730-01-M

6

**FEDERAL RESERVE SYSTEM**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 47 FR 40522, Tuesday, September 14, 1982.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING:** 10 a.m., Monday, September 20, 1982.

**CHANGES IN THE MEETING:** Addition of the following closed item(s) to the meeting:

1. Proposals with respect to the Bank Service Corporation Act.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: September 20, 1982.

James McAfee,

*Associate Secretary of the Board.*

[S1357-82 Filed 9-20-82; 4:02 pm]

BILLING CODE 6210-01-M

7

**PAROLE COMMISSION**

**[2P0401]**

**AGENCY HOLDING MEETING:** U.S. Parole Commission, National Commissioners (the Commissioners presently maintaining offices at Chevy Chase, Maryland, Headquarters).

**TIME AND DATE:** 10 a.m., Wednesday, September 29, 1982.

**PLACE:** Room 420-F, One North Park Building, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815.

**STATUS:** Closed pursuant to a vote to be taken at the beginning of the meeting.

**MATTERS TO BE CONSIDERED:** Referrals from Regional Commissioners of approximately 8 cases in which inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

**CONTACT PERSON FOR MORE INFORMATION:** Linda Wines Marble, Chief Case Analyst, National Appeals Board, United States Parole Commission (301) 492-5987.

[S-1350-82 Filed 9-17-82; 4:15 pm]

BILLING CODE 4410-01-M

8

**SECURITIES AND EXCHANGE COMMISSION**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 47 FR 39935, September 10, 1982.

**STATUS:** Open meeting.

**PLACE:** Room 1C30, 450 5th Street, N.W., Washington, D.C.

**DATE PREVIOUSLY ANNOUNCED:** Tuesday, September 7, 1982.

**CHANGES IN THE MEETING:** Deletion. The following item was not considered at an open meeting scheduled on Thursday, September 16, 1982, at 10:00 a.m.

Consideration of an application filed by Union-Investment-Gesellschaft m.b.H. ("Union-Investment"), a West German management company, on behalf of Unifonds, a West German mutual fund, requesting an order pursuant to Sections 6(c) and 7(d) of the Investment Company Act of 1940, permitting registration of Union-Investment under the Act so that it may sell Unifonds shares in the United States, and granting exemptions from many of the provisions of the Act to the extent necessary to permit Union-Investment to comply with various West German regulations and business practices that conflict with those to which U.S. companies are subject. For further information, please contact Barbara Fraser at (202) 272-3042.

Chairman Shad and Commissioners Evans, Longstreth and Treadway determined by vote that Commission business required the above change and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Catherine McGuire at (202) 272-3085.

September 17, 1982.

[S-1353-82 Filed 9-20-82; 10:14 am]

BILLING CODE 8010-01-M

federal register

Wednesday
September 22, 1982

# Part II

# Department of Health and Human Services

## National Institutes of Health

## Recombinant DNA Advisory Committee, Meeting; Recombinant DNA Research: Proposed Actions Under Guidelines

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### Recombinant DNA Advisory Committee; Meetings

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the Recombinant DNA Advisory Committee at Wilson Hall, Building 1, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205, on October 25, 1982, from 9:00 a.m. to adjournment at approximately 6:00 p.m. This meeting will be open to the public to discuss:

CDC/NIOSH report on medical surveillance
Classification of microorganisms for purposes of Guidelines
Review of protocols for required containment levels
Containment levels for cloning toxin genes
Amendment of Guidelines
Proposed exemptions to Guidelines
Other matters requiring necessary action by the Committee

Attendance by the public will be limited to space available.

Dr. William J. Gartland, Jr., Executive Secretary, Recombinant DNA Advisory Committee, National Institutes of Health, Building 31, Room 4A52, telephone (301) 496–6051, will provide materials to be discussed at the meeting, rosters of committee members, and substantive program information. A summary of the meeting will be available at a later date.

In addition, notice is hereby given of a meeting of the Large-Scale Review Working Group sponsored by the Recombinant DNA Advisory Committee at the National Institutes of Health, Wilson Hall, Building 1, 9000 Rockville Pike, Bethesda, Maryland 20205, on October 26, 1982, from 9:00 a.m. to 12:00 noon. The meeting will be open to the public to discuss:

CDC/NIOSH report on medical surveillance
Proposed revision of the Physical Containment Recommendations for Large-Scale Uses of Organisms Containing Recombinant DNA Molecules

Attendance will be limited to space available.

Further information may be obtained from Dr. Elizabeth Milewski, Executive Secretary, Large-Scale Review Working Group, NIAID, Building 31, Room 4A52, Bethesda, Maryland, telephone (301) 496–6051.

Dated: September 15, 1982.

Betty J. Beveridge,
*NIH Committee Management Officer.*

OMB's "Mandatory Information Requirements for Federal Assistance Program Announcements" (45 FR 39592) requires a statement concerning the official government programs contained in the *Catalog of Federal Domestic Assistance*. Normally NIH lists in its announcements the number and title of affected individual programs for the guidance of the public. Because the guidance in this notice covers not only virtually every NIH program but also essentially every federal research program in which DNA recombinant molecule techniques could be used, it has been determined to be not cost effective or in the public interest to attempt to list these programs. Such a list would likely require several additional pages. In addition, NIH could not be certain that every federal program would be included as many federal agencies, as well as private organizations, both national and international, have elected to follow the NIH Guidelines. In lieu of the individual program listing, NIH invites readers to direct questions to the information address above about whether individual programs listed in the *Catalog of Federal Domestic Assistance* are affected.

NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in Section 8–(b)–(4) and (5) of that Circular.

[FR Doc. 82–26009 Filed 9–21–82; 8:45 am]
BILLING CODE 4140–01–M

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### Recombinant DNA Research; Proposed Actions Under Guidelines

**AGENCY:** National Institutes of Health, PHS, DHHS.

**ACTION:** Notice of Proposed Actions under NIH Guidelines for Research Involving Recombinant DNA Molecules.

**SUMMARY:** This notice sets forth proposed actions to be taken under the NIH Guidelines for Research Involving Recombinant DNA Molecules. Interested parties are invited to submit comments concerning these proposals. After consideration of these proposals and comments by the NIH Recombinant DNA Advisory Committee (RAC) at its meeting on October 25, 1982, the Director of the National Institute of Allergy and Infectious Diseases will issue decisions on these proposals in accord with the Guidelines.

**DATE:** Comments must be received by October 22, 1982.

**ADDRESS:** Written comments and recommendations should be submitted to the Director, Office of Recombinant DNA Activities, Building 31, Room 4A52, National Institutes of Health, Bethesda, Maryland 20205. All comments received in timely response to this notice will be considered and will be available for public inspection in the above office on weekdays between the hours of 8:30 a.m. and 5:00 p.m.

**FOR FURTHER INFORMATION CONTACT:** Background documentation and additional information can be obtained from Drs. Stanley Barban and Elizabeth Milewski, Office of Recombinant DNA Activities, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–6051.

**SUPPLEMENTARY INFORMATION:** The National Institutes of Health will consider the following actions under the Guidelines for Research Involving Recombinant DNA Molecules.

#### I. Request for Permission To Clone a Hybrid Gene Involving the Gene Encoding Diphtheria Toxin

Dr. John Murphy of Harvard Medical School requests permission to construct a hybrid molecule in which the gene coding for the melanocyte stimulating hormone (MSH) is joined to a segment of the gene encoding diphtheria toxin. The diphtheria toxin gene segment would encode the A subunit and portions of the B subunit. The segment would be devoid of the diphtheria toxin binding domain. The MSH gene would be a synthetic oligonucleotide. The MSH-diphtheria toxin hybrid gene would be introduced into poorly mobilizable plasmids such as pBR322, PUC9, or PUC8, and cloned in *E. coli* EK1 host-vector systems. Dr. Murphy proposes that work leading up to the gene fusion would be conducted under P1+EK1 containment. P1+EK1 containment would be appropriate for cloning the diphtheria toxin segment, as without a binding domain the polypeptide has very low toxicity. Dr. Murphy proposes that propagation of the hybrid gene in *E. coli* K–12 be conducted in the high containment Building 550 at the Frederick Cancer Research Facility (FCRF), since the specific toxicity of the hybrid gene product is unknown. Laboratory practices and containment equipment are to be specified by the IBC.

#### II. Request for Permission To Clone a Toxin Structural Gene From E. Coli

Drs. Alison O'Brien and Randall Holmes of the Uniformed Services University of the Health Sciences request permission to clone the

structural gene of the *shiga*-like toxin of *Escherichia coli*. The *E. coli* shiga-like toxin has biological activity similar to the activity of *Shigella dysenteriae* neurotoxin. The shiga-like toxin gene would be cloned in *E. coli* EK1 host-vector systems using plasmid, cosmid, or lambda cloning vectors.

**III. Request To Release Strains of Pseudomonas Syringae and Erwinia Herbicola**

Drs. Nicholas Panopoulos and Steven Lindow of the University of California, Berkeley, request permission to construct and release *Pseudomonas syringae* pv. *syringae* and *Erwinia herbicola* carrying *in vitro* generated deletions of all or part of the genes involved in ice nucleation for purposes of biological control of frost damage in plants.

**IV. Request To Field-Test Transformed Tomato and Tobacco Plants**

Dr. John Sanford of Cornell University requests permission to field-test tomato and tobacco plants that will be transformed with bacterial and yeast DNA using pollen as a vector. Plants will be screened in the field to detect transformation events.

**V. Proposed Revision of Appendix F**

NIH staff proposes to revise Appendix F, Section F-1, second sentence, to clarify that the subject experiments are not in fact "prohibited," but rather fall under Section III-A of the Guidelines, which requires that the experiments receive RAC review and NIH and IBC approval before initiation. The current language is inaccurate.

The relevant sentence in Appendix F currently reads as follows: "Cloning of genes coding for molecules toxic for vertebrates that have an $LD_{50}$ of less than 100 nanograms per kilogram body weight [e.g., microbial toxins such as the botulinum toxins, tetanus toxin, diphtheria toxin, *Shigella dysenteriae* neurotoxin] is prohibited."

NIH staff proposes that this sentence be amended to be read as follows: "The cloning of genes coding for molecules toxic for vertebrates that have and $LD_{50}$of less than 100 nanograms per kilogram body weight [e.g., microbial toxins such as the botulinum toxins, tetanus toxin, diphtheria toxin, *Shigella dysenteriae* neurotoxin] is covered under Section III-A-1 of the Guidelines and requires RAC review and NIH and IBC approval before initiation."

Dated: September 14, 1982.

**Bernard Talbot,**

*Acting Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health.*

OMB's "Mandatory Information Requirements for Federal Assistance Program Announcements" (45 FR 39592) requires a statement concerning the official government programs contained in the *Catalog of Federal Domestic Assistance*. Normally NIH lists in its announcements the number and title of affected individual programs for the guidance of the public. Because the guidance in this notice covers not only virtually every NIH program but also essentially every federal research program in which DNA recombinant molecule techniques could be used, it has been determined to be not cost effective or in the public interest to attempt to list these programs. Such a list would likely require several additional pages. In addition, NIH could not be certain that every federal program would be included as many federal agencies, as well as private organizations, both national and international, have elected to follow the NIH Guidelines. In lieu of the individual program listing, NIH invites readers to direct questions to the information address above about whether individual programs listed in the *Catalog of Federal Domestic Assistance* are affected.

NIH programs are not coverd by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in Section 8-(b)-(4) and (5) of that Circular.

[FR Doc. 82-26010 Filed 9-21-82; 8:45 am]

BILLING CODE 4140-01-M

federal register

Wednesday
September 22, 1982

# Part III

# Environmental Protection Agency

## Approval and Promulgation of State Implementation Plans; Utah; Final and Proposed Rulemaking

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[A-7-FRL 2151-7]**

## Approval and Promulgation of State Implementation Plans; Revisions to the Utah Plan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rulemaking.

**SUMMARY:** On August 11, 1980, the Governor of Utah submitted revisions to the Utah State Implementation Plan (SIP) to meet the requirements of section 172 of the Clean Air Act concerning the ozone and carbon monoxide (CO) nonattainment areas of the State and the requirements in section 127 of the Act regarding public notification. On May 5, 1981 (46 FR 25110), EPA published a proposed rulemaking based on that submittal. In the notice EPA proposed to approve 1) the section 127 public notification plan, 2) the section 172(b)(11)(A) alternatives analysis plan, and 3) the extension request for the City of Provo to meet the primary standards for CO. EPA also proposed to approve with conditions the Inspection/Maintenance (I/M) programs for both Salt Lake County and Davis County and to revoke several CO and ozone strategies promulgated by EPA prior to the enactment of the CAA of 1977.

Because no comments were received on the unconditional approvals, EPA is today approving the public notification plan, the alternatives analysis plan, the extension for Provo, and the revocation of the outdated strategies, except for the I/M strategy. Elsewhere in today's **Federal Register**, EPA is reproposing action on the I/M component of the SIP.

**DATES:** This action will be effective 30 days following publication.

**ADDRESSES:** Copies of the revision are available for public inspection between 8:00 a.m. and 4:00 p.m. Monday through Friday at the following offices:

Environmental Protection Agency, Region VIII, Air Programs Branch, 1860 Lincoln Street, Denver, Colorado 80295

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

The Office of the Federal Register, 110 L Street NW., Room 8401, Washington, D.C. 20408

**FOR FURTHER INFORMATION CONTACT:** Barry Levene, Air Programs Branch, Environmental Protection Agency, 1860 Lincoln Stree, Denver, Colorado 80295, (303) 837-3711

**SUPPLEMENTARY INFORMATION:** On May 5, 1981 (46 FR 25112) EPA proposed to approve portions of the Utah SIP revised in an August 11, 1980, submittal from the Governor and to conditionally approve others. The portions proposed for approval include the Public Notification Plan required by Section 127 of the Clean Air Act, the Alternatives Analysis Plan required by Section 172(b)(11)(A), and the extension of the CO attainment date for Provo until December 31, 1983. EPA also proposed to revoke several ozone and CO strategies promulgated by EPA prior to the enactment of the Clean Air Act of 1977. The portions proposed for conditional approval concern the I/M programs in Salt Lake and Davis counties. EPA is taking final action only on the portions proposed for unconditional approval. Elsewhere in today's **Federal Register**, EPA is reproposing action on the I/M component.

No comments were received on the portions of the SIP proposed for unconditional approval on May 5, 1981. Neither were there any comments on the proposal to revoke several CO and ozone strategies promulgated by EPA prior to enactment of the Clean Air Act Amendments of 1977.

EPA is therefore approving the following portions of the Utah SIP:

1. Extension of the attainment date for CO in Provo until December 31, 1983.
2. The Public Notification Plan required by section 127 of the Clean Air Act.
3. The Alternatives Analysis Plan required by section 172(b)(11)(A).

EPA is also revoking the strategies proposed for revocation in the May 5, 1981, proposal except for the strategy concerning an I/M program, because the I/M component of the SIP is now being proposed for disapproval.

Under Section 307(b)(1) of the Clean Air Act, petitions for review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

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

**List of Subjects in 40 CFR Part 52**

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

This rulemaking is issued under the authority of Section 110 of the Clean Air Act (42 U.S.C. 7410).

Dated: September 2, 1982.

**Note.**—Incorporation by reference of the State Implementation Plan for the State of Utah was approved by the Director of the Federal Register on July 1, 1982.

**Anne M. Gorsuch,**

*Administrator.*

## PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

### Subpart TT—Utah

1. In § 52.2320 (c)(11) is added as follows:

**§ 52.2320 Identification of plan.**

* * * * *

(c) * * *

(11) Provisions to meet the requirements of Section 127 and Part D for carbon monoxide and ozone were submitted on August 11, 1980.

**§§ 52.2336, 52.2338, 52.2339, 52.2340, 52.2341, 52.2342, 52.2343, 52.2329 [Removed]**

2. Section 52.2336 is removed.
3. Section 52.2338 is removed.
4. Section 52.2339 is removed.
5. Section 52.2340 is removed.
6. Section 52.2341 is removed.
7. Section 52.2342 is removed.
8. Section 52.2343 is removed.
9. Section 52.2329 is removed.
10. Section 52.2322(j) is added as follows:

**§ 52.2322 Extensions.**

* * * * *

(j) The Administrator hereby extends to December 31, 1983, the attainment date for the national standards for carbon monoxide in the City of Provo.

11. In § 52.2331 the attainment date table is revised for the Wasatch Front AQCR. As revised the attainment date table is as follows:

**§ 52.2331 Attainment dates for national standards**

* * * * *

| Air quality control region and nonattainment area | Pollutant | | | | | | |
|---|---|---|---|---|---|---|---|
| | Particulate matter | | Sulfur oxides | | Nitrogen dioxide | Carbon monoxide | Ozone |
| | Primary | Secondary | Primary | Secondary | | | |
| Wasatch Front: | | | | | | | |
| a. Nonattainment Portions | b | b | b | b | a | d | c |
| b. Remainder of AQCR | a | a | a | a | a | a | a |
| Four Corners Interstate | a | a | a | a | a | a | a |
| Utah Intrastate | a | a | a | a | a | a | a |

a. Air Quality levels presently below secondary standards.
b. December 31, 1982.
c. December 31, 1985.
d. December 31, 1983.

NOTE 1.—Footnotes which are italic are described by the Administrator because the plans do not provide a specific date, or the date provided is not acceptable.

NOTE 2.—Sources subject to plan requirements and attainment dates established under Section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.325.

[FR Doc. 82-26142 Filed 9-21-82; 8:45 am]

BILLING CODE 6560-50-M

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[A-7-FRL 2151-5]**

## Approval and Promulgation of State Implementation Plans; Inspection/Maintenance Component of the Utah Plan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rulemaking.

**SUMMARY:** On August 11, 1980, the Governor of Utah submitted revisions to the Utah State Implementation Plan (SIP) to meet the requirements of Section 172 of the Clean Air Act Amendments of 1977 regarding the ozone and carbon monoxide (CO) nonattainment areas of the State and the requirements of Section 127 of the Act regarding public notification. On May 5, 1981 (46 FR 25110), EPA published a proposed rulemaking based on that submittal. EPA proposed to approve: 1) the Section 127 public notification plan, 2) the Section 172(b)(11)(A) alternatives analysis plan, and 3) the extension of the CO primary standards attainment date for Provo until December 31, 1983, as allowed under Section 172(a)(2). EPA also proposed to approve with conditions the Inspection/Maintenance (I/M) component of the plan and to revoke several CO and ozone strategies promulgated by EPA prior to the amendment of the Act.

Comments were received only on the I/M portion of the notice. EPA is reproposing action on the I/M component by proposing disapproval of the I/M portion of the Plan because all the requirements of Section 172 are not met. Final action on the other portions is published elsewhere in today's **Federal Register.**

**DATE:** Comments due on or before October 22, 1982.

**ADDRESSES:** Written comments should be addressed to: Robert R. DeSpain, Chief, Air Programs Branch, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295.

Copies of the revision are available for public inspection between 8:00 a.m. and 4:00 p.m. Monday through Friday at the following office: Environmental Protection Agency, Region VIII, Air Programs Branch, 1860 Lincoln Street, Denver, Colorado 80295.

**FOR FURTHER INFORMATION CONTACT:** Barry Levene, Air Programs Branch, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295, (303) 837-3711.

**SUPPLEMENTARY INFORMATION:**

### I. Background

The State of Utah submitted major revisions to its State Implementation Plan on January 3, 1979. These revisions included, among other things, provisions for county-operated inspection/maintenance (I/M) programs in Davis County and in Salt Lake County. On May 16, 1979 (44 FR 28688), EPA proposed to disapprove certain portions of the Utah SIP, including the I/M provisions, due to a number of significant deficiencies. In response to EPA's proposal, the State submitted revisions to their SIP on November 5, 1979. As a result of a review to this submittal, EPA identified deficiencies and proposed, on February 19, 1980 (45 FR 10817), to approve the strategies for ozone in Weber County and for CO and ozone for all other areas if certain supplemental materials were submitted prior to final rulemaking.

On August 11, 1980, the State submitted supplemental materials in response to the February 19, 1980 proposal. All of the required materials were contained in the August 11, 1980, submittal, except for decisions by each county on the type of I/M enforcement mechanism to be used and supporting legal opinions stating that the counties had adequate authority for the chosen enforcement mechanisms. Schedules and implementation commitments in the form of resolutions from both counties' Boards of Health were submitted and provided for implementation of the programs by December 31, 1981.

On May 5, 1981 (46 FR 25112) EPA proposed to approve, with certain conditions, those portions of the Utah SIP revised in the August 11, 1980, submittal. The portions proposed for unconditional approval include the Public Notification Plan required by Section 127 of the Clean Air Act, the Alternative Analysis Plan required by Section 172(b)(11)(A), and the extension of the CO primary standards attainment date for Provo until December 31, 1983.

No comments were received on other portions of the SIP proposed for approval on May 5, 1981. Neither were there any comments on the proposal to revoke several CO and ozone strategies promulgated by EPA prior to enactment of the Clean Air Act Amendments of 1977. Final approval of these portions is published elsewhere in today's **Federal Register.**

On May 5, 1981, EPA proposed that the I/M component of the SIP be approved conditioned on adoption and submission to EPA of a specific procedure for effective enforcement of the program along with rules, ordinances, or other documentation representing a commitment to enforce and supporting legal opinions. Since EPA learned that Salt Lake County had revised its schedule to provide for program implementation by December 1982, EPA also proposed that, prior to final rulemaking, Salt Lake County provide documentation concerning its revised implementation schedule. Because the Counties of Davis and Salt Lake are responsible for the implementation of the program, each on its own separate schedule, the deadlines for submittal of this information were proposed to be November 30, 1981, for the Salt Lake County program, and June 30, 1981, for the Davis County program. EPA asked specifically for comments on the appropriateness of this condition and deadlines associated with it.

A revised resolution from the Salt Lake City-County Board of Health and an implementation schedule were received by EPA on April 22, 1981, just prior to EPA's May 5, 1981 proposal. The schedule contains revised dates for key milestones with a program implementation date of December 31, 1982. The stated reason for the revision of the schedules was the decision to proceed with a contractor operated program, which, accorded the EPA policy, must be implemented by December 31, 1982. This deadline is acceptable according to EPA policy but, as discussed below, the County has missed several key implementation milestones.

One comment latter on the davis County I/M program was received during the comment period for the May 5, 1981, notice. The Davis County Board of Health in its June meeting had taken several actions related to the county's I/M program. The comment letter summarized the Board's action to proceed with the I/M program as long as three conditions are met:

1. A reasonable and workable enforcement mechanism must be developed prior to program implementation.

2. A clear understanding of the outcome of pending Clean Air Act amendments must be developed and agreed upon prior to program implementation.

3. To make the planning efforts of Davis and Salt Lake Counties more congruent, the implementation date should be extended for one year until December 31, 1982.

On June 2, 1982, Davis County extended its implementation date to December 31, 1982.

In addition, on August 3, 1981, Davis County provided EPA an outline of potential enforcement mechanisms,

accompanied by legal opinions from the County Attorney and State Attorney general on the legal authority for such mechanisms. None of these mechanisms had been adopted.

## II. Discussion

EPA issued guidance on February 24, 1978, on the general criteria for SIP approval including I-M, and on July 17, 1978, regarding the specific criteria for I/M SIP approval. Both of these items are part of the SIP guidance material referred to in the General Preamble for Proposed Rulemaking (44 FR 20372, 20373, and 6). The key elements for I/M SIP approval are as follows:

*Legal Authority.* States or local governments must have adopted the necessary statutes, regulations, ordinances, etc., to implement and enforce the inspection/maintenance program. (Section 172(b)(10)).

*Commitment.* The appropriate governmental unit(s) must be committed to implement and enforce the I/M program. (Section 172(b)(10)).

*Resources.* The necessary finances and resources to carry out the I/M program must be identified and committed. (Section 172(b)(7)).

*Schedule.* A specific schedule to establish the I/M program must be included in the State Implementation Plan. (Section 172(b)(11)(b)). Interim milestones are specified in the July 17, 1982, memorandum in accordance with the general requirements of 40 51.15(c).

*Program Effectiveness.* As set forth in the July 17, 1978, guidance memorandum, the I/M program must achieve a 25% reduction in passenger car exhaust emissions of hydrocarbons and a 25% reduction for carbon monoxide. This reduction is measured by comparing the levels of emissions projected to December 31, 1987, with and without the I/M program. This policy is based on Section 172(b)(2) which states "the plan provisions * * * shall * * * provide for the implementation of all reasonably available control measures. * * *."

Specific provisions of these five key elements are detailed in a previous EPA proposal published on February 19, 1980 (46 FR 10818) on the Utah I/M program.

## III. EPA Action

EPA is proposing to disapprove the I/M component of the Utah Co-ozone SIP because it does not meet the requirements of Section 172(b)(10) and 172.(b)(2) of the Clean Air Act Amendments of 1977. In addition, the deadlines proposed in EPA's proposed conditional approval have not been met, although a final conditional approval was not published. The SIP remains deficient in the areas of enforceability, commitment, and schedules for both Salt Lake and Davis Counties.

### *A. Enforceability*

EPA believes that, although the counties have submitted adequate general legal authority to implement and enforce I/M programs, there remains a question as to whether or not any mechanism that may be selected to implement that authority will be within the general authority and whether it will be effective. Davis County, in its comment letter, recognizes the issue and has evaluated several alternatives. A description of alternative mechanisms was provided to EPA on August 3, 1981, along with legal opinions from the County Attorney and State Attorney General. The opinions indicate that at least one of the approaches is within the county's legal authority, but there is no indication that this mechanism has been adopted through rules, ordinances or other means. This mechanism seems to be generally consistent with EPA policy, but EPA is unable to determine whether it will be enforceable and effective. Salt Lake County has provided no information on any recommended or adopted enforcement mechanism. Thus the Utah SIP does not provide adequate evidence that will be enforceable or effective. EPA believes that the counties' failure to adopt an effective enforcement mechanism constitutes a major deficiency.

### *B. Commitment*

Both counties have made general commitments in the form of resolutions to implement and enforce I/M programs, but no commitments have been made regarding the specific enforcement mechanism to be used. No rules, ordinances, or other documentation representing a commitment to enforce has been provided. Uncertainties regarding the specific enforcement mechanism have not been resolved even though they were identified in previous EPA proposals on February 19, 1980 (45 10818) and May 5, 1981 (46 FR 25112). The counties' lack of commitment to the I/M programs is also evidenced by the fact that implementation schedules have not been met. Regulations implementing the program have not been adopted according to the submitted schedules. Salt Lake County has failed to meet its own date for distributing requests for proposals for its contract-run centralized programs. Both counties are at least one year behind schedule. EPA therefore believes that neither county has demonstrated a sufficient commitment to implementation and enforcement of an I/M program as required by Section 172(b)(10).

### *C. Schedule*

On June 2, 1981, the Davis County Board of Health passed a resolution which extended its I/M implementation date until December 31, 1982. EPA was informed of this action in Davis County's comment letter on EPA's May 5, 1981, proposal. The rationale for the decision, which was based primarily on the desire for increased coordination with neighboring Salt Lake County, was provided to EPA on November 18, 1981.

EPA policy allows for a December 31, 1982, deadline only if a centralized program is planned. Davis County has selected a decentralized approach which, according to EPA policy, must be in place by December 31, 1981. EPA believes that its current policy on implementation deadlines is consistent with the requirements of Section 172(b)(2) which requires that "all reasonably available control measures * * *" be implemented "as expeditiously as practicable." EPA believes that necessary coordination between the two counties would have taken place within the timeframe established by EPA policy. Therefore, EPA is proposing to disapprove the revised implementation schedule.

Although the Salt Lake County schedule contains all key milestones, they have not been met. In fact, the County is approximately one year behind. Request for proposals have not yet been issued for the centralized program and regulations have not been drafted. A conditional approval is inappropriate because it is virtually impossible that the December, 1982 deadline can be met even if the schedule were revised.

Disapproval of the plan will result in continuation of the ban on construction or modification of major stationary sources in the CO and ozone nonattainment areas of Salt Lake and Davis Counties (Section 110(a)(2)(I) of the Clean Air Act).

The Clean Air Act also authorizes EPA to restrict certain federal funds from areas if reasonable efforts are not being made to submit an adequate SIP. If EPA determines that reasonable efforts are not being made, Section 176(a) of the Act states that "The Administrator shall not approve any projects or award any grants authorized by this Act and the Secretary of Transportation shall not approve any projects or award any grants under Title 23, United States Code, other than for safety, mass transit, or transportation improvement projects related to air

quality improvement or maintenance." In addition, under section 316 of the Act, EPA may condition, restrict or withhold wastewater treatment construction grants in areas where an approved SIP is not in effect Prior to applying this limitation EPA will publish a proposed rulemaking and request comments on its determination. See 45 FR 24692 and 45 FR 53382 (1980).

Under 5 U.S.C. 605b, I certify that this disapproval does not have a significant economic impact on a substantial number of small entities. Any economic impact would be a result of a separate EPA action. The construction ban has been in effect since July, 1979.

Under Executive Order 12291, this action is not Major. It has been submitted to the Office of Management and Budget (OMB) for review. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at the Region VIII office of EPA.

This notice of proposed rulemaking is issued under the authority of Section 110 of the Clean Air Act (42 U.S.C. 7410).

**List of Subjects in 40 CFR Part 52**

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

Dated: June 2, 1982.

**Steven J. Durham,**

*Regional Administrator.*

[FR Doc. 82-26141 Filed 9-21-82; 8:45 am]

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federal register

Wednesday
September 22, 1982

# Part IV

# Department of Agriculture

## Agricultural Marketing Service

## Standards for Grades of Carcass Beef and Standards for Grades of Slaughter Cattle

**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**7 CFR Parts 53 and 54**

## Standards for Grades of Carcass Beef and Standards for Grades of Slaughter Cattle

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

**ACTION:** Notice of withdrawal.

**SUMMARY:** On Wednesday, December 30, 1981, the U.S. Department of Agriculture (USDA) published a notice of proposed rulemaking to revise the official U.S. standards for grades of carcass beef and standards for grades of slaughter cattle (46 FR 63052–63075). The following is the Department's decision on that proposal.

The proposal allowed until March 31, 1982, for all segments of the industry and the general public to comment. The official number of written comments that were timely received was 3,953. Also, public hearings were conducted on the proposal during February 1982, at the following locations: February 9, Salt Lake City, Utah; February 11, Atlanta, Georgia; February 16, Washington, D.C.; February 22, Des Moines, Iowa; and February 25, Dallas, Texas. A total of 95 persons made statements at these hearing sessions and transcripts of all statements were made. Those transcripts, as well as all submitted comments, are public information available to anyone caring to review them at the Agricultural Marketing Service, USDA.

Since 1927, the USDA has viewed its role in beef grading as providing a service to the meat industry, for a fee, that best represents what the beef producers, manufacturers, wholesalers, marketers, and the consuming public needs, understands, and wants. The beef grades are intended to facilitate the orderly and efficient marketing of livestock and beef by providing a common language for all users. The Department has consistently upheld the philosophy that beef grade standards cannot be static; they must be dynamic to be of the greatest value to all users of the system, from the producer to the consumer. As new technology has emerged and as consumers' tastes and desires have changed, the Department has kept with this philosophy by modernizing the standards as necessary to meet the changing needs of the users of the system. It is further the desire and obligation of this Administration to provide the type and nature of service that best reflects the identifiable and agreed upon wishes of the indusry in marketing beef to a knowledgeable and satisfied consuming public. Marketing is not good marketing unless the consumer is satisfied.

For the reasons set forth below, the Department has decided to withdraw the proposed beef grade changes, and to implement no changes in this voluntary, user-paid-for service at this time.

**DATE:** This withdrawal is effective September 22, 1982.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Ford, Deputy Assistant Secretary for Marketing and Inspection Services, 242–E Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250; (202) 447–7813.

**SUPPLEMENTARY INFORMATION:**

### Background

The Federal grading of beef is a voluntary service, provided under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*), which is designed to facilitate the marketing of livestock and meat. Beef grades are intended to segregate the beef supply into groups of carcasses with similar attributes of palatability and yields of cuts. These are the criteria that generally are of primary concern to consumers and the beef industry as they affect the acceptability of beef and to a great extent the ultimate price and consumption of beef. Beef grades have served as useful marketing tools since the voluntary beef grading and stamping service was begun in May 1927. Grades provide a common language and basis for marketing of livestock and meat as well as providing an opportunity for consumer desires to be communicated through the marketing channels so that necessary changes in livestock feeding and production may be made.

Beef grading is voluntary, and not all beef marketed is graded. In 1981, approximately 55 percent of commercial beef production was graded. However, approximately 75 percent of the fed-beef supply was graded. Fed beef is the portion of the beef supply which provides most of the beef available to consumers as retail cuts. Non-fed beef is generally regarded as manufacturing beef and used in sausage, ground beef, and other prepared-type products. Of the beef that was graded in 1981, approximately 5 percent was Prime, 90 percent was Choice, and 4 percent was Good. Most of the fed-beef supply that was not graded would fail to meet the requirements for Prime or Choice. Such fed beef is generally equivalent to the Good grade but is marketed ungraded (commonly referred to as "no rolls").

When beef is voluntarily graded, the official grade consists of both a quality grade and a yield grade. The quality grades are intended to identify differences in the palatability of cooked beef principally through the characteristics of marbling and maturity. The official USDA quality grades are Prime, Choice, Good, Standard, Commercial, Utility, Cutter, and Canner. The yield grades identify differences in the percentage of product that may be obtained from a carcass. The official USDA yield grades are denoted by numbers 1 through 5 with Yield Grade 1 representing the highest yield of cuts (highest cutability).

Since grading is a tool to facilitate marketing, grades should identify segments of the beef supply that have similar attributes of importance to purchasers; e.g., a superior level of palatability or yield for which a value differential should exist. Thus, grading can provide a means of identifying and communicating users' desires throughout the industry. Grades should be as compatibile as possible with efficient production practices although the most desired grade(s) is not necessarily the most efficient to produce. In addition, grades should be based on criteria that can be evaluated as rapidly and accurately as possible while still identifying attributes of importance.

### The Department's Current Proposal

Recommendations for changes in the standards may be initiated by the Department or by interested parties; however, before giving consideration to proposing changes, the Department must be assured that such changes would potentially improve the standands. When it appears that a change is warranted, a proposal is published and interested parties are provided an opportunity to comment. A decision regarding adoption of the proposed change is made only after receipt and analysis of all timely received comments.

*Events and Concerns Leading to the USDA Proposal.* In April 1981, the Department received a formal petition from the National Cattlemen's Association (NCA) that asked for consideration and appropriate action on a resolution "to improve and modernize the USDA Beef Grading Standards." Other formal and informal proposals have also been received. The NCA petition maintained that the current grading system inhibits the production of leaner beef and leads to the overfattening of some cattle and to economic inefficiencies. The NCA petition suggested that their revision of the current standards would lower production costs by reducing the

average feeding time by 15 to 30 days and at the same time provide a product that is as acceptable as the product in the current grades and more in line with consumer desires for leaner beef.

Subsequent to the beef grade changes promulgated in March 1975, the Department initiated a major study of beef quality in cooperation with Texas A&M University, Colorado State University, and Iowa State University. This study, involving over 1,000 beef carcasses, was completed in early 1981 and was the most comprehensive study of grades, grade factors, and beef palatability ever conducted. The Department used an analysis of that study, along with all other available information, in developing its current proposal. The Department concluded that the proposed standards for the Prime and Choice grades would not significantly lower the overall palatability (tenderness, juiciness, and flavor) for those two grades. Therefore, for the most part, the analysis assumed that there would not be a shift in demand due to the proposed changes in the standards. The one available consumer survey that looked at the 1976 change, a change of similar magnitude to this proposed change, did not find any significant changes in purchasing patterns due to the 1976 revisions in the grade standards.

Furthermore, the Department does acknowledge the apparent inefficiencies in a system that produces excess fat that must be created, chilled, and transported only to be trimmed off before the final product appears in the meat counter of a retail store. While there is not a direct cause and effect relationship, there is some evidence that the existing standards do have an influence on the production system that at times produces a relatively high percentage of overfat cattle.

A panel discussion at the National Beef Grading Conference held in Ames, Iowa, in January 1981, concluded that most cattle are sold based on an estimated percentage of Choice in conjunction with weight and number of days on feed. Most cattle are fed until the feeder or buyer estimates that 75 percent or more of the lot or pen will grade Choice. This normally occurs at market weights of 1,050 to 1,200 pounds depending on the size, age, and breed of cattle. At the same time as the cattle are developing the marbling to grade Choice, they are also developing increased exterior and seam fat. The NCA and some other segments of the beef industry have concluded that with the existing grade standards it is generally impossible to achieve the goal of 75 percent or more Choice without producing a relatively high percentage of Yield Grade 4 and Yield Grade 5 cattle that are discounted for being overfat.

Even though most fed cattle may be marketed only after they reach the goal of 75 percent or more Choice, the cattle feeder's profits are still based on considerations of marginal costs and marginal revenues. As cattle approach the traditional market weights of 1,050 to 1,200 pounds, marginal costs are increasing because of decreases in feed efficiency (pounds of grain required per pound of gain). Marginal revenues are simultaneously affected by rising and falling market prices, by premiums paid for Choice cattle over Good cattle, and by discounts for Yield Grade 4 and 5 cattle. These premiums and discounts change over time. For example, over the most recent 4 years preceding the Department's proposal, premiums for Choice slaughter cattle over Good cattle averaged from $3 to $5 per hundred pounds. However, in early February 1981, prices for Good and Choice cattle differed by only $2 dollars per hundred pounds based on the price quotations from certain central markets. These price quotations are based on the slaughter cattle standards. Since 1975, the discounts for Yield Grade 4 and 5 cattle have varied considerably. Prior to 1975, the discounts were less than estimated value differences. The discounts have now increased to often reflect or even exceed the expected value differences. Under certain market conditions, cattle are fed to a point where the total discounts exceed the total premiums. Feeding to a goal of 75 percent or more Choice is one of several factors than can contribute to that type of situation.

Based on a sample of 1,287 carcasses examined in late 1980 and early 1981, the Department estimates that almost 23 percent of fed cattle slaughtered at that time produced a carcass that was either Yield Grade 4 or Yield Grade 5. In 1980, there were approximately 24 million fed steers and heifers slaughtered. This slaughter level produced an estimated 5.5 million Yield Grade 4 or Yield Grade 5 carcasses. An examination of wholesale dressed meat prices in 1980 shows that typical discounts for these carcasses ranged from $12 to $15 per hundred pounds. Assuming that these heavier carcasses averaged 750 pounds, then the total discount for these 5.5 million carcasses would probably have been between $500 and $600 million. These cattle cost as much, if not more, to produce than cattle with more desirable yield grades. It is believed that most of this loss in revenue was borne by the cattle feeder because buyers estimate the number of Yield Grade 4 and 5 cattle when they offer price quotations.

There is a significant portion of the industry that suggests cattle feeders cannot produce leaner beef under the current standards. This is probably true as long as the target goal for feeders is 75 percent or more Choice. The number of overfat cattle could, however, be reduced through improved production practices or if this goal was lowered to 50 to 60 percent Choice. It is not clear whether this goal is set by the production side of the industry or by the consumer side.

The current proposal would have provided feeders with the opportunity to feed to a constant percentage of Choice with less time on feed. With shorter feeding times, overall profitability in the long term should increase because (1) overall feed efficiency would go up for lighter market weights, and (2) the total discounts for Yield Grade 4 and 5 carcasses should go down as fewer are produced.

However, the impacts of the current proposal were highly dependent on the resultant change in feeding patterns. The Department recognizes that there are differences in opinion as to (1) the number and types of feedlot operations that would change feeding patterns in response to a change in the grade standards, and (2) the magnitude of that response in terms of the reduction in average time on feed.

The Department projected, as one of several "best cases", that the average time on feed for approximately half of fed cattle would be reduced by approximately 15 days, or that the overall average time on feed would be reduced by approximately 7 days. The estimated short-term impacts of this projected case are summarized below:

If all fed cattle were fed 7 days less, there would be a 1.7 percent decrease in total live weight, a 2.1 percent decrease in carcass weight, and a 1.4 to 1.8 percent decrease in the supply of closely trimmed retail cuts. Total feed costs would be reduced by almost 5 percent or over $200 million. This represents a decrease in overall production costs of 1.1 percent. It was also estimated that the average yield grade would be decreased by 0.1 to 0.15. With this amount of shift in average yield grade, an estimated 3 to 4 percent of fed cattle would move from Yield Grade 4 down to Yield Grade 3, potentially decreasing overall discounts by 13 to 17 percent. Under this response, it was estimated that the percentage of Choice cattle would rise from 64 percent to 74 percent

and that the percentage of Good cattle would decrease from 26 percent to 12 percent of the fed-beef supply. This could affect the premiums paid for Choice cattle.

The Department's proposal was essentially based upon these two conclusions: (1) That slightly reduced feeding time could result in a product that was less expensive to produce; and (2) that the change would not result in a significant lessening of palatability of Prime and Choice. Stated another way, it appeared that production costs could be lowered while maintaining acceptable palatability levels. With this possibility in mind, the Department published its proposal.

**Summary of the USDA Proposal**

—Minimum marbling requirements for the Prime, Choice, and Good grades in A maturity beef (cattle up to approximately 30 months of age) would be reduced to minimum moderate, typical slight, and minimum traces marbling, respectively.

—All young beef inferior to the minimum requirements for the Good grade would be graded Utility.

—The Standard grade would be eliminated.

—In the Prime, Choice, and Good grades, the rate of increase in marbling requirements in B maturity beef (from cattle approximately 30 to 42 months of age) would be doubled. (The relationship between marbling and maturity would increase from 1:1 to 2:1.)

—Quality grade requirements for bullock (young bull) beef would be changed to remain the same as those for steer, heifer, and cow beef in A maturity. However, bullock beef still would be identified as a separate class.

—Related standards for slaughter cattle would be changed to reflect the changes made in the standards for carcass beef.

—No changes would be made in the yield grade section of the standards.

**Public Response to the Department's Proposal**

The following tables present a breakdown of the public response to the Department's proposed changes. A complete summary of the comments is contained in the public record and is available for public inspection at the Livestock, Meat, Grain, and Seed Division, AMS, USDA.

BILLING CODE 3410-02-M

Table 1. Distribution of Comments

| Sector | Source: Written[1] Organizations[2] | Written Individuals | Hearing Organizations[2] | Hearing Individuals | Total Organizations[2] | Total Individuals |
|---|---|---|---|---|---|---|
| Consumer | 0 | 2576 | 1 | 1 | 1 | 2577 |
| Livestock Production | 50 | 246 | 34 | 8 | 84 | 254 |
| Meat Packing | 3 | 10 | 11 | 4 | 14 | 14 |
| HRI Supplier | 6 | 172 | 2 | 6 | 8 | 178 |
| HRI User | 21 | 749 | 8 | 8 | 29 | 757 |
| Retail | 2 | 50 | 1 | 2 | 3 | 52 |
| Academic | 0 | 32 | 0 | 4 | 0 | 36 |
| Others | 0 | 36 | 0 | 5 | 0 | 41 |
| Total | 82 | 3871 | 57 | 38 | 139 | 3909 |
| | 3953 | | 95 | | 4048 | |

[1]Statements presented on behalf of more than one organization or sector were recorded under the category believed to represent the respondent's primary interest.

[2]Includes all individual statements presented on behalf of organizations. Several organizations had more than one person present the organization's comments.

BILLING CODE 3410-02-C

Table 2. Comments in favor of or opposed to adoption of USDA proposed changes.

| Sector | Written Comments[1] Favor n | Favor % | Favor with Modification[3] n | % | Oppose[4] n | % | Hearing Comments[2] Favor n | Favor % | Favor with Modification[3] n | % | Oppose[4] n | % |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Consumer | | | | | | | | | | | | |
| Individuals | 63 | 2.5 | 4 | 0.2 | 2486 | 97.4 | 0 | — | 0 | — | 1 | 100.0 |
| Organizations | 0 | — | 0 | — | 0 | — | 0 | — | 0 | — | 1 | 100.0 |
| Livestock Production | | | | | | | | | | | | |
| Individuals | 25 | 10.2 | 106 | 43.3 | 114 | 46.5 | 2 | 25.0 | 1 | 12.5 | 5 | 62.5 |
| Organizations | 1 | 2.0 | 27 | 55.1 | 21 | 42.9 | 2 | 6.1 | 25 | 75.8 | 6 | 18.2 |
| Meat Packing | | | | | | | | | | | | |
| Individuals | 1 | 11.1 | 2 | 22.2 | 6 | 66.7 | 0 | — | 3 | 75.0 | 1 | 25.0 |
| Organizations | 0 | — | 1 | 33.3 | 2 | 66.7 | 0 | — | 9 | 81.8 | 2 | 18.2 |
| HRI Supplier | | | | | | | | | | | | |
| Individuals | 2 | 1.2 | 0 | — | 170 | 98.8 | 0 | — | 0 | — | 6 | 100.0 |
| Organizations | 0 | — | 0 | — | 6 | 100.0 | 0 | — | 0 | — | 2 | 100.0 |
| HRI User | | | | | | | | | | | | |
| Individuals | 2 | 0.3 | 0 | — | 747 | 99.7 | 0 | — | 0 | — | 8 | 100.0 |
| Organizations | 0 | — | 0 | — | 21 | 100.0 | 0 | — | 0 | — | 8 | 100.0 |
| Retail | | | | | | | | | | | | |
| Individuals | 0 | — | 0 | — | 50 | 100.0 | 0 | — | 0 | — | 2 | 100.0 |
| Organizations | 0 | — | 0 | — | 1 | 100.0 | 0 | — | 0 | — | 0 | — |
| Academic | | | | | | | | | | | | |
| Individuals | 2 | 6.7 | 3 | 10.0 | 25 | 83.3 | 1 | 25.0 | 0 | — | 3 | 75.0 |
| Other | | | | | | | | | | | | |
| Individuals | 0 | — | 2 | 5.9 | 32 | 94.1 | 0 | — | 1 | 25.0 | 3 | 75.0 |
| Total | 96 | 2.4 | 145 | 3.7 | 3681 | 93.9 | 5 | 5.4 | 39 | 42.2 | 48 | 52.2 |

[1]Includes all written comments except 31 which were nonresponsive or noncommittal regarding the proposed changes.

[2]Includes all hearing comments except 3 which were nonresponsive or noncommittal regarding the proposed changes.

[3]Includes all comments that generally favored the USDA or NCA alternatives.

[4]Includes all comments opposed to USDA or NCA alternatives and all those that favored the present or pre-76 standards and the "New Grade" or "New Name" alternatives.

**Factors of the Department's Decision**

The Department's role in providing the beef industry the voluntary, user fee grading service is again to merely try to reflect what the users of USDA beef grades desire the service to constitute. Since this service is a marketing tool, it is obvious that consumer opinion is vitally important to this process, regardless of whether that opinion is based upon fact or perception.

Of the livestock producer organizations submitting written comments, 55 percent favored the USDA proposal with modifications, but 43 percent opposed the USDA proposal. Of individual livestock producers submitting written comments, 10 percent favored the proposal, 43 percent favored with modifications, and 46 percent opposed the USDA proposal. The USDA proposal was further opposed by 100 percent of all individual retailers submitting written comments, nearly 100 percent of all Hotel, Restaurant, and Institutional (HRI) trade user individuals and organizations, approximately 100 percent of all HRI supplier individuals and organizations, and 8 of the 12 meat packers or meat packing organizations responding. Individual consumers submitting written statements opposed the proposal by 97.4 percent (2,486 comments) and approved the proposal by 2.5 percent (63 comments).

A significant portion of the individuals and organizations submitting testimony or comments stated that they appreciated the purpose of the USDA proposal—that being the USDA objective of encouraging the production and availability of leaner, less expensive beef. The Department certainly wants to encourage a better market for leaner beef at a savings to both producer and consumer alike, by the general trend of the comments expressed a desire for the Department to focus on encouraging consumption of lean beef because of, not in spite of, the lesser fat content.

USDA stated in the Preliminary Regulatory Impact Analysis for this grade change proposal that quality is the most important consideration for consumers in purchasing beef. The comments and testimony strongly indicated that reduced quality, or even the perception of reduced quality in beef could lead to consumer confusion and even to a lessened demand for beef. There is no question that a significant majority of those responding were opposed to the USDA proposal principally upon the issue of quality reduction, be it real or perceived.

Of concern to some responding was the breadth of a new Choice range, approximatley 75 percent of fed beef under the proposed standards. There was a feeling among some that this breadth was too all-encompassing to constitute a meaningful marketing tool and that this too could lead to consumer confusion based upon a perception of lowered quality.

The Department believes that the proposed grade changes could have benefitted purveyors and the HRI trade by identifying a larger category of Prime beef for their customers who demand top quality beef. While the opposition of a large portion of the HRI trade to the proposed change seems based more on tradition and custom than it does upon analyzation of new factual data, and while the Department feels its palatability data is sound, it is nevertheless obvious that perception of fact is important to successful marketing.

The Department does recognize that no amount of research is going to convince all parties that the fat content of beef can be slightly lowered without a significant loss of palatability, or that slightly less feeding can produce a similarly desirable product at a reduced cost. Acceptance must come either through changed consumer taste, aggressive industry marketing, or both.

**Continuing Concerns**

In taking this action of withdrawing the proposed changes in beef grading, the Department suggests several areas of concern to all industry participants and to the consuming public.

Of concern to USDA is the movement toward disuse of USDA beef grades by retailers. In recent years, retailers have shown an increased tendency to change or modify merchandising programs for reasons other than grading. If retailers or wholesalers find they must purchase graded beef, where they previously purchased ungraded or "no roll" beef, the added cost due to the grading service is only a tenth of a cent per pound. The Department feels the Federal grading system has served industry and consumers well, and will closely monitor this trend in the months ahead.

Furthermore, the Department is concerned about the profitability involved in providing the American consumer with adequate supplies of fairly priced beef at the quality level desired. High interest rates, inflation, and a decrease in the amount of discretionary dollars in the consumer budget have created an economic situation where raising and feeding cattle have been relatively unprofitable in recent years. This has occurred during the phase of the cattle cycle that has traditionally been the most profitable. The cattle feeding industry has two basic problems to solve that are related. They are: (1) Finding ways to produce cattle at reduced costs; and (2) finding and maintaining an overall production (supply) level that leads to a quantity-price relationship on the demand side that makes the production level profitable to produce. If feeding cattle continues to be unprofitable, feeders may significantly cut back on operations leading to far more significant impacts on retail prices. Consumers and industry alike have a stake in profitability. The Department does not expect to see major changes in feeding patterns under the current standards. Some proponents of the existing standards believe that many of the objectives of the proposed changes could be achieved by an extensive educational and promotional campaign extolling the virtues of Good grade beef or by changing the Good name in order to avoid the perceived consumer and industry aversion to its connotation. There was widespread support in the oral testimony and in the written comments for either increased marketing efforts for USDA Good beef or development of a new "lean" grade. The "new grade" concept had much support, and should be addressed by the industry in the future.

The Department feels these concerns, as well as others, should be immediately and continually addressed by the entire beef industry. The Department will closely monitor the health and applicability of USDA beef grades in the months ahead, and will offer new proposals of change and adjustment if such seem appropriate. The Department furthermore will remain willing to work with committees or research groups representing all segments of the industry—producers, packers, the HRI trade, retailers, and consumers—to further study USDA beef grades in an attempt to devise more acceptable proposals in the future and as the need may arise.

However, it is primarily the responsibility of the entire beef industry to work together and with the

consuming public to assist the Department in continually modernizing USDA beef grades so that consumer confidence and industry acceptance are maintained.

In consideration of the foregoing, the proposal published in the **Federal Register** (46 FR 63052–63075) on December 30, 1981, is hereby withdrawn.

**List of Subjects in 7 CFR Part 54**

Meat and meat products.

Done at Washington, D.C., on September 20, 1982.

**John E. Ford,**

*Deputy Assistant Secretary for Marketing and Inspection Services.*

[FR Doc. 82-26255 Filed 9-21-82; 8:45 am]

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11 ..... 40670
12 ..... 40670
17 ..... 40196, 40673, 41145
23 ..... 39219
32 ..... 41790–41792
33 ..... 41790
37 ..... 41060
216 ..... 40676
611 ..... 38947
645 ..... 38948
654 ..... 39221

## 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). Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|
| DOT/SECRETARY | USDA/ASCS | | DOT/SECRETARY | USDA/ASCS |
| DOT/COAST GUARD | USDA/FNS | | DOT/COAST GUARD | USDA/FNS |
| DOT/FAA | USDA/REA | | DOT/FAA | USDA/REA |
| DOT/FHWA | USDA/SCS | | DOT/FHWA | USDA/SCS |
| DOT/FRA | MSPB/OPM | | DOT/FRA | MSPB/OPM |
| DOT/MA | LABOR | | DOT/MA | LABOR |
| DOT/NHTSA | HHS/FDA | | DOT/NHTSA | HHS/FDA |
| DOT/RSPA | | | DOT/RSPA | |
| DOT/SLSDC | | | DOT/SLSDC | |
| DOT/UMTA | | | DOT/UMTA | |

## List of Public Laws

**Last Listing September 15, 1982**

This is a continuing list 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.J. Res. 194 / Pub. L. 97-260** To provide for the appointment of Nancy Hanks as a citizen regent of the Board of Regents of the Smithsonian Institution. (Sep. 18, 1982; 96 Stat. 1101) Price: $1.75.