US GOVERNMENT INFORMATION GPO

GSA
324.507
18-0015

4-23-80
Vol. 45 No. 80
Pages 27435-27738

federal register

Wednesday
April 23, 1980

Highlights

27600 **Travel To, In, Or Through Iran** State publishes notices of restriction of permanent aliens and of the use of U.S. passports (2 documents)

27730 **International Rehabilitation Research, Information and Training Center** HEW/HDSO announces availability of grant funds; apply by 6–15–80 (Part VII of this issue)

27726, 27734 **Rehabilitation Research and Training Center Program** HEW/HDSO announces availability of grant funds for deafness, aging, mental illness, and independent living; apply by 6–13 and 6–30–80 (Parts VI and VIII of this issue) (2 documents)

27541 **National Environmental Policy** Interior/Sec'y issues final revised procedures for compliance

27716 **Delinquency Prevention Research and Development** Justice/LEAA issues guidelines and announces grants; applications mailed by 6–17–80, or hand delivered by 6–23–80 (Part IV of this issue)

27436 **Veterans' Benefits** VA amends rules relating to institutional awards; effective 4–16–80

27453 **Limited Resource Operating Loans** USDA/FmHA proposes to amend rules regarding consolidation or rescheduling of certain loans; comments by 6–23–80

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Highlights

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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27436 **Federal Travel** GSA releases temporary rules by making such modifications as increased mileage reimbursement rates for privately owned automobiles; effective dates vary with restrictions

27537 **Outer Continental Shelf Lands** Interior/GS requests comments on proposed survey; comments by 7–22–80

27456 **Mining Claims** Interior/BLM extends comment period on proposed rules regarding surface management of mining claims located on public lands; comments by 6–16–80

27457 **Export Cargo** FMC proposes to revoke rules regarding free time and demurrage charges; comments by 5–23–80

27454 **Fair Housing Assistance Program** HUD/Sec'y transmits interim rule to Congress regarding eligibility criteria and funding standards

27622 **Congressional Budget and Impoundment Control** OMB publishes budget rescissions and deferrals; (Part II of this issue)

27524 **Goodman Engine System, Model 1800** EPA announces fuel economy retrofit device evaluation

27457 **Low Power Systems** FCC extends comment period pertaining to operation of systems in 22,000–23,600 MHz band; reply comments by 4–11–80

27463 **Watches and Watch Movements** Commerce/ITA announces closing date for 1980 quota for Guam; applications by 5–22–80

27463 **Certain Man-Made Fiber Yarns From Malaysia** CITA increases level of restraint; effective 4–21–80

27710 **Bonytail Chub** Interior/FWS issues a determination of Endangered species; effective 5–23–80 (Part III of this issue)

27601 **Sunshine Act Meetings**

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Rules and Regulations

Federal Register
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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

Aerial Photographic Reproductions; Fee Schedule

AGENCY: Department of Agriculture.
ACTION: Final rule.

SUMMARY: The fee schedule is amended to show price changes in aerial photographic reproductions. The increased fee changes are necessary to offset increased production costs.

EFFECTIVE DATE: April 1, 1980.

FOR FURTHER INFORMATION CONTACT: Edgar J. Boyer, Fiscal Policy and Management Division, Office of Operations and Finance, USDA, Washington, D.C. 20250, Phone: (202) 447–7251.

Appendix A to 7 CFR, Subpart A, Part 1 is amended to read as follows:

Fee Schedule

* * * * *

Sec. 16 Photographic reproduction prices.

* * * * *

c. Aerial Photographic Reproduction: Black and White.

* * * * *

2. *Diapositives.*

Size:	Price each
10 by 10 in. film positive	$3.00
10 by 10 in. glass plates 0.06 in. thickness...	30.00

* * * * *

5. *Enlargements.*

* * * * *

	Price each	
	RC (resin coated base) paper	Film positive trans-parency
Size:		
12 by 12 in	$5.00	$7.00
17 by 17 in	6.00	8.00
24 by 24 in	7.00	15.00
38 by 38 in	20.00	20.00

(5 U.S.C. 301 and 552; 31 U.S.C. 483a; and 7 CFR 275 (a)(3)(ii))

Note.—This regulation has been determined not to be significant under the USDA criteria implementing Executive Order 12044.

Done at Washington, D.C., this 11th day of April, 1980.

Richard T. Certo,
Acting Director, Office of Operations and Finance.

[FR Doc. 80-12407 Filed 4-22-80; 8:45 am]
BILLING CODE 3410-98-M

Food Safety and Quality Service

7 CFR Part 2858

Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products; Dry Whey

Correction

In FR Doc. 80–12140 appearing at page 26944 in the issue for Tuesday, April 22, 1980, on page 26946, immediately after § 2858.2606(c), insert the following:

§ 2858.2607 [Reserved]

§ 2858.2608 Optional tests.

There are certain optional requirements in addition to those specified in section 2858.2605. Tests for these requirements may be run occasionally at the option of the Department and will be run whenever they are requested by an interested party. These optional requirements are as follows:

(a) *Protein content (N×6.38).* Not less than 11 percent.

(b) *Alkalinity of ash (sweet-type whey only).* Not more than 225 ml. of 0.1 N HC1 per 100 grams.

(c) *Scorched particle content.* Not more than 15.0 mg.

§ 2858.2609 U.S. grade not assignable.

(a) Dry whey which fails to meet the requirements of U.S. Extra Grade shall not be assigned a U.S. grade.

(b) Dry whey which fails to meet the requirements of any optional test, when tests have been made, shall not be assigned a U.S. grade.

(c) Dry whey produced in a plant found on inspection to be using unsatisfactory manufacturing practices, equipment, or facilities, or to be operating under unsanitary plant conditions shall not be assigned a U.S. grade.

§ 2858.2610 Test methods.

All required tests, and optional tests when specified, shall be performed in accordance with the following methods:

(a) "Methods of Laboratory Analysis," DA Instruction series 918–103–2, 918–103–5, 918–109–2, and 918–109–3, Dairy Grading Branch, Poultry and Dairy Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250, or the latest revision thereof.

BILLING CODE 1505-01-M

FEDERAL ELECTION COMMISSION

11 CFR Part 110

Amendments to Federal Election Campaign Act of 1971; Correction

AGENCY: Federal Election Commission.
ACTION: Final rule: Correction.

SUMMARY: The regulations published on March 7, 1980, (45 FR 15080) to implement the 1979 Amendments to the Federal Election Campaign Act are corrected to reflect deletion of 11 CFR 110.7(b)(5).

EFFECTIVE DATE: April 23, 1980.

FOR FURTHER INFORMATION CONTACT: Ms. Patricia Ann Fiori, Assistant General Counsel, 1325 K Street, N.W., Washington, D.C. 20453, (202) 523–4143.

SUPPLEMENTARY INFORMATION: On March 7, 1980, the Commission published regulations to implement the 1979 Amendments to the Federal Election Campaign Act (45 FR 21211). Although the Explanation and Justification published with the regulations stated that § 110.7(b)(5) was deleted, amendatory language to that effect was inadvertently omitted from the regulatory text.

Accordingly, the following addition is made to the amendatory language for Part 110 (Item 4) appearing at 45 FR 15119: "11 CFR 110.7(b)(5) is deleted."

Dated: April 18, 1980.

Robert O. Tiernan,
Chairman, Federal Election Commission.

[FR Doc. 80-12458 Filed 4-22-80; 8:45 am]
BILLING CODE 6715-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 221

Operation and Maintenance Charges; Deletion of Unnecessary Regulations

AGENCY: Bureau of Indian Affairs, Department of the Interior.

ACTION: Final rule.

SUMMARY: This document removes provisions related to the operation and maintenance charges on the Fort Peck Indian Irrigation Project, Montana. This action is necessary to reflect amendments providing the Officer-in-Charge with greater flexibility in the day-to-day operation of the Project. The action taken will affect a fair market level of return for the economic benefit of the lessors of the land.

EFFECTIVE DATE: This action shall become effective April 23, 1980.

FOR FURTHER INFORMATION CONTACT: Lowell Koepsell, Telephone (406) 653–1752.

SUPPLEMENTARY INFORMATION: In the June 14, 1977, **Federal Register** (42 FR 30361) there was published a notice of final rule on new general regulations governing the operation and maintenance of Indian Irrigation projects. The revision consolidated the regulations for all Indian Irrigation Projects in a new Part 191 of Title 25 of the Code of Federal Regulations the updated provisions provided for the Area Director or his delegated representative, to publish the annual operation and maintenance rates and related information by general notice document in the **Federal Register**, and as new rates are announced the corresponding sections in Part 221 of Title 25 of the Code of Federal Regulations would be deleted. The latest notice of water charges and related information of the Fort Peck Indian Irrigation Project shall be published as a general notice in the **Federal Register** on the same date as this Final Rule.

§§ 221.38–221.40 [Deleted]

Therefore, 25 CFR Part 221 is amended by deleting the following sections:

Fort Peck Indian Irrigation Project, Montana

§§ 221.38, 221.39 and 221.40

Dated: April 10, 1980.

Gale F. Loomis,

Acting Deputy Area Director.

[FR Doc. 80–12423 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–02–M

VETERANS ADMINISTRATION

38 CFR Part 3

Veterans' Benefits; Institutional Awards

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: The Veterans Administration has amended one of its regulations to increase the amount of monthly compensation, pension or retired pay payable to a chief officer of a non-VA institution on behalf of an incompetent veteran patient from $50 to $60. The need for this action results from enactment of the Veterans' and Survivors' Pension Improvement Act of 1978 which increased the amount of benefits payable to hospitalized veterans without dependents from $50 to $60.

EFFECTIVE DATE: April 16, 1980.

FOR FURTHER INFORMATION CONTACT: T. H. Spindle Jr. (202–389–3005).

SUPPLEMENTARY INFORMATION: On page 6957 of the **Federal Register** of January 31, 1980 there was published a proposed amendment to 38 CFR 3.852(b) to increase the amount of monthly compensation, pension or retired pay payable to a chief officer of a non-VA institution on behalf of an incompetent veteran patient from $50 to $60.

Interested persons were given until March 3, 1980, to submit comments, objections, or suggestions to the proposed amendment of § 3.852(b). We did not receive any and, consequently, the proposed amendment is adopted without change.

Approved: April 16, 1980.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

§ 3.850 [Amended]

1. Section 3.850 is amended to delete the words "widow or widower" and to insert the words "surviving spouse" in paragraph (a)(1)(ii) and to delete the words "wife or husband" and insert the word "spouse" in paragraph (a)(2).

§ 3.851 [Amended]

2. Section 3.851 is amended to delete the words "wife (or husband)" and to insert the word "spouse" in the second sentence.

3. Section 3.852 is amended as follows:

(a) By deleting the words "wife (or husband)" and inserting the word "spouse" in the first sentence of paragraph (b)(2);

(b) By revising the introductory portion of paragraph (b) preceding subparagraph (1) as follows:

§ 3.852 Institutional awards.

* * * * *

(b) In an institutional award of pension, compensation or retirement pay there may be paid to the chief officer of a non-Veterans Administration institution on behalf of the veteran an amount not in excess of $60 per month. An institutional award of disability pension will not exceed $25 per month if the award is apportionable under § 3.454(a). (38 U.S.C. 210(c))

* * * * *

[FR Doc. 80–12421 Filed 4–22–80; 8:45 am]

BILLING CODE 6320–01–M

GENERAL SERVICES ADMINISTRATION

Transportation and Public Utilities Service

41 CFR Ch. 101

[FPMR Temp. Reg. A–11, Supp. 9]

Changes To Federal Travel Regulations

AGENCY: Transportation and Public Utilities Service, General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This regulation amends the Federal Travel Regulations to (a) increase the mileage reimbursement rate for use of a privately owned automobile under certain circumstances, (b) designate new high rate geographical areas HRGA's) and increase maximum rates and/or redefine boundaries of certain existing HRGA's, (c) amend the first-class air travel provisions, (d) provide additional criteria for authorizing actual expense reimbursement for travel involving unusual circumstances of a travel assignment, (e) provide guidelines for agency submission of HRGA requests, and (f) revise the term "Canal Zone" to read, "areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements."

DATES: Effective date: The provisions of attachment A to Supplement 9 are effective for travel performed on or after April 20, 1980, except that the effective date for amendments resulting from the Panama Canal Act of 1979 is retroactive to October 1, 1979.

Expiration date: The provisions of attachment A to Supplement 9 expire December 31, 1980, unless superseded or canceled.

FOR FURTHER INFORMATION CONTACT: Mrs. Phyllis Hickman or Mr. Larry Tucker, Federal Travel Management Division (202–275–6144).

SUPPLEMENTARY INFORMATION: The General Services Administration is required by the Travel Expense Amendments Act of 1975 (Pub. L. 94–22, May 19, 1975) to conduct periodic investigations of the cost of travel and the operation of privately owned vehicles to employees traveling on official business and to report to the Congress the results of these investigations. GSA has submitted the results of its latest investigations to the Congress indicating that the governing regulations would be amended within 30 days.

Section 1231(d) of the Panama Canal Act of 1979 (Pub. L. 96–70, September 27, 1979, 93 Stat. 452) amended 5 U.S.C. 5724a(3) and (4). The Federal Travel Regulations are amended accordingly with regard to entitlements to temporary quarters and residence transactions with an effective date of October 1, 1979.

The provisions in the FTR governing the use of first-class air travel are amended to (1) allow agency heads to delegate the authority to authorize or approve the use of first-class air travel under appropriate written guidelines to the designee, (2) include provisions for authorization or approval of the use of first-class air travel when it can be shown that the use would result in an economic advantage to the Government, and (3) amend the semiannual reporting requirements for security-type travel. The FTR are also amended to provide an additional example of travel assignments that would qualify under criteria for unusual circumstances of a travel assignment and to provide procedural guidelines for submission of agency requests for HRGA's and the type of data required to support the HRGA request.

Mr. Allan W. Beres, Commissioner, Transportation and Public Utilities Service, General Services Administration, has determined that in view of the statutory requirements of Pub. L. 94–22 and the March 24, 1980, Report to the Congress, it is impossible to comply with all of the requirements of Executive Order 12044 of March 23, 1978. However, GSA has complied with E.O. 12044 to the extent possible within the time limitation stated herein. It has been further determined that since other changes promulgated by this regulation are based primarily on agency recommendations pertinent to previous amendments to the FTR, the intent of EO 12044 has been complied with. Further delay in the implementation of these amendments would, in some instances, cause undue financial hardships to employes on official travel. Supplement 5 to FPMR Temporary Regulation A–11 (43 FR 10442, March 13, 1978), is canceled and deleted from the appendix at the end of Subchapter A. (5 U.S.C. 5707; Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

In 41 CFR Chapter 101, this temporary regulation is listed in the appendix at the end of Subchapter A.

Federal Property Management Regulations Temporary Regulation A–11; Supplement 9

April 21, 1980.

To: Heads of Federal agencies.

Subject: Changes to Federal Travel Regulations.

1. *Purpose.* This supplement further amends FPMR 101–7, Federal Travel Regulations (FTR), as amended by FPMR Temporary Regulation A–11 and Supplements 4, 5, and 8 thereto, to (a) increase the mileage reimbursement rate for use of a privately owned automobile under certain circumstances, (b) designate new high rate geographical areas (HRGA's) and increase rates and/or redefine boundaries of certain existing HRGA's, (c) amend the first-class air travel provisions, (d) provide additional criteria for authorizing actual expense reimbursement for travel involving unusual circumstances of a travel assignment, (e) provide guidelines for agency submission of HRGA requests, (f) change terminology resulting from the Panama Canal Act of 1979, and (g) extend the expiration date of FPMR Temporary Regulation A–11 and Supplements 4 and 8 thereto.

2. *Effective date.* The provisions of attachment A to this supplement are effective for travel performed on or after April 20, 1980, except that the effective date for amendments resulting from the Panama Canal Act of 1979 is retroactive to October 1, 1979.

3. *Expiration date.* This regulation expires on December 31, 1980, unless sooner superseded or canceled.

4. *Background.* a. The Travel Expense Amendments Act of 1975 (Pub. L. 94–22, May 19, 1975) authorizes the Administrator of General Services to issue regulations prescribing, within statutory limits, mileage allowance rates as well as the maximum reimbursement for actual subsistence expense travel in designated high rate geographical areas (HRGA's). GSA is required to periodically investigate the cost of employee travel and the cost of operating privately owned vehicles on official travel and report the results of these investigations to the Congress. GSA submitted the results of the latest investigations to the Congress on March 24, 1980, indicating that the governing regulations would be amended within 30 days to reflect an increased mileage allowance for the use of privately owned automobiles, additional HRGA's and increased rates in certain existing HRGA's.

b. The FTR were amended effective April 1, 1978, to emphasize the Government policy that Federal employees would, with limited exceptions, use less-than-first-class accommodations for all modes of transportation during official travel. Since implementation of the restrictions on the use of first-class air travel, various agencies have recommended that (1) the authority for authorizing or approving the use of first-class air travel should be at a level lower than the agency head or his or her deputy; (2) additional justification should be added to authorize the use of first-class air travel when the use would result in the avoidance of additional subsistence costs, lost worktime, overtime, etc., which would be incurred by waiting for the availability of less-than-first-class accommodations; and (3) the reporting requirements for security-type travel should be amended. On the basis of these recommendations and an analysis of the reports on the use of first-class air travel, the governing provisions are being amended accordingly.

c. Section 1231(d) of the Panama Canal Act of 1979 (Pub. L. 96–70, September 27, 1979, 93 Stat. 452) amended the pertinent sections of title 5 United States Code, which authorize certain allowances for temporary quarters and residence transactions (5 U.S.C. 5724a(a)(3) and (4)). These sections have been amended by deleting the term "Canal Zone" and inserting instead the words "areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979)." Section 3(a) states "(2) references to the Panama Canal Treaty of 1977 and related agreements refer to the Panama Canal Treaty of 1977, the agreements relating to the and implementing that Treaty, signed September 7, 1977, and the Agreement Between the United States of America and the Republic of Panama Concerning Air Traffic Control and Related Services, concluded January 8, 1979."

d. Even though, under the terms of the Panama Canal Treaty of 1977, the former Canal Zone area has reverted to the Republic of Panama (a foreign area), there is no change in the temporary quarters and residence transaction entitlements for those U.S. Government employees who are transferred to or from those "areas and installations in the Republic of Panama made available to the United States. . . ." Agencies are cautioned, however, that each transfer assignment to or from the Republic of Panama should be reviewed individually to determine whether the transfer is in fact to or from one of the "areas and installations . . . made available to the United States. . . ." pursuant to the Treaty. Additional information can be found in the following Selected Documents published by the Department of State's Bureau of Public Affairs, Office of Media Services: No. 6—Texts to Treaties Relating to the Panama Canal. No. 6B—Documents associated with the Panama Canal Treaties (GPO: 1977 0–249–322) (Annex A lists "areas and installations . . . made available to the U.S."). No. 6C—The meaning of the New Panama Canal Treaties.

e. Comments received regarding high rate geographical area (HRGA) designations and related boundary definitions indicate that when temporary duty points are located

outside but adjacent to an HRGA, employees are sometimes forced to incur lodging expenses similar to those experienced within the HRGA or, because of the unavailability of lodging facilities near the temporary duty point, employees necessarily obtain lodging within the HRGA. To remedy this situation, the FTR are being amended to provide agencies with discretionary authority to allow actual expense reimbursement for these travel assignments under the provisions governing "unusual circumstances." In addition, because of the need to request additional subsistence cost data from agencies in the designation of HRGA's, guidelines are added to inform agencies how HRGA requests should be submitted and what information is required to support the request.

5. *Explanation of changes.* The provisions of attachment A to this supplement amend the FTR, as amended by FPMR Temporary Regulation A–11 and supplements thereto, for the reasons given below.

a. Paragraphs 1–1.3c(6) and 1–3.3c are republished from Supplement 5 without change.

b. Paragraph 1–3.3d is revised to (1) authorize the heads of agencies to delegate the authority to authorize or approve first-class air travel; (2) include provisions to allow authorization or approval of the use of first-class air accommodations when it can be shown that this use would result in an economic advantage to the Government; and (3) amend semiannual reporting requirements when travel is required to be performed confidentially or when disclosure of the employee's identity would jeopardize the agency mission.

c. Paragraph 1–3.4a is republished from Supplement 5 as a reserved paragraph without change.

d. Paragraphs 1–4.2a(2) and 1–4.2c(1) and (2) are revised to implement an increase in the reimbursement mileage rate for the use of privately owned automobiles in certain circumstances.

e. Paragraph 1–8.1c(3)(d) is added to provide agencies with discretionary authority to authorize or approve actual expense reimbursement due to unusual circumstances when the temporary duty assignment is outside but adjacent to an HRGA and lodging expenses are the same or similar to those experienced in the HRGA if otherwise justified.

f. Paragraph 1–8.6 is revised to designate additional HRGA's and to increase the maximum actual subsistence expense rate or redefine the boundaries of certain existing HRGA's. Because of the numerous HRGA's now designated, the listing is revised from an alphabetical city listing to a listing by State with HRGA's listed alphabetically under each State to provide an easier review of the listing. When an HRGA consists of one or more counties, a city is usually shown as a key point in the HRGA. When an HRGA spans two or more States, the appropriate cities/counties are listed under the respective States with a cross reference to the key point. For example, see the Washington, DC area HRGA, which spans Maryland, Virginia, and the District of Columbia.

g. Paragraph 1–8.7 is added to provide a procedure by which agencies can request GSA to designate HRGA's and the type of data required to support the request.

h. Paragraph 1–11.6b(8) and (9) are republished from Supplement 5 without change.

i. Paragraphs 2–5.2a and 2–6.1a are amended to delete the term "Canal Zone" and reflect the new terminology authorized by the Panama Canal Act of 1979 (Pub. L. 96–70, September 27, 1979). No change in entitlements is intended for those employees transferring to or from those "areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 . . . ."

6. *Effect on other directives.* Supplements 4, 8, and 9 to FPMR Temporary Regulation A–11 contain all current amendments to the Federal Travel Regulations. (Supplement 9 contains a complete current list of designated HRGA's.) Amendments remaining in Supplement 5 that have not been previously modified or superseded have been carried forward, modified in some cases, and included in this Supplement 9. Therefore, Supplement 5 is canceled. The expiration date for FPMR Temp. Reg. A–11 and its Supplements 4 and 8 is extended to December 31, 1980.

Ray Kline,

Acting Administrator of General Services.

Changes to Federal Travel Regulations, FPMR 101–7

1. Paragraph 1–1.3c(6) is republished without change as follows:

1–1.3. General rules.

* * * * *

c. * * *

(6) *Employee.* As used in this chapter, "employee" means the head of an agency, an agency official, or any other individual employed in or under an agency. This definition also includes an individual employed intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis and an individual serving without pay or at $1 a year (5 U.S.C. 5701(2)).

* * * * *

2. Paragraph 1–3.3c is republished without change, and paragraph 1–3.3d is revised to read as follows:

1–3.3. Travel policy, class of service authorized, and reports.

a. * * *

* * * * *

c. *Steamer accommodations.* The minimum first-class accommodation will be allowed when a stateroom is included in the cost of passage or is a separate charge. Higher cost accommodations may be allowed upon certification by the employee on the travel voucher that lowest first-class accommodations were not available or that use of higher cost accommodations were authorized or approved by the head of the agency concerned, or his designee, as being required for security purposes. (See 1–3.6a for use of U.S.-flag ships.) The travel order or other administrative determination may, however, specify the use of an accommodation less costly than the minimum first-class accommodations when suitable for a particular voyage. The term "minimum first-class accommodation" as used in this paragraph means one which provides direct access from within the stateroom to a washbasin, shower or bath, and toilet.

d. Airline accommodations.

(1) *Policy.* It is the policy of the Government that employees who use commercial air carriers for domestic and international travel on official business shall use less-than-first-class accommodations. (See 1–3.6b for use of U.S.-flag air carriers.) Only limited exceptions to this policy may be permitted as set forth in 1–3.3d(3), below.

(2) *Authorization and approval of the use of first-class air accommodations.*

(a) *Authorization or approval.* Heads of agencies may authorize or approve the use of first-class air accommodations under criteria provided herein. As used in this 1–3.3d, "agency head" means the Secretary, Attorney General, Administrator, Governor, Chairman, or chief official by any other title of an executive agency, as defined in 5 U.S.C. 105, an agency in the legislative branch of the Government, or the Government of the District of Columbia. For ease of administration, heads of agencies may delegate, with provisions for limited redelegation, authority to authorize or approve first-class air travel under provisions of 1–3.3d provided that appropriate guidelines in the form of regulations or other written instructions are furnished to the designee. The delegation or redelegation of authority to authorize or approve first-class air travel under provisions of 1–3.3d(3)(a) shall be held to as high an administrative level as practical to ensure adequate consideration and review of the circumstances requiring the need for first-class air accommodations.

(b) *Requirements.* Authorization for the use of first-class air accommodations shall be made in advance of the actual travel unless extenuating circumstances or emergency situations make advance authorization impossible. If advance authorization cannot be obtained, the employee shall obtain written approval from the agency head, or his or her deputy, or other designee at the earliest possible time.

(c) *Employee responsibility and documentation.* The employee shall certify on the travel voucher the reasons for the use of first-class air accommodations. Specific authorization or approval shall be attached to, or stated on, the travel voucher and retained for the record. In the absence of specific authorization or approval, the employee shall be responsible for all additional costs resulting from the use of first-class air accommodations. The additional costs shall be the difference between the first-class accommodations used and the next lower class below first-class.

(3) *Use of first-class air accommodations.* Circumstances justifying the use of first-class air accommodations are limited to those listed in (a) and (b), below.

(a) *Employee certification required.* First-class accommodations may be used when regularly scheduled flights between the authorized origin and destination points (including connection points) provide only first-class accommodations, and the employee certifies this circumstance on the travel voucher. Note—The use of first class accommodations in this instance need not be reported under the provisions of 1–3.3d(4), below.

(b) Agency authority or approval required. The agency head (as defined in 1–3.3d(2)(a)), or his or her designee, may authorize or approve the use of first-class accommodations when:

(i) Space is not available in less-than-first-class accommodations on any scheduled flight in time to accomplish the purpose of the official travel, which is so urgent that it cannot be postponed;

(ii) First-class accommodations are necessary because the employee is so handicapped or otherwise physically impaired that other accommodations cannot be used, and this condition is substantiated by competent medical authority;

(iii) First-class accommodations are required for security purposes or because exceptional circumstances, as determined by the agency head (or his or her designee), make their use essential to the successful performance of an agency mission;

(iv) Less-than-first-class accommodations on foreign carriers do not provide adequate sanitation or health standards; or

(v) The use of first-class accommodations would result in an overall savings to the Government based on economic considerations, such as the avoidance of additional subsistence costs, overtime, or lost productive time that would be incurred while awaiting availability of less-than-first-class accommodations.

(4) *First-class accommodations report.* Heads of agencies shall submit semiannual reports on the use of first-class air accommodations to the Administrator of General Services (A), Washington, D.C. 20405, within 60 calendar days after the periods ending September 30 and March 31 of each fiscal year. Negative reports are required. Interagency Report Control Number 0167–GSA–SA has been assigned to this report in accordance with FPMR 101–11.11. The reports shall indicate the total number of employees whose use of first-class air accommodations was authorized or approved, the total additional cost to the Government, and the information listed in (a) through (d), below, for each trip in the order shown below. Information on the use of first-class air travel for security purposes essential to the successful performance of the agency's mission need be shown only by the total number of employees, the total number of trips, and total the additional costs incurred.

(a) Name, grade, and position or title of each employee whose use of first-class air accommodations was authorized or approved;

(b) Origin and destination or segments of trip on which first-class accommodations were used;

(c) Additional cost to the Government resulting from the difference between the first-class accommodations used and the next lower class accommodations below first-class; and

(d) Explanation of the circumstances justifying the use of the first-class air accommodations, the name and title of the authorizing or approving official, and, if a foreign air carrier were used, the name of the carrier.

3. Paragraph 1–3.4a is reserved without change as follows:

1–3.4. Special fares.

a. *Reserved.*

* * * * *

4. Paragraphs 1–4.2a(2) and 1–4.2c (1) and (2) are revised to read as follows:

1–4.2. When use of a privately owned conveyance is advantageous to the Government.

a. * * *

(2) For use of a privately owned automobile: 20 cents per mile.

* * * * *

c. * * *

(1) *Round trip when in lieu of taxicab to carrier terminals.* In lieu of the use of a taxicab under 1.2.3c, payment on a mileage basis at the rate of 20 cents per mile and other allowable costs as set forth in 1–4.1c shall be allowed for the round trip mileage of a privately owned automobile used by an employee going from either the employee's home or place of business to a terminal or from a terminal to either the employee's home or place of business. However, the amount of reimbursement for the round trip shall not in either instance exceed the taxicab fare, including tip, allowable under 1–2.3c for a one-way trip between the applicable points.

(2) *Round trip when in lieu of taxicab between residence and office on day of travel.* In lieu of the use of a taxicab under 1–2.3d, payment on a mileage basis at the rate of 20 cents per mile and other allowable costs as set forth in 1–4.1c shall be allowed for round trip mileage of a privately owned automobile used by an employee going from the employee's residence to the employee's place of business or returning from place of business to residence on a day travel is performed. However, the amount of reimbursement for the round trip shall not in either instance exceed the taxicab fare, including tip, allowable under 1–2.3d for a one-way trip between the points involved.

* * * * *

5. Paragraph 1–8.1c(3) is amended by adding subparagraph (d) as follows:

1–8.1. Authorization or approval.

* * * * *

c. * * *

(3) Travel which involves unusual circumstances may include, but is not limited to, the following situations:

* * * * *

(d) The temporary duty point is located in an area adjacent to a designated HRGA and the subsistence costs at available facilities are commensurate with those in the HRGA or the employee must of necessity obtain lodging in the HRGA.

6. *Paragraph 1–8.6 is revised to read as follows:*

1–8.6. *Designated high-rate geographical areas (HRGA's).* Under the provisions of 1–8.1b and 1–8.2a(1), for temporary duty travel to or within the cities designated as high-rate geographical areas below, a traveler shall automatically be placed in an actual subsistence expense status and shall be reimbursed for the actual and necessary subsistence expenses incurred, not to exceed the maximum rate prescribed for the particular geographical area involved. (Note—These rates are not to be construed as per diem rates.)

Designated HRGA's [1] [2]

	Prescribed maximum daily rates
Alabama:	
Birmingham [4]	$48
Huntsville [3]	43
Arizona:	
Phoenix/Scottsdale (all locations within the corporate limits of Phoenix and Scottsdale, including Humboldt Mountain Air Force Station) [4]	46
Tucson (all locations within the corporate limits of Tucson, including Davis Monthan AFB) [4]	50
Arkansas: Little Rock	42
California:	
Fresno [4]	48
Los Angeles (all locations within Los Angeles Orange, and Ventura Counties, including Edwards AFB) [4]	50
Monterey (all locations within Monterey County) [4]	47
Palm Springs (all locations within Riverside County) [3]	50
Sacramento (all locations within Sacramento County) [4]	50
San Bernardino (all locations within San Bernardino County)	50
San Diego (all locations within San Diego County)	50
San Francisco/Oakland (all locations within San Francisco, Alameda, and Contra Costa Counties) [4]	50
San Jose (all locations within Santa Clara County) [4]	50
San Mateo (all locations with San Mateo County) [4]	47
Santa Barbara (all locations within Santa Barbara County)	50
Santa Cruz [3]	50
Colorado:	
Boulder (all locations within Boulder County) [3]	48
Denver (all locations within Denver, Adams, Arapahoe, and Jefferson Counties) [4]	50
Vail [3]	50
Connecticut:	
Bridgeport (all locations within Fairfield County) [4]	50
Groton [3]	50
Hartford (all locations within Hartford County)	50
New Haven [4]	50
New London [3]	50
Delaware:	
Wilmington [4]	50
District of Columbia: Washington, DC, area (all locations within the corporate limits of the District fo Columbia; the cities of ALexandria, Falls Church, and Fairfax, and the Counties of Arlington, Loudoun, and Fairfax in Virginia; and the counties of Montgomery and Prince Georges in Maryland) (See also Maryland and Virginia)	50
Florida:	
Ft. Meyers (all locations within Lee County) [3]	50
Ft. Walton Beach (all locations within Okaloosa County) [3]	50
Gainsville [3]	44
Jacksonville (all locations within the corporate limits of Jacksonville, including Naval Station Mayport) [4]	44
Miami (all locations within Dade, Broward, Palm Beach, and Monroe Counties)	50
Orlando	47
Panama City (all locations within Bay County) [3]	50
Pensacola (all locations within Escambia and Santa Rosa Counties) [3]	43
Tampa/St. Petersburg (all locations within Hillsboro and Pinellas Counties) [4]	50
Georgia:	
Albany [3]	40
Atlanta [4]	50
Idaho: Boise [4]	48
Illinois:	
Chicago (all locations within Lake and Cook Counties)	50
Rockford	40
Springfield [4]	46
Indiana:	
Fort Wayne	50

Designated HRGA's [1] [2]—Continued

	Prescribed maximum daily rates
Indianapolis (all locations within the corporate limits of Indianapolis, including Fort Benjamin Harrison) [4]	50
Iowa: Des Moines [4]	46
Kansas:	
Kansas City (See also Kansas City, MO) [4]	50
Wichita [4]	48
Kentucky:	
Covington [3]	50
Lexington-Fayette (all locations within Lexington-Fayette Urban County) [4]	49
Louisville [4]	49
Louisiana:	
Baton Rouge [4]	49
New Orleans (all locations within Jefferson, Orleans, Plaquemines, and St. Bernard Parishes)	50
Maine:	
Bath [3]	47
Brunswick [3]	47
Kittery (all locations within the corporate limits of Kittery, including the Portsmouth Naval Shipyard) (See also Portsmouth, NH)	50
Portland	47
Topsham [3]	47
Maryland:	
Annapolis (all locations within Anne Arundel County) [3]	50
Baltimore (all locations within Baltimore City and Baltimore County) [4]	50
Montgomery County (See Washington, DC, area)	50
Prince Georges County (See Washington, DC, area)	50
Massachusetts:	
Boston (all locations within the counties of Middlesex, Norfolk, and Suffolk)	50
Pittsfield	50
Springfield [4]	47
Worcester [4]	50
Michigan:	
Ann Arbor (all locations within Washtenaw County) [3]	50
Detroit (all locations within Wayne County) [4]	50
Kalamazoo [4]	46
Marquette [3]	42
Warren (all locations within Macomb County) [3]	43
Minnesota: Minneapolis/St. Paul (all locations within Anoka, Hennepin, and Ramsey Counties, including the Fort Snelling Military Reservation)	50
Mississippi:	
Gulfport (all locations within Harrison County) [3]	44
Jackson [3]	44
Missouri:	
Kansas City (See also Kansas City, KS) [4]	50
Springfield [3]	42
St. Louis (all locations within St. Louis and St. Charles Counties) [4]	50
Montana: Great Falls	41
Nebraska: Omaha	45
Nevada:	
Carson City [3]	50
Las Vegas (all locations within the corporate limits of Las Vegas, including Nellis AFB) [4]	50
Reno [3]	50
Sparks [3]	50
New Hampshire:	
Manchester	47
Portsmouth/Newington (all locations within the corporate limits of Portsmouth and Newington, including Peace AFB) (See also Kittery, ME) [4]	50
New Jersey:	
Camden [3]	50
Dover (all locations within the corporate limits of Dover, including Picatinny Arsenal) [4]	49
Eatontown (all locations within the corporate limits of Eatontown, including Fort Monmouth) [4]	50
Edison [3]	50
Newark (all locations within Bergen, Essex, Hudson, Passaic, and Union Counties)	50
Princeton [3]	46

Designated HRGA's [1] [2]—Continued

	Prescribed maximum daily rates
New Mexico:	
Albuquerque (all locations within Bernalillo County) [4]	49
Los Alamos	50
Santa Fe [3]	49
New York:	
Albany (all locations within Albany County) [4]	50
Buffalo/Niagara Falls [4]	50
Lake Placid	50
New York (all locations within the Boroughs of the Bronx, Brooklyn, Manhattan, Queens and Staten Island and the counties of Nassau and Suffolk)	50
Rochester [4]	50
Syracuse [4]	50
West Point Military Reservation, West Point [3]	40
North Carolina:	
Asheville [4]	47
Charlotte [3]	45
Raleigh	42
Ohio:	
Akron [4]	48
Cincinnati [4]	50
Cleveland	50
Columbus (all locations within Franklin County) [4]	50
Dayton (all locations within Montgomery County, including Wright-Patterson AFB) [4]	48
Evendale [3]	50
Toledo [4]	47
Oklahoma:	
Oklahoma City	43
Tulsa [4]	43
Oregon: Portland	50
Pennsylvania:	
Fort Washington [3]	50
Harrisburgh [4]	50
Mechanicsburg (all locations within Cumberland County) [3]	45
Monroeville [3]	50
Philadelphia/Bala Cynwyd	50
Pittsburgh	50
Valley Forge/King of Prussia	50
York [4]	45
Rhode Island:	
Newport [3]	50
Providence	50
South Carolina: Charleston (all locations within Charleston and Berkeley Counties) [4]	49
South Dakota: Sioux Falls [3]	43
Tennessee:	
Memphis [4]	49
Nashville	45
Texas:	
Amarillo [4]	44
Austin [4]	50
Beaumont [3]	50
Dallas/Fort Worth (all locations within Dallas and Tarrant Counties)	50
El Paso [4]	47
Houston (all locations within the corporate limits of Houston, including the L. B. Johnson Space Center and Ellington AFB)	50
San Antonio [4]	47
Utah: Salt Lake City (all locations within the corporate limits of Salt Lake City, including Dugway Proving Ground) [4]	49
Vermont: Burlington (all locations within the corporate limits of Burlington, South Burlington, and Essex Junction) [4]	48
Virginia:	
Alexandria (See Washington, DC, area)	50
Fairfax (See Washington, DC, area)	50
Falls Church (See Washington, DC, area)	50
Norfolk area (all locations within the cities of Norfolk, Virginia Beach, Portsmouth, Hampton, Newport News, and Chesapeake, VA, and the county of York, including the Naval Weapons Station, Yorktown, VA) [4]	47
Petersburg (all locations within the corporate limits of Petersburg and the counties of Dinwiddie and Prince George including Fort Lee, VA) [3]	43
Richmond (all locations within the city of Richmond and the counties of Chesterfield and Henrico, including the Defense General Supply Center) [4]	44
Roanoke	43
Williamsburg [3]	50

Designated HRGA's [1] [2]—Continued

	Prescribed maximum daily rates
Arlington County (See Washington, DC, area)	50
Fairfax County (See Washington, DC, area)	50
Loudoun County (See Washington, DC, area)	50
Washington:	
Seattle (all locations within King County)[4]	50
Spokane[4]	50
West Virginia: Charleston[4]	50
Wisconsin:	
Madison	47
Milwaukee	50
Wyoming:	
Casper[4]	44
Cheyenne[4]	50

[1] The HRGA boundary is defined as "all locations within the corporate limits or entirely surrounded by the boundaries thereof, including independent entities located within the boundaries" unless otherwise specified.

[2] HRGA's with county defintions shall include "all locations entirely surrounded by the boundaries thereof, including independent entities located within the boundaries."

[3] Newly designated HRGA.

[4] Increased maximum rate or redefined boundary for previously designated HRGA.

7. Paragraph 1–8.7 is added as follows:

1–8.7. Request for designation of HRGA's. a. On the basis of a determination that the maximum per diem rate is inadequate for travel to a specific city or area, agencies may submit a request to GSA for review and designation of the location as an HRGA. These requests shall be submitted through or by the agency headquarters office to the General Services Administration (TT), Washington, DC 20406, for approval and designation, if justified.

b. The requests for designation of an HRGA may be for a new HRGA or increased rates and/or expansion of an existing HRGA and shall include the following information and cost data:

(1) Lodging costs for a wide range of hotel/motel facilities within proximity of the temporary duty point location(s). (Hotel/motel brochures will suffice);

(2) Meal costs for breakfast, lunch, and dinner for several eating facilities in the area. (Restaurant menus are preferred, if available);

(3) Number of agency travelers and frequency of the travel to the particular area;

(4) Type or purpose of travel (inspections, conduct investigations or audits, visit to contractor facilities, training, administrative travel; e.g., conferences or meetings; etc.);

(5) Name and location of activity visited (Government and non-Government). Also show other Federal activities located in or near the area that is being requested for designation as an HRGA; and

(6) Recommended boundary line (city, corporate limits, county, etc.) and maximum rate.

8. Paragraphs 1–11.6b (8) and (9) are republished without change as follows:

1–11.6. Administrative approvals.

* * * * *

b. * * *

(8) *Use of accommodations superior to those authorized (1–3.3).*

(9) *Use of extra-fare trains (1–3.3b(3)).*

* * * * *

9. Paragraph 2–5.2a is revised to read as follows:

2–5.2. Conditions and limitations for eligibility. a. *Length of time allowed and location of new official station.* Subsistence expenses of the employee for whom a permanent change of station is authorized or approved and each member of his or her immediate family (defined in 2–1.4d) shall be allowed for a period of not more than 30 consecutive days while the employee and family necessarily occupy temporary quarters and the new official station is located in the 50 States, the District of Columbia, United States territories and possessions, the Commonwealth of Puerto Rico, and the areas and installations in the Republic of Panama made available to the United States under the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979); provided a written agreement as required in 2–1.5a(1) is signed in connection with the transfer. The period of consecutive days may be interrupted for the time that is allowed for travel between the old and new official stations or for circumstances attributable to official necessity; for example, an intervening temporary duty assignment. The 30-day limitation applies when employees transfer from official stations located in foreign countries to official stations in the United States; however, when temporary lodgings are obtained in a foreign area, the employee may be eligible for an allowance under the Standardized Regulations (Government Civilians, Foreign Areas).

* * * * *

10. Paragraph 2–6.1a is revised to read as follows:

2–6.1. Conditions and requirements under which allowances are payable.

* * * * *

a. *Transfers covered—agreement required.* A permanent change of station is authorized or approved and the old and new official stations are located within the 50 States, the District of Columbia, the territories and possessions of the United States, the Commonwealth of Puerto Rico, or the areas and installations in the Republic of Panama made available to the United States under the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979), and the employee has signed an agreement as required in 2–1.5a(1). (See exclusions in 2–6.4).

* * * * *

[FR Doc. 80–12512 Filed 4–22–80; 8:45 am]

BILLING CODE 6820–AM–M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Service Order Nos. 1397 and 1397–A]

The Chesapeake and Ohio Railway Co. Authorized to Operate Over Tracks of the Baltimore and Ohio Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1397–A.

SUMMARY: Service Order No. 1397 authorizes The Chesapeake and Ohio Railway Company to operate over tracks of The Baltimore and Ohio Railroad Company located at Cottage Grove, Indiana.

The order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 21, 1980.

FOR FURTHER INFORMATION CONTACT:

J. Kenneth Carter, (202) 275–7840.

Decided: April 17, 1980.

Upon further consideration of Service Order No. 1397 (44 FR 55885), and good cause appearing therefor:

It is ordered,

§ 1033.1397 Service Order 1397.

The Chesapeake and Ohio Railway Company authorized to operate over tracks of the Baltimore and Ohio Railroad Company. Service Order No. 1397 is vacated effective 11:59 p.m., April 21, 1980.

(49 U.S.C. (10304–10305 and 11121–11126))

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12493 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[Service Order Nos. 1301 and 1301-A]

Distribution of Grain Cars

AGENCY: Interstate Commerce Commission.

ACTION: Corrected Second Revised Service Order No. 1301-A.

SUMMARY: Corrected Second Revised Service Order No. 1301 required the railroads to exclude Burlington Northern 40-foot narrow-door plain boxcars from all loading and return to owner empty. That order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 18, 1980.

FOR FURTHER INFORMATION CONTACT:

J. Kenneth Carter, (202) 275-7840.

Decided: April 14, 1980.

Upon further consideration of Corrected Second Revised Service Order No. 1301 (44 FR 27995), and good cause appearing therefor:

It is ordered:

§ 1033.1301 Service Order 1301.

Distribution of grain cars. Corrected Second Revised Service Order No. 1301 is vacated effective 11:59 p.m., April 18, 1980.

(49 U.S.C. 10304-10305 and 11121-11126)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12489 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[Service Order Nos. 1379 and 1379-A]

Minneapolis, Northfield and Southern Railway Authorized To Operate Over Tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1379-A.

SUMMARY: Service Order No. 1379 authorizes the Minneapolis, Northfield and Southern Railway to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company located at Lakeville, Minnesota, for the purpose of serving industries located adjacent to such tracks. The order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 18, 1980.

FOR FURTHER INFORMATION CONTACT:

J. Kenneth Carter, (202) 275-7840.

Decided: April 17, 1980.

Upon further consideration of Service Order No. 1379 (44 FR 28803), and good cause appearing therefor:

It is ordered,

§ 1033.1379 Service Order 1379.

Minneapolis, Northfield and Southern Railway authorized to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Service Order No. 1379 is vacated effective 11:59 p.m., April 18, 1980.

(49 U.S.C. (10304-10305 and 11121-11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12492 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[Service Order Nos. 1210 and 1210-A]

Providence and Worcester Co. Authorized To Operate Over Tracks of Consolidated Rail Corp. and Consolidated Rail Corp. Authorized To Operate Over Tracks of Providence and Worcester Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1210-A.

SUMMARY: Service Order No. 1210 authorizes the Providence and Worcester Company to operate over tracks of Consolidated Rail Corporation and Consolidated Rail Corporation to operate over tracks of Providence and Worcester Company. This order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 21, 1980.

FOR FURTHER INFORMATION CONTACT:

J. Kenneth Carter, (202) 275-7840.

Decided: April 17, 1980.

Upon further consideration of Revised Service Order No. 1210 (40 FR 7452, 19478; 41 FR 4929, 15414, 32430; 42 FR 6817, 39221; 43 FR 4433, 34147; 44 FR 6728 and 44 FR 46277), and good cause appearing therefor:

It is ordered,

§ 1033.1210 Service Order 1210.

Providence and Worcester Co. authorized to operate over tracks of Consolidated Rail Corporation and Consolidated Rail Corporation authorized to operate over tracks of Providence and Worcester Company. Revised Service Order No. 1210 is vacated effective 11:59 p.m., April 21, 1980.

(49 U.S.C. (10304-10305 and 11121-11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

FR Doc. 80-12494 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Service Order Nos. 1331 and 1331-A]

South Central Tennessee Railroad Co. Authorized To Operate Over Tracks Abandoned by Louisville and Nashville Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1331-A.

SUMMARY: Service Order No. 1331 authorizes the South Central Tennessee Railroad Company to operate over tracks abandoned by Louisville and Nashville Railroad Company.

The order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 21, 1980.

FOR FURTHER INFORMATION CONTACT: J. Kenneth Carter, (202) 275-7840.

Decided: April 17, 1980.

Upon further consideration of Service Order No. 1331 (43 FR 29126; 44 FR 3712 and 42700), and good cause appearing therefor:

It is ordered:

§ 1033.1331 Service Order 1331.

South Central Tennessee Railroad Company authorized to operate over tracks abandoned by Louisville and Nashville Railroad Company. Service Order No. 1331 is vacated effective 11:59 p.m., April 21, 1980.

(49 U.S.C. (10304-10305 and 11121-11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12490 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Service Order No. 1280 and 1280-A]

Substitution of Hopper Cars for Covered Hopper Cars or Boxcars

AGENCY: Interstate Commerce Commission.

ACTION: Revised Service Order No. 1280-A.

SUMMARY: Revised Service Order No. 1280 authorized the railroads to substitute open hopper cars for covered hopper cars for shipments of grain. That order is being vacated.

EFFECTIVE DATE: 11:59 p.m., April 30, 1980.

FOR FURTHER INFORMATION CONTACT: J. Kenneth Carter, (202) 275-7840.

Decided: April 14, 1980.

Upon further consideration of Revised Service Order No. 1280 (42 FR 59386; 43 FR 23723, 56675 and 44 FR 31983), and good cause appearing therefor:

It is ordered,

§ 1033.1280 Service Order 1280.

Substitution of hoppers cars for covered hopper cars or boxcars. Revised Service Order No. 1280 is vacated effective 11:59 p.m., April 30, 1980.

(49 U.S.C. (10304-10305 and 11121-11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12491 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Service Order No. 1451]

St. Louis-San Francisco Railway Co. Authorized To Operate over Tracks of Chicago, Rock Island and Pacific Railroad Co., Debtor (William M. Gibbons, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Third Revised Service Order No. 1451.

SUMMARY: This order authorizes the St. Louis-San Francisco Railway Company (SLSF) to operate over tracks of Chicago, Rock Island and Pacific Railroad Company (RI) at the following locations for the purpose of serving industries located adjacent to such tracks, and provides for the continuation of service to shippers which would otherwise be deprived of essential railroad service. Appendix A of the SLSF petition is revised to authorize service to some interchange tracks at Enid.

EFFECTIVE DATE: 12:01 a.m., April 12, 1980, and continuing in effect until 11:59 p.m., May 31, 1980.

FOR FURTHER INFORMATION CONTACT: J. Kenneth Carter, (202) 275-7840.

Decided: April 11, 1980.

The embargo of the lines of Chicago, Rock Island and Pacific Railroad Company (RI) is depriving shippers located adjacent to those tracks of essential railroad service. The St. Louis-San Francisco Railway Company (SLSF) connects with the RI and has consented to operate over these tracks in order to serve the industries.

It is the opinion of the Commission that an emergency exists requiring the joint and common use by SLSF of tracks owned by RI, in the interest of the public; that notice and public procedure are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered,

§ 1033.1451 Service Order 1451.

[1](a) *St. Louis-San Francisco Railway Company authorized to operate over tracks of Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee).* St. Louis-San Francisco Railway Company (SLSF) is authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Company (RI) as set forth in Appendix A (as amended) in the SLSF petition, which is filed in the Docket, for the purpose of serving industries located adjacent to such tracks at the following stations.

1. Wichita, Kansas
2. Enid, Oklahoma
3. Stations between and including Dallas, Texas, and Fort Worth, Texas
4. Chicasha, Oklahoma
5. Hobart, Oklahoma
6. Okeene, Oklahoma
7. Lawton, Oklahoma

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

(c) Similar applications have been received from Missouri-Kansas-Texas Railroad Company and Fort Worth and Denver Railway Company to operate portions of RI tracks herein indicated. The Railroad Service Board has

[1] Change.

reviewed these applications and considered the recommendations of the Department of Transportation, and has approved the application of the SLSF to conduct these temporary operations in the public interest as listed in paragraph (a). Nothing herein shall be considered as a prejudgment of any application seeking permanent authority to operate over these tracks.

(d) Compensation will be on terms established between the Trustee and the affected carrier(s); or upon failure of the parties to agree as hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by Section 11123(b)(2) of the Interstate Commerce Act.

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

The operator under this temporary authority will not be required to protect transit rate obligations incurred by the RI or the directed carrier, Kansas City Terminal Railway Company, on transit balances currently held in storage.

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

(g) *Employees.* On March 4, 1980, a number of rail carriers and labor unions reached an agreement regarding the proper level of employee protection entitled *"Labor Protective Agreement Between Railroads Parties Hereto Involved in Midwest Rail Restructuring and Employees of Such Railroads Represented by the Rail Labor Organizations operating through the Railway Labor executives' Association"* (Negotiated Labor Protection Agreement). We have reviewed the negotiated labor protection agreement and find that it adequately safeguards the interests of affected employees.

Accordingly, if SLSF chooses to exercise the authority granted by this decision, it shall afford affected employees the protection contemplated by the negotiated labor protection agreement and any subsequent amendments to it.

(h) *Effective date.* This order shall become effective at 12:01 a.m., April 12, 1980.

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

This action is taken under the authority of 49 U.S.C. 10304–10305 and 1123(a)(3).

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12488 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[S.O. No. 1231; Amdt. No. 9]

Consolidated Rail Corp. Authorized to Operate Over Tracks of Louisville and Nashville Railroad Co.

April 17, 1980.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 9 To Service Order No. 1231.

SUMMARY: Service Order No. 1231 authorized the Consolidated Rail Corporation to operate over tracks of the Louisville and Nashville Railroad Company. This order amends Service Order No. 1231 by reestablishing its expiration date (11:59 p.m., June 30, 1980) in order to provide greater control of utilization.

EFFECTIVE DATE: 12:01 a.m., April 21, 1980, and continuing in effect until 11:59 p.m., June 30, 1980.

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

Upon further consideration of Service Order No. 1231, (41 FR 8480, 15414, 27729; 42 FR 3310, 34520; 43 FR 762, 28496; and 44 FR 874, 39405), and good cause appearing therefor:

It is ordered,

§ 1033.1231 Service Order No. 1231

Consolidated Rail Corporation Authorized to Operate Over Tracks of Louisville and Nashville Railroad Company, Service Order No. 1231 is amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1980, unless otherwise modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 12:01 a.m., April 21, 1980.

(49 U.S.C. (10304–10305 and 11121–11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington, and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12504 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[S.O. No. 1247; Amdt. No. 7]

Bath and Hammondsport Railroad Co. Authorized to Operate Over Tracks of Consolidated Rail Corp.

April 17, 1980.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 7 to Service Order No. 1247.

SUMMARY: Service Order No. 1247 authorized the Bath and Hammondsport Railroad Company to operate over tracks of the Consolidated Rail Corporation. This offer amends Service Order No. 1247 by reestablishing its expiration date (11:59 p.m., June 30, 1980), in order to provide greater control of utilization.

DATES: EFFECTIVE: 12:01 a.m. April 21, 1980; Expiration date: 11:59 p.m., June 30,

1980, unless modified, amended or vacated by order of this Commission.

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

Upon further consideration of Service Order No. 1247, (41 FR 29819, 42 FR 6370, 39389; 43 FR 4617, 34148; and 44 FR 6729, 42698), and good cause appearing therefor:

It is ordered,

§ 1033.1257 Service Order No. 1247

Bath and Hammondsport Railroad Company Authorized to Operate Over Tracks of Consolidated Rail Corporation, Service Order No. 1247 is amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1980, unless otherwise modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 12:01 a.m., April 21, 1980.

(49 U.S.C. (10304–10305 and 11121–11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–12503 Filed 4–22–80; 8:45 am]

BILLING CODE 7035–01–M

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49 CFR Part 1033

[S.O. No. 1343–A]

Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Authorized to Operate Over Tracks of Chicago and North Western Transportation Co.

April 17, 1980

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1343–A.

SUMMARY: This order vacates Service Order No. 1343, which authorized the MILW to operate over tracks of Chicago and North Western Transportation Company.

EFFECTIVE DATE: 11:59 p.m., April 21, 1980.

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

Upon further consideration of Service Order No. 1343 (43 FR 50185, 59073; and 44 FR 36183), and good cause appearing therefor:

It is ordered,

§ 1033.1343 Service Order No. 1343

Chicago, Milwaukee, St. Paul and Pacific Railroad Company Authorized To Operate Over Tracks of Chicago and North Western Transportation Company, Service Order No. 1343 is vacated effective 11:59 p.m., April 21, 1980.

(49 U.S.C. (10304–10305 and 11121–11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–12502 Filed 4–22–80; 8:45 am]

BILLING CODE 7035–01–M

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49 CFR Part 1033

[S.O. No. 1385; Amdt. No. 1]

Consolidated Rail Corporation Authorized To Operate Over Tracks of the Baltimore and Ohio Railroad Co. and the Norfolk and Western Railway Co.

April 17, 1980.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 1 to Service Order No. 1385.

SUMMARY: Service Order No. 1385 authorized the Consolidated Rail Corporation to operate over tracks of the Baltimore and Ohio Railroad Company and the Norfolk and Western Railway Company. This order amends Service Order No. 1385 by reestablishing its expiration date (11:59 p.m., June 30, 1980), in order to provide greater control of utilization.

EFFECTIVE: 12:01 a.m., April 21, 1980; Expiration date: 11:59 p.m., June 30, 1980, unless modified, amended or vacated by order of this Commission.

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

Upon further consideration of Service Order No. 1385, (44 FR 40067) and good cause appearing therefor:

It is ordered,

§ 1033.1385 Service Order No. 1385.

Consolidated Rail Corporation Authorized to Operate Over Tracks of the Baltimore and Ohio Railraod Company and the Norfolk and Western Railway Company, Service Order No. 1385 is amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1980, unless otherwise modified, amended or vacated by order of this Commission.

Effective date. This order shall become effective at 12:01 a.m., April 21, 1980.

(49 U.S.C. (10304–10305 and 11121–11126).)

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–12505 Filed 4–22–80; 8:45 am]

BILLING CODE 7035–01–M

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49 CFR Part 1125

[Ex Parte No. 293, Sub No. 2]

Standards for Determining Rail Service Continuation Subsidies; Decision

AGENCY: Rail Services Planning Office, Interstate Commerce Commission.

ACTION: Amendments to the Standards, Final rule.

SUMMARY: On December 19, 1979, the Rail Services Planning Office published a further notice of proposed rulemaking, (44 FR 75190). The notice requested

comments on proposed amendments that would account for the impact of inflation on costs that are incurred between the end of the calendar year used as the basis for developing subsidy year unit costs and the end of the actual 12-month period covered by the subsidy agreement. After reviewing the comments and proposals, RSPO is modifying the indexing methodologies proposed in the December 19, 1979 notice to reflect the comments and the suggestions that were contained in the submissions of the parties. The amendments proposed on December 19, 1979, and the amended regulations incorporated in this decision vary only in the language employed to describe the calculations and in a moderate expansion of the data base. As these variations do not constitute a substantive change from the December 19, 1979 proposal, the regulations appended to this report are adopted as final rules.

EFFECTIVE DATE: These amendments are effective for subsidy years beginning on or after January 1, 1980.

FOR FURTHER INFORMATION CONTACT: James Wells, 202–275–0838.

SUPPLEMENTARY INFORMATION: On December 19, 1979, RSPO published a further notice of proposed rulemaking that included proposed amendments to the regulations to account for the impact of inflation on off-branch and on-branch costs incurred after the end of the calendar year used to develop subsidy year unit costs and the end of the actual 12-month period covered by the subsidy agreement. The notice requested comments on the proposed amendments. Comments were received from Conrail and the Chessie System.

The amendments are being adopted as proposed in the December 19, 1979 notice with following exceptions: (1) minor changes will be made to the language related to the Health and Welfare Costs Update Ratio; (2) a description of the term "calendar year" will be added; (3) the basis for calculating the Materials and Supplies Costs Update Ratio will be expanded to incorporate a twelve month average in place of the three month period envisioned in the proposed amendments; and (4) the inflation adjustment will be subject to the fifteen percent cost overrun provisions of the regulations.

Health and Welfare Costs Update Ratio

Conrail's submission suggested that minor language changes be made in the description of the Health and Welfare Costs Update Ratio calculation. The proposed wording had not clearly explained that the total yearly costs were the sum of the costs developed for each of the twelve months.

The proposed regulations stated that the Health and Welfare Costs Update Ratio was calculated "by dividing total calendar year monthly costs by total emloyees, middle of the month count. All monthly costs per employee are then totalled." Conrail proposed that the following description procedure be substituted:

> The calendar year Health and Welfare costs are the sum of the average monthly costs per employee that is determined for each month; January through December. The monthly average would be determined by dividing the total monthly Health and Welfare costs by the total employees, middle of the month count.

The subsidy year Health and Welfare costs would also be worded so that the total costs would be the sum of the average monthly costs per employee for each month within the subsidy contract period.

RSPO concurs with the clarifications proposed by Conrail and has incorporated them into these amendments.

Materials and Supplies Costs Update Ratio

In the December 19, 1979 notice, the method proposed to calculate the update ratio for materials and supplies was based on the final quarter of the calendar year and the final quarter of the subsidy year.

Conrail has proposed two changes to this procedure: (1) use the four quarterly indices for each period, rather than only the one index reflecting the last three months; and (2) determine the index for each quarter by averaging the index of that quarter with the index of the subsequent quarter.

By using only the final quarter as a basis for determining the ratio, the full impact of inflation on the differing 12 month periods is not totally measured. The ratio that is developed using the entire 12 month periods will result in a more accurate indication of the impact of inflation on the materials and supplies cost.

RSPO agrees with Conrail's suggestion that the index for the calendar year and subsidy year should be developed using the data from the four quarters instead of the proposed use of the last quarter index only. The procedure that develops the update ratio will reflect this change.

Conrail's second change, to average the indices for two quarters, was recommended because the index for any quarter is not a midpoint average but a spot index from the first few days of the quarter. Conrail's suggested procedure would develop an approximate midpoint index for each quarter.

In order to assess the impact of Conrail's indexing recommendation, RSPO performed several comparisons of twelve month periods with three month differences, which approximate the relationship of the subsidy year to the calendar year. The update ratio was calculated for each test period using both the spot index for the quarter and the midpoint average, developed by averaging the quarter and the subsequent quarter, as proposed by Conrail. The update ratios developed under both procedures, using the same 12 month periods, revealed differences of only one-tenth of one percent. One test period showed that the spot index resulted in a higher ratio than that developed using the midpoint of the quarter. The lack of any significant differential between the two methods in light of the present rate of inflation and that which occurred during 1979 convinces RSPO that using the spot index does not deny the railroad recovery of its increased costs. RSPO also believes that the use of four existing quarterly indices would be less burdensome from an administrative and auditing standpoint.

Thus, the suggestion of developing a midpoint average for each quarter will not be incorporated in the regulations.

Indexing of the Calendar Year

The Chessie system submitted comments that relate to the time period for which the inflationary effects are to be calculated. Its interpretation is that the proposed calculation will reflect only those months of the subsidy period that extent beyond the calendar year. This assumes that the costs for the subsidy period are calculated using the annual report that included some of the same months that are in the subsidy year.

The wording used in the proposed regulations computes the average calendar year unit costs based on the railroad's latest Annual Report Form R–1 filed with the ICC. Chessie stated that since railroads do not usually have their R–1 available until April of the subsequent year, the unit costs applied to subsidized operations may not incorporate any months of the subsidy period. For example, a subsidy year beginning April 1, 1979 and ending on March 31, 1980 could utilize unit costs based on 1978 R–1 data unless the railroad adjusted the unit costs during the subsidy year when the 1979 data became available. The Chessie suggests that the regulations recognize the inflationary impact that occurs between

the calendar year used to develop the cost of subsidized operations and the period covered by the subsidy agreement regardless of the calendar year used.

It is the intent of this amendment to account for the effects of inflation and allow the railroad to recover the cost of providing the service. The definition of calendar year contained in the beginning of §§ 1125.7(n)(5) and 1125.8 is worded to reflect the Chessie's suggestion. In these sections, calendar year is stated as the January 1 to December 31 period used to develop the unit costs that are applied against the subsidy year operations.

Under the amended procedure, if a subsidy year ending March 31, 1981 were costed using calendar year 1979 unit cost, the amended regulations would allow the 1979 costs to be updated to cover the subsidy period April 1, 1980 through March 31, 1981.

Impact of Inflation Subject to the Year-End Adjustment Provisions

There is an expense differential resulting from the effects of inflation that occur between the calendar year used to develop the unit costs and the actual subsidy period. This differential will be subject to the 15 percent cost overrun provisions of section 1125.5(b) of these rules. It is anticipated that a subsidy estimate would include some allowance for cost escalations that would occur during the period covered by the subsidy agreement.

Accordingly, section 1125.5(a) will be amended to include the impact of inflation on costs in the year-end adjustment. This adjustment and the year-end Financial Status Report will be the basis of the adjustment between the total subsidy amount due for the year and the subsidy payments received to date.

The amended rules appended to this report are being incorporated into the regulations and will be applicable for all subsidy periods starting on or after January 1, 1980.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

This amendment is published under authority of 49 U.S.C. 10362. Issued April 21, 1980 by Alexander Lyall Morton, Director, Rail Services Planning Office.

By the Commission.

Agatha L. Mergenovich,

Secretary.

Part 1125 Subchapter B of Chapter X of Title 49 of the Code of Federal Regulations is amended by making the changes set forth below.

1. Section 1125.5(a) is amended to read as follows:

§ 1125.5 Year-end adjustment.

(a) On the basis of the railroad's year-end Final Status Report and the net impact of inflation developed in sections 1125.7(n)(5) and 1125.8(e), the subsidy payment shall be adjusted to reconcile any differences between the subsidy payments actually made based on the estimated subsidy and the actual subsidy calculated from data reflecting the actual revenues and costs experienced in the operation of the branch during the subsidy year.

* * * * *

2. Section 1125.7(n) shall be amended by the addition of subsection (5). Section 1125.7(n)(5) shall read as follows:

§ 1125.7 Calculation of avoidable costs and management fee.

(n) * * *

(5) The railroad shall be entitled to recover the impact of inflation on off-branch costs that occur during the period between the calendar year which is used for developing subsidy year unit costs and the 12 month period covered by the subsidy agreement. Calendar year used in this section shall mean the January 1 to December 31 period used to develop unit costs that are applied to the subsidy year operations. The impact of inflation on off-branch costs shall be calculated as follows:

(i) The railroad shall determine the following calendar year items from its Annual Report Form R–1 that was used in developing unit costs for the subsidy year and company records. (Class II and Class III railroads shall adapt the procedure using similar data from Forms R–2 or R–3 or company records).

(A) Total, railroad's Salaries and Wages, [Schedule 410, col. (b)];

(B) U.S. Government old-age retirement and unemployment insurance taxes (including medicare and supplemental annuities), [Schedule 451, Section (B)];

(C) Employee Health and Welfare expenses, [company records];

(D) Transportation: Train Operations; Locomotive Fuel, Materials, tools, supplies and lubricants; plus Transportation: Yard Operations; Locomotive Fuel, Materials, tools, supplies, fuels, and lubricants, [Schedule 410, col. (c)];

(E) Transportation: Train Operations; Electric Power Purchased or Produced for Motive Power, Materials, tools, fuel and lubricants and Purchased Services; plus Transportation: Yard Operations; Electric Power, Purchased or Produced for Motive Power, Materials, tools, fuels, and lubricants and Purchased Services, [Schedule 410, col. (c) and (d)];

(F) Equipment: locomotives; Repair and Maintenance, Materials, tools, supplies, fuels, and lubricants; Freight Cars; Repair and Maintenance, Materials, tools, supplies, fuels, and lubricants; plus Transportation; Train Operations; Train Inspection and Lubrication, Materials, tools, supplies, fuels, and lubricants; Train Crews, Materials, tools, supplies, fuels, and lubricants; Servicing Locomotives, Materials, tools, supplies, fuels, and lubricants; plus Yard Operations; Switch Crews, Materials, tools, supplies, fuels, and lubricants; Servicing Locomotives, Materials, tools, supplies, fuels, and lubricants, [Schedule 410, col. (c)];

(G) Railway Tax Accruals (excluding Federal Income Taxes and Payroll Taxes), [Schedule 451, Section (b)];

(H) Total operating expenses, freight portion, [Schedule 410, col. (f)];

(I) Total—All other operating expenses, paragraphs (N)(5)(i)(H) minus the sum of paragraphs (n)(5)(i)(A), (n)(5)(i)(B), (n)(5)(i)(C), (n)(5)(i)(D), (n)(5)(i)(E), and (n)(5)(i)(F).

(ii) The Railroad shall determine the following ratios:

(A) Employee Compensation Update Ratio.

(*1*) The calendar year average straight-time compensation per hour is determined by: adding the total straight-time compensation for transportation employees to the total straight-time compensation for train and engine employees; divided by the total straight-time service hours for transportation employees plus the total straight-time service hours for train and engine employees, [ICC *Annual Report of Employees, Service and Compensation, Forms A and B*];

(*2*) The subsidy year average straight-time compensation per hour is determined by: adding the total straight-time compensation for transportation employees to the total straight-time compensation for train and engine employees, for the twelve months of the subsidy year; divided by the total straight-time service hours for transportation employees plus the total straight-time service hours for train and engine employees, for the twelve months of the subsidy year, [ICC *Monthly Report of Employees, Service and Compensation Forms A and B*];

(*3*) The Employee Compensation Update ratio is determined by dividing the subsidy year average straight-time compensation per hour, paragraph (n)(5)(ii)(A)(*2*); by the calendar year average straight-time compensation per

hour, paragraph (n)(5)(ii)(A)(*1*) of this section.

(B) Payroll Taxes Update Ratio.

(*1*) The calendar year employer contribution rate per hour is determined by: adding the employer maximum annual tax per employee for Railroad Retirement to the employer paid maximum annual tax per employee for Railroad Unemployment Insurance, [Bureau of the Actuary, U.S. Railroad Retirement Board]; divided by 2080, the average annual number of working hours per year. The quotient is added to the hourly rate for supplemental annuities, [National Railway Labor Conference];

(*2*) The subsidy year employer contribution rate per hour is determined by: multiplying the employer's monthly rate for Railroad Retirement and Railroad Unemployment Insurance by the maximum monthly individual employee's wage base, respectively, for the twelve months of the subsidy year, [Bureau of the Actuary, U.S. Railroad Retirement Board]; and dividing by 2080, the average annual number of working hours per year. The quotient is added to the hourly rate for supplemental annuities, [National Railway Labor Conference];

(*3*) The Payroll Taxes Update Ratio is determined by: dividing the subsidy year contribution rate per hour, paragraph (n)(5)(ii)(B)(*2*) by the calendar year contribution rate per hour, paragraph (n)(5)(ii)(B)(*1*) of this section.

(C) Health and Welfare Costs Update Ratio.

(*1*) Calendar year Health and Welfare costs shall be determined by dividing total monthly costs for each month, company records, by the total employees, middle of the month count for each month, [ICC *Monthly Report of Employees, Service, and Compensation, Forms A and B*]. The total Calendar year health and welfare costs is the sum of the twelve monthly average costs per employee developed in this subsection.

(*2*) Subsidy year Health and Welfare costs are determined by dividing total monthly costs for each month, company records, by total employees, middle of the month count, [ICC *Monthly Report of Employees, Service, and Compensation, Forms A and B*]. The total subsidy year health and welfare costs is the sum of the twelve monthly average costs per employee developed in this subsection.

(*3*) The Health and Welfare Costs Update Ratio is determined by: dividing the subsidy year costs per employee, paragraph (n)(5)(ii)(C)(*2*) by the calendar year costs per employee, paragraph (n)(5)(ii)(C)(*1*) of this section.

(D) Employment Level Adjustment Ratio.

(*1*) The calendar year middle of the month employee counts are determined by: summing the middle of the month counts, [ICC *Monthly Report of Employees, Service, and Compensation, Forms A and B*], for the twelve months of the calendar year;

(*2*) The subsidy year middle of the month employee counts are determined by: summing the middle of the month counts, [ICC *Monthly Report of Employees, Service, and Compensation, Forms A and B*], for the twelve months of the subsidy year;

(*3*) The Employment Level Adjustment Ratio is determined by: dividing the subsidy year middle of the month counts, paragraph (n)(5)(ii)(D)(*2*), by the calendar year middle of the month counts, paragraph (n)(5)(ii)(D)(*1*) of this section.

(E) Fuel Cost Update Ratio.

(*1*) The calendar year average fuel cost per gallon is determined by: dividing the cost of Fuel, Diesel Oil, schedule 750, col (b), by the number of gallons, Diesel Oil, consumed in freight, passenger and yard switching service, schedule 750, col (b);

(*2*) The subsidy year average fuel cost per gallon is determined by: dividing the cost of fuel, diesel oil, company records, for the subsidy year, by the number of gallons, diesel oil consumed in freight, passenger and yard switching operations, company records, for the subsidy year.

(*3*) The Fuel Cost Update Ratio is determined by: dividing the subsidy year fuel cost per gallon, paragraph (n)(5)(ii)(E)(*2*) by the calendar year fuel cost per gallon, paragraph (n)(5)(ii)(E)(*1*) of this section.

(F) Electric Power Cost Update Ratio.

(*1*) The calendar year cost per kilowatt hour is determined by: dividing the cost of electric kilowatt hours, [schedule 750, col. (c)] by the kilowatt hours consumed by freight, passenger, and yard switching operations, [schedule 750, col (c)];

(*2*) The subsidy year cost per kilowatt hour is determined by: dividing the cost of electric kilowatt hours, [company records], by the kilowatt hours consumed by freight, passenger, and yard switching operations, [company records];

(*3*) The Electric Power Cost Ratio is determined by: dividing the subsidy year cost per kilowatt hour, paragraph (n)(5)(ii)(F)(*2*) by the calendar year cost per kilowatt hour, paragraph (n)(5)(ii)(F)(*1*) of this section.

(G) Materials and Supplies Cost Update Ratio.

(*1*) The calendar year materials and supplies index is an average of the four calendar year quarterly indices, [Association of American Railroads (AAR), Economics and Finance Department, series Quarterly Material, Price and Wages (QMPW), applicable region].

(*2*) The subsidy year materials and supplies ratio is an average of the four subsidy year quarterly indices, [Association of American Railroads (AAR), Economics and Finance Department, Series Quarterly Material, Price, and Wages (QMPW), applicable region].

(*3*) The Materials and Supplies Cost Update Ratio is determined by: dividing the subsidy year ratio, paragraph (n)(5)(ii)(G)(*2*) by the calendar year ratio, paragraph (n)(5)(ii)(G)(*1*) of this section.

(iii) The Railroad shall determine the following subsidy year expense items:

(A) Total subsidy year salaries and wages, [calendar year total railroad salaries and wages, paragraph (n)(5)(i)(A) multiplied by the Employee Compensation Update Ratio, paragraph (n)(5)(ii)(A)(*3*)].

(B) U.S. Government old-age retirement and unemployment insurance (including medicare and supplemental annuities), [calendar year U.S. Government old-age retirement and unemployment insurance (including medicare and supplemental annuities), paragraph (n)(5)(i)(B) multiplied by the Payroll Taxes Update Ratio, paragraph (n)(5)(ii)(B)(*3*)].

(C) Employee Health and Welfare Expenses, [calendar year, Employee Health and Welfare expenses, paragraph (n)(5)(i)(C) multiplied by the Health and Welfare Costs Update Ratio, paragraph (n)(5)(ii)(C)(*3*)].

(D) Total employee compensation adjusted for employment changes, [subsidy year total railroad's salaries and wages paragraph (n)(5)(iii)(A); plus U.S. Government old-age retirement and unemployment insurance (including medicare and supplemental annuities), paragraph (n)(5)(iii)(B) plus Employee Health and Welfare Expenses, paragraph (n)(5)(iii)(C) multiplied by the employment level adjustment ratio, paragraph (n)(5)(ii)(D)(*3*)].

(E) Transportation: Train Operations; Locomotive Fuel, Materials, tools supplies, fuels, and lubricants; plus Transportation: Yard Operations: Locomotive Fuel, Materials, tools, supplies, fuels, and lubricants, [calendar year expenses, paragraph (n)(5)(i)(D) multiplied by the Fuel Cost Update Ratio, paragraph (n)(5)(ii)(E)(*3*)].

(F) Transportation: Train Operations; Elecric Power Purchased or Produced for

Motive Power, Materials, tools, supplies, fuels, and lubricants and Purchased Services; plus Transportation: Yard operations: Electric Power Purchased or Produced for Motive Power, Materials, tools, supplies, fuels, and lubricants and Purchased Services, [calendar year expenses, paragraph (n)(5)(i)(E) multiplied by the Elecric Power Cost Update Ratio, paragraph (n)(5)(ii)(F)(*3*)].

(G) Equipment: Locomotives; Repair and Maintenance, Materials, tools, supplies, fuels, and lubricants; Freight Cars; Repair and Maintenance, Materials, tools, supplies, fuels, and lubricants; plus Transportation: Train Operations; Train Inspection and Lubrication, Materials, tools, supplies, fuels, and lubricants; Train Crews, Materials, tools, supplies, fuels, and lubricants; Servicing Locomotives, Materials, tools, supplies, fuels, and lubricants; plus Transportation Yard Operations; Switch Crews, Materials, tools, supplies, fuels, and lubricants; Servicing Locomotives, Materials, tools, supplies, fuels, and lubricants, [calendar year expenses, paragraph (n)(5)(i)(F) multiplied by the Materials and Supplies Costs Update Ratio, Paragraph (n)(5)(ii)(G)(*3*)].

(H) Railway Tax Accruals (excluding Federal Income Taxes and Payroll taxes), [calendar year expenses, paragraph (n)(5)(i)(G) multiplied by 1.0].

(I) Total all other operating expenses, [Total calendar year all other operating expenses, paragraph (n)(5)(i)(I) multiplied by 1.0].

(iv) The railroad shall develop a composite index as follows:

(A) Total calendar year expenses [paragraph (n)(5)(i)(H)] plus calendar year Railway Tax Accruals (excluding Income Taxes and Payroll Taxes), paragraph (n)(5)(i)(G)];

(B) Total subsidy year expenses [sum of paragraphs (n)(5)(iii)(D), (n)(5)(iii)(E), (n)(5)(iii)(F), (n)(5)(iii)(G), (n)(5)(iii)(H), (n)(5)(iii)(I)].

(C) Composite Index [Total subsidy year expenses, paragraph (n)(5)(iv)(B), divided by total calendar year operating expenses, paragraph (n)(5)(iv)(A).

(v) The composite index, paragraph (n)(5)(iv)(C) above, shall be applied to the off-branch costs for twelve months of the subsidy year, as provided in § 1125.7(n). The difference between the off-branch costs as increased for inflation and the off-branch costs previously calculated by the railroad shall be included in the railroad's year-end Financial Status Report, as provided in § 1125.5(a).

* * * * *

(3) Section 1125.8 shall be amended by the addition of subsection (e). Section 1125.8(e) shall read as follows:

§ 1125.8 Apportionment rules for the assignment of expenses to on-branch costs.

* * * * *

(e) The railroad shall be entitled to recover the impact of inflation on on-branch costs that occur during the period between the calendar year which is used for developing subsidy year unit costs and the 12 month period covered by the subsidy agreement. Calendar year used in this section shall mean the January 1, to December 31, period used to develop unit costs that are applied to the subsidy year operations.

(1) The updating procedures described in paragraphs (e)(1)(A), (e)(1)(B) and (e)(1)(C), of this section, shall be applied to the applicable categories of total on-branch costs as provided in § 1125.8 (b) and (c). The on-branch updated costs shall be calculated as follows:

(A) The increase in fuel costs shall be determined by multiplying the on-branch costs for Locomotive Fuel-Materials, [account 21–31–67 plus account 21–32–67] by the Fuel Cost Update Ratio, [Section 1125.7(n)(5)(ii)(E)(*3*), minus one].

(B) The increase in the Electric Power Costs shall be determined by: multiplying the on-branch costs for Electric Power Purchased or Produced-Materials, and Purchased Services [accounts, 21–31–68, 21–32–68, 41–31–68 and 41–32–68] by the Electric Power Cost Update Ratio, [Section 1125.7(n)(5)(ii)(F)(*3*), minus one].

(C) The increase in materials and supplies cost shall be determined by multiplying the on-branch materials and supplies costs, [the sum of accounts: Engine Crews-Materials (21–31–56); plus Train Crews-Materials (21–31–57); plus Train Inspection and Lubrication-Materials (21–31–62); plus Locomotive Repairs and Maintenance-Materials (21–21–41); plus Servicing Locomotive-Materials—(21–31–69; plus Switch Crews-Materials (21–32–64); plus Yard Operations: Servicing of Locomotives-Material (21–32–69)] by the Materials and Supplies costs Update Ratio, [Section 1125.7(n)(5)(ii)(G)(*3*), minus one].

(2) The railroad shall recalculate on-branch car-day and car-mile costs as described in § 1125.7(g) to reflect inflation occurring in Materials-Freight Cars-Repairs and Maintenance Account (21–22–42) for the period between the calendar year used for developing subsidy year unit costs and the 12-month period covered by the subsidy agreement.

(A) The increase in freight car repairs and maintenance costs shall be determined by multiplying the on-branch costs for these materials [Account 21–22–42—Materials-Freight Cars-Repairs and Maintenance] by the Materials and Supplies Cost Update Ratio [section 1125.7(n)(5)(ii)(G)(*3*)].

(B) The amount in paragraph (e)(1)(A) is substituted for Account 21–22–42—Freight Train Car-Repair and Maintenance calculated in § 1125.7(g). Then, the total freight train car costs per car-day and car-mile are recalculated. The recalculated car-day and car-mile costs are then applied to the appropriate service units incurred during the subsidy year, using the procedure described in § 1125.7(g).

(C) The railroad shall calculate the net increase in freight train car costs by subtracting the on-branch freight train car costs, as provided in § 1125.7(G), from the adjusted amount described in paragraph (e)(2)(B).

(3) The net inflationary impact developed for a on-branch costs described in paragraphs (e)(1)(A), (e)(1)(B), (e)(1)(C) and (e)(2)(C) shall be included in the railroad's year-end Financial Status Report as provided in § 1125.5(a).

[FR Doc. 80–12501 Filed 4–22–80; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 26

Opening of Union Slough National Wildlife Refuge, Iowa, to Public Entry and Use

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to public entry and use of Union Slough National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the pubic.

DATES: As stated in "Special Conditions" of Supplementary Information.

FOR FURTHER INFORMATION CONTACT: Refuge Manager, Richard Antonette, Rt. 1, Box 32–B, Titonka, Iowa 50480—Telephone Number (515) 928–2523.

SUPPLEMENTARY INFORMATION:

§ 26.34 Special regulations concerning public access, use, and recreation for individual national wildlife refuges.

Public access on the Union Slough National Wildlife Refuge, Iowa, is permitted during daylight hours only, on the areas listed below and as designated by signs and delineated on maps available at refuge headquarters and from the Area Manager, U.S. Fish and Wildlife Service, Suite 106, Rockcreek Office Building, 2701 Rockcreek Parkway, North Kansas City, Missouri 64116. The following areas are open under special conditions:

1. Union Slough Habitat Tour Route is open for travel in motor vehicles Mondays through Fridays from the first through the fifteenth of September and November, 1980, weather permitting. Hours of operation are 7:30 a.m. to 4:00 p.m. Parking is permitted in designated parking areas only. Foot travel is permitted in designated areas.

2. Deer Meadow Picnic Area and Indian Bluff Nature Trail are open April 15 through September 30, 1980, for access by foot travel. Parking is permitted in designated parking area only.

3. Vanishing Prairie Grassland Area is open July 15 through September 30, 1980 for access by foot travel. Parking is permitted in designated parking area only.

4. Deer Observation Area is open from April 23, 1980, through December 31, 1980. Parking is permitted.

5. Access is permitted for environmental education activities for groups by reservation only in designated areas.

6. Pets must be on a leash less than ten feet in length and under control of the owner at all times.

The provisions of this special regulation supplement the regulations which govern public entry and use on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 26 and are effective through December 31, 1980.

Note.— The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

Dated: March 31, 1980.

Richard Antonette,

Refuge Manager.

[FR Doc. 80–12464 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–55–M

Proposed Rules

Federal Register
Vol. 45, No. 80
Wednesday, April 23, 1980

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

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

1 CFR Part 305

Trade Regulation Rulemaking Under the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act; Proposed Recommendations Under Consideration

AGENCY: Administrative Conference of the United States.

ACTION: Notice of proposed recommendations under consideration.

SUMMARY: The Administrative Conference's Committee on Rulemaking and Public Information adopted the following draft recommendations at its meeting on April 4, 1980 (*see* Notice of Meeting, 45 FR 18041.) The draft recommendations, which relate to "hybrid" rulemaking under the Magnuson-Moss Act, have been sent to the Council of the Administrative Conference for its consideration.

FOR FURTHER INFORMATION CONTACT: Michael W. Bowers, Administrative Conference of the United States, 2120 L Street, NW., Suite 500, Washington, D.C. 20037, (202–254–7065).

SUPPLEMENTARY INFORMATION: It is anticipated that the Committee's recommendations will be considered by the ACUS Council at a meeting on April 28, 1980, and if approved by the Council, placed on the agenda of a plenary session of the Administrative Conference of the United States sometimes in June of 1980. While no comment deadline is being set, views of interested persons will be forwarded to the applicable deliberative body for its consideration.

Proposed Recommendation 80–

Trade Regulation Rulemaking Under the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act (Supplementing Recommendations 79–1 and 79–5)

The Magnuson-Moss Warranty—Federal Trade Commission Improvement Act of 1975, Pub. L. 93–637, established special procedures for the adoption of trade regulation rules by the Federal Trade Commission. The Act also created a program for the reimbursement of the expenses of participants in trade regulation rulemaking who qualify for funding under criteria set forth in that statute.

Recommendations 79–1 and 79–5, adopted by the Administrative Conference in June and December of 1979, respectively, dealt with the Federal Trade Commission's implementation of the statute through the hearing stage of the rulemaking proceeding, and with the Commission's administration of the expense-reimbursement program. This recommendation supplements the two previous recommendations and completes the Administrative Conference's report to the Congress required by Section 202(d) of the Magnuson-Moss Act (as amended by Pub. L. 95–558.)

The reports on which this recommendation is based address three topics: (1) the Federal Trade Commission's implementation of the Magnuson-Moss Act procedures from the conclusion of the oral hearing through final action by the Commission, (2) the overall value and effects of the Magnuson-Moss Act procedures, and (3) an evaluation of the expense-reimbursement program administered by the Federal Trade Commission.

Post-Hearing Procedures in Trade Regulation Rulemaking by the Federal Trade Commission

The post-hearing stage of Magnuson-Moss rulemaking is complex and involves the following steps: preparation of the Presiding Officer's report; preparation of the rulemaking staff's report, with recommendations for a rule; opportunity for public comment on those reports; Bureau of Consumer Protection review, including the revision of staff's recommendations for a rule and the preparation of a summary of the "post-record" comments; oral presentations to the Commission by rulemaking participants; consideration of a final rule by the Commission; preparation of the statement of basis and purpose to accompany the final rule, and , finally, publication of the final rule and statement of basis and purpose in the **Federal Register.**

Under even the best of circumstances, this would be a lengthy process. However, in most proceedings studied, the FTC and interested persons had to contend, in addition, with massive, poorly-organized records generated during earlier, unfocused prehearing and hearing stages. *See* the preamble to Recommendation 79–1 for a description of the conduct of those stages. Consequently, the post-hearing stage of Magnuson-Moss rulemaking has been protracted. In the eight proceedings to reach the Commission for final action by April of 1980, the average time from the end of the oral hearing to the first Commission meeting to consider the rule was more than 27 months. In the three proceedings ending with promulgation of a final rule, the average time from the first Commission meeting to consider the rule to publication in the **Federal Register** was an additional 8.5 months.

The massive, poorly-organized records in most of the early Magnuson-Moss rulemakings are symptomatic of a basic problem observed in the FTC's trade regulation rulemaking proceedings: that is, the failure of the FTC to recognize that effective implementation of the Magnuson-Moss Act requires even more emphasis on procedural and substantive structuring than agencies have traditionally used for informal rulemaking under 5 U.S.C. 553. Instead, the appropriate substantive structuring—the focusing and narrowing of the issues—often did not take place until late in the post-hearing stage of the proceedings, and, in many instances, not until the very end of the administrative process. The FTC Commissioners' general lack of involvement in the process until the very end, and the absence of any "feedback" from them to staff and interested persons during most of the process, further contributed to the problem of lack of structure. As a result, public input—by means of rebuttal, "post-record" comments and oral presentations—was not focused narrowly on issues or information of significance to the Commissioners.

In addition to greater intermediate structuring or narrowing of the issues by the Commissioners, there should also be more emphasis on structure at the end of the proceeding because the issues in

most trade regulation rulemaking proceedings are likely to remain highly complex, and the records will probably continue to be large. Specifically, the Commissioners should have procedures which assure that they systematically consider and respond to all significant comments submitted by interested persons during a rulemaking proceeding. It should be recognized that the Commissioners will necessarily have to consult with the rulemaking staff, as well as other staff (*e.g.*, economists in the Bureau of Economics), in analyzing and evaluating the record of a proceeding.

"Hybrid" Rulemaking Generally

The Administrative Conference's study of the implementation of the Magnuson-Moss Act by the Federal Trade Commission provides compelling evidence that when the underlying grant of authority to an agency is as broad as that in Section 5 of the Federal Trade Commission Act, hybrid rulemaking procedures are not an effective or efficient means of controlling agency discretion.

Evaluation of the Magnuson-Moss Act's Expense-Reimbursement Program

In Recommendation 79–5, the Conference concluded that the expense-reimbursement program was being implemented faithfully and efficiently in accordance with the statute, and adopted a number of recommendations concerning the administration of the program. The Conference reserved action on larger questions relating to the value of the program.

While the overall value of reimbursed participation is impossible to quantify, reimbursed participants in the Commission's proceedings have provided a variety of viewpoints and information on relevant issues that would not otherwise have been presented. Through briefs and oral argument, they helped to focus the Commission's attention on matters which had not been highlighted by other participants. In addition, they developed empirical data which was useful to the Commission; effectively cross-examined witnesses presented by other parties and by staff, and presented expert testimony. These contributions to the Commission's proceedings attest to the value of the program.

The proceedings under the Magnuson-Moss Act have frequently raised complex technical and legal issues which required expert legal representation and a capacity to deal with sophisticated scientific and analytic concepts. In this circumstance, the fact that a relatively small number of participants received substantial compensation in several proceedings does not demonstrate a defect in the design or implementation of the program.

While reimbursed participants often agreed with staff to the extent of believing that a rule should issue, many significant differences between the positions of the reimbursed participants and the Commission staff emerged. General agreement as to the need for a rule did not prevent reimbursed participants from presenting vigorously critical analyses of staff positions in proceedings or from presenting independent data and viewpoints which enriched the record. Moreover, staff positions were altered during the course of several proceedings, so that agreement between staff and reimbursed participants at the outset disappeared during the proceeding.

Recommendations with Respect to the Administration of the Magnuson-Moss Act by the Federal Trade Commission

1. In trade regulation rulemaking under the Magnuson-Moss Act, it is essential that the Federal Trade Commission structure the rulemaking proceedings to narrow and focus the issues early in the proceeding and prior to the holding of the hearing required by section 18(c) of the Federal Trade Commission Act. It is highly desirable that the Commissioners of the Federal Trade Commission participate in and approve the narrowing and focusing of the issues to be explored at that hearing.

2. In taking final action in trade regulation rulemaking, the Commissioners of the Federal Trade Commission should systematically consider and determine the agency response to all significant information and argument presented by interested persons during the rulemaking. Such presentations and the agency's response to them should be summarized in the statement of basis and purpose accompanying a final rule. The Commission should have the assistance of the Bureau of Consumer Protection's rulemaking staff, as well as other Commission staff, in its analysis and evaluation of the record in the proceeding.

Recommendations With Respect to Hybrid Rulemaking Generally

1. The implementation by the Federal Trade Commission of the hybrid rulemaking procedures in the Magnuson-Moss Act indicates that when the underlying delegation of authority to an agency is as broad as that in Section 5 of the Federal Trade Commission Act, hybrid rulemaking procedures are not an effective or efficient means of controlling agency discretion.

2. Moreover, because of the inherent difficulty of managing a proceeding and developing a coherent record where portions of the proceeding are to be conducted pursuant to the traditional legislative model, and other portions according to the very different adjudicatory model, often without a clear line of demarcation between the two portions, there is high likelihood of delay and uncertainty and an increased risk of judicial reversal on procedural grounds. For this reason, the administrative procedures specified by the Administrative Procedure Act should be employed, unless there is a unique need for such special procedural provisions.

3. Statutes which impose novel procedural requirements such as hybrid rulemaking on particular agency functions involve high transition costs, if they are applied to pending agency proceedings. Consequently, the statutes should, by means of delayed effective dates or otherwise, provide significant lead time to enable the agency to develop the necessary procedural and administrative practices and structures before commencing proceedings under the new procedural requirements.

Recommendations With Respect to the Magnuson-Moss Act's Expense-Reimbursement Program

1. The participant reimbursement program under the Magnuson-Moss Act should be continued without substantial modification.

2. If a group appears to have the capacity to make a significant contribution to a proceeding and it meets the statutory criteria, it should be eligible for reimbursement. No limit should be placed on the number of proceedings for which a group can be reimbursed, and no arbitrary ceiling on the amount of reimbursement to any group in a particular proceeding or year should be imposed.

3. Mandatory cost-sharing requirements should not be imposed, since they might prevent valuable viewpoints and evidence from being presented to the agency. Fee schedules and overhead allocation formulas should be periodically reviewed to assure that participants are adequately reimbursed for expenses incurred.

4. Public participant reimbursement programs should not preclude reimbursement of participants who

support or favor the position of the agency staff. In deciding how reimbursement funds should be disbursed among agencies and proceedings, decisions-makers should take into account the fact that reimbursement programs are likely to be most valuable in agencies or proceedings where there is a substantial difference between the positions of the agency staff and groups seeking reimbursement. They should also consider the amount likely to be spent by other participants who are not relying on the reimbursement program.

Richard K. Berg,

Executive Secretary.

April 18, 1980.

[FR Doc. 80-12471 Filed 4-22-80; 8:45 am]

BILLING CODE 6110-01-M

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Part 1951

Servicing and Collections Account Servicing Policies

AGENCY: Farmers Home Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Farmers Home Administration (FmHA) proposes an amendment to its regulations pertaining to the consolidation or rescheduling of limited resource operating loans. The intended effect is to require that all consolidation or rescheduling of limited resource operating loans be made at not less than the current limited resource interest rate. This action is taken as a result of an Administrative review.

DATES: Comments must be received on or before June 23, 1980.

ADDRESSES: Submit written comments in duplicate to the Office of the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6346, Washington, DC 20250. All written comments made pursuant to the notice will be available for public inspection at the address given above.

FOR FURTHER INFORMATION CONTACT: Ron Thelen, Production Loan Officer, Production Loan Division, Room 5313, 14th and Independence Avenue, SW., Washington, DC 20250, telephone 202-447-2288.

SUPPLEMENTARY INFORMATION: FmHA proposes amending Section 1951.33(c)(5) of Part 1951, Chapter XVIII, Title 7, Code of Federal Regulations to clarify the interest rates to use when limited resource operating loans are consolidated or rescheduled.

As proposed, § 1951.33(c)(5) of Subpart A of Part 1951 reads as follows:

§ 1951.33 Deferral, consolidation and rescheduling of OL, EM and EE loans made for Subtitle B purposes.

* * * * *

(c) *Consolidation and rescheduling OL loans.*

* * * * *

(5) The interest rate for consolidated or rescheduled loans will be the current interest rate for OL loans made to regular or limited resource loan borrowers, as appropriate. Limited resource loan interest rates will be stated in increments of whole numbers and may be increased to the current OL rate or decreased to not less than the current limited resource interest rate set out in Exhibit B of FmHA Instruction 440.1 (available from any FmHA office), in accordance with a borrower's repayment ability.

* * * * *

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

Note.—This proposal has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." A determination has been made that this action should not be classified "significant" under those criteria. A Draft Impact Analysis has been prepared and is available from the Office of the Chief, Directives Management Branch, Farmers Home Administration, USDA, Room 6346, Washington, DC 20250.

(7 U.S.C. 1989; 5 U.S.C. 301; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Dated: April 16, 1980.

James E. Thornton,

Administrator, Farmers Home Administration.

[FR Doc. 80-12456 Filed 4-22-80; 8:45 am]

BILLING CODE 3410-07-M

FEDERAL TRADE COMMISSION

16 CFR Part 437

Food Advertising (Phase I) Trade Regulation Rule; Oral Presentation

AGENCY: Federal Trade Commission.

ACTION: Scheduling of oral presentation before Commission.

SUMMARY: Pursuant to § 1.13(i) of its rules of practice, the Federal Trade Commission is reviewing the rulemaking record in Phase I of the proposed Trade Regulation Rule on Food Advertising to determine what form of rule, if any, it should promulgate. As part of this review process, the Commission will allow certain persons who have previously participated in the proceeding to make oral presentations at an open meeting of the Commission on May 7, 1980, at 9:00 a.m. in Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580. These presentations will be confined to information already in the rulemaking record.

DATE: Oral presentations will begin at 9:00 a.m. on May 7, 1980.

ADDRESS: The presentations will take place at an open commission meeting in Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Melvin H. Orlans, 202-724-1511, Deputy Assistant Director for Food and Drug Advertising, Federal Trade Commission, Washington, D.C. 20580, or Katherine L. Clancy, 202-724-1492, Division of Food and Drug Advertising, Federal Trade Commission, Washington, D.C. 20580.

FOR SUPPLEMENTARY INFORMATION: Invitations to participate in this oral presentation have been extended to the following participants in this rulemaking: Grocery Manufacturers of America, Inc., Association of National Advertisers, Inc., National Commission on Egg Nutrition, Lever Brothers Company, National Nutritional Foods Association, Consumer Action, Food Marketing Institute, Foodservice and Lodging Institute, Inc., and International Foodservice Manufacturers Association. The Commission is offering these parties the opportunity to make oral presentations as to various issues in the rulemaking because it believes that, based on their previous participation and the variety of their interests, they may assist the Commission in its deliberations. Each of the invitees has been notified of the issues to be addressed, the time (either twenty or forty minutes) being allowed for the presentation, and that the Commission may utilize any or all of this time for questioning. The Summary of Post Record Comments on Phase I of the Proposed Trade Regulation Rule on Food Advertising and the memorandum to the Commission setting forth the Staff

Recommendations for Modifications of Phase I of the Proposed Trade Regulation Rule on Food Advertising have been placed on the Proposed Trade Regulation Rule on Food Advertising have been placed on the rulemaking record (No. 215–40, N–169 and N–170, respectively). Copies are available on request from the Public Reference Branch, Room 130, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Carol M. Thomas,

Secretary.

[FR Doc. 80–12485 Filed 6–22–80; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 111

[Document No. H–80–796]

The Fair Housing Assistance Program; Eligibility Criteria and Funding Standards

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of transmittal of interim rule to Congress under Section 7(o) of the Department of HUD Act.

SUMMARY: Recently enacted legislation authorizes Congress to review certain HUD rules for fifteen (15) calendar days of continuous session of Congress prior to each such rule's publication in the Federal Register. This notice lists and summarizes for public information an interim rule which the Secretary is submitting to Congress for such review.

FOR FURTHER INFORMATION CONTACT: Burton Bloomberg, Director, Office of Regulations, Office of General Counsel, 451 7th Street, S.W., Washington, D.C. 20410 (202) 755–6207

SUPPLEMENTARY INFORMATION: Concurrently with issuance of this notice, the Secretary is forwarding to the Chairman and Ranking Minority Members of both the Senate Banking, Housing and Urban Affairs Committee and the House Banking, Finance and Urban Affairs Committee the following interim rulemaking document:

24 CFR Part 111—The Fair Housing Assistance Program, Eligibility Criteria and Funding Standards

This interim rule would add a new Part 111 setting forth eligibility criteria and minimum standards for the Fair Housing Assistance Program. The program would provide funds to eligible State and local civil rights agencies for enhancement of fair housing enforcement.

(Section 7(o) of the Department of HUD Act, 42 U.S.C. 3535(o), Section 324 of the Housing and Community Development Amendments of 1978)

Issued at Washington, D.C., April 17, 1980.

Moon Landrieu,

Secretary, Department of Housing and Urban Development.

[FR Doc. 80–12422 Filed 4–22–80; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[EE–167–78]

Self-Insured Medical Reimbursement Plans; Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to self-insured medical reimbursement plans.

DATES: The public hearing will be held on June 24, 1980, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by June 10, 1980.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, D.C. The outlines should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (EE–167–78), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Charles Hayden of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, 202–566–6870, not a toll-free call.

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 105(h) of the Internal Revenue Code of 1954. The proposed regulations appeared in the Federal Register for Thursday, February 28, 1980, at page 13123 (45 FR 13123).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and also desire to present oral comments at the hearing on the proposed regulations should submit an outline of oral comments to be presented at the hearing and the time they wish to devote to each subject by June 10, 1980.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of time consumed by questions from the panel for the Government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the Treasury Directive appearing in the Federal Register for Wednesday, November 8, 1978.

By direction of the Commissioner of Internal Revenue:

George H. Jelly,

Director, Employee Plans and Exempt Organizations Division.

[FR Doc. 80–12420 Filed 4–22–80; 8:45 am]

BILLING CODE 4830–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1472–7]

State and Federal Administrative Orders Revising the Michigan State Implementation Plan

AGENCY: U.S. Environmental Protection Agency.

ACTION: Proposed rule: Proposed approval of revision.

SUMMARY: The purpose of this notice is to provide opportunity for comment on the proposed approval of an administrative order which was submitted August 22, 1979 to the U.S. Environmental Protection Agency by the State of Michigan as a Part D revision to Michigan's State Implementation Plan (SIP). In letters sent to USEPA February 13, 1980 and April 1, 1980, the State withdrew certain provisions of the Order from USEPA review of the Order as a SIP revision.

The proposed revision is part of the State's control strategy under Part D of the Clean Air Act (ACT) to attain the sulfur dioxide National Ambient Air Quality Standards (NAAQS) in a

portion of Ingham County, Michigan. The Order was issued to Lansing Board of Water and Light, Ingham County, Michigan.

The Lansing Board operates power and/or steam generating facilities at three complexes in the Lansing area. These three facilities are the Erickson, Eckert-Moores Park, and Ottawa Street stations and are subject to the emission limitations in Rules 336.49 and 336.44 of the Michigan State Implementation Plan.

Michigan submitted technical support which demonstrated that although the Eckert-Moores Park complex is in compliance with the existing State Implementation Plan (SIP), a potential for violation of ambient sulfur dioxide air quality standards exists because of aerodynamic plume downwash at the facility. Michigan's Part D control strategy for the nonattainment area of Ingham County, where the Eckert-Moores Park station is located, is to require the station to build good engineering practice designed stacks to eliminate the downwash condition. USEPA is proposing to approve the revision under Part D of the Clean Air Act.

(42 U.S.C. 7501 et seq.)

DATE: Comments on USEPA's proposed approval of the SIP revision are due by May 23, 1980.

ADDRESSES: Please send comments to Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 S. Dearborn Street, Chicago, Illinois 60604.

The State Order, support material and public comment received in response to this notice may be inspected and copied (for appropriate charges) during normal business hours at the above address or at:

Public Information Reference Unit, 401 M Street, SW., Washington, DC 20460.
Michigan Information Reference Unit, Air Quality Division, State Secondary Government Complex, General Office Building, 7150 Harris Drive, Lansing, Michigan 48917.

FURTHER INFORMATION MAY BE OBTAINED FROM: Judy Kertcher, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, (312) 886–6038.

SUPPLEMENTAL INFORMATION:

I. Background

On March 3, 1978 (43 FR 8962) and October 5, 1978 (43 FR 45993), pursuant to the requirements of section 107 of the Clean Air Act as amended in 1977, USEPA designated certain areas in each State as not meeting the National Ambient Air Quality Standards for total suspended particulates (TSP), sulfur dioxide (SO_2), carbon monoxide (CO), photochemical oxidants (ozone), and nitrogen dioxide (NO_2).

Part D of the Act, which was added by the 1977 Amendments, requires each State to revise its SIP to meet specific requirements for areas designated as nonattainment. These SIP revisions must demonstate attainmment of the primary National Ambient Air Quality Standards as expeditiously as practicable but not later than December 31, 1982. Under certain conditions the date may be extended to December 31, 1987 for ozone and/or carbon monoxide.

On April 25, 1979 the State of Michigan submitted its proposed revised SIP to USEPA so that the Agency could review the plan and solicit public comment on both the plan provisions and on USEPA's proposed rulemaking. The proposed SIP revision addresses the Clean Air Act requirements for a nonattainment SIP and some general requirements for a Statewide SIP. USEPA in a Notice of Proposed Rulemaking published August 13, 1979 (44 FR 47350) discussed its review and proposed action on other elements of Michigan's Part D plan.

The April 25, 1979 submittal contained the State's control strategy for the sulfur dioxide nonattainment areas of Midland and Ingham Counties. Portions of these Counties were designated nonattainment because a source in each area was utilizing a supplementary control system (SCS) to meet the SO_2 National Ambient Air Quality Standards (NAAQS). The State's control strategy for the SO_2 nonattainment areas was to rely on existing SO_2 emission limitations in its present regulations while requiring the two sources in the nonattainment areas to apply "continuous emission control systems" to meet those emission limitations. The requirements of "continuous emission control" systems was to be implemented through individual Consent Orders entered into by the two sources and the Michigan Air Pollution Control Commission (MAPCC) and submitted to USEPA as SIP revisions. The Current Order for the source in Midland County was the subject of a Notice of Proposed Rulemaking at 44 FR 35263 (June 19, 1979) and at 45 FR 9752 (February 13, 1980). On March 12, 1980, the Order for the source in Midland County was withdrawn by the State of Michigan.

On August 22, 1979 Michigan submitted the second Order, Order No. 4–1979, to USEPA for review as a site specific SIP revision under Part D and under Section 110(a)(3) of the Act. In letters dated February 13, 1980 and April 1, 1980 the State withdrew certain paragraphs of the Order from consideration by the USEPA although the paragraphs remain enforceable for State purposes. Some of the provisions withdrawn included the revision under Section 110(a)(3) of the Act.

The technical demonstration submitted to USEPA with the Order revealed that a potential for violation of the ambient sulfur dioxide standards continued to exist at the Board's Eckert-Moores station power plant even though the plant was burning compliance fuel. The potential for violation exists because of aerodynamic plume downwash at the facility. The proposed SIP revision requires the Board to install good engineering practice (GEP) designed stacks to eliminate the downwash condition. The construction of the GEP stacks is to be completed by December 31, 1982. Although technical support demonstrated that GEP stack height for the Eckert-Moores complex is 625 feet, the maximum height allowed by FAA Regulation is 619 feet because of the proximity of the complex to the Capital City Airport.

USEPA analyzed the technical demonstration submitted by Michigan and concluded that the SO_2 NAAQS will be attained upon completion of the GEP designed stacks in December 1982.

The Order includes the following schedule for the building of the GEP stacks which will provide for attainment of the sulfur dioxide national ambient air quality standards by December 31, 1982:

C. Eckert and Moores Park Stations

Erection of Tall Stacks

2. (a) The Staff acknowledges that the Board has submitted to Staff acceptable plans, specifications, and a permit application (No. 966–78) for erection of "good engineering practice" stacks. The Board agrees that the design of the stacks does not preclude the installation of flue gas desulfurization equipment. The Board agrees that the decrease of sulfur dioxide ground level concentrations provided by these stacks is not, in any manner, a justification or reason for a future request to burn fuels having a sulfur content exceeding the limits specified herein.

(b) By March 1, 1979, the Board shall award the contract for construction of the stacks and liners described in C(2)(a) above.

(c) By April 25, 1979, the Board shall award the contract for construction of the foundations described in C(2)(a).

(d) By May 1, 1979, the Board shall have begun construction of the foundations described in C(2)(c).

(e) By November 1, 1979, the Board shall have begun construction of the stacks described in C(2)(a) for Eckert Units 1, 2, 3, 4, 5, and 6.

(f) By May 1, 1980, the Board shall have begun construction of the stack described in C(2)(a) for the Moores Park Station.

(g) By July 1, 1982, the Board shall have completed the tie-in of Eckert Units 4, 5, and 6 to the stack described in C(2)(a).

(h) By November 1, 1982, the Board shall have completed the tie-in of the Moores Park Station to the stack described in C(2)(a).

(i) After December 31, 1982, the Board shall not operate Eckert Units 1, 2, and 3, unless the exhaust gases from these units are discharged through the stack described in C(2)(a).

USEPA has determined that the proposed revision meets the notice and hearing procedural requirements of CFR §§ 51.4 and 51.6.

USEPA proposes to approve the schedule for construction of the GEP stacks as a Part D SIP revision. Interested persons are invited to submit written comments on this proposed approval action. USEPA has determined that a thirty day comment period is adequate because the revision applies only to the Lansing Board's Eckert and Moores Park Stations and comment has been taken on other elements of Michigan's Part D plan. See 44 FR 47350 (August 13, 1979).

Under Executive Order 12044 (43 FR 12661), USEPA is required to judge whether a regulation is "significant" and, therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures. USEPA labels proposed regulations as "specialized." I have reviewed these regulations pursuant to the guidance in USEPA's response to Executive Order 12044, "Improving Environmental Regulations," signed March 29, 1979 by the Administrator and I have determined that they are specialized regulations not subject to the procedure requirements of Executive Order 12044.

The Notice of proposed rulemaking is issued under the authority of (Sections 110, 172 and 301(a) of the Clean Air Act, as amended. (42 U.S.C. section 7410(a), 7502, 7601(a)).)

Dated: March 6, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80-12484 Filed 4-22-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 52

[FRL 1451-2]

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

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: EPA published a notice of proposed rulemaking for the Nevada State Implementation Plan on April 1, 1980 (45 FR 21292). EPA is withdrawing that notice. The Agency will be taking future action in a separate Federal Register. notice.

DATE: Effective April 23, 1980.

FOR FURTHER INFORMATION CONTACT: Wallace Woo, Chief, Engineering Section, Air Technical Branch, Air and Hazardous Materials Division, Environmental Protection Agency, Region IX, (415) 556-8063.

Douglas M. Costle,

Administrator.

April 18, 1980.

[FR Doc. 80-12511 Filed 4-22-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

42 CFR Parts 74 and 405

Clinical Laboratories; Personnel Standards; Public Meeting—Call for Comments on Specified Issues

Corrections

In FR Doc. 80-12024 appearing at page 26387 in the issue for Friday, April 18, 1980, make the following changes:

(1) On page 26388, first column, third line from bottom, "date" should be corrected to read "data".

(2) On page 26388, second column, third complete paragraph, sixth line, "of" should be corrected to read "and".

(3) On page 26388, third column, second complete paragraph, sixth line, "limited" should be corrected to read "listed".

(4) On page 26389, second column, second complete paragraph, second line, "and" should be corrected to read "an".

(5) On page 26389, second column, second complete paragraph, last line, "writings" should be corrected to read "writing".

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3800

Surface Management of Mining Claims Located on the Public Lands; Extension of Comment Period

AGENCY: Bureau of Land Management, Interior.

ACTION: Extension of comment period on proposed rulemaking.

SUMMARY: In response to requests for an extension of the comment period on the proposed rulemaking on the Surface Management of Mining Claims Located on the Public Lands (43 CFR 3809) published in the Federal Register of March 3, 1980 (45 FR 13597), a 45-day extension is hereby granted. The extended comment period will close on June 16, 1980. This 45-day extension will give the public more time to make their input on the proposed rulemaking.

DATE: Comments by June 16, 1980.

ADDRESS: Send comments to: Director (650), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

Comments will be available for public review in room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.) Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Bob Anderson, (202) 343-7722, or
Vince Hecker, (202) 343-8537, or
Robert C. Bruce, (202) 343-8735

Guy R. Martin,

Assistant Secretary of the Interior.

April 18, 1980.

[FR Doc. 80-12419 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Part 3800

Surface Management of Public Lands Under the U.S. Mining Laws; Availability of Draft Environmental Impact Statement; Extension of Comment Period

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Extension of comment period of draft environmental impact statement.

SUMMARY: In response to requests for an extension of the comment period on the Draft Environmental Impact Statement Surface Management of public lands under the U.S. Mining Laws 43 CFR 3809 published in the Federal Register of March 3, 1980 (45 FR 13788), a 45-day extension is hereby granted. The extended comment period will close on June 16, 1980. This 45-day extension will give the public more time to comment on

the Draft Environmental Impact Statement.

ADDRESS: Send comments to: Director (520), Bureau of Land Management, 1800 C Street NW., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Brock Short (202) 343–7722 or Vince Hecker (202) 343–6537.

Ed Hastey,

Associate Director, Bureau of Land Management.

April 18, 1980.

[FR Doc. 80-12418 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL MARITIME COMMISSION

46 CFR Part 541

[General Order 26; Docket No. 80–23]

Free Time and Demurrage Charges on Export Cargo; Proposed Revocation

AGENCY: Federal Maritime Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Maritime Commission proposes to revoke Part 541 of Title 46, Code of Federal Regulations, which provides for regulation of free time, consolidation time, and demurrage charges on export cargo at the Ports of New York and Philadelphia. Improved congestion conditions at those ports would appear to have eliminated the necessity for these regulations.

DATES: Comments due May 23, 1980.

ADDRESSES: Comments (original and fifteen copies) to: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573.

FOR FURTHER INFORMATION CONTACT: Eugene P. Stakem, Chief, Office of Tariffs, Bureau of Ocean Commerce Regulation, Federal Maritime Commission, Room 10139, 1100 L Street, N.W., Washington, D.C. 20573, (202) 523–5796.

SUPPLEMENTARY INFORMATION: Part 541 of Title 46, Code of Federal Regulations, prescribes regulations governing free time, consolidation time, and demurrage charges at the Ports of New York and Philadelphia. The rules were established following hearings in Docket No. 68–9, *Free Time and Demurrage Charges on Export Cargo*, 13 F.M.C 207 (1970). Evidence in that proceeding demonstrated that regulations were necessary because of the congested conditions at those ports.

The rules generally provide for a maximum free time period of ten days, with certain cargo being allowed up to 15 days upon request. Provision is also made for restrictions on the time allowed for consolidation of shipments and the assessment of demurrage charges.

The Port Authority of New York and New Jersey and the New York Terminal Conference have petitioned the Commission to rescind Part 541. Petitions state that the congested conditions giving rise to the rules no longer exist. In the alternative, petitioners request that the coverage of the rules be extended to all Atlantic and Gulf Coast ports because the existence of the rules places them at a competitive disadvantage.

The Commission desires to solicit comment on the proposal to eliminate Part 541. Therefore, pursuant to section 17 and 43 of the Shipping Act, 1916 (46 U.S.C. 816 and 841(a)), and section 4 of the Administrative Procedure Act (5 U.S.C. 553) the Federal Maritime Commission proposes to revoke the regulations contained in Part 541, Title 46, Code of Federal Regulations.

By the Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-12466 Filed 4-22-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 94

[PR Docket No. 79–337; RM–3241]

Facilitating Operation of Low Power, Limited Coverage Systems in the 22,000–23,600 MHz Band; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Order extending time for filing reply comments.

SUMMARY: This Order extends the time for filing reply comments in the proceeding of Docket No. 79–337, from April 7, 1980, to April 11, 1980. This proceeding pertains to the operation of low power systems in the 22,000–23,600 MHz band.

DATE: Reply Comments must be received on or before April 11, 1980.

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

FOR FURTHER INFORMATION CONTACT: William P. Berges, Private Radio Bureau, (202) 632–6497.

In the matter of amendment of Part 94 of the Commission's rules and regulations to facilitate operation of low power, limited coverage systems in the 22,000–23,600 MHz band, PR Docket No. 79–337, RM–3241. See also 45 FR 2069, January 10, 1980.

Adopted: April 7, 1980.

Released: April 15, 1980.

1. The Chief, Private Radio Bureau, acting under delegated authority, has under consideration a petition filed by Microwave Associates Communications, Incorporated (M/A–COM), for a four-day extension of time in which to file reply comments in the above-captioned proceeding. The current time for filing reply comments ends April 7, 1980.

2. M/A–COM states that the additional time is needed because key M/A–COM employees will be unavailable to participate in the preparation of reply comments because of the intervening holidays.

3. M/A–COM argues that the four-day extension would serve the public interest in that it would enable the petitioner to postpone more complete reply comments and will not materially delay the proceeding. M/A–COM also states that counsel for the General Electric Company (GE), the petitioner in this proceeding, would not object to the extension.

4. We have considered the M/A–COM petition and we agree that granting the extension requested would be in the public interest.

5. Accordingly, the petition filed by M/A–COM is granted, and the date by which reply comments may be filed is hereby extended to April 11, 1980. Authority for the action is contained in Section 4(i) of the Communications Act of 1934, as amended, and in § 0.331 of the Commission's rules.

Carlos V. Roberts,

Chief, Private Radio Bureau.

[FR Doc. 80-12478 Filed 4-22-80; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Correction of Proposed Critical Habitat for Four Species in Texas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; Correction.

SUMMARY: This document will correct the error made in printing Critical Habitat maps for the Texas wild rice (*Zizania texana*), San Marcos salamander (*Eurycea nana*), San Marcos gambusia (*Gambusia georgei*), and fountain darter (*Etheostoma fonticola*), published on March 19, 1980 (45 FR 17888–17891). This action is being taken to eliminate any possible confusion resulting from this error.

ADDRESSES: Comments and information should be submitted to the Director

(OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235–2771).

SUPPLEMENTARY INFORMATION:

Background

On March 19, 1980, the Fish and Wildlife Service published (45 FR 17888–17891) a proposal to determine Critical Habitat for four species, Texas wild rice, San Marcos salamander, San Marcos gambusia, and fountain darter in San Marcos, Texas. All four species occur in the San Marcos River, with proposed Critical Habitat differing slightly for each one. The Same Critical Habitat map was printed in error for each species in this proposal (45 FR 17888–17891). For the convenience of the reader the corrected version is reprinted below.

§ 17.96 [Amended]

1. It is proposed that § 17.96(a), Plants, be amended by adding Critical Habitat of *Zizania texana* (Texas wild rice) after that of *Oenothera deltoides* ssp. *howellii* (Antioch Dunes evening-primrose) as follows:

Poaceae

Texas Wild Rice

(Zizania texana)

Texas, Hays County; Spring Lake and its outflow, the San Marcos River, downstream to its confluence with the Blanco River.

TEXAS WILD RICE
Hays County, TEXAS



§ 17.95 [Amended]

2. It is further proposed that § 17.959d), Amphibians, be amended by adding Critical Habitat of the San Marcos salamander before that of the Houston toad as follows:

San Marcos Salamander

(Eurycea nana)

Texas, Hays County; Spring Lake and its outflow, the San Marcos River, downstream approximately 50 meters from the Spring Lake Dam.

SAN MARCOS SALAMANDER
Hays County, TEXAS



3. It is further proposed that § 17.95(e), Fishes, be amended by adding Critical Habitat of the San Marcos gambusia after that of the yellowfin madtom as follows:

San Marcos Gambusia

(Gambusia georgei)

Texas, Hays County; San Marcos River from Highway 12 bridge downstream to approximately 0.5 miles below Interstate Highway 35 bridge.

SAN MARCOS GAMBUSIA
Hays County, TEXAS



4. It is further proposed that § 17.95(e), Fishes, be amended by adding Critical Habitat of the fountain darter after that of the slackwater darter as follows:

Fountain Darter

(Etheostoma fonticola)

Texas, Hays County; Spring Lake and its outflow, the San Marcos River, downstream approximately 0.5 miles below Interstate Highway 35 bridge.

FOUNTAIN DARTER
Hays County, TEXAS



The primary author of this document is Irene M. Storks, Office of Endangered Species, 703/235–1975.

Correction of Critical Habitat for Four Species in Texas: Texas wild rice, San Marcos salamander, San Marcos gambusia, fountain darter.

Dated: April 17, 1980.

Robert S. Cook,

Acting Director, Fish and Wildlife Service.

[FR Doc. 80–12363 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–55–M

Notices

Federal Register
Vol. 45, No. 80
Wednesday, April 23, 1980

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Economics, Statistics and Cooperatives Service

Discontinuance of Certain Commodity Estimates

Notice is hereby given that the Economics, Statistics and Cooperatives Service intends to (1) discontinue the November 1 forecast of fall potato production, and (2) eliminate estimates of fall potato stocks in eight minor producing states.

At present, production forecasts for fall potatoes are made October 1, November 1, and December 1. During the past ten years, the forecast of fall potato production as of November 1 has varied from the October forecast by an average of less than one-half of one percent. Accordingly, it has been determined to discontinue the November 1 forecast.

In addition, it is proposed to eliminate estimates of fall crop potato stocks in Connecticut, Indiana, Massachusetts, Rhode Island, South Dakota, Utah, Vermont and Wyoming. In recent years, these states as a group have made up less than two percent of the total stocks during December through February, and well below one percent during March through May. Accordingly, it has been determined to discontinue the estimates for fall potato stocks in these states. Estimates of fall potato stocks for other states now published December through May will continue.

Members of the public who wish to comment on these proposals may submit their comments, in writing, to the Director, Estimates Division, Economics, Statistics and Cooperatives Service, USDA, Room 0204–S, Washington, D.C. 20250. To be considered, comments must be received by May 30, 1980.

Done at Washington, D.C., this 16th day of April 1980.

Kenneth R. Farrell,

Administrator.

[FR Doc. 80–12460 Filed 4–22–80; 8:45 am]

BILLING CODE 3410–41–M

Forest Service

Forest Land and Resource Management Plan; Routt National Forest; Moffat, Routt, Jackson, Grand, Rio Blanco, and Garfield Counties, Colo.; Intent To Prepare an Environmental Impact Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, and the Forest and Rangeland Renewable Resource Planning Act of 1974, as amended by the National Forest Management Act of 1976, the Forest Service, Department of Agriculture, will prepare an environmental impact statement on the Forest Land and Resource Management Plan for the Routt National Forest.

Alternative ways to allocate land use and apply management prescriptions to lands will be analyzed and evaluated. Three alternative plans which emphasize current management, environmental quality and production of market commodities will be analyzed and evaluated along with other alternatives which emphasize various mixes of providing for environmental quality, non-market and market outputs. The selected plan will provide policy and program direction for management of National Forest System lands under the administration of the Routt National Forest Supervisor, including the Middle Park District on the Arapaho National Forest.

The scope of planning effort will be determined by the public issues and management concerns identified early in the planning process. The public including Federal, state and local agencies will be contacted to determine those issues which are current or emerging. Management concerns of the Forest Service will also be identified.

The plan will be sensitive to public issues. Public notices will be given, public meetings held and written public comment solicited to assure that the public is informed of and involved in the planning process. Local citizens were contacted personally in January and February of 1980 to identify local public issues. From January until March 1981, a mailing of an information brochure, a request for public comment and a series of public meetings will be used to explain the planning process, describe the current management situation, verify issues and review the evaluation criteria. A brochure will be used to encourage public review and comment on the development of alternatives about May of 1981.

The specific date, time, place and description of meetings will be published in newspapers and sent to those on the forest plan mailing list, more than 30 calendar days before a meeting is scheduled. All requests for written public response will allow at least 30 calendar days for reply. The planning process and resultant plan will be coordinated with local, county, state and other Federal agencies.

Based on the regulations implementing the National Forest Management Act, it appears that the planning process will require about 2 years. The draft environmental impact statement is scheduled for completion in December 1981. A 90-day period for public review and comments will follow. The final environmental impact statement is scheduled for filing with the Environmental Protection Agency in August, 1982 with implementation of the forest plan to begin in September, 1982.

Craig W. Rupp, Regional Forester for Region Two, is the responsible official. Jack Weissling, Forest Supervisor, is responsible for preparation of the environmental impact statement and forest plan. Tom Lonberger is the Staff Officer directing the interdisciplinary team in the development of the environmental impact statement and forest plan.

Comments on this notice of intent or on the forest planning effort should be sent to Jack Weissling, Forest Supervisor, Routt National Forest, P.O. Box 1198, Steamboat Springs, Colorado, 80477, telephone (303) 879–1722.

Dated: April 11, 1980.

Craig W. Rupp,

Regional Forester, Rocky Mountain Region.

[FR Doc. 80–12369 Filed 4–22–80; 8:45 am]

BILLING CODE 3410–11–M

CIVIL AERONAUTICS BOARD

[Docket 32830]

Florida-Mexico City Service Investigation; Prehearing Conference

Notice is hereby given that a prehearing conference will be convened in the above-entitled matter on May 6, 1980, at 9:30 a.m. (local time), in Room 1003, Hearing Room A, Universal Building North, 1875 Connecticut Avenue, N.W., Washington, D.C., with the undersigned presiding.

The Bureau of International Aviation will serve on all parties on or before April 25, 1980, a statement of proposed issues, proposed stipulations, requests for information, and proposed procedural dates. The other parties to this proceeding will serve on each other and the Bureau of International Aviation on or before May 2, 1980, a proposed statement of issues, proposed stipulations, requests for information, and proposed procedural dates, provided that the submissions of other parties are to be restricted to matters upon which they differ with the Bureau's proposals. The parties are directed to adopt the Bureau's lettering and numbering format to facilitate cross-reference. Six copies of all submissions will be served on the administrative law judge promptly.

A tentative procedural schedule is attached.

Dated at Washington, D.C. April 17, 1980.

Alexander N. Argerakis,

Administrative Law Judge.

Tentative Procedural Schedule

Prehearing Conference, May 6, 1980.
Information Responses, May 26, 1980.
Direct Exhibits & Related Testimony, June 16, 1980.
Rebuttal Exhibits & Related Testimony, July 7, 1980.
Hearing, July 15, 1980.
Briefs to Administrative Law Judge, August 11, 1980.

[FR Doc. 80-12452 Filed 4-22-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket 37009]

Trans World Airlines, Inc., Discount Fare Advertising Enforcement Proceeding; Hearing

Notice is hereby given that a hearing in the above-entitled matter is assigned to be held on May 28, 1980, at 10:00 a.m. (local time) in Room 1003, Hearing Room B, Universal Building North, 1875 Connecticut Avenue, N.W., Washington, D.C., before Administrative Law Judge William H. Dapper.

Dated at Washington, D.C., April 17, 1980.

William H. Dapper,

Administrative Law Judge.

[FR Doc. 80-12451 Filed 4-22-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket 37075; Order 80-4-120]

Air New England; Order Proposing To Set Temporary Subsidy Rates

AGENCY: Civil Aeronautics Board.

ACTION: Notice of order 80-4-120 proposing to set temporary subsidy rates for Air New England, Docket 37075.

SUMMARY: The Board proposes to set a temporary rate of compensation retroactively to March 16, 1979, for Air New England (ANE) over the carriers subsidy-eligible system.

DATE: Air New England has until April 24, 1980 to file a notice of objection to the rate and until May 1, 1980 to file written answers and supporting data, if a notice is filed.

FOR FURTHER INFORMATION CONTACT: John R. Hokanson, Chief, Air Carrier Subsidy Need Division, Bureau of Domestic Aviation, Civil Aeronautics Board, Washington, D.C. 20428, (202) 673-5364.

SUPPLEMENTARY INFORMATION: The Board is setting a revised rate of $5.1 million to be effective retroactively to March 16, 1979 and is dismissing the portion of ANE's petition requesting increased subsidy for the period October 24, 1978 through March 15, 1979.

By the Civil Aeronautics Board, March 16, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12454 Filed 4-22-80; 8:45 am]

BILLING CODE 6320-01-M

[Order 80-4-140]

Korea Express U.S.A., Inc., d.b.a. United Air Freight Services; Order To Show Cause

AGENCY: Civil Aeronautics Board

ACTION: Notice of order to show cause: Order 80-4-140.

SUMMARY: The Board proposes to deny a foreign freight forwarder registration to Korea Express U.S.A., Inc., d/b/a United Air Freight Services, because the Government of Korea has not allowed U.S. citizens to obtain like authority in that country.

OBJECTIONS: All interested persons having objections to the Board's tentative findings and conclusions as described in the order cited above, shall, NO LATER THAN May 12, 1980, file a statement of such objections with the Civil Aeronautics Board (20 copies) and mail copies to Korea Express, the Ambassador of Korea in Washington, D. C., and the Departments of State and Transportation.

A statement of objections must cite the docket number and must include a summary of testimony, statistical data, or other such supporting evidence.

If no objections are filed, the Board may enter an order which would make final the Board's tentative findings and conclusions and deny a foreign freight forwarder registration to Korea Express.

ADDRESSES FOR OBJECTIONS:

Docket 38056, Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

Korea Express U.S.A., Inc., d.b.a. United Air Freight Sevices, 147-38 182nd Street, Jamaica, New York 11413.

TO GET A COPY OF THE COMPLETE ORDER: Request it from the C.A.B. Distribution Section, Room 516, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Persons outside the Washington metropolitan area may send a postcard request.

FOR FURTHER INFORMATION, CONTACT: Regulatory Affairs Division (202) 673-5211, Bureau of International Aviation, Civil Aeronautics Board, Washington, D.C.

By the Civil Aeronautics Board, April 18, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12453 Filed 4-22-80; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). 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 article is intended to be used is being manufactured in the United States. Such comments must 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.**

Regulations (15 CFR 301.9) issued under the cited Act prescribe the requirements for comments.

A copy of each application is on file, and may be examined between 8:30 a.m. and 5:00 p.m., Monday through Firday, in Room 735 at 666 11th Street N.W., Washington, D.C.

Docket No. 80–00205. Applicant: DHEW, PHS, National Institutes of Health, National Institute of Dental Research, Building 30, Room B–20, 9000 Rockville Pike, Bethesda MD 20205. Article: Electron Microscope, Model EM IOCA and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of the structural and functional organization of the primary neurons of trigeminal and spinal nerves as well as those portions of the brain and spinal cord which receive the axonal endings of these primary neurons and contain second order neurons in trigeminal and spinal pain pathways. Several different kinds of experiments will be conducted to provide detailed knowledge about the function of neurons which make up trigeminal and spinal pain pathways in terms of their structure, development, synaptic connections, their sources of input, the kinds of neurotransmitters they use, and the effects of loss of inputs on their integrity. These experiments are designed to provide knowledge of the basic mechanisms which underlie the sensation of pain as well as the mechanisms which might explain chronic pain states which result following loss of inputs subsequent to disease related and traumatic peripheral nerve injury. Application received by Commissioner of Customs: February 26, 1980.

Docket No. 80–00206. Applicant: San Diego Veteran's Medical Center, 3350 La Jolla Village Drive, San Diego, CA 92161. Article: Nanoliter Microperfusion Pump. Manufacturer: Wolfgang Hampel, West Germany. Intended use of article: The article is intended to be used for the investigation of tubulo-glomerular feedback in the kidney. Some studies will be performed on early proximal tubular reabsorption in tubules in the Munich-Wistar rat Kidney *in vivo*. Other studies examine the effect of distal tubular flow and fluid composition on proximal tubules. Application received by Commissioner of Customes: February 26, 1980.

Docket No. 80–00207. Applicant: Duke University, Durham, North Carolina 27710. Article: Replicator Head, 60 well. Manufacturer: Biotec Aktiengesellschaft, Switzerland. Intended use of article: The article is intended to be used for precusor analysis of immune cells. Application received by Commissioner of Customs: February 26, 1980.

Docket No. 80–00208. Applicant: Yale University, Department of Molecular Biophysics and Biochemistry, Box 1937, Yale Station, New Haven, CT 06520. Article: NMR Spectrometer, Model WH–360 and Accessories. Manufacturer: Bruker-Physik, West Germany. Intended use of article: The article is intended to be used for high resolution NMR studies of intact cells and other membrane bound systems *in vivo* so as to answer specific questions about metabolism and regulation with this non-invasive measurement. Studies will concentrate on suspension of cells, following the paths developed recently in the laboratory of the principal investigator and elsewhere. It is planned to study glycolysis in E. coli, Yeast and Erhlich Ascites Tumor cells, in an attempt to extend the understanding of control and regulation. The article will also be used in undergraduate, graduate or post graduate training. Application received by Commissioner of Customs: February 26, 1980.

Docket No. 80–00209. Applicant: Yale University, CMHC, 34 Park Street, New Haven, Ct 06508. Article: Electron Microscope, Model EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of actions (on the brain) of drugs which are used in the treatment of major psychiatric disorders. Experiments will include investigations on antipyschotic drugs, antidepressant drugs, antianxiety drugs, and drugs of abuse. Application received by Commissioner of Customs: February 26, 1980.

Docket No. 80–00210. Applicant: University of Idaho, Department of Chemistry, Moscow, Idaho 83843. Article: NMR Spectrometer, Model FX–90Q and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used by faculty and students in the Departments of Chemistry and Biochemisty in conducting a wide range of investigations. These investigations will include:

(1) The study of proton contact shifts on low spin cobalt (II) system.

(2) Research concerned with structure determination of sporogenic compounds produced by the fungi *Ascochyta pisi, Nectria galagena* and *Sterium hirsutum*.

(3) Exploration of new approaches to conjugate addition or Michael-type reactions aimed at extending the utility and scope of this fundamental carbon-carbon bond forming process.

(4) Studies of the active center of diamine oxidase (DAO) consisting mainly of magnetic resonance investigations employing substrates, substrate analog inhibitors and water.

(5) Study of the chemistry of macrocyclic polyamines, focusing on phosphorus derivatives of these amines.

(6) Study of the fungi of the genus *Cytospora* as a source of novel antibiotic substances.

(7) Synthesis of new multimetallic complexes for use as homogeneous catalysts.

(8) Simple measurement of C–1 and C–2 to provide accurate relative electron densities for 7 at C–1 and C–2.

(9) Studies of the biochemical basis of aging using nematodes as a model system.

In addition, the article is intended to be used for educational purposed in the courses: Organic Chemistry II Laboratory, Physical Chemistry Laboratory, Instrumental Analysis, and Chemical Spectroscopy.

Application received by Commissioner of Customs: February 26, 1980.

Docket No. 80–00211. Applicant: University of Notre Dame, Radiation Laboratory, Notre Dame, Indiana 46556. Article: Pulsed Nanosecond Flurometer System. Manufacturer: Photochemical Research Associates, Canada. Intended use of article: The article is intended to be used primarily in the study of fluorescence lifetime, rotation, diffusion, electron transfer and chemical reaction rates and other related phenomena. The nanosecond and sub-nanosecond excited state kinetics of cyclic azo compounds, cyclic allenones, methylene methones, protein transfer involving delocalized negative ions, and quantum chain reactions will be investigated. In addition, the kinetics of cell and biological membrane transportation will be investigated using fluorescent probes. The article will also be used in graduate courses to train students in fast kinetics and fluorescene lifetimes. Application received by Commissioner of Customs: February 28, 1980.

Docket No. 80–00212. Applicant: Parkview Memorial Hospital, Parkview Memorial Hospital, 2200 Randalia Drive, Fort Wayne, Indiana 46805. Article: Electron Microscope, Model JEM 100S and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of the ultrastructural characteristics of tissues, viruses and cellular inclusions associated with diseases. Experiments to be conducted will involve obtaining material from a variety of diseases and correlating the ultrastructural appearance of the tissue with aspects of the disease and with that seen under experimental conditions such as cultures. In addition, the article will be

used to instruct residents and staff in the ultrastructure of neoplastic and renal diseases. Application received by Commissioner of Customs: February 28, 1980.

Docket No. 80–00213. Applicant: Albert Einstein College of Medicine, Eastchester Road & Morris Park Avenue, F–650, Department of Anatomy, Bronx, New York 10461. Article: Electron Microscope, Model JEM 100CX and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for molecular analysis of cell membrane components and proteins, such as actin, myosin, tubulin, dynein and clathrin, involved in cell motility and cell surface change. Localization if ions such as Ca^{2+} and vanadium on various cell structures will be sought. Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00214. Applicant: University of Texas Health Science Center as San Antonio, 7703 Floyd Curl Dr., San Antonio, TX 78284. Article: Cryoultramicrotomy System. Manuracturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of cells and tissues including but not limited to: testis, pineal, posterior pituitary, anterior pituitary, carotid body, tissue cultures, tumors, brain nuclei, stomach, duodenum, colon, kidney, liver, thymus and bone. In addition, standards of known elemental content prepared in gelatin, bovine serum albumin, or dextran will be examined. Investigators with varied research interests will have access to the article. Investigations involve electron probe x-ray microanalysis on normal and experimentally altered animal tissues, and cells in culture. In addition, the article will also be used in the course Anatomy 60386 to teach theory and background of electron probe x-ray microanalysis and offer training and practice in specimen preparation. Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00215. Applicant: Department of Interior, U.S. Geological Survey, Geol. Division, Br. of Elect. & Geomag, P.O. Box 25046, Denver Federal Center, Denver, Colorado 80225. Article: Coincident-loop Time Domain Electromagnetic System. Manufacturer: Geoex Pty. Ltd., Australia. Intended use of article: The article is intended to be used to study the electical conductivity of the earth, particularly the properties of mineral deposits and surrounding rocks. Experiments will be conducted to (1) apply the coincident-loop TDEM system to the study and characterization of mineral deposits and other geologic features and (2) to use the results obtained with the TDEM system to guide development of better multi-method geophysical strategies of mineral exploration and characterization of subsurface geologic structures. Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00216. Applicant: Duke University, Durham, North Carolina 27706. Article: LKB 1480101 Cryokit and Set of Tools. Manufacturer: LKB Produkter AB, Sweden, Intended use of article: The article is intended to be used for studies of biological tissues derived from mammalian sources. Investigations will be conducted to define the subcellular location of xenobiotic elements which are realistic environmental threats to man (e.g. cadmium, nickel, vanadium, etc.). Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00217. Applicant: National Institutes of Health, 9000 Rockville Pike, Building 36, Room 4B17, Bethesda, Maryland 20205. Article: LKB 2128–010 Ultrotome IV Ultramicrotome and Accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of myelinated tracts of nerves obtained surgically which may be chemically fixed and embedded or frozen before sectioning. Animal and human nervious tissue will be embedded in gelatin or hardened epoxy resins for sectioning. These thin or semithin sections will then be studied by light and electron microscopy. The features characteristic of various types of myelin breakdown will be identified and described in research reports that will be published. Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00218. Applicant: National Eye Institute, 9000 Rockville Pike, Bethesda, MD 20205. Article: LKB 14800–1 Cryokit. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to examine human and animal tissues during studies of the localization of certain substances that are partially soluble in fixatives commonly used in electron microscopy. These substances are important in the development of cataracts and glaucoma. Application received by Commissioner of Customs: March 3, 1980.

Docket No. 80–00219. Applicant: Florida State University, Chemistry Department, Tallahassee, Florida 32306. Article: Circular Dichroism Spectrophotometer. Manufacturer: Japan Spectroscopic Co. Ltd., Japan. Intended use of article: The article is intended to be used for studies of a) DNA, chromatin, and model nucleoproteins, b) synthesized natural product analogs, c) electrons in chiral solvents, d) synthetic polypeptides, and e) muscle proteins. The properties to be investigated are the circular dichroism spectra related to biopolymer conformations and chemical structures. Experiments to be conducted will include:

(1) Monitoring of the binding of small chromophoric molecules to DNA, chromatin, and nucleoproteins by circular dichroism spectroscopy.

(2) Quantitation of changes in polypeptide and protein structures by observations of circular dichroism in various solvents.

(3) Comparison of the circular dichroism spectra of substituted natural products and analogs. Application received by Commissioner of Customs: March 4, 1980.

Docket No.: 80–00220. Applicant: University of Wisconsin, Department of Chemistry, 1101 University Avenue, Madison, Wisconsin 53706. Article: NMR Spectrometer System, Model FX200. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the study of the molecular structure and the molecular dynamics of a wide range of organic and inorganic molecules. FT–NMR experiments will be conducted on the following nuclei: ^{183}W, ^{103}Rh, ^{195}Pt, ^{15}N, ^{14}N, ^{25}Mg, ^{23}Na, ^{39}K, ^{85}Rb, ^{133}Cs, ^{43}Ca, ^{33}S, ^{77}Se, ^{125}Te, $^{189}O5$, and ^{101}Ru. By measuring line widths and/or relaxation times of the quadrupolar nuclei, important information will be obtained about the site geometry of the nucleus in question. Detailed information about chemical exchange (e.g., activation energies and exchange rates) will be obtained. Application received by Commissioner of Customs: March 4, 1980.

Docket No.: 80–00221. Applicant: Evangelical Hospital Association, Oak Brook Regency Towers East, 1415 West 22nd Street, Oak Brook, Illinois 60521. Article: Automated Ultrasonic Body Imager. Manufacturer: Ausonics Ltd., Austalia. Intended use of article: The article is intended to be used for studies of the reflection characteristics of a variety of tissues within the body by computer analysis of the amplitude, scattering characteristics and frequency

content of signals emanating from specific targets. In addition, the article will permit large image reconstruction of the heart at selected phases of the cardiac cycle to provide statis images of structure position or in a motion format which will provide dynamic information concerning the movement of structures. The article will also be used in educational programs in which trainees from both Radiology and Cardiology are actively involved. Application received by Commissioner of Customs: March 4, 1980.

Docket No.: 80–00223. Applicant: Emory University, Chemistry Building, 1515 Pierce Drive, Atlanta, Georgia 30322. Article: NMR Spectrometer, Model CXP–300 and Accessories. Manufacturer: Bruker-Physik AG, West Germany. Intended use of article: The article is intended to be used for studies of specifically deuterated phospholipid molecules in both the gel and liquid crystal states, surfactants in lamellar, hexagonal, nematic Type I and nematic Type II mesophases; specifically deuterated solids and amorphous polymers, and biological membranes. Specific experiments will utilize magnetic ordering of nematics, non-magnetic ordering of phospholipid multilayers and multilamellar aggregates exhibiting powder spectra. The deuteron magnetic resonance technique will yield quadrupolar splittings and relazation parameters from which rates of dynamical processes can be extracted. Application received by Commissioner of Customs: March 5, 1980.

Docket No.: 80–00224. Applicant: Baylor College of Medicine, 1200 Moursund, Houston, Texas 77030. Article: Electron Microscope, Model JEM 100CX and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for comprehensive studies of the ultrastructure of various muscle cells including culture human muscle cells from normal subjects and patients with neuromuscular diseases. The article will also be used for the training of post doctoral fellows who wish to do high resolution transmission or scanning microscopy. Application received by Commissioner of Customs: March 5, 1980.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-12409 Filed 4-22-80; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF COMMERCE

International Trade Administration

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Watches and Watch Movements; Application for 1980 Watch Quota Set Aside for New Firms in Guam

AGENCY: Statutory Import Programs Staff, International Trade Administration, Department of Commerce; Office of Territorial and International Affairs, Department of the Interior.

ACTION: Closing date for further application.

SUMMARY: Section 5 of the Departments' annual rules for the allocation of watch quotas for calendar year 1980 (45 FR 9053 (1980)) invited applications from new firms for the American Samoa quota; for 250,000 units of the Guam quota; and for 300,000 units of the Virgin Islands quota. It was further provided that following a determination that a qualifying application had been received, an announcement would be published establishing a closing date for further applications 30 days from the date of such notice.

A qualifying application for the Guam quota has been received. Accordingly, further applications for the Guam quota must be received on or before the date shown below. This action does not affect any applications from new firms for quota in American Samoa or the Virgin Islands.

DATE: Further applications for the Guam quota will not be accepted after May 22, 1980.

FOR ADDITIONAL INFORMATION CONTACT: Mr. Frank W. Creel, who can be reached by telephone on 202/724–3526.

Dated: April 18, 1980.

Frank W. Creel,

Acting Director, Statutory Import Programs Staff, Import Administration, International Trade Administration, U.S. Department of Commerce.

Wallace O. Green,

Acting Assistant Secretary for Territorial and International Affairs, U.S. Department of the Interior.

[FR Doc. 80-12455 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-10-M and 3510-25-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Changes in the Textile Category System

April 18, 1980.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Changes in the Textile Category System.

SUMMARY: The Correlation: Textile and Apparel Categories with the Tariff Schedules of the United States, Annotated, provides for placement of Tariff Schedules of the United States, Annotated (T.S.U.S.A.) numbers in the Textile Category System. Amendments to the T.S.U.S.A. as a result of changes in articles eligible for duty-free treatment under the Generalized System of Preferences require amendments to the Correlation. These changes are cited on the list which follows this notice.

EFFECTIVE DATE: March 31, 1980.

FOR FURTHER INFORMATION CONTACT: Claire McDermott, Commodity Industry Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–5423).

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

March 31, 1980 Changes to Correlation

Category and Type of Change

369—Change 365.7510 to 365.7410 and 365.7610.
614—Change 337.7025 to 337.6800.
666—Change 365.7060 to 365.6800. Change 365.7560 to 365.7460 and 365.7660.

[FR Doc. 80-12410 Filed 4-22-80; 8:45 am]

BILLING CODE 3510-25-M

Increasing the Level of Restraint for Certain Man-Made Fiber Yarns Exported from Malaysia

April 18, 1980

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the consultation level from 1.5 millon to 3 million square yards equivalent (731,707 pounds) for other man-made fiber yarn, wholly of non-cellulosic filament, in Category 604, produced or manufactured in Malaysia and exported during the agreement year which began on January 1, 1980. (A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172).)

SUMMARY: Under the terms of the bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 17 and June 8, 1978, as amended, between the governments of the United States and Malaysia, letters have been exchanged agreeing to increase the consultation level for man-made fiber textile products in Category 60; to 731,707 pounds during the agreement year which

began on January 1, 1980 and extends through December 31, 1980.

EFFECTIVE DATE: April 21, 1980.

FOR FURTHER INFORMATION CONTACT: Shirley Hargrove, Trade and Industry Assistant, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377/5423).

SUPPLEMENTARY INFORMATION: On December 14, 1979, there was published in the **Federal Register** (44 FR 72618) a letter dated December 11, 1979 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, produced or manufactured in Malaysia, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1980 and extends through December 31, 1980. In accordance with the terms of the bilateral agreement, the consultation level for Category 604 is being increased to 3 million square yards equivalent (731,707 pounds) for that period. Accordingly, in the letter published below, the Chairman of the committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry for consumption, or withdrawal from warehouse for consumption, of textile products in Category 604, produced or manufactured in Malaysia and exported during the twelve-month period which began on January 1, 1980, in excess of the designated level of restraint. Inasmuch as the level of restraint established for Category 604 during the agreement year which began on January 1, 1979 filed before all outstanding charges could be made for that year, charges amounting to 237,523 pounds are being made to the adjusted level for the 1980 agreement year. These charges which are in accordance with the directive of December 11, 1979 account for imports during the period which began on August 1 and extended through October 11, 1979.

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

April 18, 1980.

Committee for the Implementation of Textile Agreements

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

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 11, 1979 by the Chairman of the Committee for the Implementation of Textile Agreements concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in Malaysia.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 17 and June 8, 1978, as amended, between the Governments of the United States and Malaysia; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on April 21, 1980, and for the tweleve-month period beginning on January 1, 1980 and extending through December 31, 1980, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 604, produced or manufactured in Malaysia in excess of 731,707 pounds.[1]

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

Sincerely,

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 80-12411 Filed 4-22-80; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF ENERGY

Los Alamos Scientific Laboratory; Trespassing on Department of Energy Property

The Notice concerning unauthorized entry into or upon areas, buildings, and other facilities of the Los Alamos Scientific Laboratory of the Department of Energy (DOE) dated October 12, 1965, appearing at pages 13282–83 of the **Federal Register** of October 19, 1965 (30 FR 13282, FR Doc. 65–11101), and amended at pages 5428–29 of the **Federal Register** of March 31, 1967 (32 FR 5428, FR Doc. 67–3474), and further amended at pages 6312–14 of the **Federal Register** of February 12, 1976 (41 FR 6312, FR Doc. 76–3955), is hereby further amended to read as follows:

Notice is hereby given that the Department of Energy, pursuant to section 229 of the Atomic Energy Act of 1954, as amended, section 104 of the Energy Reorganization Act of 1974 and section 301 of the Department of Energy Organization Act, as implemented by 10 CFR Part 860, published in the **Federal Register** on July 9, 1975 (40 FR 28789–90), prohibits the unauthorized entry, as provided in 10 CFR 860.3, and the unauthorized introduction of weapons or dangerous materials, as provided in 10 CFR 860.4, into or upon the following described areas, structures, and other facilities of the Department of Energy, said areas, structures, and facilities being located in Los Alamos County or Sante Fe County in the State of New Mexico and being more particularly identified as follows:

1. A certain parcel of land containing approximately 2,600 acres, more or less, situated entirely within Los Alamos County, being more particularly described as follows: Beginning at a point where the south right-of-way line of West Jemez Road intersects the west right-of-way line of Diamond Drive, said point lies within Section 17, T.19N., R.6E., N.M.P.M.; thence on a southerly direction along the west right-of-way line of Diamond Drive approximately 3,100 feet to a point of intersection with the south right-of-way line of Pajarito Road; thence southeasterly along said south right-of-way line of Pajarito Road an approximate distance of 35,000 feet to a point of intersection with the northwesterly right-of-way line of State Road 4; thence meandering along said right-of-way line of State Road 4 in a southwesterly direction a distance of approximately 32,500 feet; thence northwesterly along the right-of-way line of State Road 4 a distance of approximately 38,500 feet to a point of intersection with the east right-of-way line of West Jemez Road; thence meandering northeasterly along the right-of-way line of West Jemez Road an approximate distance of 23,000 feet to the point and place of beginning.

2. A certain parcel of land situated entirely within Los Alamos County, more particulary described as follows: Beginning at the intersection of the north right-of-way line of East Jemez Road and the east boundary of Los Alamos County; thence northerly along the east boundary of Los Alamos County to the southerly boundary of the plat of Eastern Area No. 1, filed for record with the clerk of Los Alamos County as document No. 3924, plat book 1, page 55, on April 13, 1965; thence westerly along said plat boundary to a point where it meets the boundary of the plat of

[1] The level of restraint has not been adjusted to reflect any imports after December 31, 1979. Charges in the amount of 237,523 pounds for the period which began on August 1 and extended through October 11, 1979 should also be made to the adjusted level of restraint.

Eastern Area No. 2, filed for record with the clerk of Los Alamos County as document No. 4505, in plat book 1, page 57, on August 6, 1965; thence southerly and meandering along the boundary of the plat of Eastern Area No. 2; thence continuing in a westerly direction along said plat boundary to a point where it meets the boundary of the plat of Eastern Area No. 3, filed for record with the clerk of Los Alamos County as document No. 5986 in plat book 1, page 74, on February 21, 1966; thence westerly along the southerly boundary of the plat of Eastern Area No. 3 to a point where it meets Diamond Drive; thence southerly along the east right-of-way line of Diamond Drive (projected to the bottom of the canyon) to the north right-of-way line of East Jemez Road; thence meandering along the north right-of-way line of East Jemez Road in a southeasterly direction to the point of beginning.

3. A certain parcel of land situated entirely within Los Alamos County, more particularly described as follows: Beginning at the intersection of the south right-of-way line of East Jemez Road and the east boundary of Los Alamos County; thence southerly, westerly, and southeasterly along the Los Alamos County line ot its intersection with the right-of-way line of New Mexico State Road; thence southwesterly along said right-of-way line to its intersection with the northeasterly right-of-way line of Pajarito Road; thence meandering in a northwesterly direction along the north right-of-way line of Pajarito Road to its intersection with the east right-of-way line of Diamond Drive; thence northerly along the east right-of-way line of Diamond Drive to its intersection with the south right-of-way line of East Jemez Road; thence meandering along the south right-of-way line of East Jemez Road in a southeasterly direction to the point of beginning; excepting:

(a) The Los Alamos County sanitary landfill; and

(b) The East Jemez Road Trailer Park as shown on the plat thereof filed for record with the clerk of Los Alamos County in plat book 1, page 80, on April 25, 1966.

4. Fire Station No. 1, Structure No. TA–3–41, Los Alamos County, Section 17, New Mexico Principal Meridian, Township and Range 19N, 6E.

5. Fire Station No. 2, located on Tract DD, plat of Eastern Area No. 1, Los Alamos County, recorded as hereinabove stated.

6. Fire Station No. 3, located on Tract JA, Survey of White Rock, Los Alamos County, filed for record with the clerk of Los Alamos County as document No. 4710 in plat book 1, page 62, on September 3, 1965.

7. Fire Station No. 4, located on Tract G, plat of North Community No. 2, Los Alamos County, filed for record with the clerk of Los Alamos County as document No. 4999 in plat book 1, page 69, on November 1, 1965.

8. Tank farm, located on Tract AA, plat of Eastern Area No. 1, Los Alamos County, recorded as hereinabove stated.

9. "Los Alamos Scientific Laboratory Records Center" and warehouse, located on "Tract WA–2, Eastern Area No. 2, Los Alamos County," as shown on the plat thereof filed for record with the clerk of Los Alamos County in plat book, 1, page 95, on November 1, 1966.

10. The Los Alamos Area Office Headquarters Building located on Tract E, plat of Eastern Area No. 3, Los Alamos County, recorded as hereinabove stated.

11. The Health Research Laboratory located on Tract A, plat of Eastern Area No. 3, Los Alamos County, recorded as hereinabove stated.

12. A certain parcel of land containing approximately 1010 acres, more or less, situated entirely within Los Alamos County, and more particularly described as follows:

Beginning at the northwest corner of Bandelier National Monument (Latitude 35° 47′ 27″ Longitude 106° 16′ 1″); thence in a southerly direction along the common boundary of Bandelier National Monument and U.S. Department of Energy property to the north rim of the Rio Grande Canyon (also known as White Rock Canyon); thence in a northeasterly direction along the rim of the Rio Grande Canyon approximately 16,000 feet to its confluence with the south rim of Ancho Canyon; thence in a northwesterly direction along the rim of Ancho Canyon to New Mexico State Road 4; thence along the right-of-way line of New Mexico State Road 4 to the point of beginning. This area is further identified as Technical Area (TA)–33 and/or Hot Point (H–P) Site.

13. Structures, or other facilities, identified as indicated with appropriate identification numbers or titles being posted at each such structure or other facility:

Structure or facility	County	Section	New Mexico principal meridian township and range
Los Alamos water well No. 1	Sante Fe	13	19 N., 7 E.
Los Alamos well No. 1–B	do	13	19 N., 7 E.
Los Alamos well No. 2	do	14	19 N., 7 E.
Los Alamos well No. 3	do	14	19 N., 7 E.
Los Alamos booster No. 1	do	14	19 N., 7 E.
Los Alamos well No. 6	do	14	19 N., 7 E.
Los Alamos well No. 5	do	15	19 N., 7 E.
Los Alamos booster No. 2	do	22	19 N., 7 E.
Los Alamos well No. 4	do	22	19 N., 7 E.
Los Alamos booster No. 3	do	20	19 N., 7 E.
Los Alamos booster No. 4	Los Alamos	13	19 N., 6 E.
Guaje well No. 1	Santa Fe	10	19 N., 7 E.
Guaje well No. 1–A	do	4	19 N., 7 E.
Guaje well No. 2	do	4	19 N., 7 E.
Guaje well No. 3	do	4	19 N., 7 E.
Guaje well No. 4	do	5	19 N., 7 E.
Guaje well No. 5	do	5	19 N., 7 E.
Guaje well No. 6	do	6	19 N., 7 E.
Guaje booster No. 1	do	5	19 N., 7 E.
Guaje booster No. 2	Los Alamos	1	19 N., 6 E.
Guaje booster No. 3	do	3	19 N., 6 E.
Los Alamos sand trap	Santa Fe	14	19 N., 7 E.
Guaje sand trap	do	5	19 N., 7 E.
Valve and pump house	Los Alamos	17	19 N., 6 E.
Fill pump station	do	8	19 N., 6 E.
Guaje filter station	do	4	19 N., 6 E.
Western steam plant	do	16	19 N., 6 E.
Western pump station	do	17	19 N., 6 E.
Barranca tank No. 1 pump station	do	3	19 N., 6 E.
East Rd. gas metering station No. 2	do	14	19 N., 6 E.
Pueblo Canyon natural high pressure gas line suspension bridge	do	9	19 N., 6 E.
Pajarito TA–0–173	Los Alamos	17	19 N., 6 E.
Pajarito chlorinator	Santa Fe	20	19 N., 7 E.
Twin tanks	Los Alamos	17	19 N., 6 E.
Sycamore tank	do	8	19 N., 6 E.
Group No. 11 tank	do	8	19 N., 6 E.
Group No. 12 tank	do	5	19 N., 6 E.
Community tank and pump	do	17	19 N., 6 E.
Western tank	do	17	19 N., 6 E.
Barranca tank and pump No. 2	do	2	19 N., 6 E.
TA–16–171, TA–16–404, TA–16, tank and micro-strainer	Los Alamos	(1)	19 N., 6 E.
TA–3 tank TA–0–6	do	17	19 N., 6 E.
Trailer court booster pump	do	16	19 N., 6 E.
Backflow preventer (old trailer court)	do	15	19 N., 6 E.
Water Canyon gallery	do	25	19 N., 5 E.

Structure or facility	County	Section	New Mexico principal meridian township and range
Tech area gas metering station (TA-0-192)	do	17	19 N., 6 E.
South Sites gas metering station (TA-0-193)	do	17	19 N., 6 E.
Pajarito Rd. gas metering station TA-3	do	21	19 N., 6 E.
8-in. takeoff (valve station) from 12-in. line	do	8	19 N., 6 E.
Trailer court metering station	do	16	19 N., 6 E.
Gas meter to park service	do	(1)	18 N., 6 E.
DOE building sewage lift station	do	16	19 N., 6 E.

[1] Ramon Vigil grant.

Notices stating the pertinent prohibitions of 10 CFR 860.3 and 860.4 and the penalties of 10 CFR 860.5 will be posted at all entrances of said areas, structures, and other facilities and at intervals along the perimeters thereof as provided in 10 CFR 860.6.

Dated in Washington, D.C., this 4th day of April, 1980.

Duane C. Sewell,

Assistant Secretary for Defense Programs.

[FR Doc. 80-12244 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Cooper & Brain—Brea; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATES: Effective date: March 31, 1980.

COMMENTS BY: May 23, 1980.

ADDRESS: Send comments to: Lon W. Smith, District Manager of Enforcement, Department of Energy, 333 Market Street, 6th Floor, San Fancisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Lon W. Smith, District Manager of Enforcement, Department of Energy, 333 Market Street, 6th Floor, San Francisco, CA 94105, Phone: (415) 764-7038.

SUPPLEMENTARY INFORMATION: On March 31, 1980, the Office of Enforcement of the ERA executed a Consent Order with Cooper & Brain—Brea (C & B) of Wilmington, California. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, become effective upon its execution.

I. The Consent Order

C & B, with its home office located in Wilmington, California, is a firm engaged in the production and sale of crude oil, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR, Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of C & B, the Office of Enforcement, ERA, and C & B entered into a Consent Order, the significant terms of which are as follows:

1. C & B is the operator of the Brea Canyon Fee Lease in Orange County, California.

2. C & B produced and sold approximately 1,934 barrels of crude oil from Brea Canyon Fee during October 1973 at upper tier prices based upon their BPCL certification of the lease.

3. The DOE contends that C & B used an incorrect BPCL for the Brea Canyon Fee during the month of October 1973. Therefore, C & B should not have received payments in excess of the lower tier ceiling price as prescribed by 10 CFR 212.73 during October 1973 for 615 barrels.

4. Payments received by C & B from Mobil Oil Corporation in excess of the applicable lower tier price during October 1973 totaled $2,990.64.

5. C & B produced 84,016 barrels of crude oil from the Brea Canyon Fee lease during the period January 1, 1974 through December 31, 1974, which amount was sold to Mobil Oil Corp. at exempt oil prices based upon certification of the lease as a stripper well property.

6. The DOE contends that the lease was not eligible for the stripper well exemption for any period prior to January 1, 1975 and that C & B should not have received payments in excess of the lower an upper tier ceiling prices as prescribed by 10 CFR 212.73 and 212.74 during the period in question.

7. Payments received by C & B from Mobil Oil Corporation in excess of the applicable lower and upper tier ceiling price during the period January 1, 1974 and December 31, 1974 totaled $438,323.44.

8. C & B, without admitting that it has violated any regulation or overcharged any customer, is willing to enter into the Consent Order and refund $308,919.91 plus interest at the rate set by DOE as a means of settling this dispute.

9. The provisions of 10 CFR 205.199J, including the publication of this Notice are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, C & B agreed to refund, in full settlement of any civil liability with respect to actions with might be brought by the Office of Enforcement, ERA, arising out of the transactions specified above, the sum of $308,919.91 plus interest in certified checks made payable to the United States Department of Energy. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refunded amount in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying

valid potential claims to the refund amount. After potential claims are identified, procedure for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to be the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order.

You should send your comments or written notification of a claim to Lon W. Smith, District Manager of Enforcement, Department of Energy, 333 Market Street, 6th Floor, San Francisco, California 94105. You may obtain a free copy of this Consent Order by writing to the same address or by calling (414) 764–7038.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Cooper and Brain—Brea Consent Order." We will consider all comments we receive by 4:30 p.m., local time, on May 23, 1980.

You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Los Angeles on the 11th day of April 1980.

Concurrence:

Giner Lew,

Chief Counsel, Western District of Enforcement.

Lon W. Smith,

District Manager of Enforcement

[FR Doc. 80-12388 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-01-M

Docket No.	Owner	Generating station (location)	Powerplant identification
52570-0301-21-41	San Diego Gas and Electric Co.	El Cajon (El Cajon, Calif.	GT 1.
52570-0311-01-41		Station B (San Diego, Calif.)	No. 21
52570-0311-03-41			No. 23.
52570-0311-04-41			No. 24.
52570-0311-05-41			No. 25.
52570-0311-06-41			No. 26.
52570-0311-07-41			No. 27.
52570-0311-08-41			No. 28.
52570-0311-11-41			No. 31.
52570-0311-12-41			No. 32.
52570-0311-13-41			No. 33.
51817-1304-21-41	City of McPherson, Kans	West Avenue A (McPherson, Kans.	CT 1.
51817-1304-22-41			CT 2.
51817-1304-23-41			CT 3.
51988-2275-01-41	Nebraska Public Power District.	Ogallala (Ogallala, Nebr.	No. 1.
51988-2276-02-41		Bluffs (Scottsbluff, Nebr.	No. 2.
52588-0733-21-41	Savannah Electric and Power Co.	Port Wentworth (Port Wentworth, Ga.)	CT 1.
52588-0732-21-41		Boulevard (Savannah, Ga.)	CT 1.
52588-0732-22-41			CT 2.
52588-0732-23-41			CT 3.
53195-6210-21-41	Washington Water Power Co.	Northeast (Spokane, Wash.)	CT 1.
50782-1743-31-41	Detroit Edison Co	St. Clair (East China Township, Mich.)	CT 11.
52385-0894-21-41	Illinois Power Co	Oglesby (Oglesby, Ill.	CT 1.
52385-0894-22-41			CT 2.
52385-0894-23-41			CT 3.
52385-0894-24-41			CT 4.
52385-0895-21-41		Stallings (Stallings, Ill.)	CT 1.
52385-0895-22-41			CT 2.
52385-0895-23-41			CT 3.
52385-0895-24-41			CT 4.
51549-1445-01-41	Lafayette Utilities	Rodemacher (Lafayette, La.)	No. 1.
51549-1445-02-41			No. 2.
51549-1445-04-41			No. 4.
51549-1443-02-41		"Doc" Bonin (Lafayette, La.)	No. 2.
52370-3043-21-41	Portland General Electric	Bethel C. T. Plant (Salem, Oreg.	CT 1.
66004-9117-01-41	Rochester Public Utilities	Cascade Creek (Rochester, Minn.)	CT 1.
51408-1095-01-41	Iowa Public Service Co	Kirk (Sioux City, Iowa)	No. 1.
51408-1095-02-41			No. 2.
51408-1095-04-41			No. 4.
51408-1095-05-41			No. 5.
51408-1095-06-41			No. 6.
51408-6063-01-41		Electrifarm (Waterloo, Iowa)	No. 1.
51408-6063-02-41			No. 2.
51408-6063-03-41			No. 3.
51408-9066-21-41		Parr (Charles City, Iowa)	CT 1.
51408-9066-22-41			CT 2.
51408-1096-12-41		Maynard (Waterloo, Iowa)	No. 12.
50099-0161-22-41	Arizona Electric Power Cooperate.	Apache (Cochise County, Ariz.	CT 2.
50099-0161-23-41			CT 3.
50782-1724-01-41	Detroit Edison	Beacon (Detroit, Mich.)	25.
50782-1724-02-41			32.
50782-1726-08-41		Conners Creek (Detroit, Mich.)	1.
50782-1726-09-41			3.
50782-1726-10-41			4.
50782-1726-12-41			9.
50782-1726-13-41			10.
50782-1726-14-41			11.

Powerplant and Industrial Fuel Use Act Issuance of Orders Granting Temporary Public Interest Exemptions

The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice that on April 16, 1980, it issued an order granting temporary public interest exemptions, pursuant to the authorities granted it by section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.*, and 10 CFR 501.68 and 10 CFR 508, from the natural gas use prohibitions of section 301(a)(2) and (3) of the Act to the following powerplants in order to displace middle distillate fuel oil:

Petitions were received and filed pursuant to CFR 508 (Exemption for Use of Natural Gas by Existing Powerplants Under the Powerplant and Industrial Fuel Use Act of 1978, April 9, 1979, 44 FR 21230) with ERA for temporary public interest exemptions for the use of natural gas as a primary energy source. Notice of the petitions and proposed orders granting these temporary exemptions were published in the **Federal Register** on August 28 and October 22, 1979, (44 FR 50395 and 44 FR 60791). Written comments were requested on the proposed orders. All comments were considered by ERA.

A general comment from Allied Chemical Corporation expressed concern that the chemical industry has experienced production curtailments and plant shutdowns due to inadequate gas supplies for nonsubstitutable feedstock and process needs at the same time that DOE has concluded that excess supplies of natural gas are available. The Allied Chemical Corporation comment did not refer to any specific region nor did it specify impacts resulting from any particular petition or proposed order.

All comments that referred to specific petitions were supportive of them.

The order granting these temporary exemptions shall become effective sixty calendar days following its publication in the **Federal Register**, in accordance with Section 702(a) of FUA. The owners of the above-named powerplants have received the Decision and Order by certified mail. The order is set forth following this notice. These temporary exemptions shall be in effect, subject to the terms and conditions stated in the order, for the maximum statutory period of five years but may be terminated by ERA, upon six months written notice, if ERA determines such termination to be in the public interest.

ERA's grant of these temporary public interest exemptions does not relieve an existing powerplant from compliance with any rules or regulations concerning the acquisition or the distribution of natural gas that are administered by the Federal Energy Regulatory Commission or any State regulatory agency or from any obligations the utility may have to its customers.

Copies of all comments received during the public comment period will be available for public inspection and copying in the Public Information Office located located in Room B–110, 2000 M Street NW., Washington, D.C., 20461.

Any questions regarding these temporary exemptions should be directed to Mr. James W. Workman, Acting Director, Existing Facilities Conversion Division, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, Room 3128, 2000 M Street NW., Washington, D.C. 20461, (202) 653–3637.

Issued in Washington, D.C., on April 16, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80–12387 Filed 4–22–80; 8:45 pm]

BILLING CODE 6450–01–M

[ERA Docket No. 80–CERT–013]

Consolidated Edison Co. New York, Inc.; Application for Recertification of the Use of Natural Gas To Displace Fuel Oil

On April 27, 1979, Consolidated Edison Company of New York, Inc. (Con Ed), 4 Irving Place, New York, New York 10003, was granted a certificate of an eligible use of natural gas to displace fuel oil by the Administrator of the Economic Regulatory Administration (ERA) (Docket No. 79 CERT–002). The certification involved the purchase of natural gas from the Consolidated Gas Supply Corporation and the National Fuel Gas Distribution Corporation for use by Con Ed at six of its steam and electric generating facilities in New York City. These purchases are being delivered pursuant to the ERA certification in Docket No. 79–CERT–002 and certificates of public convenience and necessity issued by the Federal Energy Regulatory Commission (FERC) in FERC Docket Nos. CP79–228 and CP79–214 *et al.* The ERA certificate expires April 27, 1980, and the FERC certificates expire June 1, 1980. Take notice that on March 10, 1980, Con Ed filed an application for recertification of an eligible use of natural gas to displace fuel oil at six of it steam and electric generating facilities in New York City, pursuant to 10 CFR Part 595 (44 FR 47920, August 16, 1979). More detailed information is contained in the application on file with the ERA and available for public inspection at the ERA, Docket Room 4126, 2000 M Street, NW., Washington, D.C. 20461, from 8:30 a.m.–4:30 p.m., Monday through Friday, except Federal holidays.

In its application, Con Ed states that the volume of natural gas for which it requests recertification is approximately 175,000 dekatherms per day. This volume is estimated to displace the use of approximately 7,508,000 barrels of residual fuel oil (0.3 percent sulfur), approximately 286,000 barrels of kerosene (0.05 percent sulfur), and approximately 23,000 barrels of No. 2 fuel oil (0.2 percent sulfur) between April 27, 1980, and April 26, 1981, at the following generating facilities in New York City: Astoria; East River; Narrows; Ravenswood; Waterside; and 60th Street.

The eligible sellers are the Consolidated Gas Supply Corporation, 445 W. Main Street, Clarksburg, West Virginia 26301, and the National Fuel Gas Distribution Corporation, 10 LaFayette Square, Buffalo, New York 14203. The gas would be transported by the Transcontinental Gas Pipe Line Corporation, P.O. Box 1396, Houston, Texas 77001; the Texas Eastern Transmission Corporation, P.O. Box 2521, Houston, Texas 77001; the National Fuel Gas Supply Corporation, 10 LaFayette Square, Buffalo, New York 14203; and the Tennessee Gas Pipeline Company, P.O. Box 2581, Houston, Texas 77001.

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 4126, 2000 M Street, NW., Washington, D.C. 20461. Attention: Mr. Finn K. Neilsen, on or before May 2, 1980.

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 Ed and any persons filing comments and will be published in the **Federal Register.**

Issued in Washington, D.C., on April 16th, 1980.

Paul T. Burke,

Deputy Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 80–12375 Filed 4–22–80; 8:45 am]

BILLING CODE 6450–01–M

Granting of Certain Temporary Public Interest Exemptions Under the Powerplant and Industrial Fuel Use Act

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Granting of certain temporary public interest exemptions.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice that on April 14, 1980, it issued orders granting certain temporary public interest exemptions, pursuant to the authorities granted it by Section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.*, and 10 CFR 501.68 and 10 CFR Part 508, from the prohibitions of Section 301(a) (2) and (3) of the Act.

Background

On May 11, 1979, June 1, 1979 and July 20, 1979, the Economic Regulatory Administration (ERA) issued notices accepting petitions from various utilities for temporary public interest exemptions from the prohibitions of Sections 301(a) (2) and (3) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.*, to use natural gas as a primary energy source in a number of powerplants.

Those petitions were filed pursuant to 10 CFR Part 508 (Exemption for Use of Natural Gas by Existing Powerplants Under the Powerplant and Industrial Fuel Use Act of 1978, 44 FR 21230, hereafter referred to as the Special Rule).

Upon accepting the petitions, ERA also issued orders, pursuant to Section 311(e) of the Act, proposing to grant the exemptions. As required by Section 701(c) of the Act, a 45 day public comment period applicable to the petitions commenced upon publication of the notice in the **Federal Register** on May 11, 1979, June 1, 1979 and July 20, 1979 (44 FR 27668, 44 FR 31677 and 44 FR 42756). Section 701(c)(3) of the Act requires that ERA issue a final order granting or denying petitions for exemptions within 6 months after the period for public comment and hearing unless such period is extended.

The pertinent public comment periods expired on June 22, 1979, July 6, 1979 and September 5, 1979, and the applicable 6 month period for issuance of final orders would have expired on December 22, 1979, January 6, 1980 and March 5, 1980, respectively.

On January 2, 1980, a notice was published in the **Federal Register** (45 FR 78) extending the time for issuance of final orders until February 15, 1980, and inviting further written comments on the manner in which the Special Rule should be implemented. On January 21, 1980, a notice was published in the **Federal Register** (45 FR 3953) extending to February 27, 1980, the deadline for issuance of final orders.

On March 10, 1980 and March 13, 1980, notices were published in the **Federal Register** (45 FR 15253 and 45 FR 16316) extending the period for the issuance of final orders granting or denying temporary public interest exemptions to the powerplants listed below until April 11, 1980. This extension was granted to petitioners with powerplants in the Petroleum Administration for Defense District (PAD) 2 in order to evaluate the potential impact that granting such exemptions might have on refinery operations in PAD 2.

ERA conducted this additional evaluation in response to concern that granting exemptions to certain powerplants in this area would reduce the demand for residual fuel oil from PAD 2 refineries, and that such a reduction in consumption of residual fuel oil, in the amounts contemplated by the granting of exemptions to these powerplants, could result in reducting refinery runs in PAD 2. It was thought that such action might jeodarize the economic viability of PAD 2 refinery products, including gasoline.

ERA conducted a telephone survey of utilities burning residual oil in PAD 2 that had petitioned for exemptions and of the oil refineries and wholesalers that supplied fuel to those utilities. As a result of the survey, ERA has determined that the potential for residual supply-demand imbalance problems appears to be localized in certain Michigan, Kansas and Ohio refineries, some of which do not serve any of the utilities that have petitioned for exemptions. Otherwise, there are no reports of unmanageable stock situations, and no substantive complaint has been received from a major refinery.

In addition, residual fuel oil spot prices have declined considerably since early January, which should increase the demand for residual oil.

ERA has determined that denying public interest exemptions to those powerplants located in PAD 2 would represent a total demand for residual oil of only 10 to 12 thousand barrels per day (mb/d), some of which is provided by refineries located outside of PAD 2. Therefore, on April 14, 1980, ERA issued an order granting temporary public interest exemptions, pursuant to the authorities of Section 311(e) of the Act, 10 CFR 501.68 and 10 CFR Part 508, from the prohibitions of Section 301(a)(2) and (3) of the Act to the following powerplants located in PAD 2.

Docket No.	Petitioner	Generating station	Powerplant identification No.
50494-2226-01-41	Central Nebraska Public Power and Irrigation District.	Canaday (Lexington, Nebraska)	1
50938-2236-01-41	City of Fairbury	Fairbury (Fairbury, Nebraska)	1
50938-2236-02-41			2
50938-2236-03-41			3
50938-2236-04-41			4
50643-0881-01-41	Commonwealth Edison Co	Ridgeland (Stickney, Ill.)	1
50643-0881-02-41			2
50643-0881-03-41			3
50643-0881-04-41			4
50104-2073-01-41	Arkansas-Missouri Power Co.	Jim Hill Plant (Campbell, Mo.)	1
51479-1250-02-41	Kansas Power & Light Co	Lawrence (Lawrence, Kans.)	2
51479-1248-04-41		Hutchinson (Hutchinson, Kans.)	4
51479-1252-05-41		Techumseh (Tecumseh, Kans.)	5
51479-1252-06-41			6
51479-9028-01-41		Abilene (Abilene, Kans.)	1
51479-9028-01-41			2
52786-2097-04-41	St. Joseph Light & Power Co.	Edmond (St. Joseph, Mo.)	16
52786-2097-05-41			17
52786-2097-07-41			18
52786-2908-01-41		Lake Road (St. Joseph, Mo.)	1
52786-2098-02-41			2
52786-2098-03-41			3
52927-2877-09-41	Toledo Edison Co	Acme (Toledo, Ohio)	9
52927-2877-10-41			10
52927-2877-11-41			11
52927-2877-12-41			12
50904-1239-03-41	Empire District Electric Co	Riverton (Riverton, Kans.)	3

The order granting these temporary exemptions shall be effective June 23, 1980, in accordance with Section 702(a) of FUA. Owners of the above-named powerplants have each received the Decision and Order by certified mail. The order is set forth following this notice.

These temporary exemptions shall be in effect, subject to the terms and conditions stated in the order, for an initial period from the effective date of the Decision and Order until December 7, 1981. Upon the request of the petitioners, these exemptions may be extended, at the option of ERA, for additional periods. However, a temporary public interest exemption, including all extensions, may not exceed the maximum 5 year period authorized by the Act. Requests for extension must be filed with ERA by September 7, 1981.

The temporary public interest exemptions granted by the Decision and Order are subject to termination by ERA, upon six months written notice, if ERA determines such termination to be in the public interest.

ERA's grant of these temporary public interest exemptions does not relieve an

existing powerplant from compliance with any pertinent rules or regulations concerning the acquisition or the distribution of natural gas that are administered by the Federal Energy Regulatory Commission or any pertinent State regulatory agency or from any public utility obligations to pertinent categories of customers.

Issued in Washington, D.C., on April 14, 1980.

Robert L. Davies,

Assistant Administrator Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80-12376 Filed 4-22-80 8:45 am]
BILLING CODE 6450-01-M

Petitions for Temporary Public Interest Exemptions To Burn Natural Gas; Decision and Order Granting Exemptions

The Economic Regulatory Administration (ERA) of the Department of Energy hereby issues this Decision and Order granting temporary public interest exemptions from the prohibitions of Section 301(a) (2) and (3) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.* This Decision and Order is issued pursuant to Section 311(e) of FUA, 10 CFR 501.68 and 10 CFR Part 508, to the petitioners who own or operate the powerplants listed in the table below.

Docket No.	Petitioner	Generating station	Powerplant identification No.
50494-2226-01-41	Central Nebraska Public Power and Irrigation District.	Canaday (Lexington, Nebr.)	1
50938-2236-01-41	City of Fairbury	Fairbury (Fairbury, Nebr.)	1
50938-2236-02-41	"	"	2
50938-2236-03-41	"	"	3
50938-2236-04-41	"	"	4
50643-0881-01-41	Commonwealth Edison Co	Ridgeland (Stickney, Ill.)	1
50643-0881-02-41	"	"	2
50643-0881-03-41	"	"	3
50643-0881-04-41	"	"	4
50104-2073-01-41	Arkansas-Missouri Power Co.	Jim Hill Plant (Campbell, Mo.)	1
51479-1250-02-41	Kansas Power & Light Co	Lawrence (Lawrence, Kans.)	2
51479-1248-04-41	"	Hutchinson (Hutchinson, Kans.)	4
51479-1252-05-41	"	Tecumseh (Tecumseh, Kans.)	5
51479-1252-06-41	"	"	6
51479-9028-01-41	"	Abilene (Abilene, Kans.)	1
51479-9028-02-41	"	"	2
52786-2097-04-41	St. Joseph Light & Power Co.	Edmond (St. Joseph, Mo.)	16
52786-2097-05-41	"	"	17
52786-2097-07-41	"	"	18
52786-2908-01-41	"	Lake Road (St. Joseph, Mo.)	1
52786-2098-02-41	"	"	2
52786-2098-03-41	"	"	3
52927-2877-09-41	Toledo Edison Co	Acme (Toledo, Ohio)	9
52927-2877-10-41	"	"	10
52927-2877-11-41	"	"	11
52927-2877-12-41	"	"	12
50904-1239-03-41	Empire District Electric Co	Riverton (Riverton, Kans.)	3

The petitioners filed for these temporary public interest exemptions pursuant to 10 CFR Part 508 (Exemption for Use of Natural Gas by Existing Powerplants Under the Powerplant and Industrial Fuel Use Act of 1978, April 9, 1979, 44 FR 2130, hereafter referred to as the Special Rule).

Notices of the petitions and proposed orders granting these temporary exemptions were published in the **Federal Register** on May 11, 1979, June 1, 1979 and July 20, 1979, (44 FR 27668, 44 FR 32677 and 44 FR 42756), with a request for public comments relating to the petitions and the proposed orders. On January 2, 1980 a notice was published in the **Federal Register** (45 FR 78) extending the time for issuance of final orders and inviting further written comment on the manner in which the Special Rule should be implemented. On January 21, 1980 a notice was published in the **Federal Register** (45 FR 3953) extending to February 27, 1980 the time for issuance of final orders by ERA. On March 10, 1980 and March 13, 1980 notices were published in the **Federal Register** (45 FR 15253 and 45 FR 16316) extending the period for issuance of final orders granting or denying temporary public interest exemptions to the above listed powerplants until April 11, 1980.

ERA reviewed the public comments and determined that the issuance of these exemptions is in the public interest and is consistent with the purposes of FUA Therefore, ERA has determined to issue final orders granting temporary public interest exemptions to some of the petitioners whose petitions were noticed on May 11, 1979, June 1, 1979 and July 20, 1970.

Based on the information provided by the petitioners, the listed powerplants are either prohibited by Section 301 (a)(2) of FUA from using natural gas as a primary energy source or are prohibited from using natural gas as a primary energy source in excess of the average base year proportion allowed in Section 301(a)(3) of the Act. These temporary exemptions will allow the listed powerplants to burn natural gas, notwithstanding the prohibitions of Section 301(a)(2) and (3) of FUA, to displace consumption of fuel oils.

Statement of Reasons and Rationale for Granting Exemptions. In issuing the Special Rule, ERA recognized that in certain existing electric powerplants the choice of fuels is limited to either natural gas or petroleum fuel oils, and that, in general, the near-term use of natural gas is preferred over petroleum. In promulgating the Special Rule, ERA stated that it intended to give priority to facilities displacing middle distillates. On January 2, 1980, ERA requested written comments on what sulfur levels, if any, ERA should consider in determining to grant or deny petitions for natural gas to displace residual fuel oil.

Based upon a January survey and analysis conducted by ERA, it had been determined to grant exemptions to all eligible powerplants, irrespective of the sulfur content or type of oil to be displaced, with the exception of those powerplants located in the Nation's Petroleum Administration for Defense District (PAD) 2. ERA's January survey and analysis concerned: (1) The demand for natural gas and corresponding displacement of both middle distillate and residual oils by sulfur content of residual fuel oil due to exemptions granted and which may be granted under the Special Rule, (2) availability of natural gas, (3) the impact on refinery operation due to possible reduced demand for residual fuel oil, and (4) a review of the public comments received on the manner in which the Special Rule should be implemented. Upon further review, which included a survey of PAD 2 powerplants for which petitions were accepted, and their fuel oil suppliers, ERA has determined that the granting of exemptions in PAD 2, irrespective of the sulfur content or the types of oil to be displaced, is in the public interest and in accordance with the purposes of FUA. Therefore, in this order ERA is granting

exemptions to those elibible powerplants in PAD 2 whose periods for the issuance of final orders were previously extended in the March 10, 1980 and March 13, 1980 Federal Register notices (45 FR 15253 and 45 FR 16316).

ERA's survey of gas companies and pipeline companies and the responses received to ERA's reguest for public comment indicate that there are sufficient quantities of natural gas supplies available at the present for an increase in natural gas use to accommodate the granting of exemptions to all powerplants with petitions pending under the Special Rule.

ERA also analyzed the impact that increased natural gas use under the Special Rule would have on refinery operations and the demand for residual fuel oil in each of the nation's PAD districts. ERA has ascertained that while some refineries in PAD 2 may currently have excess stocks of residual oil, denying public interest exemptions to utilities that would displace residual oil in this region would not have a significant impact on the supply situation.

ERA's decision to grant these exemptions is not expected to have an adverse impact upon residential and commercial consumers of natural gas since current Federal Energy Regulatory Commission (FERC) and State gas curtailment regulations assign powerplants the lowest priority classification. These curtailment regulations are designed to ensure availability of natural gas to higher priority users should gas supplies be reduced. In addition, under the Special Rule, ERA may terminate these temporary exemptions to use natural gas upon six months written notice.

ERA had determined that natural gas use under the Special Rule is consistent with the specific purpose of FUE to reduce the consumption of imported petroleum. ERA also believes that such natural gas use will not reduce or postpone the FUE requirements that new electric powerplants be constructed with capability to utilize fuels other than peteroleum or natural gas, or the conversion to alternate fuel use, such as coal, by existing electric powerplants. Generally, in the long term, the economics of power generation favor the use of coal.

Eligibility for Temporary Public Interest Exemption. Each of the above-named petitioners has demonstrated that each powerplant, for which it is requesting a temporary exemption, is an existing unit that is either prohibited from using natural gas as a primary energy source by Section 301(a)(2) of FUA, or prohibited from using natural gas in excess of the average base year proportion allowed in Section 301(a)(3) of FUA. Each petitioner has also certified that the proposed use of natural gas will displace consumption of fuel oil and will not displace the use of coal or any other alternate fuel in any facility in the petitioner's utility system, including the powerplants for which these temporary exemptions are issued. As a result, each petitioner has met the eligibility criteria of § 508.2 of the Special Rule.

Duration of Temporary Exemptions. ERA grants these temporary public interest exemptions for an initial period from the effective date of this Decision and Order until December 7, 1981. Upon the request of the petitioners, these exemptions may be extended, at the option of ERA, for additional periods. However, a temporary public interest exemption, including all extensions, may not exceed the maximum 5 year period authorized by the Act. Requests for extension must be filed with ERA by September 7, 1981. The temporary public interest exemptions granted by this Decision and Order are subject to termination by ERA, upon six months written notice, if ERA determines such termination to be in the public interest.

Effective Date of Decision and Order. This Decision and Order shall become effective on June 21, 1980, in accordance with Section 702(a) of FUA. However, in accordance with the policy set forth in the notice implementing this Special Rules (44 FR 21230), ERA will take no action with respect to any natural gas used by the exempted powerplants between May 8, 1979, the effective date of FUA, and the date this Decision and Order becomes effective.

Terms and Conditions. Pursuant to Section 314 of FUA and 10 CFR 508.6, the temporary exemptions granted under this Decision and Order are conditioned upon, and shall remain in effect so long as each petitioner, its successors and assigns, complies with the following terms and conditions:

(1) Petitioner will report to ERA for the period from May 8, 1979, through December 31, 1979, and for each subsequent six-month period thereafter the actual monthly volumes of natural gas consumed in the exempted powerplants, and an estimate of the number of barrels of each type of fuel oil displaced. This report will be submitted to ERA within thirty days after the effective date of this Decision and Order and thirty days after the close of each subsequent reporting period.

(2) Petitioner will submit to ERA, within one year after the date this Decision and Order is issued, a system-wide fuel conservation plan to include the initial period covered by these temporary exemptions, including the means by which the petitioner will measure progress in implementing this plan.

(3) If a petitioner seeks to have an exemption extended, the petitioner shall, at that time, submit a fuel conservation plan covering the additional time period for which the extension is being sought, including the means by which the petitioner will measure progress in implementing this plan.

(4) Petitioner will submit to ERA, within 30 days after the close of each year, commencing with the calendar year ending December 31, 1980, a report on progress achieved in implementing the fuel conservation plan.

ERA's grant of these temporary public interest exemptions does not relieve an existing powerplant from compliance with any pertinent rules or regulations concerning the acquisition or the distribution of natural gas that are administered by the Federal Energy Regulatory Commission or any pertinent State regulatory agency or from any public utility obligations to pertinent categories of customers.

Issued in Washington, DC on April 14, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80-12377 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[No. 182]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued April 17, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Kansas Corporation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC

10. Purchaser(s)
1. 80–24062/K–79–1071
2. 15–191–20744–0000
3. 103 000 000
4. Jefferson-Williams Energy Corp
5. Kansas-Oklahoma O & G Co No 1
6. Padgett
7. Sumner, KS
8. 126.0 million cubic feet
9. April 1, 1980
10. Arkansas Louisiana Gas Co
1. 80–24063/K–79–1240
2. 15–025–00000–0000
3. 108 000 000
4. Union Oil Co of California
5. Tuttle C #1
6. Harper Ranch
7. Clark, KS
8. 20.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24064/K–79–1241
2. 15–075–20233–0000
3. 103 000 000
4. Ladd Petroleum Corp
5. HCU–2930 B
6. Bradshaw
7. Hamilton, KS
8. 40.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co
1. 80–24065/K–79–1252
2. 15–007–30161–0000
3. 108 000 000
4. Edmiston Oil Co Inc
5. Wenzel #1
6. Sharon Northwest
7. Barber, KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co
1. 80–24066/K–79–1256
2. 15–007–20332–0000
3. 108 000 000
4. Gemini Oil Co
5. De Geer #2
6. De Geer SW NW NE
7. Barber, KS
8. 6.2 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co
1. 80–24067/K–79–1264
2. 15–007–00000–0000
3. 108 000 000
4. Edmiston Oil Co Inc
5. Fetrow #1
6. Sharon Northwest
7. Barber, KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co
1. 80–24068/K–79–1275
2. 15–097–20521–0000
3. 103 000 000
4. Gould Oil Inc
5. Grove-Riley Unit No 2
6. Greensburg
7. Kiowa, KS
8. 110.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipeline Co
1. 80–24069/K–79–1276
2. 15–145–20554–0000
3. 103 000 000
4. Gould Oil Inc
5. Bowman B No 1
6. Bow
7. Pawnee, KS
8. 100.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc
1. 80–24070/K–79–1277
2. 15–0791–20317–0000
3. 103 000 000
4. Gould Oil Inc
5. Rilling No 1
6. (Un-named)
7. Harvey, KS
8. 30.0 million cubic feet
9. April 1, 1980
10. Peoples Nat Gas
1. 80–24071/K–79–1279
2. 15–079–20309–0000
3. 103 000 000
4. Gould Oil Inc
5. Krehbiel No 1
6. (Un-named)
7. Harvey, KS
8. 140.0 million cubic feet
9. April 1, 1980
10. Peoples Nat Gas
1. 80–24072/K–79–1280
2. 15–079–21353–0000
3. 103 000 000
4. Gould Oil Inc
5. Krehbiel B No 1
6. Harmac SE
7. Harvey, KS
8. 50.0 million cubic feet
9. April 1, 1980
10. Clover Pipeline Corp
1. 80–24073/K–79–1281
2. 15–113–20459–0000
3. 103 000 000
4. Gould Oil Inc
5. Vogt No 1
6.
7. McPherson, KS
8. 40.0 million cubic feet
9. April 1, 1980
10. Peoples Nat Gas
1. 80–24074/K–79–1282
2. 15–079–20379–0000
3. 103 000 000
4. Gould Oil Inc
5. Rilling B No 1
6.
7. Harvey, KS
8. 55.0 million cubic feet
9. April 1, 1980
10. Clover Pipeline Corp
1. 80–24075/K–79–1302
2. 15–129–20355–0000
3. 103 000 000
4. C Dale Stromquist
5. Montgomery 2–30–A
6. Pamona Council Grove
7. Morton, KS
8. 18.3 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipe Line Co
1. 80–24076/K–79–1320
2. 15–075–20238–0000
3. 102 000 000
4. W B Osborn Jr
5. Herrmann #2
6. Bradshaw
7. Hamilton, KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24077/K–79–1321
2. 15–047–20154–0000
3. 108 000 000
4. Rupe Oil Co Inc
5. Titus #1
6. Bordewicke
7. Edwards, KS
8. 7.3 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co
1. 80–24078/K–79–1322
2. 15–047–00000–0000
3. 108 000 000
4. Rupe Oil Co Inc
5. Newsom B #1
6. McClanahan East
7. Edwards, KS
8. 7.3 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24079/K–79–1323
2. 15–047–00000–0000
3. 108 000 000
4. Rupe Oil Co Inc
5. Newsom #1
6. McClanahan East
7. Edwards, KS
8. 12.1 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24080/K–79–1334
2. 15–189–20439–0000
3. 103 000 000
4. Mohawk Energy Corp
5. Robinson #1
6. Ski
7. Stevens, KS
8. 240.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipe Line Co
1. 80–24081/K–79–1347
2. 15–097–20525–0000
3. 102 000 000
4. Imperial Oil Co
5. Huck #1–18
6.
7. Kiowa, KS
8. 109.5 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24082/K–79–1351
2. 15–081–20160–0000
3. 103 000 000
4. Wallace Oil & Gas Inc
5. Longwood #1
6. Kansas Hugoton
7. Haskell, KS
8. 200.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80–24083/K–79–1384
2. 15–119–20301–0000
3. 102 000 000
4. Mesa Petroleum Co
5. Bender 1–22
6. Singley
7. Meade, KS
8. 90.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipe Line Co
1. 80–24084/K–79–1396
2. 15–035–22203–0000

3. 103 000 000
4. Silver Creek Production Co Inc
5. McCollum #2
6. Tisdale Gas Area
7. Cowley, KS
8. 45.6 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80-24085/K-79-1402
2. 15-151-20618-0000
3. 102 000 000
4. Texas Oil & Gas Corp
5. Mc Inteer #1
6. Brandt
7. Pratt, KS
8. 109.5 million cubic feet
9. April 1, 1980
10. Delhi Pipeline Corp

1. 80-24086/K-79-1403
2. 15-007-20692-0000
3. 103 000 000
4. Texas Oil & Gas Corp
5. Z-Bar Cattle Co #1
6. Aetna
7. Barber, KS
8. 80.3 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80-24087/K-79-1405
2. 15-151-20599-0000
3. 102 000 000
4. Texas Energies Inc
5. Cromer No 1
6. C SE SE Sec 8T27S R14W
7. Pratt KS
8. 100.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipeline Co

1. 80-24088/K-79-1407
2. 15-075-20243-0000
3. 103 000 000
4. Dome Petroleum Corp
5. Cheatum #3
6. Bradshaw
7. Hamilton KS
8. 36.5 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80-24089/K-79-1414
2. 15-145-20530-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Reiderer #1
6. Bryant SE
7. Pawnee KS
8. 15.1 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24009/K-79-1415
2. 15-145-20505-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Mary Kay Lipp #1
6. Bryant SE
7. Pawnee KS
8. 17.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24091/K-79-1416
2. 15-145-20476-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Bryant #1
6. Bryant SE
7. Pawnee KS
8. 84.1 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24092/K-79-1417
2. 15-145-20517-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Glenn Brynat #1
6. Bryant SE
7. Pawnee KS
8. 23.8 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24093/K-79-1418
2. 15-145-20427-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Bauer #1
6. Bryant SE
7. Pawnee KS
8. 20.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24094/K-79-1419
2. 15-145-20506-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Lipp-Strauss #1
6. Bryant SE
7. Pawnee KS
8. 38.9 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24095/K-79-1420
2. 15-145-20379-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Rozel Baptist Church #1-19
6. Bryant SE
7. Pawnee KS
8. 49.4 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24096/K-79-1421
2. 15-145-20507-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. L J Unruh #1
6. Bryant SE
7. Pawnee KS
8. 11.8 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24097/K-79-1422
2. 15-145-20488-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Steffen #1
6. Steffen South
7. Pawnee KS
8. 83.8 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24098/K-79-1428
2. 15-075-20246-0000
3. 103 000 000
4. W W Buchanan
5. Ewing No 1
6. Bradshaw
7. Hamilton KS
8. 34.8 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80-24099/K-79-1429
2. 15-047-20478-0000
3. 103 000 000
4. N Amer Drilling & Exploration Inc
5. Anderson #1
6. Wilde
7. Edwards KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipeline Co

1. 80-241100/K-79-1435
2. 15-075-20259-0000
3. 103 000 000
4. W W Buchanan
5. Hatcher Cattle Inc No 1
6. Bradshaw
7. Hamilton KS
8. 109.5 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80-241101/K-79-1442
2. 15-127-20085-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Carson #1-5
6. Wilde
7. Morris KS
8. 29.9 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-241102/K-79-1444
2. 15-127-20204-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Veal #3-30
6. Wilde
7. Morris KS
8. 15.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-241103/K-79-1445
2. 15-127-20231-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Sigle #2-16
6. Wilde
7. Morris KS
8. 17.9 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-241104/K-79-1448
2. 15-127-20178-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Wigle #1-7
6. Wilde
7. Morris KS
8. 16.8 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24105/K-79-1450
2. 15-127-20166-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Veal #1-31
6. Wilde
7. Morris KS
8. 15.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24106/K-79-1463
2. 15-033-20250-0000
3. 103 000 000
4. Mid-Continent Energy Corp
5. Box Ranch #1
6. Box Ranch #1

7. Comanche KS
8. 550.0 million cubic feet
9. April 1, 1980
10. Michigan-Wisconsin Pipe Line Co

1. 80-24107/K-79-1464
2. 15-145-20544-0000
3. 102 000 000
4. HInkle Oil Co
5. Gatterman #1
6. Gatterman—Sec 2723S-18W
7. Pawnee KS
8. 180.0 million cubic feet
9. April 1, 1980
10. Natural Gas Pipeline Co of America

1. 80-24108/K-79-1467
2. 15-007-21240-0000
3. 103 000 000
4. Perry Gas Companies Inc
5. City of Great Bend A#1
6.
7. Barton KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Kansas Power and Light Co

1. 80-24109/K-79-1468
2. 15-007-21139-0000
3. 103 000 000
4. Perry Gas Companies Inc
5. City of Great Bend #1
6.
7. Barton KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Kansas Power and Light Co

1. 80-24110/K-79-1476
2. 15-125-22152-0000
3. 103 000 000
4. Benson Minerals Group Inc
5. Cotner #4-29
6. Jefferson-Sycamore
7. Montgomery KS
8. 27.4 million cubic feet
9. April 1, 1980
10. Union Gas System Inc

1. 80-24111/K-79-1483
2. 15-127-20202-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Gant #2-14
6. Wilde
7. Morris KS
8. 3.7 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24112/K-79-1484
2. 15-127-20150-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Vanier #1-13
6. Wilde
7. Morris KS
8. 11.7 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24113/K-79-1486
2. 15-127-20107-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Anker #1-16
6. Wilde
7. Morris KS
8. 3.7 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24114/K-79-1487
2. 15-127-20209-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Veal #2—25
6. Wilde
7. Morris KS
8. 7.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24115/K-79-1488
2. 15-127-20186-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Gant #1-14
6. Wilde
7. Morris KS
8. 7.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24116/K-79-1489
2. 15-127-20189-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Graham #1-9
6. Wilde
7. Morris KS
8. 5.5 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24117/K-79-1490
2. 15-127-20210-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Veal #1-25
6. Wilde
7. Morris KS
8. 7.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24118/K-79-1491
2. 15-127-20108-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Anker #1-16 Twin
6. Wilde
7. Morris KS
8. 5.5 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24119/K-79-1492
2. 15-145-00000-0000
3. 108 000 000
4. Robert L. Austin
5. Garvin #2
6. Benson
7. Pawnee KS
8. 7.4 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80-24120/K-79-1493
2. 15-127-20169-0000
3. 102-000 000
4. Benson Minerals Group Inc
5. Shearer #1-15
6. Wilde
7. Morris KS
8. 16.4 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24121/K-79-1494
2. 15-127-20151-0000
3. 102 000 000
4. Benson Minerals Group Inc
5. Sheldon #1-8
6. Wilde
7. Morris KS
8. 3.7 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80-24122/K-79-1495
2. 15-189-20433-0000
3. 102 000 000
4. Anadarko Production Co
5. Crawford C No 1
6. Gentzler
7. Stevens KS
8. 184.0 million cubic feet
9. April 1, 1980
10. Northern Natrual Gas Co

1. 80-24123/K-79-1496
2. 15-175-20382-0000
3. 102 000 000
4. Anadarko Production Co
5. Bloom A No 1 Well
6. Adamson
7. Seward KS
8. 410.0 million cubic feet
9. April 1, 1980
10. Cimmarron-Quinque/Div Anadarko Prod

1. 80-24124/K-79-1497
2. 15-189-20448-0000
3. 103 000 000
4. Mobil Oil Corp
5. Bell-Ward Unit #2
6. Panoma
7. Stevens KS
8. .0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80-24125/K-79-1498
2. 15-189-20446-0000
3. 103 000 000
4. Mobil Oil Corp
5. H H Brownell Unit #2
6. Panoma
7. Stevens KS
8. 70.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80-24126/K-79-1501
2. 15-025-20194-0000
3. 103 000 000
4. Pickrell Drilling Co
5. Giles B #2
6. Granger Creek NW
7. Clark KS
8. 79.2 million cubic feet
9. April 1, 1980
10. The Kansas Power and Light Co

1. 80-24127/K-79-1502
2. 15-025-20164-0000
3. 103 000 000
4. Pickrell Drilling Co
5. Giles B #1
6. Granger Creek NW
7. Clark KS
8. 18.3 million cubic feet
9. April 1, 1980
10. The Kansas Power and Light Co

1. 80-24128/K-79-1503
2. 15-025-20239-0000
3. 103 000 000
4. Pickrell Drilling Co
5. Giles B #3
6. Granger Creek NW
7. Clark KS
8. 15.7 million cubic feet
9. April 1, 1980
10. The Kansas Power and Light Co

1. 80-24129/K-79-1504

2. 15–175–20321–0000
3. 103 000 000
4. Geo P Post DBA Post Petroleum Co
5. Light #1
6. Liberal Light
7. Seward KS
8. 146.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipeline Co

1. 80–24130/K–79–1505
2. 15–159–20782–0000
3. 103 000 000
4. Vincent Oil Corp
5. Eatinger #1
6. Chase-Silica
7. Rice KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Mapco Production Co

1. 80–24131/K–79–1507
2. 15–075–20271–0000
3. 102 000 000
4. W B Osborn Jr
5. Fred #1
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24132/K–79–1508
2. 15–093–20606–0000
3. 102 000 000
4. W B Osborn Jr
5. Wanda #1–A
6. Panoma
7. Kearny KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Colorado Interstate Gas Co

1. 80–24133/K–79–1509
2. 15–075–20277–0000
3. 102 000 000
4. W B Osborn Jr
5. Herrmann #3
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24134/K–79–1510
2. 15–093–20617–0000
3. 102 000 000
4. W B Osborn Jr
5. Hines #1–A
6. Panoma
7. Kearny KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Colorado Interstate Gas Co Northern Natural Gas Co

1. 80–24135/K–79–1511
2. 15–093–20610–0000
3. 103 000 000
4. W B Osborn Jr
5. Ray #1
6. Hugoton (Chase)
7. Kearny KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natrual Gas Co

1. 80–24136/K–79–1512
2. 15–075–20279–0000
3. 102 000 000
4. W B Osborn Jr
5. Roy #1
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24137/K–79–1513
2. 15–093–20616–0000
3. 102 000 000
4. W B Osborn Jr
5. Haberman 1–A
6. Panoma
7. Kearny KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Colorado Interstate Gas Co Northern Natural Gas Co

1. 80–24138/K–79–1514
2. 15–093–20262–0000
3. 103 000 000
4. W B Osborn Jr
5. Elston #1
6. Hugoton (Chase)
7. Kearny KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24139/K–79–1515
2. 15–075–20276–0000
3. 102 000 000
4. W B Osborn Jr
5. Moritz #1
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24140/K–79–1515
2. 15–075–20278–0000
3. 102 000 000
4. W B Osborn Jr
5. Sughrue #1
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24141/K–79–1518
2. 15–075–20260–0000
3. 102 000 000
4. W B Osborn Jr
5. Elmer #1
6. Bradshaw
7. Hamilton KS
8. 25.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co Northern Natural Gas Co

1. 80–24142/K–79–1520
2. 15–007–00000–0000
3. 108 000 000
4. Petroleum Inc
5. Hall Page #1
6. Driftwood
7. Barber KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24143/K–79–1521
2. 15–007–00000–0000
3. 108 000 000
4. Petroleum Inc
5. Hall F #1
6. Driftwood
7. Barber KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Co

1. 80–24144/K–79–1523
2. 15–007–00000–0000
3. 108 000 000
4. Petroleum Inc
5. Hall G #1
6. Driftwood
7. Barber KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24145/K–79–1524
2. 15–007–00000–0000
3. 108 000 000
4. Petroleum Inc
5. Donovan B #1
6. Driftwood
7. Barber KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24146/K–79–1525
2. 15–075–20081–0000
3. 108 000 000
4. Kansas Petroleum Inc
5. Brehm
6. Hugoton
7. Hamilton KS
8. 6.6 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24147/K–79–1526
2. 15–187–20156–0000
3. 108 000 000
4. Kansas Petroleum Inc
5. Holmes
6. Hugoton
7. Stanton KS
8. 10.4 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24148/K–79–1527
2. 15–145–20572–0000
3. 103 000 000
4. Zenith Drilling Corp
5. Corzine #1
6. Garfield
7. Pawnee KS
8. 72.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24149/K–79–1528
2. 15–035–00000–0000
3. 108 000 000
4. Dunne Equities Inc
5. Eastman #2
6. Eastman
7. Cawley KS
8. 14.4 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24150/K–79–1530
2. 15–165–00000–0000
3. 108 000 000
4. George A Angle
5. Lippert A #2
6. Reichel
7. Rush KS
8. 5.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24151/K–79–1531
2. 15–165–00000–0000

3. 108 000 000
4. George A Angle
5. Torry #2
6. Reichel
7. Rush KS
8. 12.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24152/K–79–1532
2. 15–145–20543–0000
3. 103 000 000
4. Zenith Drilling Corp
5. Greene #1
6. Garfield Ext
7. Pawnee KS
8. 54.8 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24153/K–79–1538
2. 15–175–00000–0000
3. 103 000 000
4. R J Patrick Operating Co
5. Mildred Lemert #2
6. Hugoton
7. Seward KS
8. 30.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24154/K–79–1539
2. 15–095–00000–0000
3. 108 000 000
4. Vulcan Materials Co
5. Endicott No 1
6. Wildcat
7. Kingman KS
8. 11.6 million cubic feet
9. April 1, 1980
10. Kansas Gas Supply Corp

1. 80–24155/K–79–1541
2. 15–097–20529–0000
3. 103 000 000
4. Imperial Oil Co
5. Harper #1–3
6. Wildcat
7. Kiowa KS
8. 146.0 million cubic feet
9. April 1, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–24156/K–79–1542
2. 15–111–20267–0000
3. 102 000 000
4. Joseph J Wendling
5. Claudia Mayes #1
6. Wildcat
7. Lyon KS
8. 365.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24157/K–79–1543
2. 15–047–20511–0000
3. 103 000 000
4. Zenith Drilling Corp
5. Johnson B–3
6. Wil
7. Edwards
8. 73.0 million cubic feet
9. April 1, 1980
10 Northern Natural Gas Co

1. 80–24158/K–79–1544
2. 15–047–20389–0000
3. 103 000 000
4. Zenith Drilling Corp
5. Johnson B–2
6. Wil
7. Edwards KS
8. 54.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24159/K–79–1545
2. 15–007–20720–0000
3. 103 000 000
4. Texas Oil & Gas Corp
5. Z–Bar Cattle Co #2
6. Aetna
7. Barber KS
8. 94.0 million cubic feet
9. April 1, 1980
10. Cities Service Gas Co

1. 80–24160/K–79–1547
2. 15–095–20815–0000
3. 103 000 000
4. Monsanto Co
5. Maudill No 4
6. Spivey Grabbs
7. Kingman KS
8. 398.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24161/K–79–1548
2. 15–095–20764–0000
3. 103 000 000
4. Monsanto Co
5. Maudill No 3
6. Spivey Grabbs
7. Kingman KS
8. 1073.0 million cubic feet
9. April 1, 1980
10. Peoples Natural Gas Co

1. 80–24162/K–79–1549
2. 15–175–20101–0000
3. 108 000 000
4. Yucca Petroleum Co
5. Lemert No 1
6. Lemert
7. Seward KS
8. 8.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24163/K–79–1551
2. 15–115–00000–0000
3. 108 000 000
4. Cleo Herman
5. Suitak
6. Lost Springs Antelope
7. Marion KS
8. .0 million cubic feet
9. April 1, 1980
10. Clover Pipeline Corp

1. 80–24164/K–79–1556
2. 15–145–20585–0000
3. 102 000 000
4. Sterling Drilling Co
5. Miller C 1–33
6. Carpenter
7. Pawnee KS
8. 80.0 million cubic feet
9. April 1, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–24165/K–79–1557
2. 15–175–20400–0000
3. 102 000 000
4. Anadarko Production Co
5. Underwood A–1
6. Adamson
7. Seward KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Cimaron Quinque/Div Anadarko Produc

1. 80–24166/K–79–1558
2. 15–059–20715–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Bowman #2
6. Pomona
7. Franklin KS
8. 12.6 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24167/K–79–1559
2. 15–059–20676–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Bowman #1
6. Pomona
7. Franklin KS
8. 12.6 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24168/K–79–1560
2. 15–059–20717–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Parks #1
6. Pomona
7. Franklin KS
8. 35.0 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24169/K–79–1561
2. 15–059–20612–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Eichenberger #1
6. Pomona
7. Franklin KS
8. 33.0 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24170/K–79–1562
2. 15–059–20718–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Vickers #1
6. Pomona
7. Franklin KS
8. 12.6 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24171/K–79–1563
2. 15–059–20716–0000
3. 102 000 000
4. Glacier Petroleum Co Inc
5. Hudelson #1
6. Pomona
7. Franklin KS
8. 8.0 million cubic feet
9. April 1, 1980
10. Franklin Pipeline Inc
Cities Service Gas Co

1. 80–24172/K–79–1564
2. 15–145–20604–0000
3. 103 000 000
4. Zenith Drilling Corp
5. Meckfessel #1
6. Garfield Extension
7. Pawnee KS
8. 54.0 million cubic feet
9. April 1, 1980
10. Kansas–Nebraska Natural Gas Co

1. 80-24173/K-79-1565
2. 15-025-20281-0000
3. 102 000 000
4. George R Jones
5. McCaustland No 1
6. Granger Creek Northeast
7. Clark KS
8. 180.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80-24174/K-79-1567
2. 15-019-21083-0000
3. 102 000 000
4. Petroleum Enterprises
5. Flora Julian #1
6. Oliver
7. Chautauqua KS
8. 27.0 million cubic feet
9. April 1, 1980
10. Gas Associated Systems Inc Colonial Corp

1. 80-24175/K-79-1568
2. 15-019-21088-0000
3. 102 000 000
4. Ramoil Co
5. Glasscock No 1
6. Oliver
7. Chautauqua KS
8. 91.3 million cubic feet
9. April 1, 1980
10. Gas Associatd Systems Inc

1. 80-24176/K-79-1569
2. 15-019-20930-0000
3. 102 000 000
4. Petroleum Enterprises
5. Oliver B #1
6. Oliver
7. Chautauqua KS
8. 3.7 million cubic feet
9. April 1, 1980
10. Gas Associated Systems Inc

1. 80-24177/K-79-1570
2. 15-019-21015-0000
3. 102 000 000
4. Ramoil Co
5. Jeanneret #1
6. Oliver
7. Chautauqua KS
8. .0 million cubic feet
9. April 1, 1980
10. Gas Assoicated Systems Inc

1. 80-24178/K-79-1571
2. 15-019-20967-0000
3. 102 000 000
4. Ramoil Co
5. Rogers #1
6. Oliver
7. Chautauqua KS
8. 365.0 million cubic feet
9. April 1, 1980
10. Gas Associated Systems Inc

1. 80-24179/K-79-1572
2. 15-035-22151-0000
3. 102 000 000
4. Petroleum Enterprises
5. McFarland No 1
6. Posey
7. Cowley KS
8. 180.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24180/K-79-1573
2. 15-035-22162-0000
3. 102 000 000
4. Petroleum Enterprises
5. Mable No 1
6. Posey
7. Cowley KS
8. 540.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24181/K-79-1575
2. 15-035-22225-0000
3. 102 000 000
4. Petroleum Enterprises
5. Chapin #2
6. Posey
7. Cowley KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24182/K-79-1576
2. 15-035-22246-0000
3. 102 000 000
4. Petroleum Enterprises
5. County Landfill #1
6. Posey
7. Cowley KS
8. 360.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24183/K-79-1577
2. 15-035-22152-0000
3. 102 000 000
4. Petroleum Enterprises
5. Richardson No 1
6. Posey
7. Cowley KS
8. 360.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24184/K-79-1578
2. 15-035-22153-0000
3. 102 000 000
4. Petroleum Enterprises
5. Richardson No 2
6. Posey
7. Cowley KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24185/K-79-1579
2. 15-035-22155-0000
3. 102 000 000
4. Petroleum Enterprises
5. Bogner No 1
6. Posey
7. Cowley KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24186/K-79-1580
2. 15-035-22161-0000
3. 102 000 000
4. Petroleum Enterprises
5. Bogner No 2
6. Posey
7. Cowley KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24187/K-79-1581
2. 15-035-22251-0000
3. 102 000 000
4. Petroleum nterprises
5. Bogner B #1
6. Posey
7. Cowley KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24188/K-79-1582
2. 15-035-22154-0000
3. 102 000 000
4. Petroleum Enterprises
5. Richardson B #1
6. Posey
7. Cowley KS
8. 360.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24189/K-79-1583
2. 15-035-22226-0000
3. 102 000 000
4. Petroleum Enterprises
5. Richardson B #2
6. Posey Gas
7. Cowley KS
8. 540.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24190/K-79-1584
2. 15-035-22148-0000
3. 102 000 000
4. Petroleum Enterprises
5. Collinson A No 5
6. Posey
7. Cowley, KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24191/K-79-1585
2. 15-035-22149-0000
3. 102 000 000
4. Petroleum Enterprises
5. Collinson C #1
6. Posey
7. Cowley KS
8. 360.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24192/K-79-1586
2. 15-035-22150-0000
3. 102 000 000
4. Petroleum Enterprises
5. Collinson C #2
6. Posey
7. Cowley KS
8. 270.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. 80-24193/K-79-1587
2. 15-035-22160-0000
3. 102 000 000
4. Petroleum Enterprises
5. Collinson D No 1
6. Posey
7. Cowley KS
8. 36.0 million cubic feet
9. April 1, 1980
10. Colonial Corp

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-24194/2-80-66
2. 25-091-21264-0000
3. 102 000 000

4. Mosbacher Production Co
5. Josie Larsh 14–1
6.
7. Sheridan MT
8. 112.0 million cubic feet
9. April 1, 1980
10.

1. 80–24195/2–80–70
2. 25–083–21244–0000
3. 102 000 000
4. Shell Oil Co
5. Bakken-Larson 24–2
6. Crane
7. Richland MT
8. 31.0 million cubic feet
9. April 1, 1980
10. Montana-Dakota Utilities Co

1. 80–24196/2–80–71
2. 25–083–21305–0000
3. 102 000 000
4. Farmers Union Central Exchange Inc
5. Cundiff 8–22R
6. Vaux
7. Richland MT
8. 6.0 million cubic feet
9. April 1, 1980
10. Montana Dakota Utilities Co

1. 80–24197/2–80–72
2. 25–083–21240–0000
3. 102 000 000
4. Farmers Union Central Exchange Inc
5. Sunwall 15–15
6. Vaux
7. Richland MT
8. 12.0 million cubic feet
9. April 1, 1980
10. Montana Dakota Utilities Co

1. 80–24198/2–80–73
2. 25–083–21180–0000
3. 102 000 000
4. Farmers Union Central Exchange Inc
5. Simard 10–27
6. Vaux
7. Richland MT
8. 36.0 million cubic feet
9. April 1, 1980
10. Montana Dakota Utilities Co

1. 80–24199/2–80–74
2. 25–083–21218–0000
3. 102 000 000
4. Farmers Union Central Exchange Inc
5. Larson 15–21
6. Vaux
7. Richland MT
8. 10.0 million cubic feet
9. April 1, 1980
10. Montana Dakota Utilities Co

1. 80–24200/3–80–75
2. 25–101–21872–0000
3. 103 000 000
4. Texas Oil & Gas Corp
5. Eide #1
6. Strawberry Creek
7. Toole MT
8. 150.0 million cubic feet
9. April 1, 1980
10.

1. 80–24201/3–80–77
2. 25–005–22009–0000
3. 102 000 000
4. Tricentrol United States Inc
5. State 1–9–32–18
6. Tiger Ridge
7. Blaine MT
8. 365.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24202/3–80–78
2. 25–085–21177–0000
3. 102 000 000
4. Gulf Oil Corporation
5. Bessy Crusch 1–10
6. Undesignated
7. Roosevelt MT
8. 74.0 million cubic feet
9. April 1, 1980
10.

1. 80–24203/3–80–79
2. 25–015–21510–0000
3. 103 000 000
4. Tricentrol United States Inc
5. McBride 33–6–T26N–R17E
6. Sherard
7. Chouteau, MT
8. 30.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24204/3–80–80
2. 25–005–22098–0000
3. 102 000 000
4. Tricentrol United States Inc
5. Aarstad 14–16–T26N–R18E
6. Sherard
7. Blaine, MT
8. 100.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

1. 80–24205/3–80–84
2. 25–005–22097–0000
3. 102 000 000
4. Tricentrol United States Inc
5. Jacobson 13–7–T26N–R18E
6. Sherard,
7. Blaine County, MT
8. 120.0 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co

New Mexico Department of Energy and Minerals, Oil Conservation Division

1. Control Number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–24206
2. 30–025–26493–0000
3. 103 000 000
4. W C Blanks
5. Pennzoil #1
6. NE Lovington Penn
7. Lea, NM
8. 136.0 million cubic feet
9. April 1, 1980
10. Phillips Petroleum Co

1. 80–24207
2. 30–025–00000–0000
3. 108 000 000
4. Trio Oil Co
5. Persons No 2
6. Eumont
7. Lea NM
8. 5.4 million cubic feet
9. April 1, 1980
10. Warren Petroleum Co

1. 80–24208
2. 30–015–20336–0000
3. 108 000 000
4. Cities Service Co
5. Strackbein A #1
6. Carlsbad South-Morrow Gas
7. Eddy NM
8. 8.6 million cubic feet
9. April 1, 1980
10. Transwestern Pipeline Co

1. 80–24209
2. 30–025–26349–0000
3. 103 000 000
4. Moran Exploration Inc
5. Gann No 1
6.
7. Lea NM
8. .0 million cubic feet
9. April 1, 1980
10.

Utah Division of Oil, Gas, and Mining

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–24256/K–118–1
2. 43–047–30544–0000
3. 103 000 000
4. Enserch Exploration Inc
5. Lookout Point State No 1–16
6. Bonanza
7. Uintah, UT
8. 144.0 million cubic feet
9. April 1, 1980
10. Natural Gas Pipeline Co of America

1. 80–24257/K–119–1
2. 43–019–15100–0000
3. 108 000 000
4. William G Bush
5. Bush-FEE 8–1
6. Cisco Dome-Section 8—T20S–R24E
7. Grand UT
8. 60.0 million cubic feet
9. April 1, 1980
10. Northwest Pipeline

West Virginia Department of Mines, Oil and Gas Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–24210
2. 47–097–01124–0000
3. 108 000 000
4. Micoa Inc
5. Smallwood No 1
6. Buckhannon-Century
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission

1. 80–24211

2. 47-097-01091-0000
3. 108 000 000
4. Micoa Inc
5. Reed No 1
6. Buckhannon-Century
7. Upshur WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission

1. 80-24212
2. 47-097-01104-0000
3. 108 000 000
4. Micoa Inc
5. Wilfong No 1
6. Buckhannon-Century
7. Upshur WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission

1. 80-24213
2. 47-007-00673-0000
3. 108 000 000
4. Micoa Inc
5. L O Thomas No 1
6. Aspinall-Finster
7. Braxton WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24214
2. 47-007-00706-0000
3. 108 000 000
4. Micoa Inc
5. Marple No 1
6. Aspinall-Finster
7. Braxton WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24215
2. 47-007-00707-0000
3. 108 000 000
4. Micoa Inc
5. Robinson No 1
6. Aspinall-Finster
7. Braxton WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24216
2. 47-007-00718-0000
3. 108 000 000
4. Micoa Inc
5. Marple No 2
6. Aspinall-Finster
7. Braxton WV
8. .0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24217
2. 47-107-00563-0000
3. 108 000 000
4. B & L Oil Company
5. S J Willard No 1 WOO 563 62A
6. Vienna WV
7. Williams District WOWV
8. 8.5 million cubic feet
9. April 1, 1980
10. Gas Transport Inc

1. 80-24218
2. 47-021-01379-0000
3. 108 000 000
4. B & L Oil Company
5. H Talbott Gil 1379 30A
6. Troy
7. Gilmer Co Troy Distr WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24219
2. 47-021-01437-0000
3. 108 000 000
4. B & L Oil Company
5. C W Talbott Gil 1437 56A
6. Troy
7. Gilmer Co Troy Distr WV
8. 3.8 million cubic feet
9. April 1, 1980
10. Equitable Gas

1. 80-24220
2. 47-035-01254-0000
3. 108 000 000
4. B & L Oil Company
5. T I Hartley #4 Jac 1254 234A
6. Liverpool
7. Ravenswood District WV
8. .9 million cubic feet
9. April 1, 1980
10. Pennzoil Company

1. 80-24221
2. 47-107-00551-0000
3. 108 000 000
4. B & L Oil Company
5. H E Way No 1 WOO 551 80A
6. Vienna WV
7. Williams District WO WV
8. 2.3 million cubic feet
9. April 1, 1980
10. Gas Transport Inc

1. 80-24222
2. 47-085-03034-DD00
3. 108 000 000
4. Central Gas Co
5. F P Pribble #1
6. MacFarlan
7. Ritchie WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24223
2. 47-097-00746-0000
3. 108 000 000
4. Oilco Inc
5. Tracy Phillips #1
6. Washington District
7. Upshur WV
8. 6.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-24224
2. 47-041-00734-0000
3. 108 000 000
4. Lewis County Oil & Gas Ventures
5. Albert Jewell #3 (610)
6. Skin Creek District
7. Lewis WV
8. 2.6 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24225
2. 47-041-01490-0000
3. 108 000 000
4. Lewis County Oil & Gas Ventures
5. J G Corathers #1 (616)
6. Skin Creek District
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-2422
2. 47-041-00708-0000
3. 108 000 000
4. Lewis County Oil & Gas Ventures
5. P B Gould #1 (609)
6. Skin Creek District
7. Lewis WV
8. 8.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24227
2. 47-041-00412-0000
3. 108 000 000
4. Lewis County Oil & Gas Ventures
5. W H Warren 601
6. Skin Creek District
7. Lewis WV
8. .1 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24228
2. 47-041-00547-0000
3. 108 000 000
4. Lewis County Oil & Gas Ventures
5. Albert Jewell #1 (604)
6. Skin Creek District
7. Lewis WV
8. 4.1 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-24229
2. 47-013-02141-0000
3. 108 000 000
4. Dye Oil & Gas Company
5. Dye #1
6. Smithville
7. Ritchie-Calhoun WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24230
2. 47-041-02434-0000
3. 108 000 000
4. Pennzoil Company
5. Copley Heirs #6
6. Courthouse
7. Lewis WV
8. 2.4 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24231
2. 47-041-02452-0000
3. 108 000 000
4. Pennzoil Company
5. Mullady-Parr #1
6. Courthouse
7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24232
2. 47-041-02499-0000
3. 108 000 000
4. Pennzoil Company
5. J W Cox #5
6. Courthouse
7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-24233
2. 47-041-02494-0000
3. 108 000 000
4. Pennzoil Company
5. Ora Bailey #2
6. Courthouse

7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24234
2. 47–041–02506–0000
3. 108 000 000
4. Pennzoil Company
5. Evan Keyser No 1
6. Freemans Creek
7. Lewis WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24235
2. 47–021–03360–0000
3. 108 000 000
4. Pennzoil Company
5. Mary E Lynch #2
6. Glenville District
7. Gilmer WV
8. 2.5 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80–24236
2. 47–041–00634–0000
3. 108 000 000
4. Don B Cayton
5. Snider #1
6. Freemansburg
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24247
2. 47–085–03418–DD00
3. 108 000 000
4. Central Gas Co
5. Wilson #16
6. MacFarlan
7. Ritchie WV
8. 1.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24238
2. 47–085–03361–DD00
3. 108 000 000
4. Central Gas Co
5. J Fury Heirs #3
6. MacFarlan
7. Ritchie WV
8. 1.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24239
2. 47–085–03357–DD00
3. 108 000 000
4. Central Gas Company
5. McGuire #1
6. MacFarlan
7. Ritchie, WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24240
2. 47–085–03341–DD00
3. 108 000 000
4. Central Gas Company
5. F B Pribble #5
6. MacFarlan
7. Ritchie, WV
8. 2.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24241
2. 47–085–03340–DD00
3. 108 000 000
4. Central Gas Company
5. J F Lemon #3
6. MacFarlan
7. Ritchie, WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24242
2. 47–085–03332–DD00
3. 108 000 000
4. Central Gas Company
5. J F Lemon #1
6. MacFarlan
7. Ritchie, WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24243
2. 47–021–00977–DD00
3. 108 000 000
4. Haught Drilling Company
5. Haught Drilling Co Bush #1
6. Glenville
7. Gilmer WV
8. 3.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24244
2. 47–085–01867–0000
3. 108 000 000
4. King Oil & Gas Company
5. King #1
6. Smithville
7. Ritchie WV
8. 6.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24245
2. 47–085–02820–0000
3. 108 000 000
4. Ferrell Oil & Gas Co
5. Ferrell #1
6. Smithville
7. Ritchie WV
8. 2.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24246
2. 47–097–00695–0000
3. 108 000 000
4. Oilco Inc
5. Roy Hornbeck #1
6. Washington District
7. Upshur WV
8. 7.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80–24247
2. 47–067–20473–0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Frances Johnson #1
6. Jefferson
7. Nicholas WV
8. 250.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80–24248
2. 47–067–20469–0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. M K Malcolm #1
6. Grant
7. Nicholas WV
8. 188.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80–24249
2. 47–015–21229–0000
3. 108 000 000
4. Appalachian Exploration & Devel Inc
5. Pauline Foglesong A–1
6. Pleasant
7. Clay, WV
8. 19.8 million cubic feet
9. April 1, 1980
10. Cabot Corp

1. 80–24250
2. 47–015–21230–0000
3. 108 000 000
4. Appalachian Exploration & Devel Inc
5. Pauline Foglesong #1
6. Pleasant
7. Clay, WV
8. 17.7 million cubic feet
9. April 1, 1980
10. Cabot Corp

1. 80–24251
2. 47–067–20470–0000
3. 102 000 000
4. Appalachian Exploration & Devel Inc
5. Rutledge Gas Unit #1
6. Grant
7. Nicholas WV
8. 210.8 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80–24252
2. 47–039–22654–0000
3. 108 000 000
4. Appalacahian Exploration & Devel Inc
5. Kanawha Hocking A–1
6. Cabin Creek
7. Kanawha WV
8. 17.2 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80–24253
2. 47–041–02501–0000
3. 108 000 000
4. Pennzoil Co
5. J W Cox #9
6. Courthouse
7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24254
2. 47–041–02409–0000
3. 108 000 000
4. Pennzoil Co
5. T R Reynolds #13
6. Courthouse
7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80–24255
2. 47–041–02428–0000
3. 108 000 000
4. Pennzoil Co
5. M M Sommers #4
6. Courthouse
7. Lewis WV
8. .3 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. Control number (FERC/State)

2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated Annual volume
9. Date received annual volume
10. Purchaser(s)

1. 80-24258/G9-1087
2. 17-703-40140-0000-2
3. 102-000-000
4. Sonat Exploration Co
5. G-3287 Well No A-4D
6. East Cameron
7. 45
8. 1825.0 million cubic feet
9. April 1, 1980
10. Southern Natural Gas Co

1. 80-24259/G9-1086
2. 17-703-40140-0000-1
3. 102-000-000
4. Sonat Exploration Co
5. G-3287 Well No A-4
6. East Cameron
7. 45
8. 51.0 million cubic feet
9. April 1, 1980
10. Southern Natural Gas Co

U.S. Geological Survey, Casper, Wyo.

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-24270/001213-9
2. 05-077-08174-0000-0
3. 102 000 000
4. Norris Oil Co
5. Federal 25-1
6. Shire Gulch
7. Mesa CO
8. 70.0 million cubic feet
9. April 1, 1980
10. Rocky Mountain Natural Gas Co Inc

1. 80-24272/001218-9
2. 05-045-06190-0000-0
3. 103 000 000
4. Walter S. Fees Jr
5. Govt #1-4
6. Bridle Field
7. Garfield CO
8. 73.0 million cubic feet
9. April 1, 1980
10. Northwest Pipeline Corp.

1. 80-24264/M1200-9
2. 25-071-21673-0000-0
3. 103 000 000
4. Montana-Dakota Utilities Co
5. MDU 965 Stapp-Federal
6. Ashlfield
7. Phillips MT
8. 55.0 million cubic feet
9. April 1, 1980
10. Montana-Dakota Utilities Co

1. 80-24271/M1214-9
2. 25-071-21629-0000-0
3. 103 000 000
4. Falcon-Colorado Exploration Inc
5. Federal 1-19
6. Bowdoin
7. Phillips MT
8. 8.9 million cubic feet
9. April 1, 1980
10. Montana-Dakota Utilities Co

1. 80-24265/UC1203-9
2. 43-019-30471-0000-0
3. 103 000 000
4. Palmer Oil & Gas Co
5. Federal #17-9
6. San Arroyo
7. Grand UT
8. 219.0 million cubic feet
9. April 1, 1980
10.

1. 80-24266/UC1204-9
2. 43-019-30506-0000-0
3. 103 000 000
4. Palmer Oil & Gas Co
5. Federal #5-9
6. San Arroyo
7. Grand UT
8. 95.0 million cubic feet
9. April 1, 1980
10. Southwest Gas Corp

1. 80-24267/UC1205-9
2. 43-019-30499-0000-0
3. 103 000 000
4. Palmer Oil & Gas Co
5. Federal #8-5
6. Bar-X
7. Grand UT
8. 550.0 million cubic feet
9. April 1, 1980
10. Southwest Gas Corp

1. 80-24268/UC1206-9
2. 43-019-30463-0000-0
3. 103 000 000
4. Palmer Oil & Gas Co
5. Federal #3-15
6. Bryson Canyon
7. Grand UT
8. 730.0 million cubic feet
9. April 1, 1980
10. Southwest Gas Corp

1. 80-24260/W 685-9
2. 49-03720152—0000-0
3. 108 000 000
4. Santa Fe Energy Co
5. Canyon Creek 2-19
6. Canyon Creek (Post Lewis)
7. Sweetwater WY
8. 1.0 million cubic feet
9. April 1, 1980
10. Colorado Interstate Gas Co

1. 80-24261/W1117-9
2. 49-035-20512-0000-0
3. 103 000 000
4. Energetics Inc
5. Federal 10-29
6. Bird Canyon
7. Sublette WY
8. 17.7 million cubic feet
9. April 1, 1980
10. Northwest Pipeline Corp

1. 80-24262/W-1118-9
2. 49-035-20506-0000-0
3. 103 000 000
4. Energetics Inc
5. Federal 40-30
6. Bird Canyon
7. Sublette WY
8. .7 million cubic feet
9. April 1, 1980
10. Northwest Pipeline Corp

1. 80-24263/W 1173-9
2. 49-03721144—0000-0
3. 102 000 000
4. Michigan Wisconsin Pipe Line Co
5. Red Desert #1-33
6. Red Desert
7. Sweetwater WY
8. 150.0 million cubic feet
9. April 1, 1980
10. Michigan Wisconsin Pipeline Co Colorado Interstate Gas Co

1. 80-24269/W 1212-9
2. 49-03721018—0000-0
3. 102 000 000
4. Davis Oil Co
5. Hay Reservoir No 10
6. Hay Reservoir
7. Sweetwater WY
8. 26.0 million cubic feet
9. April 1, 1980
10. Colorado Interstate Gas Co

1. 80-24273/W 1223-9
2. 49-035-20474-0000-0
3. 103 000 000
4. Belco Petroleum Corp
5. GRBU 57-6 20474
6. Green River Bend Unit
7. Sublette WY
8. 100.0 million cubic feet
9. April 1, 1980
10. Northwest Pipeline Corp

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 8, 1980.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-12398 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-85-M

[No. 176]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued April 17, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

North Dakota Geological Survey

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–21534/211
2. 33–025–00073–0000
3. 102 000 000
4. Amoco Production Co
5. William C Lubke #1
6. Rattlesnake Point
7. Dunn, ND
8. 145.9 million cubic feet
9. March 7, 1980
10. Montana-Dakota Utilities Co

1. 80–21535/210
2. 33–025–00128–0000
3. 102 000 000
4. Amoco Production Co
5. Kelling Unit #1
6. Rattlesnake Point
7. Dunn, ND
8. 14.6 million cubic feet
9. March 7, 1980
10. Montana-Dakota Utilities Co

1. 80–21881/212
2. 33–053–00827–0000
3. 102 000 000
4. Shell Oil Co
5. Mitten 12–10
6. Poker Jim
7. McKenzie, ND
8. 9.0 million cubic feet
9. March 21, 1980
10. Montana-Dakota Utilities Co

1. 80–21882/213
2. 33–053–00786–0000
3. 102 000 000
4. Brownlie Wallace Armstrong and Band
5. BN #1
6. Bennie Pierre
7. McKenzie, ND
8. 7.5 million cubic feet
9. March 21, 1980
10. Montana-Dakota Utilities Co

Oklahoma Corporation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–21385/00798
2. 35–107–00000–0000
3. 108 000 000
4. Vab Inc
5. Mahair No 1B
6. Section 7–1ON–12E
7. Okfuskee, OK
8. 7.7 million cubic feet
9. March 20, 1980
10. Phillips Petroleum Co

1. 80–21386/00218
2. 35–059–20685–0000
3. 103 000 000
4. Samson Resources Co
5. Laverne State No 3
6. Mocane-Laverne
7. Harper, OK
8. 183.0 million cubic feet
9. March 20, 1980
10. Colorado Interstate Gas Co

1. 80–21387/01313
2. 35–007–36008–0000
3. 108 000 000
4. J M Huber Corp
5. Carrier No 1
6. Mocane
7. Beaver, OK
8. 18.3 million cubic feet
9. March 20, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21388/01319
2. 35–007–36572–0000
3. 108 000 000
4. J M Huber Corp
5. Zielke No 1
6. Light
7. Beaver, OK
8. 14.6 million cubic feet
9. March 20, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21389/01588
2. 35–129–20034–0000
3. 108 000 000
4. Texas Oil & Gas Corp
5. McKean #1
6. Durham
7. Roger Mills, OK
8. 12.9 million cubic feet
9. March 20, 1980
10. Delhi Gas Pipeline Co

1. 80–21390/02035
2. 35–007–21454–0000
3. 103 000 000
4. Follett Operating Co
5. Hardison #1 00754919
6. Mocane-Laverne
7. Beaver, OK
8. 73.9 million cubic feet
9. March 20, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21391/02272
2. 35–139–21018–0000
3. 103 000 000
4. Argonaut Energy Corp
5. Treece #1
6. S W Rice
7. Texas, OK
8. 21.6 million cubic feet
9. March 20, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21392/02221
2. 35–153–00000–0000
3. 103 000 000
4. Kennedy & Mitchell Inc
5. Gates #13–103
6. Quinlan NW Chester (C SW 5–22N–17W)
7. Woodward County, OK
8. 12.0 million cubic feet
9. March 20, 1980
10. Northern Natural Gas Co

1. 80–21393/01981
2. 35–151–00000–0000
3. 108 000 000
4. Henry H. Gungoll Assoc
5. McMurphy #1—27
6. Northeast Farray
7. Woods, OK
8. 15.0 million cubic feet
9. March 20, 1980
10. Producers Gas Co

1. 80–21394/01217
2. 35–059–35297–0000
3. 108 000 000
4. Amoco Production Co
5. State of Okla Gas Unit W #1
6. Mocane-Laverne
7. Harper, OK
8. 14.0 million cubic feet
9. March 20, 1980
10. Michigan Wisconsin Pipeline Co

1. 80–21395/05582
2. 35–051–20836–0000
3. 107 000 000
4. Harper Oil Company
5. Hill #1
6. Wildcat
7. Grady, OK
8. 1277.0 million cubic feet
9. March 20, 1980
10.

1. 80–21396/02460
2. 35–045–20678–0000
3. 103 000 000
4. AN-SON Corp
5. Berryman #1–13
6. Berryman #1–13
7. Ellis County, OK
8. 255.5 million cubic feet
9. March 20, 1980
10. Panhandle Eastern Pipeline

1. 80–21397/02499
2. 35–059–20755–0000
3. 103 000 000
4. French & Walker Inc
5. U S A N 1
6. Northwest Ft Supply
7. Harper Country, OK
8. 180.0 million cubic feet
9. March 20, 1980
10. Delhi Gas Pipeline Corp

1. 80–21398/02459
2. 35–017–21026–0000
3. 103 000 000
4. Phillips Petroleum Co
5. Griffin–D #1
6. N Yukon
7. Canadian, OK
8. 110.0 million cubic feet
9. March 20, 1980
10.

1. 80–21399/01007
2. 35–007–21343–0000
3. 103 000 000
4. ARCO Oil and Gas Co
5. Maple (Sec 25) Unit #2
6. Mocane
7. Beaver, OK
8. 182.5 million cubic feet
9. March 20, 1980
10. Colorado Interstate Gas Co

1. 80–21400/01348
2. 35–079–20269–0000
3. 103 000 000
4. Reserve Oil Inc
5. S J Ray 10–1
6. Kinta
7. Leflore, OK
8. 230.0 million cubic feet
9. March 20, 1980
10. Arkansas Louisiana Gas Co

1. 80–21401/01288

2. 35–007–00000–0000
3. 108 000 000
4. Cactus Oil Co
5. Oklahoma State F 1
6. S W Elmwood
7. Beaver, OK
8. .0 million cubic feet
9. March 20, 1980
10. Phillips Petroleum Co

1. 80–21402/01977
2. 35–059–35107–0000
3. 108 000 000
4. Kaiser Francis Oil Co
5. Carlisle Gas Unit #1
6. Mocane Laverne
7. Harper, OK
8. 1.5 million cubic feet
9. March 20, 1980
10. Michigan Wisconsin Pipeline Co

1. 80–21403/02462
2. 35–093–35782–0000
3. 108 000 000
4. Kaiser Francis Oil Co
5. McFadden 1–11
6. Chaney Dell
7. Major, OK
8. 19.0 million cubic feet
9. March 20, 1980
10. Union Texas Petroleum Co

1. 80–21404/02463
2. 35–093–14800–0000
3. 108 000 000
4. Kaiser Francis Oil Company
5. J P Koehn 1–31
6. Ringwood
7. Major OK
8. 7.0 million cubic feet
9. March 20, 1980
10. Union Texas Petroleum Co

1. 80–21405/02464
2. 35–093–00000–0000
3. 108 000 000
4. Kaiser-Francis Oil Co
5. Marsh 1–31
6. North Meno
7. Major OK
8. 6.0 million cubic feet
9. March 20, 1980
10. Union Texas Petroleum Co

1. 80–21406/02450
2. 35–083–00000–0000
3. 108 000 000
4. Okmar Oil Company
5. McDaniels #1
6. Lovan Pool
7. Logan OK
8. 18.0 million cubic feet
9. March 20, 1980
10. Eason Oil Company

1. 80–21407/02446
2. 35–053–00000–0000
3. 108 000 000
4. Viersen & Cochran
5. Lacy A #1
6. Cherokita
7. Grant OK
8. 15.0 million cubic feet
9. March 20, 1980
10. Cities Service Gas Co

1. 80–21408/02452
2. 35–007–00000–0000
3. 108 000 000
4. Getty Oil Co
5. Thomas Wilson No 1
6. Camrick
7. Beaver OK
8. 12.0 million cubic feet
9. March 20, 1980
10. Northern Natural Gas Co

1. 80–21675/02031
2. 35–007–21064–0000
3. 108 000 000
4. John P Castleman Jr
5. Castleman-Posl No 1
6. Greenough
7. Beaver OK
8. 11.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipline Co

1. 80–21676/02030
2. 35–007–21151–0000
3. 108 000 000
4. John P Castelman Jr
5. Castleman-Becker No 1
6. Greenough
7. Beaver OK
8. 10.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21677/02020
2. 35–139–20819–0000
3. 108 000 000
4. H & L Operating Co
5. Quilty #1 139–50093
6. Guymon-Hugoton
7. Texas OK
8. 6.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21678/02016
2. 35–007–21253–0000
3. 103 000 000
4. Ricks Exploration Co
5. Fish 7–A
6. Balco N
7. Beaver OK
8. 700.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21679/02012
2. 35–139–20689–0000
3. 108 000 000
4. H & L Operating Co
5. Davison #1 139–48130
6. Guymon-Hugoton
7. Texas OK
8. 9.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21680/02283
2. 35–007–20568–0000
3. 108 000 000
4. Worldwide Energy Corp
5. Crabtree Estate #1
6. Mocane-Laverne
7. Beaver OK
8. 20.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–21681/02285
2. 35–007–00000–0000
3. 108 000 000
4. Worldwide Energy Corp
5. Elsie #1–3
6. Laverne-Morrow
7. Beaver OK
8. 13.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21682/01473505–1
2. 35–051–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Aetna Life 1
6. Chickasha
7. Grady OK
8. 7.0 million cubic feet
9. March 21, 1980
10. Arkansas Louisiana Gas Co

1. 80–21683/01149
2. 35–093–00000–0000
3. 108 000 000
4. Great Western Drilling Co
5. Haskins #1
6. Ringwood
7. Major OK
8. 11.8 million cubic feet
9. March 21, 1980
10. Pioneer Gas Products Co Oklahoma Natural Gas Gathering Corp

1. 80–21684/01468
2. 35–087–00000–0000
3. 108 000 000
4. An-Son Corp
5. Mantooth #1
6. Mantooth #1
7. McClain OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Warren Petroleum Co

1. 80–21685/02278
2. 35–007–00000–0000
3. 108 000 000
4. Worldwide Energy Corp
5. Jordan #1–A
6. Dombey
7. Beaver OK
8. 15.0 million cubic feet
9. March 21, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–21686/02047
2. 35–139–21160–0000
3. 102 000 000
4. Mobil Oil Corp
5. Thrall (5) Unit #2
6. Guymon Hugoton-Council Grove
7. Texas OK
8. 200.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21687/02048
2. 35–139–21096–0000
3. 102 000 000
4. Mobil Oil Corp
5. Kirvin (69) Unit #2
6. Guymon Hugoton-Council Grove
7. Texas OK
8. 200.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21688/02050
2. 35–139–21097–0000
3. 102 000 000
4. Mobil Oil Corp
5. White (17) Unit #2
6. Guymon Hugoton-Council Grove
7. Texas OK
8. 200.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21689/02258
2. 35–053–20399–0000
3. 103 000 000
4. Ricks Exploration Co
5. Mae #27–A

6. Mayflower NW
7. Grant OK
8. 4.0 million cubic feet
9. March 21, 1980
10. CRA Inc

1. 80–21690/02417
2. 35–095–20173–0000
3. 103 000 000
4. Union Oil Co of California
5. Little 215 #2
6. Cumberland
7. Marshall OK
8. 100.0 million cubic feet
9. March 21, 1980
10. Lore Star Gas Co

1. 80–21691/02397
2. 35–017–21083–0000
3. 103 000 000
4. Donald C Slawson
5. Erickson B Unit #1
6. Watonga Trend
7. Canadian OK
8. 1400.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21692/01463
2. 35–049–38664–0000
3. 108 000 000
4. Singer-Fleischaker Oil Operating Co
5. H K Moore #2
6. East Lindsay
7. Garvin OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Oklahoma Natural Gas Co

1. 80–21693/02389
2. 35–139–21123–0000
3. 103 000 000
4. Kansas Nebraska Natural Gas Co Inc
5. Neff D 2X
6. Camrick
7. Texas OK
8. 150.0 million cubic feet
9. March 21, 1980
10.

1. 80–21694/01763
2. 35–093–21310–0000
3. 103 000 000
4. Seneca Oil Co
5. Combs Unit #1
6. North Dane
7. Major OK
8. 225.0 million cubic feet
9. March 21, 1980
10.

1. 80–21695/01762
2. 35–093–21518–0000
3. 103 000 000
4. Seneca Oil Co
5. Ritter #1–25
6. Dane
7. Major OK
8. 27.6 million cubic feet
9. March 21, 1980
10.

1. 80–21696/01761
2. 35–093–21477–0000
3. 103 000 000
4. Seneca Oil Co
5. Davidson #1
6. Dane
7. Major OK
8. 300.0 million cubic feet
9. March 21, 1980
10.

1. 80–21697/01813
2. 35–047–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Munkres 1 (Red Fork)
6. S W Lahoma
7. Garfield OK
8. 16.0 million cubic feet
9. March 21, 1980
10. Arkansas Louisiana Gas Company

1. 80–21698/01959
2. 35–059–20615–0000
3. 103 000 000
4. Boswell Energy Corp
5. Parsons 1–3
6. East Lovedale
7. Harper OK
8. 100.0 million cubic feet
9. March 21, 1980
10. Michigan-Wisconsin Pipe Line Co

1. 80–21699/01954
2. 35–151–00000–0000
3. 103 000 000
4. L O Ward
5. Curtis #1
6. North Waynoka
7. Woods OK
8. 100.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–21700/01953
2. 35–151–00000–0000
3. 103 000 000
4. L O Ward
5. Budy A–1
6. S Hopeton
7. Woods OK
8. 50.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21701/02418
2. 35–095–20167–0000
3. 103 000 000
4. Union Oil Co of California
5. Carroll #1–17
6. Cumberland
7. Marshall OK
8. 350.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co

1. 80–21702/02425
2. 35–095–20158–0000
3. 103 000 000
4. Union Oil Co of California
5. Little 109 #10
6. Cumberland
7. Marshall OK
8. 270.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co

1. 80–21703/02423
2. 35–095–20169–0000
3. 103 000 000
4. Union Oil Co of California
5. Stout #1–18
6. Cumberland
7. Marshall OK
8. 550.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co

1. 80–21704/02419
2. 35–013–20052–0000
3. 103 000 000
4. Union Oil Co of California
5. Little 208 #4
6. Cumberland
7. Bryan OK
8. 35.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co

1. 80–21705/02073
2. 35–091–20217–0000
3. 102 000 000
4. Global Gas Corp
5. Johnson #1–35
6. Stidham
7. McIntosh OK
8. 548.0 million cubic feet
9. March 21, 1980
10.

1. 80–21706/02380
2. 35–151–20887–0000
3. 102 000 000
4. Jamar Exploration Inc
5. 1–18 Nighswonger—
6. S W Winchester
7. Woods OK
8. 180.0 million cubic feet
9. March 21, 1980
10.

1. 80–21707/01760
2. 35–093–21537–0000
3. 103 000 000
4. Seneca Oil Co
5. Boston 1–22
6. Dane
7. Major OK
8. 287.0 million cubic feet
9. March 21, 1980
10.

1. 80–21708/01755
2. 35–093–21496–0000
3. 103 000 000
4. Seneca Oil Co
5. Nightengale #1
6. Dane
7. Major OK
8. 355.0 million cubic feet
9. March 21, 1980
10.

1. 80–21710/01817
2. 35–093–21412–0000
3. 103 000 000
4. Andover Oil Co
5. C R Pitman #24–1
6. Sooner Trend
7. Major OK
8. 60.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21711/01473
2. 35–051–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Johnson 1
6. Cement
7. Grady OK
8. 10.0 million cubic feet
9. March 21, 1980
10. Arkansas Louisiana Gas Co

1. 80–21712/01577
2. 35–083–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Murray 1
6. S Crescent/Stepout
7. Logan OK
8. 11.0 million cubic feet
9. March 21, 1980
10. Continental Oil Co

1. 80–21713/01548
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Bailey 2
6. N E Edmond
7. Oklahoma OK
8. 6.0 million cubic feet
9. March 21, 1980
10. Oklahoma Natural Gas Co

1. 80–21714/01418
2. 35–119–20466–0000
3. 108 000 000
4. Ketal Oil Producing Co
5. Berry #1
6. N Cushing
7. Payne OK
8. 3.5 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21715/01562
2. 35–083–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Brouchoud B–1
6. W Edmond
7. Logan OK
8. 15.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co

1. 80–21716/01564
2. 35–083–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Brouchoud A–1
6. W Edmond
7. Logan OK
8. 11.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co

1. 80–21717/01565
2. 35–083–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Libecayt 1
6. W Edmond
7. Logan OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co

1. 80–21718/01502
2. 35–009–20230–0000
3. 108 000 000
4. Wallace Oil & Gas Inc
5. State of Okla #1 009–06799–1
6. South Erick Field
7. Beckham OK
8. 4.0 million cubic feet
9. March 21, 1980
10. El Paso Natural Gas Co

1. 80–21719/01741
2. 35–0047–00000–0000
3. 103 000 000
4. Perry Oil Co
5. Staggs No 1
6. Sooner Trend
7. Garfield OK
8. 36.5 million cubic feet
9. March 21, 1980
10. Petro-Lewis Corp Cities Service Gas Co

1. 80–21720/02280
2. 35–007–00000–0000
3. 108 000 000
4. Worldwide Energy Corp
5. Hightower #1
6. Dombey
7. Beaver OK
8. 21.0 million cubic feet
9. March 21, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–21721/02180
2. 35–083–00000–0000
3. 108 000 000
4. J T Hoke Jr
5. Emily #1
6. Lovell
7. Logan OK
8. 1.8 million cubic feet
9. March 21, 1980
10. Eason Oil Co

1. 80–21722/02441
2. 35–047–21349–0000
3. 103 000 000
4. Texas American Oil Corp
5. Holle No 1
6. Sooner Trend
7. Garfield OK
8. 15.0 million cubic feet
9. March 21, 1980
10. Oklahoma Natural Gas Co

1. 80–21723/02415
2. 35–095–20171–0000
3. 103 000 000
4. Union Oil Co of California
5. Little #1–30
6. Cumberland
7. Marshall OK
8. 250.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co

1. 80–21724/02455
2. 35–017–20940–0000
3. 103 000 000
4. Union Oil Co of California
5. Reuter #1–21
6. South Ft Reno
7. Canadian OK
8. 250.0 million cubic feet
9. March 21, 1980
10.

1. 80–2725/02427
2. 35–137–00000–0000
3. 108 000 000
4. Jan Oil Co
5. Saird #8
6. Sho-Vel-Tum
7. Stephens OK
8. .0 million cubic feet
9. March 21, 1980
10. Getty Oil Co

1. 80–21726/02111
2. 35–119–20827–0000
3. 103 000 000
4. Berry Operating Co
5. Penny #1
6. Ingalls
7. Payne OK
8. .8 million cubic feet
9. March 21, 1980
10. Colorado Gas Compression Inc

1. 80–21727/02344
2. 35–083–20741–0000
3. 103 000 000
4. Hungerford Oil & Gas Inc
5. Mewherter #1
6. NW Elkhorn
7. Logan OK
8. 156.6 million cubic feet
9. March 21, 1980
10. Aminoil USA Inc

1. 80–21728/02345
2. 35–083–20998–0000
3. 103 000 000
4. Hungerford Oil & Gas Inc
5. Vogel #2
6. NW Elkhorn
7. Logan OK
8. 179.2 million cubic feet
9. March 21, 1980
10. Aminoil USA Inc

1. 80–21729/02456
2. 35–043–20888–0000
3. 103 000 000
4. Hanover Management Co
5. Ellington #1–4
6. Sec 4 T–16N R–19W
7. Dewey OK
8. 88.0 million cubic feet
9. March 21, 1980
10.

1. 80–21730/02416
2. 35–095–20170–0000
3. 103 000 000
4. Union Oil Co of California
5. Metz 105 #12
6. Cumberland
7. Marshall OK
8. 15.0 million cubic feet
9. March 21, 1980
10.

1. 80–21731/00831
2. 35–129–20243–0000
3. 103 000 000
4. Tenneco Oil Co
5. Griffin 1–9
6. Cheyenne NW
7. Roger Mills OK
8. 126.0 million cubic feet
9. March 21, 1980
10. Michigan Wisconsin Pipeline Co

1. 80–21732/01571
2. 35–011–00000–0000
3. 108 000 000
4. Texas Oil & Gas Corp
5. Glass A–1
6. Watonga
7. Blaine OK
8. 6.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Corp

1. 80–21733/01315
2. 35–007–20451–0000
3. 108 000 000
4. Texas Oil & Gas Corp
5. Gate Townsite #1
6. Mocane Laverne
7. Beaver OK
8. 10.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21734/02488
2. 35–017–20957–0000
3. 103 000 000
4. Walker & Withrow Inc
5. Kruger #25–2
6. N W Richland
7. Canadian OK
8. 60.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21735/02476
2. 35–017–20983–0000
3. 103 000 000
4. Walker & Withrow Inc
5. Briscoe #8–1

6. Yukon
7. Canadian OK
8. 120.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co
1. 80–21736/02475
2. 35–017–21006–0000
3. 103 000 000
4. Walker & Withrow Inc
5. Meade #8–1
6. Yukon
7. Canadian OK
8. 150.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co
1. 80–21737/02474
2. 35–017–20955–0000
3. 103 000 000
4. Walker & Withrow Inc
5. Broady #9–1
6. Yukon
7. Canadian OK
8. 96.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co
1. 80–21738/02367
2. 35–029–00000–0000
3. 103 000 000
4. Mercury Exploration Co
5. H D Binns #1 029–52921
6.
7. Coal OK
8. 508.0 million cubic feet
9. March 21, 1980
10. Oklahoma Gas and Electric Co
1. 80–21739/02408
2. 35–017–21027–0000
3. 103 000 000
4. Phillips Petroleum Co
5. Mach–B #1
6. N Yukon
7. Canadian OK
8. 92.0 million cubic feet
9. March 21, 1980
10.
1. 80–21740/02402
2. 35–011–00000–0000
3. 103 000 000
4. Reading & Bates Petroleum Co
5. Perkins #1
6. South Thomas
7. Blaine OK
8. 431.6 million cubic feet
9. March 21, 1980
10. Public Service Co of Oklahoma
1. 80–21741/02409
2. 35–129–00000–0000
3. 103 000 000
4. Amarex Inc
5. Barry #1 API #12920320
6. South Reydon Prospect
7. Roger Mills OK
8. 128.0 million cubic feet
9. March 21, 1980
10. Arkansas Louisiana Gas Co, Kansas Nebraska Natural Gas Co Inc
1. 80–21742/02430
2. 35–053–00000–0000
3. 108 000 000
4. Viersen & Cochran
5. Pitcher #1
6. Cherokita
7. Grant OK
8. 12.0 million cubic feet
9. March 21, 1980
10. Sun Gas Co
1. 80–21743/02431
2. 35–053–00000–0000
3. 108 000 000
4. Viersen & Cochran
5. Sophia Johnson #1
6. Cherokita
7. Grant OK
8. 18.0 million cubic feet
9. March 21, 1980
10. Sun Gas Co
1. 80–21744/02190
2. 35–103–00000–0000
3. 108 000 000
4. J T Hoke Jr
5. H Henn No 1
6. Lucien
7. Noble OK
8. 19.6 million cubic feet
9. March 21, 1980
10. Aminoil USA Inc
1. 80–21745/02178
2. 35–083–00000–0000
3. 108 000 000
4. J T Hoke Jr
5. Trigg No 1
6. Lovell
7. Logan OK
8. 10.1 million cubic feet
9. March 21, 1980
10. Eason Oil Co
1. 80–21746/02107
2. 35–119–20907–0000
3. 103 000 000
4. Berry Operating Co
5. Cummins #2
6. Boyles
7. Payne OK
8. 7.0 million cubic feet
9. March 21, 1980
10. Sun Oil Co
1. 80–21747/02453
2. 35–139–21016–0000
3. 103 000 000
4. Fitkin Petroleum Corp
5. Cooke No 1–4
6. Rice
7. Texas County OK
8. 1.8 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co
1. 80–21748/02414
2. 35–095–20165–0000
3. 103 000 000
4. Union Oil Co of California
5. Rowland #3–19
6. Cumberland
7. Marshall OK
8. 800.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co
1. 80–21749/02413
2. 35–095–20176–0000
3. 103 000 000
4. Union Oil Co of California
5. Thomas 202 #5
6. Cumberland
7. Marshall OK
8. 150.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co
1. 80–21750/01967
2. 35–151–20878–0000
3. 103 000 000
4. Champlin Exploration Inc
5. Coy Phillips No 1
6. Avard NW
7. Woods OK
8. 108.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co
1. 80–21751/01966
2. 35–151–00000–0000
3. 103 000 000
4. L O Ward
5. Simon #1
6. North Waynoka
7. Woods OK
8. 50.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipe Line Co
1. 80–21752/01974
2. 35–059–00000–0000
3. 108 000 000
4. Premier Resources Ltd
5. Adkins #D–004
6. North Lovedale
7. Harper OK
8. 7.5 million cubic feet
9. March 21, 1980
10. Michigan Wisconsin Pipeline Co
1. 80–21753/01973
2. 35–151–20579–0000
3. 108 000 000
4. Texas Oil & Gas Corp
5. Earnest #1
6. N W Avard
7. Woods OK
8. 12.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp
1. 80–21754/01509
2. 35–087–00000–0000
3. 108 000 000
4. R P Brandenburg
5. Marchant #1
6. N E Newcastle
7. McClain OK
8. 14.5 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co
1. 80–21755/01952
2. 35–151–20760–0000
3. 103 000 000
4. Champlin Exploration Inc
5. Vandevelde No 1
6. N W Oakdale
7. Woods OK
8. 62.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co
1. 80–21756/01875
2. 35–047–21440–0000
3. 103 000 000
4. Henry H Gungoll Associates
5. Butler #1–29
6. Northwest Enid
7. Garfield OK
8. 260.0 million cubic feet
9. March 21, 1980
10. Union Texas Petroleum, Oklahoma Gas & Electric Co
1. 80–21757/01874
2. 35–047–21567–0000
3. 103 000 000
4. Henry H Gungoll Associates
5. Brainard #1–28
6. Northwest Enid
7. Garfield OK

8. 370.0 million cubic feet
9. March 21, 1980
10. Union Texas Petroleum

1. 80–21758/02404
2. 35–039–00000–0000
3. 103 000 000
4. Reading & Bates Petroleum Co
5. Carl Payne #1
6. South Thomas
7. Custer OK
8. 1,625.0 million cubic feet
9. March 21, 1980
10. Public Service Co of Oklahoma

1. 80–21759/02392
2. 35–017–20928–0000
3. 103 000 000
4. L G Williams Oil Co Inc
5. Von Tungeln #32–1
6. SW El Reno
7. Canadian OK
8. 40.0 million cubic feet
9. March 21, 1980
10. Michigan Wisconsin Pipeline Co

1. 80–21760/01546
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Shannon #2
6. N E Edmond
7. Oklahoma OK
8. 1.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co, Oklahoma Natural Gas Co, Cities Service Gas Co

1. 80–21761/01512
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Truskey #3
6. N E Edmond
7. Oklahoma OK
8. 2.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co (Process), Oklahoma Natural Gas Co, Cities Service Gas Co

1. 80–21762/01549
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Teuscher #2
6. N E Edmond
7. Oklahoma OK
8. 12.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co

1. 80–21763/02405
2. 35–043–20864–0000
3. 103 000 000
4. Hanover Management Co
5. Ferrell #1–23
6. Sec 23 T16N R19W
7. Dewey OK
8. 75.0 million cubic feet
9. March 21, 1980
10.

1. 80–21764/02407
2. 35–139–21014–0000
3. 103 000 000
4. Petroleum Inc
5. Howell Unit B #2
6. Hooker SW (Morrow)
7. Texas OK
8. 135.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21765/02287
2. 35–007–21480–0000
3. 103 000 000
4. Cabot Corp
5. Albert Laverty #30–2
6. Mocane-Morrow
7. Beaver OK
8. 110.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21766/02289
2. 35–139–21088–0000
3. 103 000 000
4. Cabot Corp
5. Fisher #1–27
6. Lower Morrow
7. Texas OK
8. 219.0 million cubic feet
9. March 21, 1980
10. Natural Gas Pipeline Co of America

1. 80–21767/01946
2. 35–151–20882–0000
3. 103 000 000
4. Damson Oil Corp
5. Hull No 1
6. East Waynoka
7. Woods OK
8. 92.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21768/02284
2. 35–007–21494–0000
3. 103 000 000
4. Cabot Corp
5. Sizelove #4
6. Mocane
7. Beaver OK
8. 90.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21769/02347
2. 35–109–00000–0000
3. 103 000 000
4. Rick Buck
5. Lucy #1–9
6. Sooner Trend
7. Oklahoma OK
8. 175.2 million cubic feet
9. March 21, 1980
10. Union Texas Petroleum

1. 80–21770/02399
2. 35–017–20903–0000
3. 103 000 000
4. Donald C Slawson
5. Johnson Unit #1
6. Watonga Trend
7. Canadian OK
8. 2.9 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21771/02318
2. 35–039–20245–0000
3. 103 000 000
4. Michigan Wisconsin Pipe Line Co
5. Black No 1
6. S W Thomas
7. Custer OK
8. 146.0 million cubic feet
9. March 21, 1980
10. Public Service Co of Oklahoma

1. 80–21772/02337
2. 35–043–20906–0000
3. 103 000 000
4. Wessely Energy Corp
5. Holcomb Unit No 1–14
6. Putnam
7. Dewey OK
8. 100.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–21773/01961
2. 35–059–20594–0000
3. 103 000 000
4. Cheyenne Petroleum Co
5. Government #1–20
6. N W Fort Supply
7. Harper OK
8. 1825.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp

1. 80–21774/01965
2. 35–151–20844–0000
3. 103 000 000
4. Henry H Gungoll Associates
5. Buck #1–28
6. Avard
7. Woods OK
8. 123.0 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–21775/01550
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Martin Moyer #1
6. N E Edmond
7. Oklahoma OK
8. 11.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co, Oklahoma Natural Gas Co, Cities Service Gas Co

1. 80–21776/02058
2. 35–077–00000–0000
3. 108 000 000
4. Wilshire Oil Co of Texas
5. Young #1–34
6. Kinta
7. Latimer OK
8. 14.0 million cubic feet
9. March 21, 1980
10. Arkansas Louisiana Gas Co

1. 80–21777/03439
2. 35–015–20345–0000
3. 108 000 000
4. Phillips Petroleum Co
5. Engle–A No 1
6. S Oney
7. Caddo OK
8. 1.7 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp

1. 80–21778/02057
2. 35–063–00000–0000
3. 103 000 000
4. Global Gas Corp
5. Vernon Derrick #1–30
6. Southwest Hilltop
7. Hughes OK
8. 125.9 million cubic feet
9. March 21, 1980
10. Oklahoma Natural Gas Co

1. 80–21779/02070
2. 35–091–20145–0000
3. 103 000 000
4. Global Gas Corp
5. Johnny Jacobs #1
6. Boynton
7. McIntosh OK

8. 4.1 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21780/02072
2. 35–091–20151–0000
3. 103 000 000
4. Global Gas Corp
5. Debouse #1–13
6. Boynton
7. McIntosh OK
8. .7 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21781/02074
2. 35–091–20175–0000
3. 103 000 000
4. Global Gas Corp
5. Humphrey #1–18
6. Boynton
7. McIntosh OK
8. .4 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21782/02090
2. 35–111–21433–0000
3. 103 000 000
4. Key Drilling Co
5. Sullivan A–1
6. Hectorville
7. Okmulgee OK
8. 58.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21783/02091
2. 35–111–21508–0000
3. 103 000 000
4. Key Drilling Co
5. Mann #1
6. Hectorville
7. Okmulgee OK
8. 72.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21784/00936
2. 35–139–00000–0000
3. 108 000 000
4. Amoco Production Co
5. Hungerford Gas Unit #1
6. Guymon-Hugoton-Chase
7. Texas OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21785/05391
2. 35–051–20659–0000
3. 108 000 000
4. Entex Petroleum Inc
5. State of Okla No 1
6. West Pocasset
7. Grady OK
8. 14.0 million cubic feet
9. March 21, 1980
10. Transok Pipe Line Co

1. 80–21786/00612
2. 35–007–00000–0000
3. 102 000 000
4. Natural Gas Anadarko Inc
5. Petty #1–9
6. Mocane Morrow
7. Beaver OK
8. 300.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21787/02052
2. 35–027–20198–0000
3. 103 000 000
4. Global Gas Corp
5. Kimball #1–21
6. South Legal
7. Coal OK
8. 210.1 million cubic feet
9. March 21, 1980
10. Oklahoma Gas and Electric Co

1. 80–21788/02051
2. 35–051–59400–0000
3. 108 000 000
4. Corpening Enterprises
5. Mary Louise Broadie #1
6. Mocane-Laverne
7. Beaver OK
8. .0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co

1. 80–21789/02034
2. 35–007–21415–0000
3. 103 000 000
4. Follett Operating Co
5. Ralph Barby #1 00754159
6. Mocane-Laverne
7. Beaver OK
8. 83.9 million cubic feet
9. March 21, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21790/02033
2. 35–007–00000–0000
3. 103 000 000
4. Kennedy & Mitchell Inc
5. Albert #11–134
6. Mocane (Morrow) (SW SW 17–5N–26E)
7. Beaver OK
8. 175.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

1. 80–21791/02055
2. 35–007–00000–0000
3. 103 000 000
4. Kennedy & Mitchell Inc
5. Overton #12–172 (Morrow)
6. Mocane (Chester & Morrow) (C NE 17)
7. Beaver OK
8. 240.0 million cubic feet
9. March 21, 1980
10. El Paso Natural Gas Co Colorado Interstate Gas Co

1. 80–21792/02054
2. 35–007–00000–0000
3. 103 000 000
4. Kennedy & Mitchell Inc
5. Overton #12–172 (Chester)
6. Mocane (Chester & Morrow)
7. Beaver OK
8. 240.0 million cubic feet
9. March 21, 1980
10. El Paso Natural Gas Co Colorado Interstate Gas Co

1. 80–21793/02053
2. 35–029–20168–0000
3. 103 000 000
4. Global Gas Corp
5. Fairless #1–23
6. South Legal
7. Coal OK
8. 420.0 million cubic feet
9. March 21, 1980
10. Oklahoma Gas and Electric Co

1. 80–21794/04468
2. 35–147–21278–0000
3. 102 000 000
4. Panoak Exploration Co
5. Adcock #1
6. Hogshooter
7. Washington OK
8. 365.0 million cubic feet
9. March 21, 1980
10. Panoak Pipeline Co

1. 80–21795/02096
2. 35–111–21505–0000
3. 103 000 000
4. Key Drilling Co
5. Badger #1
6. Hectorville
7. Okmulgee OK
8. 72.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21796/02097
2. 35–111–21214–0000
3. 103 000 000
4. Key Drilling Co
5. Bessie Wildcat A–1
6. Hectorville
7. Okmulgee OK
8. 61.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21797/02099
2. 35–111–21398–0000
3. 103 000 000
4. Key Drilling Co
5. Tiger #3
6. Hectorville
7. Okmulgee OK
8. 64.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21798/02098
2. 35–111–21383–0000
3. 103 000 000
4. Key Drilling Co
5. Hodges #2
6. Hectorville
7. Okmulgee OK
8. 20.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21799/02100
2. 35–111–21276–0000
3. 103 000 000
4. Key Drilling Co
5. Barrows #3
6. Hectorville
7. Okmulgee OK
8. 85.0 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co

1. 80–21800/05405
2. 35–129–00000–0000
3. 107 000 000
4. Amarex Inc
5. Brady No 1–20 12920399
6. Wildcat-SW Cheyenne Area
7. Roger Mills OK
8. 2190.0 million cubic feet
9. March 21, 1980
10. El Paso Natural Gas Co

1. 80–21801/02381
2. 35–013–20054–0000
3. 103 000 000
4. R L Burns Corp
5. Gable 27—#1
6. S E Aylesworth
7. Bryan, OK
8. .0 million cubic feet
9. March 21, 1980

10.
1. 80–21802/01912
2. 35–003–20198–0000
3. 108 000 000
4. Harper Oil Co
5. Barrows 1
6. Ringwood
7. Alfalfa, OK
8. 3.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp
1. 80–21803/01849
2. 35–047–21428–0000
3. 103 000 000
4. Champlin Exploration Inc
5. Continental Grain Co No 1
6. N E Enid
7. Garfield, OK
8. 72.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co
1. 80–21804/01907
2. 35–093–21059–0000
3. 108 000 000
4. Harper Oil Co
5. David #1
6. Ringwood
7. Major, OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp
1. 80–21805/03227
2. 35–059–00000–0000
3. 108 000 000 denied
4. National Coop Refinery Assn
5. Richardson #1
6. Kibby
7. Harper, OK
8. 18.0 million cubic feet
9. March 21, 1980
10. Northern Natural Gas Co
1. 80–21806/01462
2. 35–049–00000–0000
3. 108 000 000 denied
4. Phillips Petroleum Co
5. Sinagso No 119
6. Golden Trend
7. Garvin, OK
8. 1.8 million cubic feet
9. March 21, 1980
10. Warren Petroleum Corp
1. 80–21807/02420
2. 35–013–20051–0000–1
3. 103 000 000
4. Union Oil Co of California
5. Little 106 #22 (Arbuckle)
6. Cumberland
7. Bryan, OK
8. 570.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co
1. 80–21808/02421
2. 35–013–20051–0000–2
3. 103 000 000
4. Union Oil Co of California
5. Little 106 #22 (Viola-Hunton-Woodfor)
6. Cumberland
7. Bryan, OK
8. 570.0 million cubic feet
9. March 21, 1980
10. Lone Star Gas Co
1. 80–21809/01407
2. 35–037–20819–0000
3. 102 000 000
4. M P & R Production Co
5. Matherly #1
6. North Olive–W/2 SW/4 NE/4 17–18N–8E
7. Creek, OK
8. 30.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co
1. 80–21810/01406
2. 35–037–21667–0000
3. 102 000 000
4. M P & R Production Co
5. Matherly #4
6. North Olive–W/2 SE/4 NW/4 17–18N–8E
7. Creek, OK
8. 30.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co
1. 80–21811/01405
2. 35–037–21810–0000
3. 102 000 000
4. M P & R Production Co
5. Matherly #5
6. North Olive–E/2 SE/4 NW/4 17–18N–8E
7. Creek, OK
8. 30.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co
1. 80–21812/01545
2. 35–109–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Truskey #3
6. N E Edmond
7. Oklahoma, OK
8. 2.0 million cubic feet
9. March 21, 1980
10. Champlin Petroleum Co (Process) Oklahoma Natural Gas Co Cities Service Gas Co
1. 80–21813/01513
2. 35–027–35324–0000
3. 108 000 000
4. Singer-Fleischaker Oil Operating Co
5. Peachee #1
6. S W Clothier
7. Cleveland, OK
8. 12.0 million cubic feet
9. March 21, 1980
10. Sun Oil Co
1. 80–21814/01404
2. 35–037–21663–0000
3. 102 000 000
4. M P & R Production Co
5. Matherly #3
6. North Olive–E/2 NW/4 SE/4 17–18N–8E
7. Creek, OK
8. 30.0 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co
1. 80–21815/02069
2. 35–091–20152–0000
3. 103 000 000
4. Global Gas Corp
5. Prater #1–13
6. Boynton
7. McIntosch, OK
8. 33.2 million cubic feet
9. March 21, 1980
10. Phillips Petroleum Co
1. 80–21816/02066
2. 35–063–20703–0000
3. 103 000 000
4. Global Gas Corp
5. Parks #1–9
6. Dustin
7. Hughes, OK
8. 63.7 million cubic feet
9. March 21, 1980
10. Public Service Co of Oklahoma
1. 80–21817/01388
2. 35–081–55247–0000
3. 102 000 000
4. Parkford Petroleum Inc
5. Porter A No 1
6. NW Agra Field
7. Lincoln, OK
8. 3.6 million cubic feet
9. March 21, 1980
10. Colorado Gas Compression Inc
1. 80–21818/01685
2. 35–083–00000–0000
3. 108 000 000
4. Harper Oil Co
5. Williams #1
6. Marshall Pool
7. Logan, OK
8. 3.0 million cubic feet
9. March 21, 1980
10. Eason Oil Co
1. 80–21819/01390
2. 35–081–20661–0000
3. 102 000 000
4. Parkford Petroleum Inc
5. Stoker #1
6. NW Agra Field
7. Lincoln, OK
8. 4.8 million cubic feet
9. March 21, 1980
10. Colorado Gas Compression Inc
1. 80–21820/01819
2. 35–093–21469–0000
3. 103 000 000
4. Clifford Resources Inc
5. Lehenbauer #1–12
6. West Drummond
7. Major, OK
8. 30.0 million cubic feet
9. March 21, 1980
10. Oklahoma Gas & Electric Co
1. 80–21821/01910
2. 35–003–21083–0000
3. 108 000 000
4. Harper Oil Co
5. Davidson #1
6. Ringwood
7. Alfalfa OK
8. 5.0 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipeline Corp
1. 80–21822/04066
2. 35–121–0000–0000
3. 102 000 000
4. Whitmar Exploration Co
5. Cope §1
6. Wilburton Field
7. Pittsburg OK
8. 1000.0 million cubic feet
9. March 21, 1980
10. Arkansas Lousiana Gas Co
1. 80–21823/02112
2. 35–119–00000–0000
3. 103 000 000
4. Berry Operating Co
5. Horton #1
6. Ingalls
7. Payne OK
8. 4.0 million cubic feet
9. March 21, 1980
10. Colorado Gas Compression Inc
1. 80–21824/02403

2. 35–039–00000–0000
3. 103 000 000
4. Reading & Bates Petroleum Co
5. Scott A #1
6. South Thomas
7. Custer OK
8. 836.5 million cubic feet
9. March 21, 1980
10. Public Service Co of Oklahoma

1. 80–21825/01962
2. 35–059–20616–0000
3. 102 000 000
4. Cheyenne Petroleum Co
5. Nita #1–12
6. N E May
7. Harper OK
8. 20.1 million cubic feet
9. March 21, 1980
10. Delhi Gas Pipelne Corp

1. 80–21826/03156
2. 35–121–20398–0000
3. 108 000 000
4. Arco Oil and Gas Co
5. Pauline Bowman/Section 20/Unit #2
6. Wilburton
7. Pittsburg OK
8. 7.2 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21827/02467
2. 35–093–00000–0000
3. 108 000 000
4. Kaiser Francis Oil Company
5. Kahn 1–25
6. Chaney Dell
7. Major OK
8. 4.0 million cubic feet
9. March 25, 1980
10. Union Texas Petroleum Co

1. 80–21828/03199
2. 35–009–06778–0000
3. 108 000 000
4. El Paso Natural Gas Co
5. McFann Webster #1
6. Erick South (brown dolomite)
7. Beckham OK
8. 16.7 million cubic feet
9. March 25, 1980
10. El Paso Natural Gas Co

1. 80–21829/02539
2. 35–047–00000–0000
3. 108 000 000
4. Union Oil Co of California
5. Fannie Simunek #2–32
6. Dover-Hennessey
7. Garfield OK
8. 10.0 million cubic feet
9. March 25, 1980
10. Exxon Co USA

1. 80–21830/02544
2. 35–047–00000–0000
3. 108 000 000
4. Union Oil Co of California
5. Fannie Simunek #1–32
6. Dover-Hennessey
7. Garfield OK
8. 10.0 million cubic feet
9. March 25, 1980
10. Exxon Co USA

1. 80–21831/03150
2. 35–029–20215–0000
3. 102 000 000
4. Cities Service Co
5. Baxter B#1
6. Wardville
7. Coal OK
8. 22.0 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21832/03151
2. 35–061–20247–000
3. 102 000 000
4. Cities Service Co
5. Treasure Cove A #1
6. N Russellville
7. Haskell OK
8. 21.0 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21833/01883
2. 35–003–20657–0000
3. 103 000 000
4. Champlin Petroleum Co
5. R W Tyner #2
6. E Chaney Dell
7. Alfalfa OK
8. 55.0 million cubic feet
9. March 25, 1980
10. Cities Service Gas Co

1. 80–21834/01855
2. 35–093–21268–0000
3. 103 000 000
4. Champlin Exploration Inc
5. Buller No 3
6. Orienta
7. Major OK
8. 4.2 million cubic feet
9. March 25, 1980
10. Union Texas Petroleum

1. 80–21835/01863
2. 35–153–20833–0000
3. 103 000 000
4. Champlin Exploration Inc
5. Jim Finnegan No 1
6. N W Cedardale
7. Woodward OK
8. 90.0 million cubic feet
9. March 25, 1980
10. Michigan Wisconsin Pipe Line Co

1. 80–21836/02602
2. 35–017–20768–0000
3. 103 000 000
4. Universal Resources Corp
5. Merveldt #4–36
6. Concho NE
7. Canadian OK
8. 15.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21837/03158
2. 35–077–00000–0000
3. 108 000 000
4. Arco Oil and Gas Co
5. Davis A Unit #1
6. Wilburton
7. Latimer OK
8. 8.0 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21838/02603
2. 35–017–20759–0000
3. 103 000 000
4. Universal Resources Corp
5. Merveldt #3–36
6. Concho NE
7. Canadian OK
8. 91.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21839/02605
2. 35–017–20867–0000
3. 103 000 000
4. Universal Resources Corp
5. State #1–36–C
6. Concho NE
7. Canadian OK
8. 26.0 million cubic feet
9. March 25, 1980
10. Phillips Petroleum Co

1. 80–21840/02601
2. 35–017–20846–0000
3. 103 000 000
4. Universal Resources Corp
5. Briscoe #1–30
6. Watongo Trend
7. Canadian OK
8. 234.0 million cubic feet
9. March 25, 1980
10. ONG Western Inc

1. 80–21841/02600
2. 35–017–20750–0000
3. 103 000 000
4. Universal Resources Corp
5. Pettigrew #1–31
6. Watonga Trend
7. Canadian OK
8. 416.0 million cubic feet
9. March 25, 1980
10. ONG Western Inc

1. 80–21842/02604
2. 35–017–20588–0000
3. 103 000 000
4. Universal Resources Corp
5. Merveldt #2–25
6. Piedmont W
7. Canadian OK
8. 22.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21843/02538
2. 35–047–21311–0000
3. 103 000 000
4. Odessa Natural Corp
5. Stephens Unit No 4
6. S E Enid
7. Garfield OK
8. 180.7 million cubic feet
9. March 25, 1980
10. Champlin Petroleum Co

1. 80–21844/02543
2. 35–047–21309–0000
3. 103 000 000
4. Odessa Natural Corp
5. Stephens Unit No 3
6. S E Enid
7. Garfield OK
8. 148.9 million cubic feet
9. March 25, 1980
10. Champlin Petroleum Co

1. 80–21845/02544
2. 35–047–21310–0000
3. 103 000 000
4. Odessa Natural Corp
5. Stephens Unit No 2
6. S E Enid
7. Garfield OK
8. 206.6 million cubic feet
9. March 25, 1980
10. Champlin Petroleum Co

1. 80–21846/00052
2. 35–093–21278–0000
3. 103 000 000
4. Union Texas Petroleum
5. Glidewell—Herald No 2
6. Ringwood

7. Major OK
8. 69.0 million cubic feet
9. March 25, 1980
10. Oklahoma Natural Gas Gathering Corp

1. 80–21847/03451
2. 35–047–21653–0000
3. 103 000 000
4. Union Texas Petroleum
5. Mary Traynor No 3
6. Waukomis SW
7. Garfield OK
8. 208.0 million cubic feet
9. March 25, 1980
10. Panhandle Eastern Pipeline Co Exxon Corp

1. 80–21848/03445
2. 35–047–21726–0000
3. 103 000 000
4. Harper Oil Co
5. Ralph T Spohrer #4
6. Sooner Trend
7. Garfield OK
8. 300.0 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21849/01177
2. 35–059–35283–0000
3. 108 000 000
4. Amoco Production Company
5. Lockhart Unit D #1
6. Lovedale
7. Harper OK
8. 14.0 million cubic feet
9. March 25, 1980
10. Michigan Wisconsin Pipeline Co

1. 80–21850/02547
2. 35–047–21515–0000
3. 103 000 000
4. Odessa Natural Corp
5. Taylor Unit No 4
6. S E Enid
7. Garfield OK
8. 79.2 million cubic feet
9. March 25, 1980
10. Union Texas Petroleum

1. 80–21851/02546
2. 35–047–21514–0000
3. 103 000 000
4. Odessa Natural Corp
5. Taylor Unit No 3
6. S E Enid
7. Garfield OK
8. 113.9 million cubic feet
9. March 25, 1980
10. Union Texas Petroleum

1. 80–21852/02534
2. 35–017–20702–0000
3. 103 000 000
4. Universal Resources Corp
5. Biller #1–8
6. Richland NW
7. Canadian OK
8. 78.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21853/02533
2. 35–017–20721–0000
3. 103 000 000
4. Universal Resources Corp
5. Powell #1–17
6. Richland NW
7. Canadian OK
8. 105.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21854/02521
2. 35–083–21032–0000
3. 103 000 000
4. Heartland Exploration
5. Rees Crosstimber Farms No 1
6. Lockridge (Miss) W Edmond (Hunton)
7. Logan OK
8. 120.0 million cubic feet
9. March 25, 1980
10. Phillips Petroleum Co

1. 80–21855/02523
2. 35–117–20337–0000
3. 108 000 000
4. Service Drilling Co
5. School Land #2A
6.
7. Pawnee OK
8. 5.0 million cubic feet
9. March 25, 1980
10. Cities Service Gas Company

1. 80–21856/02524
2. 35–117–00000–0000
3. 108 000 000
4. Service Drilling Co
5. School Land #1A
6.
7. Pawnee OK
8. 5.0 million cubic feet
9. March 25, 1980
10. Cities Service Gas Company

1. 80–21857/02526
2. 35–049–00000–0000
3. 108 000 000
4. A C Richards
5. Travis Beach No. 1
6. Golden Trend
7. Garvin OK
8. 14.0 million cubic feet
9. March 25, 1980
10. Warren Petroleum Corp

1. 80–21858/02528
2. 35–017–20746–0000
3. 103 000 000
4. Universal Resources Corp
5. Dirks #2–20
6. Richland NW
7. Canadian OK
8. 104.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21859/02529
2. 35–017–20861–0000
3. 103 000 000
4. Universal Resources Corp
5. Powell #7–33
6. Yukon
7. Canadian OK
8. 134.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21860/02525
2. 35–117–20464–0000
3. 108 000 000
4. Service Drilling Co
5. School Land #3A
6.
7. Pawnee OK
8. 5.0 million cubic feet
9. March 25, 1980
10. Cities Service Gas Co

1. 80–21861/02530
2. 35–017–20708–0000
3. 103 000 000
4. Universal Resources Corp
5. Heupel #3–17
6. Richland NW
7. Canadian OK
8. 114.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21862/02531
2. 35–017–20767–0000
3. 103 000 000
4. Universal Resources Corp
5. Powell #3–20
6. Richland NW
7. Canadian OK
8. 62.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21863/02532
2. 35–017–20700–0000
3. 103 000 000
4. Universal Resources Corp
5. Taylor #2–21
6. Richland NW
7. Canadian OK
8. 290.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21864/02445
2. 35–047–21321–0000
3. 103 000 000
4. Texas American Oil Corp
5. J C Pralle No 1
6. Sooner Trend
7. Garfield OK
8. 60.0 million cubic feet
9. March 25, 1980
10. Grace Petroleum Corp

1. 80–21865/0224
2. 35–095–20182–0000
3. 103 000 000
4. Union Oil Co of California
5. Chrisman 104 #15
6. Cumberland
7. Marshall OK
8. 73.0 million cubic feet
9. March 25, 1980
10. Lone Star Gas Co

1. 80–21866/02437
2. 35–129–00000–0000
3. 103 000 000
4. Grace Petroleum Corp
5. Tracy 1–32
6. West Cheyenne
7. Roger Mills OK
8. 1460.0 million cubic feet
9. March 25, 1980
10. El Paso Natural Gas Co

1. 80–21867/01944
2. 35–151–20736–0000
3. 103 000 000
4. Bonray Energy Corp
5. Murray #1
6. S W Greenburg
7. Woods OK
8. 307.9 million cubic feet
9. March 25, 1980
10. Delhi Gas Pipeline Corp

1. 80–21868/00057
2. 35–093–21409–0000
3. 103 000 000
4. Union Texas Petroleum
5. P Frickel #2
6. Chaney Dell East Sec 32 T23N R10W
7. Major OK
8. 35.0 million cubic feet
9. March 25, 1980
10. Panhandle Eastern Pipeline Co

1. 80–21869/02538
2. 35–073–50406–0000
3. 108 000 000
4. Union Oil Co of California
5. Cline #1–36
6. Dover-Hennessey
7. Kingfisher OK
8. 15.0 million cubic feet
9. March 25, 1980
10. Exxon Company USA

1. 80–21870/02536
2. 35–017–20790–0000
3. 103 000 000
4. Universal Resources Corp
5. Stine #1–1
6. Richland NW
7. Canadian OK
8. 13.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21871/02535
2. 35–017–20707–0000
3. 103 000 000
4. Universal Resources Corp
5. Heupel #2–17
6. Richland NW
7. Canadian OK
8. 31.0 million cubic feet
9. March 25, 1980
10. Oklahoma Gas & Electric Co

1. 80–21872/02548
2. 35–047–21356–0000
3. 103 000 000
4. Odessa Natural Corp
5. Taylor Unit No 2
6. S E Enid
7. Garfield OK
8. 58.0 million cubic feet
9. March 25, 1980
10. Union Texas Petroleum

1. 80–21873/01584
2. 35–043–20341–0000
3. 108 000 000
4. Texas Oil & Gas Corp
5. Percy A #1
6. N W Nobscott
7. Dewey OK
8. 12.1 million cubic feet
9. March 25, 1980
10. Delhi Gas Pipeline Corp

1. 80–21874/02496
2. 35–023–22015–0000
3. 103 000 000
4. Walker & Withrow Inc
5. Pittman #6–1
6. N Lacey
7. Kingfisher OK
8. 7.0 million cubic feet
9. March 25, 1980
10. Petro Lewis

1. 80–21875/02517
2. 35–081–00000–0000
3. 103 000 000
4. C & C Energy Co
5. V D Wolff No 1
6. Avery
7. Lincoln OK
8. 17.3 million cubic feet
9. March 25, 1980
10. Cities Service Gas Co

1. 80–21876/02520
2. 35–083–20953–0000
3. 103 000 000
4. Heartland Exploration
5. Linda No 1
6. West Edmond Mississippi
7. Logan OK
8. 100.0 million cubic feet
9. March 25, 1980
10. Phillips Petroleum Co

1. 80–21877/02443
2. 35–047–21324–0000
3. 103 000 000
4. Texas American Oil Corp
5. Joe E Gabriel No 1
6. Sooner Trend
7. Garfield OK
8. 109.0 million cubic feet
9. March 25, 1980
10. Pioneer Gas Systems Ltd

1. 80–21878/02394
2. 35–129–00000–0000
3. 103 000 000
4. L G Williams Oil Co Inc
5. L S Smith #9–1
6. West Leedy
7. Roger Mills OK
8. 50.0 million cubic feet
9. March 25, 1980
10. Phillips Petroleum Co

1. 80–21879/03200
2. 35–077–00000–0000
3. 108 000 000
4. Arco Oil and Gas Co
5. W P Lerblance Unit No 1
6. Wilburton
7. Latimer OK
8. 15.8 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21880/03157
2. 35–077–00000–0000
3. 108 000 000
4. Arco Oil and Gas Co
5. Parker E Costilow #1
6. Wilburton
7. Latimer OK
8. 15.0 million cubic feet
9. March 25, 1980
10. Arkansas Louisiana Gas Co

1. 80–21709/00371
2. 35–047–00000–0000
3. 103 000 000
4. Ladd Petroleum Corp
5. Simpson #2
6. Enid NE
7. Garfield OK
8. 5.8 million cubic feet
9. March 21, 1980
10. Cities Service Gas Co

Pennsylvania Department of Environmental Resources, Division of Oil and Gas

1. Control Number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–21409/392
2. 37–063–23819–0003
3. 103 000 000
4. Keystone Energy Resources
5. Samuel O McCord—#1
6. J W Hastings & R D Olson Farm
7. Indiana, PA
8. 2.5 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21410/393
2. 37–063–23603–0003
3. 103 000 000
4. Keystone Energy Resources
5. Olson #1 G–1
6. J W Hastings & R D Olson Farm
7. Indiana, PA
8. 20.4 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21411/442
2. 37–065–21311–0000
3. 108 000 000
4. D A Dorward
5. Ball 1 (D4–1S) O/S 9811
6. Young Township
7. Jefferson, PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21412/443
2. 37–065–21312–0000
3. 108 000 000
4. D A Dorward
5. Carr 1 (D1–1S) O/S 9812
6. Young Township
7. Jefferson PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21413/444
2. 37–065–21313–0003
3. 108 000 000
4. D A Dorward
5. Carr 2 (D3–2S) O/S 9813
6. Young Township
7. Jefferson PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21414/445
2. 37–065–21314–0003
3. 108 000 000
4. D A Dorward
5. Guzzo 1 (D2–1S) O/S 9814
6. Young Township
7. Jefferson PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–214152/446
2. 37–065–21315–0003
3. 108 000 000
4. D A Dorward
5. Guzzo 2 (D5–2S) O/S 9815
6. Young Township
7. Jefferson PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21416/447
2. 37–065–21317–0000
3. 108 000 000
4. D A Dorward
5. Lindsey 2 (D8–2X) O/S 9956
6. Perry Township
7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21417/448

2. 37–065–21328–0000
3. 108 000 000
4. D A Dorward
5. Lindsey 1 (D7–1S) O/S 9955
6. Perry Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21418/449
2. 37–065–21329–0000
3. 108 000 000
4. D A Dorward
5. (Zemlin) Lindsey 1 (D6–1S) O/S 9964
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21419/450
2. 37–065–21334–0000
3. 108 000 000
4. D A Dorward
5. Lindsey 2 (D9–2S) O/S 10032
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21420/451
2. 37–065–21335–0003
3. 108 000 000
4. D A Dorward
5. Lindsey 3 (D10–3S) O/S 10033
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21421/452
2. 37–065–21336–0003
3. 108 000 000
4. D A Dorward
5. Lindsey 4 (D11–4S) O/S 10034
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21422/453
2. 37–065–21337–0000
3. 108 000 000
4. D A Dorward et al
5. (Cerney) Lindsey 5 (D12–5S) O/S 100
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21423/454
2. 37–065–21343–0000
3. 108 000 000
4. D A Dorward
5. 7th Day Adven 1 (D14–1S) O/S 10077
6. Young Township
7. Jefferson PA
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21424/3336
2. 37–049–20651–0000
3. 102 000 000
4. Envirogas Inc
5. Kenneth Yost #2A
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21425/3338
2. 37–049–20606–0003
3. 102 000 000
4. Envirogas Inc
5. Genevieve Blair #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21426/3339
2. 37–049–20650–0000
3. 102 000 000
4. Envirogas Inc
5. Theordore Bauer #3
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21427/3340
2. 37–049–20559–0000
3. 102 000 000
4. Envirogas Inc
5. Kenneth Yost #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21428/3343
2. 37–049–20576–0003
3. 102 000 000
4. Envirogas Inc
5. Gary Anderson #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21429/3344
2. 37–049–20679–0003
3. 102 000 000
4. Envirogas Inc
5. Edward Kearney #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21430/3540
2. 37–049–20718–0003
3. 102 000 000
4. Envirogas Inc
5. George Blasko #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21431/3541
2. 37–049–20731–0003
3. 102 000 000
4. Envirogas Inc
5. Dorothy Falkowski #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21432/3542
2. 37–049–20649–0003
3. 102 000 000
4. Envirogas Inc
5. Alvin Eliason #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21433/3620
2. 37–049–20717–0000
3. 102 000 000
4. Envirogas Inc
5. John Noonan #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21434/3651
2. 37–049–20762–0000
3. 102 000 000
4. Envirogas Inc
5. A Nietupski #1
6. North East Field
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21435/3652
2. 37–049–20754–0003
3. 102 000 000
4. Envirogas Inc
5. G Kowalski #1
6. North East Field
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21436/3669
2. 37–063–24408–0003
3. 103 000 000
4. Keystone Energy Resources
5. Donald W Streams #1
6. Donald W. Streams
7. Indiana PA
8. 33.5 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21437/3671
2. 37–063–24607–0003
3. 103 000 000
4. Keystone Energy Resources
5. Edward Park #1
6. Edward Park
7. Indiana PA
8. 48.1 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21438/3672
2. 37–063–24236–0003
3. 103 000 000
4. Keystone Energy Resources
5. Ronald Stewart—1
6. Ronald Stewart
7. Indiana PA
8. 10.9 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21439/3674
2. 37–063–24231–0003
3. 103 000 000
4. Keystone Energy Resources
5. Edna May Park—2
6. Edna May Park

7. Indiana PA
8. 47.4 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21440/3675
2. 37–063–24242–0003
3. 103 000 000
4. Keystone Energy Resources
5. Edna May Park—1
6. Edna May Park
7. Indiana PA
8. 32.8 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21441/3677
2. 37–063–24244–0003
3. 103 000 000
4. Keystone Energy Resources
5. Fran Gmys—2
6. Fran Gmys
7. Indiana PA
8. 31.7 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21442/3678
2. 37–063–24127–0003
3. 103 000 000
4. Keystone Energy Resources
5. Homer F Kunkle—K–1
6. Homer F Kunkle
7. Indiana PA
8. 31.7 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co

1. 80–21443/3679
2. 37–063–24102–0003
3. 103 000 000
4. Keystone Energy Resources
5. Delton Stiles S–1
6. Delton Stiles
7. Indiana PA
8. 28.1 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21444/3680
2. 37–063–24103–0003
3. 103 000 000
4. Keystone Energy Resources
5. Delton Stiles S–2
6. Delton Stiles
7. Indiana PA
8. 30.2 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21445/3681
2. 37–063–24560–0003
3. 103 000 000
4. Keystone Energy Resources
5. Delton Stiles S–3
6. Delton Stiles
7. Indiana PA
8. 26.2 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21446/3786
2. 37–049–20716–0000
3. 102 000 000
4. Envirogas Inc
5. Ronald Steele #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21447/3795
2. 37–049–20792–0000
3. 102 000 000
4. Envirogas Inc
5. F Eret #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21448/3831
2. 37–049–20772–0003
3. 102 000 000
4. Envriogas Inc
5. J. Kowalski #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21450/3917
2. 37–049–20790–0003
3. 102 000 000
4. Envirogas Inc
5. Thomas Graczyk #2
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21451/3925
2. 37–049–20818–0000
3. 102 000 000
4. Envirogas Inc
5. Gene Kowalski #2
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21452/4142
2. 37–123–27429–0003
3. 102 000 000
4. Red Leaf Oil Ltd
5. Carl Brunecz #2
6. Sugar Grove
7. Warren PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21453/4181
2. 37–063–23941–1080
3. 108 000 000
4. Felmont Oil Corp
5. Charles Lisowitz #2 F–241
6. South Pine
7. Indiana PA
8. 1.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21454/4182
2. 37–063–25072–0000
3. 103 000 000
4. Felmont Oil Corp
5. George Stephens #2 F–256
6. South Pine
7. Indiana PA
8. 45.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21455/4184
2. 37–063–24995–0000
3. 103 000 000
4. Felmont Oil Corp
5. Willis R Griffith #1 F–254
6. South Pine
7. Indiana PA
8. 45.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21456/4185
2. 37–063–24325–0000
3. 103 000 000
4. Felmont Oil Corp
5. Harry C Mack #1 F–247
6. South Pine
7. Indiana PA
8. 60.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21457/4186
2. 37–063–24713–0000
3. 103 000 000
4. Felmont Oil Corp
5. George Stephens #1 F–246
6. South Pine
7. Indiana PA
8. 45.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21458/4187
2. 37–063–24115–0003
3. 108 000 000
4. Felmont Oil Corp
5. Fenella Hatch #2 F–245
6. South Pine
7. Indiana PA
8. 17.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21459/4188
2. 37–063–23991–0003
3. 108 000 000
4. Felmont Oil Corp
5. J H Graham #1 F–243
6. South Pine
7. Indiana PA
8. 6.0 million cubic feet.
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21460/4189
2. 37–063–23988–0003
3. 108 000 000
4. Felmont Oil Corp
5. Emanuel & Clawson #1 F–242
6. South Pine
7. Indiana PA
8. 7.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21461/4190
2. 37–063–23961–0000
3. 108 000 000
4. Felmont Oil Corp
5. Felmont Oil Corp #1 F–240
6. South Pine
7. Indiana PA
8. 19.0 million cubic feet
9. March 20, 1980
10. T W Phillips Gas & Oil Co

1. 80–21462/4191
2. 37–065–21494–0003
3. 103 000 000
4. D A Dorward
5. Skiba 1 (D–S2) O/S 10593
6. Perry Township
7. Jefferson PA
8. 19.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21463/4192

2. 37–065–21495–0003
3. 103 000 000
4. D A Dorward
5. Skiba 2 (D–S4) O/S 10594
6. Perry Township
7. Jefferson PA
8. 19.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21464/4193
2. 37–065–21496–0003
3. 103 000 000
4. D A Dorward
5. Larko 1 (D–S5) O/S 10595
6. Perry Township
7. Jefferson PA
8. 19.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21465/455
2. 37–065–21350–0003
3. 108 000 000
4. D A Dorward
5. Lindsey (Poeschl) 1 (D16–1S) O/S 10
6. Young Township
7. Jefferson PA
8. 17.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21466/456
2. 37–065–21457–0003
3. 108 000 000
4. D A Dorward
5. Drummond 1 (D–S1) O/S 10506
6. Young Township
7. Jefferson PA
8. 3.5 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21467/461
2. 37–065–21521–0003
3. 108 000 000
4. D A Dorward
5. Hanley-Sheesley 1 (D–S6) O/S 10671
6. Young Township
7. Jefferson PA
8. 5.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21468/462
2. 37–065–21529–0003
3. 108 000 000
4. D A Dorward et al
5. Gomola 1 (D–S11) O/S 10732
6. Young Township
7. Jefferson PA
8. 3.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21469/463
2. 37–065–21536–0003
3. 108 000 000
4. D A Dorward
5. (R & P Coal) Strano 1 (D–S8) O/S 107
6. Young Township
7. Jefferson PA
8. 10.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21470/464
2. 37–065–21537–0003
3. 108 000 000
4. D A Dorward
5. R & P Coal 1 (D–S7) D/S 10758
6. Young Township
7. Jefferson PA
8. 10.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21471/465
2. 37–065–21564–0003
3. 108 000 000
4. D A Dorward
5. R & P Coal 2A (D–S15) O/S 10863
6. Young Township
7. Jefferson PA
8. 8.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21472/1895
2. 37–049–20661–0003
3. 102 000 000
4. Envirogas Inc
5. James Sul #2
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21473/1896
2. 37–049–20653–0003
3. 102 000 000
4. Envirogas Inc
5. Seth Tuttle #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21474/1899
2. 37–049–20626–0003
3. 102 000 000
4. Envirogas Inc
5. Marion Pierce #2
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21475/1900
2. 37–049–20627–0003
3. 102 000 000
4. Envirogas Inc
5. Marion Pierce #3
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21476/1901
2. 37–049–20667–0000
3. 102 000 000
4. Envirogas Inc
5. J B Shunk #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21477/1903
2. 37–049–20640–0000
3. 102 000 000
4. Envirogas Inc
5. Robert Jordan #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21478/1904
2. 37–049–20652–0000
3. 102 000 000
4. Envirogas Inc
5. Raleigh Chesley #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21479/1905
2. 37–049–20666–0003
3. 102 000 000
4. Envirogas Inc
5. Delmas Chesley #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21480/1906
2. 37–049–20685–0000
3. 102 000 000
4. Envirogas Inc
5. Richard Brunner #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21481/1907
2. 37–049–20637–0000
3. 102 000 000
4. Envirogas Inc
5. Carl Beckman #3–A
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21482/1908
2. 37–049–20561–0000
3. 102 000 000
4. Envirogas Inc
5. Leo Bliley #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21483/1909
2. 37–049–20645–0003
3. 102 000 000
4. Envirogas Inc
5. Robert Allison #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21484/1910
2. 37–049–20671–0000
3. 102 000 000
4. Envirogas Inc
5. John Archer #8
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21485/2768
2. 37–065–21344–0003
3. 103 000 000
4. D A Dorward
5. Mottey-Wingert 1 (D13–1S) O/S 10078
6. Young Township

7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21486/2769
2. 37–065–21475–0003
3. 103 000 000
4. D A Dorward
5. Lewis-Adams 1 (D5–A) O/S 10556
6. Young Township
7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21487/2770
2. 37–065–21476–0003
3. 103 000 000
4. D A Dorward
5. Straitiff-Kurtz 2 (D6–A) O/S 10550
6. Young Township
7. Jefferson PA
8. 15.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21488/2771
2. 37–065–21477–0003
3. 103 000 000
4. D A Dorward
5. Straitiff-Kurtz 3 (D8–A) O/S 10551
6. Young Township
7. Jefferson PA
8. 15.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21489/2772
2. 37–065–21538–0003
3. 103 000 000
4. D A Dorward
5. Schimizzi 1 (D4–A) O/S 10759
6. Young Township
7. Jefferson PA
8. 45.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21490/2773
2. 37–065–21539–0003
3. 103 000 000
4. D A Dorward
5. Horner 1 (D2–A) O/S 10760
6. Young Township
7. Jefferson PA
8. 55.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21491/2774
2. 37–065–21542–0003
3. 103 000 000
4. D A Dorward
5. Thomas 1 (D1–A) O/S 10795
6. Young Township
7. Jefferson PA
8. 55.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21492/2775
2. 37–065–21553–0003
3. 103 000 000
4. D A Dorward
5. McMinn 1 (D3–A) O/S 10761
6. Young Township
7. Jefferson PA
8. 55.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21493/2776
2. 37–065–21692–0003
3. 103 000 000
4. D A Dorward
5. Perry 1 (D9–A) O/S 11309
6. Perry Township
7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21494/2777
2. 37–065–21693–0003
3. 103 000 000
4. D A Dorward
5. Perry 2 (D10–A) O/S 11333
6. Perry Township
7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21495/2778
2. 37–065–21694–0003
3. 103 000 000
4. D A Dorward
5. Perry 3 (D11–A) O/S 11332
6. Perry Township
7. Jefferson PA
8. 12.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21496/3190
2. 37–063–24016–0003
3. 103 000 000
4. Union Drilling Inc
5. Earl C Bence et al 593
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co

1. 80–21497/3191
2. 37–063–24177–0000
3. 103 000 000
4. Union Drilling Inc
5. Murray & Ruth Martin #1 594
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co

1. 80–21498/3192
2. 37–063–24250–0000
3. 103 000 000
4. Union Drilling Inc
5. Murray & Ruth Martin 595
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co

1. 80–21499/3193
2. 37–063–24174–0003
3. 103 000 000
4. Union Drilling Inc
5. Ed & Charles Mears #1 596
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21500/3194
2. 37–063–24300–0003
3. 103 000 000
4. Union Drilling Inc
5. R N Ray et al 597
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21501/3195
2. 37–063–24179–0000
3. 103 000 000
4. Union Drilling Inc
5. P R & J A Forrester #2 598
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21502/3196
2. 37–063–24301–0003
3. 103 000 000
4. Union Drilling Inc
5. Raymond C Houck et ux 599
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21503/3197
2. 37–063–24261–00003
3. 103 000 000
4. Union Drilling Inc
5. Murray & Ruth Martin #1 600
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21504/3198
2. 37–063–24302–0003
3. 103 000 000
4. Union Drilling Inc
5. Wilbur D Helman et ux 601
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21505/3199
2. 37–063–24629–00003
3. 103 000 000
4. Union Drilling Inc
5. Glenn W Helman 602
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21506/3200
2. 37–063–24249–0003
3. 103 000 000
4. Union Drilling Inc
5. Murray & Ruth Martin #2 603
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21507/3206
2. 37–063–24235–0003
3. 103 000 000
4. Union Drilling Inc
5. Edward & Charles Mears #2 604
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21508/3202

2. 37–063–24483–00003
3. 103 000 000
4. Union Drilling Inc
5. Thomas S Barbour et ux #1 605
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Peoples Natural Gas Co.

1. 80–21509/3203
2. 37–063–24417–00003
3. 103 000 000
4. Union Drilling Inc
5. William P Deeds et al #607
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21510/3204
2. 37–063–24419–0003
3. 103 000 000
4. Union Drilling Inc
5. Wayne V & Wade E Helman #1 608
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21511/3205
2. 37–063–24578–0003
3. 103 000 000
4. Union Drilling Inc
5. Donald & Betty Jean Oligher #1 609
6. Cherryhill Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21512/3206
2. 37–063–24455–00003
3. 103 000 000
4. Union Drilling Inc
5. John McCombie Jr et ux #1 611
6. Rayne Township
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21513/3334
2. 37–049–20668–00003
3. 102 000 000
4. Envirogas Inc
5. John Spacht #1
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21514/3773
2. 37–049–20736–0003
3. 102 000 000
4. Envirogas Inc
5. Theodore D Willis #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21515/3774
2. 37–049–20735–0003
3. 102 000 000
4. Envirogas Inc
5. George Mason #1
6. Erie Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21516/4194
2. 37–065–21503—0003
3. 103 000 000
4. D A Dorward
5. Lindsey 1 (D–S3) O/S 10623
6. Perry Township
7. Jefferson PA
8. 19.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21517/4205
2. 37–121–26090–0003
3. 102 000 000
4. Cowboy Oil & Gas Co
5. 1A–Ven 26090
6. Ray Milton
7. Venango PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21518/4206
2. 37–005–21687–0003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. C E Keeler Heirs 31X–T1
6. Elderton
7. Armstrong PA
8. 3.3 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21519/4207
2. 37–005–20501–8003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. Ralston Heirs 33X–T1
6. Elderton
7. Armstrong PA
8. 4.4 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21520/4208
2. 37–005–20246–R000
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. G Kness et al 39X–T1
6. Whitesburg
7. Armstrong PA
8. 3.8 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21521/4209
2. 37–005–20828–R000
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. W Frazier 40X–T1
6. Elderton
7. Armstrong PA
8. 3.0 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21522/4210
2. 37–005–20761–8003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. B Meyer 47X–1
6. Gastown
7. Armstrong PA
8. 2.4 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21523/4211
2. 37–005–20793–D000
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. O Ramer 48X–1
6. Gastown
7. Armstrong PA
8. 1.8 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21524/4213
2. 37–063–23190–0003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. F Musser 60–2
6. Shelocta
7. Indiana PA
8. 8.1 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21525/4212
2. 37–063–22884–0000
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. F Musser 60–1
6. Shelocta
7. Indiana PA
8. .0 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21526/4214
2. 37–063–22508–0003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. D Craig 202–T1
6. Parkwood
7. Indiana PA
8. 21.0 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21527/4215
2. 37–063–22509–0003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. J C Craig 204–T1
6. Parkwood
7. Indiana PA
8. 16.7 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21528/4216
2. 37–063–22510–0003
3. 108 000 000
4. Fred J Russell dba Louden Propertie
5. B D Hamilton 205–T1
6. Parkwood
7. Indiana PA
8. 9.6 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21529/4217
2. 37–063–22321–0003
3. 108 000 000
4. Fred J Russell dba Louden Properties
5. J Canale 218–1
6. Parkwood
7. Indiana PA
8. 22.0 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21530/4218
2. 37–005–21638–0003
3. 108 000 000
4. Fred J Russell dba Louden Properties
5. J Kammerdiener 609–1
6. Goheenville

7. Armstrong PA
8. 8.6 million cubic feet
9. March 20, 1980
10. Jones & Laughlin Steel Corp

1. 80–21531/4226
2. 37–049–20759–0003
3. 103 000 000
4. Envirogas Inc
5. #1 G Smith
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21532/4231
2. 37–049–20747–0003
3. 103 000 000
4. Envirogas Inc
5. #1 S Chwatek
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21533/4232
2. 37–049–20740–0003
3. 103 000 000
4. Envirogas Inc
5. #5 C Burnham
6. North East
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

1. 80–21449/3915
2. 37–049–20753–0000
3. 102 000 000
4. Envirogas Inc
5. C Beebe #1
6. North East Deep
7. Erie PA
8. 18.0 million cubic feet
9. March 20, 1980
10. National Fuel Gas Supply Corp

West Virginia Department of Mines, Oil and Gas Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–19863
2. 47–013–21908–0000
3. 108 000 000
4. Schartiger Gas Co
5. Schartiger Gas Co #1
6. Washington District
7. Calhoun WV
8. 2.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21536
2. 47–041–01271–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Pringle No 1
6.
7. Lewis WV
8. 15.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21537
2. 47–041–00921–0000
3. 108 000 000
4. Lendol Rogers & Son
5. C A Tulley No 1
6.
7. Lewis WV
8. .9 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21538
2. 47–041–00718–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Lulu Rastle No 1
6.
7. Lewis WV
8. 1.8 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21539
2. 47–041–00616–0000
3. 108 000 000
4. Lendol Rogers & Son
5. O O Lovett No 1
6.
7. Lewis WV
8. 4.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21540
2. 47–021–01142–0000
3. 108 000 000
4. Lendol Rogers & Son
5. E D Fulton No 2
6.
7. Gilmer WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21541
2. 47–021–01403–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Alva P Lowther No 1
6.
7. Gilmer WV
8. 5.6 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21542
2. 47–041–00737–0000
3. 108 000 000
4. Lendol Rogers & Son
5. H H Hunt No 1
6.
7. Lewis WV
8. 5.9 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21543
2. 47–041–01550–0000
3. 108 000 000
4. Lendol Rogers & Son
5. B Bott No 1
6.
7. Lewis WV
8. 4.1 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21544
2. 47–041–00526–0000
3. 108 000 000
4. Lendol Rogers & Son
5. C M Finster No 2
6.
7. Lewis WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21545
2. 47–021–01038–0000
3. 108 000 000
4. Rogers & Scull
5. C C Woofter No 1
6.
7. Gilmer WV
8. 1.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21546
2. 47–021–02107–0000
3. 108 000 000
4. Rogers & Scull
5. C C Woofter No 2
6.
7. Gilmer WV
8. .8 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21547
2. 47–021–02134–0000
3. 108 000 000
4. Rogers & Scull
5. William J Woofter No 1
6.
7. Gilmer WV
8. 3.4 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21548
2. 47–021–01134–0000
3. 108 000 000
4. Lendol Rogers & Son
5. E D Fulton No 1
6.
7. Gilmer WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21549
2. 47–021–01161–0000
3. 108 000 000
4. Lendol Rogers & Son
5. M E Heater No 1
6.
7. Gilmer WV
8. 4.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21550
2. 47–021–01491–0000
3. 108 000 000
4. Lendol Rogers & Son
5. A B Campbell Lease No 2 (#1)
6.
7. Gilmer WV
8. 3.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21551
2. 47–021–01517–0000
3. 108 000 000
4. Lendol Rogers & Son
5. A B Campbell Lease No 2 (#2)
6.
7. Gilmer WV
8. 8.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21552

2. 47–021–01524–0000
3. 108 000 000
4. Lendol Rogers & Son
5. James Mick No 1
6.
7. Gilmer WV
8. 4.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21553
2. 47–021–01628–0000
3. 108 000 000
4. Lendol Rogers & Son
5. J G Boilon No 1
6.
7. Gilmer WV
8. 5.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21554
2. 47–021–01554–0000
3. 108 000 000
4. Lendol Rogers & Son
5. James Mick No 2
6.
7. Gilmer WV
8. 3.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21555
2. 47–021–01653–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Hazel Boilon No 1
6.
7. Gilmer WV
8. 6.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21556
2. 47–041–00460–0000
3. 108 000 000
4. Lendol Rogers & Son
5. C M Finster No 1
6.
7. Lewis WV
8. 4.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21557
2. 47–007–00364–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Carrie H Brewster No 1
6.
7. Braxton WV
8. 2.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21558
2. 47–021–22315–0000
3. 108 000 000
4. Murvin Oil Corp
5. Polly Hitts #1
6. Big Ellis
7. Gilmer WV
8. 9.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21559
2. 47–021–22317–0000
3. 108 000 000
4. Murvin Oil Corp
5. W H Radcliffe #2
6. Big Ellis
7. Glenville WV
8. 6.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21560
2. 47–021–22320–0000
3. 108 000 000
4. Murvin Oil Corp
5. Wiant Heirs #1
6. Big Ellis
7. Gilmer WV
8. 8.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21561
2. 47–021–22465–0000
3. 108 000 000
4. Murvin Oil Corp
5. Laura Lee Helmick #1
6. Big Ellis
7. Gilmer WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21562
2. 47–017–21740–0000
3. 108 000 000
4. Murvin Oil Corp
5. R P Leatherman #1
6. Morgans Run
7. Doddridge WV
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21563
2. 47–021–21274–0000
3. 108 000 000
4. McDowell & Murvin
5. Wright #7
6. Tanners Creek
7. Gilmer WV
8. 3.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21564
2. 47–021–22431–0000
3. 108 000 000
4. Murvin Oil Corp
5. Audrey Cunningham #1
6. Bull Fork of Tanners Creek
7. Gilmer WV
8. 7.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21565
2. 47–085–23521–0000
3. 108 000 000
4. Murvin Oil Corp
5. R Allen #1
6. Grass Run
7. Ritchie WV
8. 5.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21566
2. 47–021–00126–0000
3. 108 000 000
4. Murvin Oil Corp
5. J B James #1
6. Steer Creek
7. Gilmer WV
8. 11.0 million cubic feet
9. March 20, 1980
10. Cabot Corp

1. 80–21567
2. 47–017–21739–0000
3. 108 000 000
4. Murvin Oil Corp
5. E F Smith #1
6. Morgans Run
7. Doddridge WV
8. 1.0 million cubic feet
9. March 20, 1980
10. Carnagie Natural Gas Co

1. 80–21568
2. 47–013–21373–0000
3. 108 000 000
4. Hamilton & Bee Gas Co
5. M O Elliott #1
6. Lee District
7. Calhoun WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21569
2. 47–021–21887–0000
3. 108 000 000
4. Appalachia Oil and Gas Co
5. C S Adams No 1
6. Troy
7. Gilmer WV
8. 4.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21570
2. 47–021–02723–Frac
3. 108 000 000
4. Murvin Oil Corp
5. B Moore #1
6. Little Ellis
7. Gilmer WV
8. 3.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21571
2. 47–021–21319–0000
3. 108 000 000
4. Murvin Oil Corp
5. B Farnsworth #1
6. Leading Creek
7. Gilmer WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21572
2. 47–021–22304–0000
3. 108 000 000
4. Murvin Oil Corp
5. Carson Heirs #1
6. Gluck Run
7. Gilmer WV
8. 3.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21573
2. 47–021–22308–0000
3. 108 000 000
4. Murvin Oil Corp
5. W H Radcliffe #1
6. Big Ellis
7. Gilmer WV
8. 6.0 million cubic feet
9. March 20, 1980
10. Equitable Gas Co

1. 80–21574
2. 47–085–00639–0000
3. 108 000 000
4. H V Gas Co
5. H V No 1
6. Harrisville

7. Ritchie WV
8. 3.4 million cubic feet
9. March 20, 1980
10. Consumers Gas Quality Co

1. 80–21575
2. 47–085–03363–0000
3. 108 000 000
4. McClaskey Gas Co
5. McClaskey No 1
6. Harrisville
7. Ritchie WV
8. 3.1 million cubic feet
9. March 20, 1980
10. Carnegie Natural Gas Co

1. 80–21576
2. 47–085–03372–0000
3. 108 000 000
4. McClaskey Gas Co
5. McClaskey No 3
6. Harrisville
7. Ritchie WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Carnegie Natural Gas Co

1. 80–21577
2. 47–013–02387–0000
3. 108 000 000
4. Scull & Rogers
5. W H Jarvis No 7
6.
7. Calhoun WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21578
2. 47–013–02384–0000
3. 108 000 000
4. Scull & Rogers
5. Myrtle Conley No 2
6.
7. Calhoun WV
8. 2.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21579
2. 47–013–00958–0000
3. 108 000 000
4. Rogers & Jarvis
5. Jerushia Hicks #1
6.
7. Calhoun WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21580
2. 47–013–00861–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Viola Smith No 2
6.
7. Calhoun WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21581
2. 47–013–01576–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Mallie Sturm No 1
6.
7. Calhoun WV
8. 1.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21582
2. 47–013–01599–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Mallie Sturm No 2
6.
7. Calhoun WV
8. 1.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21583
2. 47–013–01616–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Mallie Sturm No 3
6.
7. Calhoun WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21584
2. 47–013–01635–0000
3. 108 000 000
4. Lendol Rogers & Son
5. James Uldrich No 1
6.
7. Calhoun, WV
8. 5.9 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21585
2. 47–013–01641–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Mallie Sturm No 4
6.
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21586
2. 47–013–01699–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Eula Stevens No 1
6.
7. Calhoun, WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21587
2. 47–013–01727–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Eula Stevens No 2
6.
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21588
2. 47–013–00837–0000
3. 108 000 000
4. Lendol Rogers & Son
5. Viola Smith No 1
6.
7. Calhoun, WV
8. 2.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21589
2. 47–013–02401–0000
3. 108 000 000
4. Rogers & Scull
5. Steven M. Hicks No 1
6.
7. Calhoun, WV
8. 2.2 million cubic feet
9. March 20, 1980
10. Harry C Boggs

1. 80–21590
2. 47–013–21797–0000
3. 108 000 000
4. White Gas Co
5. White Gas Co #1
6. Washington District
7. Calhoun, WV
8. .3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21591
2. 47–013–21918–0000
3. 108 000 000
4. J W Keaton Gas Co
5. J W keaton Gas Co #1
6. Washington District
7. Calhoun, WV
8. 1.9 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21592
2. 47–013–21921–0000
3. 108 000 000
4. Edgell Gas Co
5. Edgell Gas Co #1
6. Washington District
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21593
2. 47–013–21923–0000
3. 108 000 000
4. Alice Farrar Gas Co
5. Alice Farrar Gas Co #1
6.
7. Calhoun, WV
8. 2.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21594
2. 47–013–21933–0000
3. 108 000 000
4. Roop-Mollohan Gas Company
5. Roop-Mollohan Gas Co #1
6. Washington District
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21595
2. 47–013–22397–0000
3. 108 000 000
4. Norman Gas Company
5. Norman Gas Co #1
6. Washington
7. Calhoun, WV
8. 3.9 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21596
2. 47–017–20795–0000
3. 108 000 000
4. Metheny Gas Co
5. Metheny Gas Co #1
6. Cove District
7. Doddridge County, WV
8. 2.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21597

2. 47-021-20971-0000
3. 108 000 000
4. Frasure Gas Co
5. Frasure Gas Co #1
6. Dekalb
7. Gilmer, WV
8. 1.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21598
2. 47-085-22634-0000
3. 108 000 000
4. Delta Davis Gas Co
5. Dalta Davis Gas Co #1
6. Murphy District
7. Ritchie County, WV
8. 7.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21599
2. 47-013-21517-0000
3. 108 000 000
4. Maude Gainer Gas Co
5. Maude Gainer Gas Co #1
6. Lee District
7. Calhoun, WV
8. 1.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21600
2. 47-087-21422-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Hively #3 62040-3
6. Walton District
7. Roane, WV
8. .3 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21601
2. 47-0087-21492-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #7 62040-1-7
6. Walton District
7. Roane, WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21602
2. 47-087-21081-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #1 62040-1-1
6. Walton District
7. Roane, WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21603
2. 47-087-21151-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. G W Canterbury #1 62040-1
6. Walton District
7. Roane, WV
8. .1 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21604
2. 47-087-21170-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. G W Canterbury #2 62040-2
6. Walton District
7. Roane, WV
8. .1 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21605
2. 47-087-21171-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #2 62040-2-2
6. Walton District
7. Roane, WV
8. 2.4 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21606
2. 47-087-21203-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #3 62040-2-3
6. Walton District
7. Roane, WV
8. 2.4 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21607
2. 47-087-21204-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #4 62040-2-4
6. Walton District
7. Roane, WV
8. 2.4 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21608
2. 47-087-21233-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Hively #1 62040-1
6. Walton District
7. Roane, WV
8. .3 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21609
2. 47-087-21244-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #3 62040-3
6. Walton District
7. Roane, WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21610
2. 47-087-21245-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Hively #2 62040-2
6. Walton District
7. Roane, WV
8. .3 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21611
2. 47-087-21246-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #4 62040-4
6. Walton District
7. Roane, WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21612
2. 47-087-21247-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #1 62040-1
6. Walton District
7. Roane, WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21613
2. 47-035-01097-0000
3. 108 000 000
4. Ruth L. Burdette
5. #2 T B Coleman
6. Grant District
7. Jackson, WV
8. 11.0 million cubic feet
9. March 20, 1980
10. Gas Transport Inc

1. 80-21614
2. 47-013-20882-0000
3. 108 000 000
4. Propst Gas Co
5. Propst Gas Co #2
6. Center District
7. Calhoun, WV
8. 5.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21615
2. 47-013-21023-0000
3. 108 000 000
4. Ervin Stump Gas Co #2
5. Ervin Stump Gas Co #2
6. Sherman District
7. Calhoun, WV
8. 1.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21616
2. 47-013-21050-0000
3. 108 000 000
4. Betty Reed Gas Co
5. Betty Reed Gas Co #1
6. Sherman
7. Calhoun, WV
8. 1.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21617
2. 47-013-21054-0000
3. 108 000 000
4. Stalnaker Gas Co
5. Stalnaker Gas Co #1
6. Washington District
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21618
2. 47-013-21238-0000
3. 108 000 000
4. Florence Witte Gas Co
5. Florence Witte Gas Co #1
6. Washington District
7. Calhoun, WV
8. 5.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21619
2. 47-013-21245-0000
3. 108 000 000
4. L L Booher Gas Co
5. L L Booher Gas Co #1
6. Lee District

7. Calhoun, WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21620
2. 47–013–21321–0000
3. 108 000 000
4. Lester Booher Gas Co
5. Lester Booher Gas Co #1
6. Lee District
7. Calhoun, WV
8. 1.5 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21621
2. 47–013–21331–0000
3. 108 000 000
4. F E Keith Gas Co
5. F E Keith Gas Co #1
6. Washington District
7. Calhoun, WV
8. 4.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21622
2. 47–013–21333–0000
3. 108 000 000
4. L L Booher Gas Co
5. L L Booher Gas Co #2
6. Lee District
7. Calhoun, WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21623
2. 47–013–21389–0000
3. 108 000 000
4. C H Gunn Gas Co
5. C H Gunn Gas Co #1
6. Lee District
7. Calhoun, WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21624
2. 47–013–20868–0000
3. 108 000 000
4. Propst Gas Co
5. Propst Gas Co #1
6. Center District
7. Calhoun, WV
8. 5.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21625
2. 47–035–20986–0000
3. 108 000 000
4. Ruth L Burdette
5. #1 George G Delong
6. Grant District
7. Jackson, WV
8. 3.0 million cubic feet
9. March 20, 1980
10. Gas Transport Inc

1. 80–21626
2. 47–035–21029–0000
3. 108 000 000
4. Ruth L Burdette
5. #1 T B Coleman
6. Grant District
7. Jackson, WV
8. 19.0 million cubic feet
9. March 20, 1980
10. Gas Transport Inc

1. 80–21627
2. 47–035–21057–0000
3. 108 000 000
4. Ruth L Burdette
5. #1 Lafe Delong
6. Grant District
7. Jackson, WV
8. 7.0 million cubic feet
9. March 20, 1980
10. Gas Transport Inc

1. 80–21628
2. 47–013–20505–0000
3. 108 000 000
4. Garretson Gas Co
5. Garretson Gas Co #1
6. Sherman District
7. Calhoun, WV
8. 1.7 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21629
2. 47–013–20271–0000
3. 108 000 000
4. Fiedler Gas Co
5. Fiedler Gas Co #1
6. Center District
7. Calhoun, WV
8. 6.3 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21630
2. 47–013–20284–0000
3. 108 000 000
4. Ruby Smith Gas Co
5. Ruby Smith Gas Co #1
6. Lee District
7. Calhoun, WV
8. 2.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21631
2. 47–013–20490–0000
3. 108 000 000
4. Pell Gas Co
5. Pell Gas Co #1
6. Sherman District
7. Calhoun, WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21632
2. 47–085–01930–0000
3. 108 000 000
4. Southwestern Development Co
5. Roberts #2
6. Smithville-Big Injun
7. Ritchie, WV
8. 4.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21633
2. 47–085–01960–0000
3. 108 000 000
4. Southwestern Development Company
5. Roberts #3
6. Smithville-Big Injun
7. Ritchie, WV
8. 4.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21634
2. 47–085–02217–0000
3. 108 000 000
4. Southwestern Development Co
5. Gainer #1
6. Smithville-Big Injun
7. Ritchie, WV
8. 2.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21635
2. 47–085–02577–0000
3. 108 000 000
4. Southwestern Development Co
5. Prunty #1–A
6. Smithville-Big Injun
7. Ritchie, WV
8. 2.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21636
2. 47–085–02629–0000
3. 108 000 000
4. Southwestern Development Co
5. Prunty Heirs 2–A
6. Smithville-Big Injun
7. Ritchie, WV
8. 2.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21637
2. 47–085–02660–0000
3. 108 000 000
4. Southwestern Development Co
5. Janie Prunty #1
6. Smithville-Big Injun
7. Ritchie, WV
8. .5 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21638
2. 47–105–00398–0000
3. 108 000 000
4. Southwestern Development Co
5. A J Mills #1
6. Cairo-Munday
7. Wirt, WV
8. 5.8 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21639
2. 47–105–00401–0000
3. 108 000 000
4. Southwestern Development Co
5. R O Pepper #1
6. Cairo-Munday
7. Wirt, WV
8. 2.5 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corporation

1. 80–21640
2. 47–085–01907–0000
3. 108 000 000
4. Southwestern Development Co
5. Roberts #1
6. Smithville-Big Injun
7. Ritchie, WV
8. 4.4 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21641
2. 47–087–21516–0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Allman #1 62040–1
6. Walton District
7. Roane, WV
8. .6 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21642

2. 47-087-21517-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Allman #2 62040-2
6. Walton District
7. Roane, WV
8. .0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21643
2. 47-087-21551-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #7 62040-7
6. Walton District
7. Roane, WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21644
2. 47-087-21845-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #6 62040-6
6. Walton District
7. Roane WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21645
2. 47-087-21846-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #8 62040-8
6. Walton District
7. Roane, WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21646
2. 47-087-21860-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Hively #4 62040-4
6. Walton District
7. Roane WV
8. .5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21647
2. 47-087-21248-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #2 62040-2
6. Walton District
7. Roane WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21648
2. 47-087-21256-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #5 62040-2-5
6. Walton District
7. Roane WV
8. 2.4 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21649
2. 47-087-21257-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. C E Canterbury #6 62040-2-6
6. Walton District
7. Roane WV
8. 2.4 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21650
2. 47-087-21277-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. P G Cunningham #5 62040-5
6. Walton District
7. Roane WV
8. 3.5 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80-21651
2. 47-013-21407-0000
3. 108 000 000
4. Mollie Keith Heirs Gas Co
5. Mollie Keith Heirs Gas Co #2
6. Washington District
7. Calhoun WV
8. 7.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21652
2. 47-013-21409-0000
3. 108 000 000
4. J W Keith Gas Co
5. J W Keith Gas Co #1
6. Washington District
7. Calhoun WV
8. 4.7 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21653
2. 47-013-21412-0000
3. 108 000 000
4. D C Craddock Gas Co
5. D C Craddock Gas Co #1
6. Lee
7. Calhoun WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21654
2. 47-013-21427-0000
3. 108 000 000
4. Keith-Hays Gas Co
5. Keith-Hays Gas Co #1
6. Lee District
7. Calhoun V
8. 1.5 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21655
2. 47-013-21442-0000
3. 108 000 000
4. John T Jarvis Heirs Gas Co
5. John T Jarvis Heirs Gas Co #1
6. Washington District
7. Calhoun WV
8. 3.9 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21656
2. 47-013-21465-0000
3. 108 000 000
4. Flora Hinzman Gas Co
5. Flora Hinzman Gas Co #1
6. Washington District
7. Calhoun WV
8. 4.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21657
2. 47-013-21477-0000
3. 108 000 000
4. C H Gunn Gas Co
5. C H Gunn Gas Co #2
6. Lee
7. Calhoun WV
8. 1.6 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21658
2. 47-013-21518-0000
3. 108 000 000
4. S L Smith Gas Co
5. S L Smith Gas Co #1
6. Lee
7. Calhoun WV
8. 1.2 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21659
2. 47-013-21542-0000
3. 108 000 000
4. L L Booher Gas Co
5. L L Booher Gas Co #3
6. Lee District
7. Calhoun WV
8. 1.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21660
2. 47-013-21564-0000
3. 108 000 000
4. Olin Hill Gas Co
5. Olin Hill Gas Co #1
6. Washington District
7. Calhoun WV
8. 1.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21661
2. 47-013-21594-0000
3. 108 000 000
4. J M Morgan Heirs Gas Co
5. J M Morgan Heirs Gas Co #4
6. Lee District
7. Calhoun WV
8. 2.8 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21662
2. 47-013-21757-0000
3. 108 000 000
4. Goodnight Gas Co
5. Goodnight Gas Co #1
6. Sheridan District
7. Calhoun County WV
8. .0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80-21663
2. 47-033-00299-0000
3. 108 000 000
4. Well Supervision A Co-Venture
5. Hanning #2 (Francher #2)
6.
7. Harrison WV
8. 1.0 million cubic feet
9. March 20, 1980
10. Hope Natural Gas Co

1. 80-21664
2. 47-033-00000-0000
3. 108 000 000
4. Well Supervision a Co-Venture
5. Hanning #1 (Francher #1)
6.

7. Harrison WV
8. 1.0 million cubic feet
9. March 20, 1980
10. Hope Natural Gas Co

1. 80–21665
2. 47–013–02571–0000
3. 108 000 000
4. M Rogers & D Scull
5. Chester W Harris No 1
6.
7. Calhoun WV
8. 18.4 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21666
2. 47–013–00502–0000
3. 108 000 000
4. Rogers & Scull
5. L C Harris No 1
6.
7. Calhoun WV
8. .9 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21667
2. 47–013–02369–0000
3. 108 000 000
4. Scull & Rogers
5. Miller No 2
6.
7. Calhoun WV
8. 2.3 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21668
2. 47–013–02391–0000
3. 108 000 000
4. Scull and Rogers
5. Billy Queen No 1
6.
7. Calhoun WV
8. 2.1 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21669
2. 47–013–00515–0000
3. 108 000 000
4. Rogeers & Scull
5. L C Harris No 2
6.
7. Calhoun WV
8. .8 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21670
2. 47–013–00756–0000
3. 108 000 000
4. Rogers & Scull
5. L C Harris No 3
6.
7. Calhoun WV
8. .9 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21671
2. 47–013–02484–0000
3. 108 000 000
4. Rogers & Scull
5. L C Harris No 4
6.
7. Calhoun WV
8. .7 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21672
2. 47–013–02527–0000
3. 108 000 000
4. Rogers & Scull
5. L C Harris No 5
6.
7. Calhoun WV
8. .9 million cubic feet
9. March 20, 1980
10. Cabot Corporation

1. 80–21673
2. 47–013–02392–0000
3. 108 000 000
4. Rogers & Scull
5. Ora B Siers No 1
6.
7. Calhoun WV
8. 7.0 million cubic feet
9. March 20, 1980
10. Columbia Gas Transmission Corp

1. 80–21674
2. 47–013–01202–0000
3. 108 000 000
4. Scull and Rogers
5. W H Jarvis No 6
6.
7. Calhoun WV
8. 2.0 million cubic feet
9. March 20, 1980
10. Consolidated Gas Supply Corp

1. 80–21883
2. 47–041–21511–0000
3. 108 000 000
4. W H Mossor
5. Emma #5
6. Emma #5 Oil & Gas Co
7. Lewis WV
8. .4 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21884
2. 47–085–22111–0000
3. 108 000 000
4. W H Mossor
5. Spiker #1
6. Gay Spiker
7. Ritchie WV
8. .5 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21885
2. 47–085–22146–0000
3. 108 000 000
4. W H Mossor
5. Hogue #1
6. G K Taylor
7. Ritchie WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21886
2. 47–085–22149–0000
3. 108 000 000
4. W H Mossor
5. Berdine #1
6. Berdine Oil & Gas Co
7. Ritchie WV
8. 1.8 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21887
2. 47–041–21311–0000
3. 108 000 000
4. W H Mossor
5. Heater #2
6. Clayton Waugh
7. Lewis WV
8. .3 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21888
2. 47–085–22827–0000
3. 108 000 000
4. W H Mossor
5. Mullenix #2
6. Mullenix 2 Oil and Gas Co
7. Ritchie WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21889
2. 47–085–22853–0000
3. 108 000 000
4. W H Mossor
5. Mullenix #2
6. Mullenix 2 Oil and Gas Co
7. Ritchie WV
8. 1.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21890
2. 47–085–22633–0000
3. 108 000 000
4. W H Mossor
5. Emery #3
6. Emery #3 Oil and Gas Co
7. Ritchie WV
8. .5 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21891
2. 47–085–22498–0000
3. 108 000 000
4. W H Mossor
5. Emery #1
6. Emery Oil and Gas Co
7. Ritchie WV
8. .5 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21892
2. 47–085–22601–0000
3. 108 000 000
4. W H Mossor
5. Emery #2
6. Emery 2 Oil and Gas Co
7. Ritchie WV
8. .5 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21893
2. 47–085–22459–0000
3. 108 000 000
4. W H Mossor
5. Prunty (Allender)
6. C D Allender
7. Ritchie WV
8. .4 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21894
2. 47–041–21143–0000
3. 108 000 000
4. W H Mossor
5. Emma #3
6. Emma Oil & Gas Co
7. Lewis WV
8. .4 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80–21895

2. 47-041-20846-0000
3. 108 000 000
4. W H Mossor
5. Emma #2
6. Emma Oil and Gas Co
7. Lewis WV
8. .4 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80-21896
2. 47-041-20608-0000
3. 108 000 000
4. W H Mossor
5. Heater #1
6. Heater 1 Oil and Gas Co
7. Lewis WV
8. .3 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80-21897
2. 47-085-22237-0000
3. 108 000 000
4. W H Mossor
5. McGill #1
6. McGill Gas Co
7. Ritchie WV
8. 1.8 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21898
2. 47-085-22872-0000
3. 108 000 000
4. W H Mossor
5. Pritchard #2
6. Pritchard #2 Oil & Gas co
7. Ritchie WV
8. .9 million cubic feet
9. March 21, 1980
10. Southwestern Development Co

1. 80-21899
2. 47-041-21337-0000
3. 108 000 000
4. W H Mossor
5. Emma 4
6. Emma 4 Oil and Gas Co
7. Lewis WV
8. .4 million cubic feet
9. March 21, 1980
10. Equitable Gas Co

1. 80-21900
2. 47-087-21234-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #2 62040-2-2
6. Walton District
7. Roane WV
8. 3.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21901
2. 47-087-21856-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #9 62040-2-9
6. Walton District
7. Roane WV
8. 3.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21902
2. 47-087-21862-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #10 62040-2-10
6. Walton District
7. Roane WV
8. 3.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21903
2. 47-087-00455-0000
3. 108 000 000
4. Pennzoil Co
5. Elmore-Snodgrass #1
6. Smithfield
7. Roane WV
8. 4.6 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21904
2. 47-087-00819-0000
3. 108 000 000
4. Pennzoil Co
5. S S Miller #4
6. Smithfield
7. Roane WV
8. .4 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21905
2. 47-087-01966-0000
3. 108 000 000
4. Pennzoil Co
5. S M Sergent #11
6. Smithfield
7. Roane WV
8. 1.5 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21906
2. 47-087-01980-0000
3. 108 000 000
4. Pennzoil Co
5. P C & N Snodgrass #6
6. Smithfield
7. Roane WV
8. 3.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21907
2. 47-087-21397-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #8 62040-1-8
6. Walton District
7. Roane WV
8. 1.9 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21908
2. 47-087-21264-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #7 62040-2-7
6. Walton District
7. Roane WV
8. 3.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21909
2. 47-087-21263-0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #6 62040-2-6
6. Walton District
7. Roane WV
8. 3.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21910
2. 47-107-00667-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. John McIntire #1
6. Walker Dist Burdette
7. Wood WV
8. 3.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21911
2. 47-059-00922-0000
3. 108 000 000
4. Mills Drilling Co Inc
5. Closterman Heirs No M-1
6. Harvey District
7. Mingo WV
8. 9.1 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80-21912
2. 47-013-02973-0000
3. 103 000 000
4. Sterling Drilling & Production Co
5. Smith #115
6. Washington District
7. Calhoun, WV
8. 42.8 million cubic feet
9. March 21, 1980
10. Columbia Gas Trans

1. 80-21913
2. 47-107-00671-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Raymond Stewart #1 (W00-671)
6. Bordette-Walker District
7. Wood, WV
8. 3.4 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corporation

1. 80-21914
2. 47-107-00672-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. McMullen #1
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21915
2. 47-107-00678-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. McMullen #4
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21916
2. 47-107-00679-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. McMullen #6
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80-21917
2. 47-107-00680-0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. McMullen #7
6. Burdette

7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21918
2. 47–107–00683–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Russell Hall #1
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21919
2. 47–107–00685–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. McGinnis #1
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21920
2. 47–107–00688–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Wesley Chenoweth #1
6. Burdette
7. Wood, WV
8. 2.3 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21921
2. 47–107–00694–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. W I Cale #1
6. Burdette
7. Wood, WV
8. 5.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21922
2. 47–107–00698–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. W I Cale #2
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21923
2. 47–107–00699–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. W I Cole #3
6. Burdette
7. Wood, WV
8. 3.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21924
2. 47–107–00713–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Tom McIntyre #1
6. Burdette
7. Wood, WV
8. 3.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21925
2. 47–107–00717–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Hewitt #1
6. Burdette
7. Wood, WV
8. .0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21926
2. 47–107–00725–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Wesley Chenoweth #3
6. Burdette Wood
7. Wood, WV
8. 3.4 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21927
2. 47–107–00726–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Hewett #2
6. Burdette
7. Wood, WV
8. 4.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21928
2. 47–107–00728–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Wesley Chenoweth #4
6. Burdette Wood
7. Wood, WV
8. 3.6 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21929
2. 47–107–00731–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Hewitt #3
6. Burdette
7. Wood, WV
8. 3.5 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21930
2. 47–107–00732–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Jane Moorhead #1
6. Burdette Wood
7. Wood, WV
8. 3.4 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21931
2. 47–107–00761–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Bumgard #1
6. Burdette
7. Wood, WV
8. 2.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21932
2. 47–107–00764–0000
3. 108 000 000
4. Biscayne Oil & Gas Inc
5. Bumgard #2
6. Burdette
7. Wood, WV
8. 3.0 million cubic feet
9. March 21, 1980
10. Consolidated Gas Supply Corp

1. 80–21933
2. 47–087–21227–0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #4 62040–2–4
6. Walton District
7. Roane, WV
8. .3 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80–21934
2. 47–087–21228–0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #3 62040–2–3
6. Walton District
7. Roane, WV
8. .3 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

1. 80–21935
2. 47–087–21229–0000
3. 108 000 000
4. Quaker State Oil Refining Corp
5. Gibson #1 62040–1–1
6. Walton District
7. Roane, WV
8. .2 million cubic feet
9. March 21, 1980
10. Columbia Gas Transmission Corp

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 8, 1980.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-12399 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-313]

Public Service Co. of New Mexico; Change in Rate Schedule

April 16, 1980.

The filing Company submits the following:

Take notice that Public Service Company of New Mexico (PNM), on March 31, 1980, tendered for filing proposed changes in rates to four wholesale customers, namely, Plains

Electric Generation and Transmission Cooperative, Inc., Community Public Service Company, Department of Energy (DOE)-Los Alamos, and City of Farmington, New Mexico. The proposed changes would increase revenues from the sales and services by $14,862,000 on the basis of PNM's sales during Period II.

The Company estimates its rate of return under presently effective rates during Period II would be 6.4 percent. This rate of return is not adequate to enable the Company to generate funds sufficient to meet its current construction program that is required to provide for substantial growth.

Copies of the filing were served upon the public utility's jurisdictional customers being served under these rate schedules and the New Mexico Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 28, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-12400 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. GP80-25]

Transwestern Pipeline Co.; Third-Party Protest [1]

Issued: April 16, 1980.

Take notice that on October 29, 1979, the State of California and the Public Utilities Commission of the State of California (California) in accordance with the procedures established by the Federal Energy Regulatory Commission (Commission) in Order No. 23-B,[2] and "Order on Rehearing of Order No. 23-B," [3] jointly filed a Third-Party Protest to the assertion by the Transwestern Pipeline Company (Transwestern) and certain producers that the contracts identified in such protest constitute contractual authority for the producers to charge and collect any applicable maximum lawful price under the Natural Gas Policy Act of 1978 (NGPA).

California asserts that the language of the contracts contained in Appendix A does not constitute authority for the producer to increase prices to the extent claimed by Transwestern.

Take further notice that Pacific Lighting Service Company and Southern California Gas Company (SoCal) jointly filed Third-Party Protests to the assertion by Transwestern and certain producers that the contracts identified in such protest constitute contractual authority for the producers to charge and collect any applicable maximum lawful price under the NGPA.

SoCal asserts that the language of the contracts contained in Appendix B does not constitute authority for the producer to increase prices to the extent claimed by Transwestern.

Any person, other than the pipeline and the seller, desiring to be heard or to make any response with respect to these protests should file with the Commission, on or before April 30, 1980, a petition to intervene in accordance with 18 CFR 1.8. The seller need not file for intervention because under 18 CFR § 154.94(j)(4)(ii), the seller in the first sale is automatically joined as a party.

Kenneth F. Plumb,

Secretary.

Rate schedule or date of contract	Producer

Appendix A

5-2-69	Adobe Oil Co. et al.
4-20-70	Amarex, Inc.
5-2-69	American Trading Protection Company.
628	Atlantic Richfield Company.
317	Cities Service Company.
9-23-60	Cotton Petroleum Corporation.
5-2-69	Corporation.
479	Exxon Corporation.
12-16-70	Featherstone Farm.
51	Forest Oil Corporation.
412	Gulf Oil Corporation.
39	Mitchell Energy Corporation.
0-20-70	Nabob Production Company.
375	Shell Oil Company.
221	Sun Oil Company.
139	Superior Oil Company.
8-21-70	Texas Oil and Gas Corporation.

Appendix A-1

329	Atlantic Richfield Company.
5-19-69	Tom Brown.
8-22-69	Summit Energy, Inc.
469	Exxon.
11-01-66	Lewis Polk.

Appendix A-2

148	Amerada Hess Corporation.
661	Amoco Production Company.
318	Atlantic Richfield Company.
373	Gulf Oil Corporation.
375	Gulf Oil Corporation.
393	Gulf Oil Corporation.
8-1-64	Miles Kimball Production Company.
11-15-63	John K. Overbey.
572	Sun Oil Company.

Appendix A-3

17	Perry R. Bass.
11-10-66	Chambers & Kennedy.
11-10-66	Don O. Chappel.
11-10-66	R. H. Fulton.
11-10-66	Greenbriar '64 Limited.
11-10-66	Jake L. Hamon.
11-10-66	E. R. Jr., and W. A. II Hudson.
11-10-66	W. W. Meeker.
11-10-66	Howard Olsen.
11-10-66	John G. Scarle.
344	Shell Oil Company.
387	Texaco, Inc.
11-10-66	Tri-Service Drilling Company.
95	Union Texas Petroleum.
96	Union Texas Petroleum.

Appendix A-4

225	Cities Service Company.
304	Cities Service Company.
1-27-69	Max-James Stephens Coll.
103-68	David Fasken.
39	Forest Oil Corporation.
296	Gulf Oil Corporation.
376	Gulf Oil Corporation.
9-27-68	Jake L. Hamon.
107	Marathem Oil Company.
448	Mobil Oil Corporation.
89	Monsanto Company.
82	Monsanto Company.
93	Monsanto Company.
9-1-64	John K. Overbey.
15	Pennzoil Company.
93	Texas Pacific Oil Company.

Appendix A-5

6-15-67	Natomas North.
6-15-67	Samedan Oil Corporation.
213	Tenneco Inc.

Appendix A-6

8-12-60	Service Drilling Company.

Appendix A-7

6-06-77	American Public Energy Company.
8-05-77	American Public Energy Company.
2-10-78	American Public Energy Company.
10-17-78	American Public Energy Company.
329	Amoco Protection Company.
450	Amoco Protection Company.
739	Amoco Protection Company.
2-13-78	Andover Oil Company.
615	Atlantic Richfield Company.
715	Atlantic Richfield Company.
5-23-77	Baker and Taylor Drilling Company.
7-22-64	Max E. Banks Enterprises.
28	Belco 1972 Oil and Gas Fund.
5-06-77	C & K Petroleum Inc.
1-01-77	Roger E. Canter.
436	Continental Oil Company.
7	Cotton Petroleum Corporation.
7-07-58	Cotton Petroleum Corporation.
11-26-74	Cotton Petroleum Corporation.
8-23-77	Depco Inc.
6-09-77	Dyco Petroleum Corporation.
346	Exxon Corporation.
408	Exxon Corporation.
2-02-78	G & G Operating Company.
107	General American Oil Company of Texas.
8-03-77	Michael P. and Corinne Grace.
5-27-77	Bill J. Graham.
401	Gulf Oil Corporation.
5	Hondo Oil and Gas Company.
9-23-60	H. G. Kaiser.

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[1] The term "third-party protest" refers to a protest filed by a party who is not a party to the contract which is protested.

[2] "Order Adopting Final Regulations and Establishing Protest Procedure," Docket No. RM79-22, issued June 21, 1979.

[3] Docket No. RM79-22, issued August 6, 1979.

Appendix A-8

12-29-60.. H. G. Kaiser.
2-15-61.... H. G. Kaiser.
12-07-61.. H. G. Kaiser.
1-10-77.... MWJ Producting Company.
140..... Marathon Oil Company.
92..... Mesa Petroleum Company.
43..... Monsanto Company.
88..... Monsanto Company.
126..... Monsanto Company.
128..... Monsanto Company.
140..... Monsanto Company.
131..... Monsanto Company.
133..... Monsanto Company.
8-11-60.... Natomas North America Inc.
11-01-76.. Neilson Enterprises Inc.
11-15-60.. Pan Canadian Petroleum Company.
12-30-77.. Petroleum Investments 1977.
541..... Phillips Petroleum Company.
613..... Phillips Petroleum Company.
618..... Phillips Petroleum Company.
5-27-77.... Ran Ricks Jr.
1-18-77.... Sabine Production Company.
1-18-77.... Sabine Production Company.
1-18-77.... Sabine Production Company.
6-09-77.... Schusterman Development Company.
132..... Superior Oil Company.
138..... Superior Oil Company.
185..... Superior Oil Company.
328..... Tenneco Inc.

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329..... Tenneco Inc.
11-01-76.. Texas Oil and Gas Corporation.
14..... Transwestern Gas Supply Company.
15..... Transwestern Gas Supply Company.
16..... Transwestern Gas Supply Company.
3-20-61.... Tripor Resources Oil and Gas.
129..... Union Texas Petroleum.
1-11-77.... Harvey E. Yates Company.
1-21-77.... Yates Petroleum Corporation.

Appendix A-10

4-24-78.... Cambridge and Nail.
12-30-77.. Sidney R. Clarke III.
12-30-77.. Sidney R. Clarke III.
85..... Diamond Shamrock Corporation.
3-31-78.... Filon Exploration Corporation.
11-23-77.. Hadson Ohio Oil Company.
12-30-77.. Hadson Ohio Oil Company.
105..... Huber Corporation.
12-30-77.. Lib Ventures Company.
12-30-77.. Lib Ventures Company.
4-3-75..... Scarth Petroleum Engineering Company.
10-16-78.. Scarth Petroleum Engineering Company.
204..... Superior Oil Company.

Appendix A-11

5-23-66.... C. E. McBride.

Appendix A-12

10-18-73.. Adobe Oil Company et al.
680..... Amoco Production Company.
705..... Amoco Production Company.
709..... Amoco Production Company.
710..... Amoco Production Company.
712..... Amoco Production Company.
3-7-75..... Allan J. Antweil.
703..... Atlantic Richfield Company
715..... Atlantic Richfield Company
6-26-74.... H. L. Brown, Jr.
2-1-75..... H. L. Brown, Jr.
2-1-75..... H. L. Brown, Jr.
9-1-74..... Brunson and McKnight, Inc.
1-15-75.... C & K Petroleum, Inc.
7-25-75.... C & K Petroleum, Inc.
8-29-75.... Tom R. Caviness.
7-7-58..... Champlin Exploration, Inc.
11-6/74.... Champlin Exploration, Inc.
424..... Cities Service Company.
333..... Cities Service Company.
5..... Coltexco Corporation.
411..... Continental Oil Company
5-6-75..... Coquina Oil Corporation.
7-1-74..... Cotton Petroleum Corporation

Appendix A-12

3-12-75.... Danden Petroleum, Inc.
3-25-75.... J. C. Davis and J. L. Pierce.
4-1-75..... Davoil, Inc.

Appendix A-13

6-10-75.... Depco, Inc.
7-1-75..... Depco, Inc.
8-1-75..... Depco, Inc.
8-29-75.... Depco, Inc.
7-7-58..... L. N. Dunnavant Et. Al.
10-3-75.... El Ran Inc.
121..... Enserch Exploration, Inc.
4-23-71.... David Fasken.
10-1-74.... David Fasken.
3-12-75.... David Fasken.
4-1-75..... David Fasken.
5-19-75.... David Fasken.
9-27-68.... Flag-Redfern Oil Company.
10-19-73.. Fluor Oil and Gas Corporation.
401..... Getty Oil Company.
4-1-75..... Great Western Drilling Company.
6-30-75.... Hanagan Petroleum Company.
7-31-74.... D. L. Hannifin.
8-2-74..... Hanson Oil Corporation.
1-15-75.... Hanson Oil Corporation.
8-29-75.... Aulton W. Hefner.
11-1-73.... Holly Energy, Inc. et al.
7..... Hondo Oil and Gas Company.
7-17-58.... Hoover and Bracken, Inc.
8-4-75..... Husky Oil Company.
8-4-75..... Husky Oil Company.
2-18-75.... Jones and Pellow Oil Company.
8-29-75.... Marjorie Kastman.

Appendix A-14

6-20-75.... T. H. McElvain.
66..... Mesa Petroleum Company.
110..... Monsanto Company.
114..... Monsanto Company.
116..... Monsanto Company.
117..... Monsanto Company.
118..... Monsanto Company.
120..... Monsanto Company.
8-6-74..... Natomas North America, Inc.
4-15-75.... Joseph I. O'Neill, Jr.
1-9-58..... John R. Overbey.
8-29-75.... Eugene C. Paine et al.
22..... Pennzoil Company.
41..... Pennzoil Company.
2-6-74..... Penroc Oil Corporation.
1-1-75..... Penroc Oil Corporation.
541..... Phillips Petroleum Company.
7-15-74.... Andrea S. Pollack.
5-1-74..... Rael Gas Company.
6-10-75.... Read and Stevens, Inc.
6-17-75.... Saxon Oil Company.
4-1-75..... Stevens Oil Company.
122..... Sun Oil Company.
546..... Sun Oil Company.
9-23-74.... Tahoe Oil and Cattle Company.
4..... Transwestern Gas Supply Company.
5..... Transwestern Gas Supply Company.
6..... Transwestern Gas Supply Company.
7..... Transwestern Gas Supply Company.
8..... Transwestern Gas Supply Company.
9..... Transwestern Gas Supply Company.
10..... Transwestern Gas Supply Company.
11..... Transwestern Gas Supply Company.

Appendix A-15

1-1-76..... T. & W. Company.
129..... Union Texas Petroleum.
132..... Union Texas Petroleum.
6-13-73.... Wainoco, Inc.
3-25-75.... Western Reserves Oil Company.
4-1-75..... Harvey E. Yates Company.

Appendix A-16

8..... American Natural Gas Production Company.
10..... American Natural Gas Production Company.
7-7-58..... American Trading and Production Company.
279..... Amoco Production Company.
372..... Amoco Production Company.
656..... Amoco Production Company.
219..... Atlantic Richfield Company.
232..... Atlantic Richfield Company.
439..... Atlantic Richfield Company.

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442..... Atlantic Richfield Company.
450..... Atlantic Richfield Company.
3-25-76.... Max E. Banks Enterprises.
3-23-76.... R. G. Barton, Jr.
11-10-75.. R. C. Bennett.
3-23-59.... Burk and Moran.
1-9-61..... Jack L. Burrell.
1-9-61..... Jack L. Burrell.
44..... Cabot Corporation.
49..... Cabot Corporation.
4-24-78.... Cambridge and Nail.
121..... Chevron U.S.A.
137..... Cities Service Company.
142..... Cities Service Company.
147..... Cities Service Company.
213..... Cities Service Company.
218..... Cities Service Company.
420..... Cities Service Company.
5-3-61..... Harold D. Courson.
5-12-70.... Harold D. Courson.
1-20-76.... Davoil Inc.

Appendix A-17

83..... Diamond Shamrock Corporation.
85..... Diamond Shamrock Corporation.
124..... Enserch Exploration Inc.
239..... Exxon Corporation.
455..... Exxon Corporation.
456..... Exxon Corporation.
556..... Exxon Corporation.
1-24-61.... C. R. Gallagher.
105..... General American Oil Company of Texas.
105..... Getty Oil Company.
196..... Getty Oil Company.
8-1-76..... Iris Goldston et al.
12-3-71.... Michael P. and Corinne Grace.
7-12-60.... Graham-Michaelis Drilling Company.
1-20-76.... Great Western Drilling Company.
3-16-59.... Gulf Oil Corporation.
192..... Gulf Oil Corporation.
193..... Gulf Oil Corporation.
195..... Gulf Oil Corporation.
196..... Gulf Oil Corporation.
197..... Gulf Oil Corporation.
215..... Gulf Oil Corporation.
342..... Gulf Oil Corporation.
366..... Gulf Oil Corporation.
370..... Gulf Oil Corporation.
418..... Gulf Oil Corporation.
504..... Gulf Oil Corporation.
7-7-58..... H & L Operating Company.
7-7-58..... H & L Operating Company.
11-17-75.. H & L Operating Company.

Appendix A-18

11-23-77.. Hadson Ohio Oil Company
12-30-77.. Hadson Ohio Oil Company
47..... Helmerich and Payne Inc.
3..... A. G. Hill
1..... A. G. Hill
1-5-75..... Holly Energy Inc.
8-1-75..... Holly Energy Inc.
8-30-75.... Holly Energy Inc.
42..... Huber Corporation.
105..... Huber Corporation.
9-3-58..... Hunt Oil Company.
7-9-58..... Curtis Inman.
6-19-58.... Kennedy and Mitchell.
2-26-76.... E. R. Latham, Jr.
7-7-58..... Lear Petroleum Corporation.
9-19-75.... Charles R. Loveless.
3-19-76.... MWJ Producing Company.
4-19-76.... T. H. McElvain, Sr.
12-3-59.... Maddox Energy Corporation.
3-24-76.... Maddox Energy Corporation.
4-19-76.... Maralo Inc.
51..... Marathon Oil Company.
136..... Marathon Oil Company.
138..... Marathon Oil Company.
12-12-58.. Mesa Petroleum Company.
73..... Mesa Petroleum Company.
7-7-58..... Mewborne Oil Company.
9-23-60.... Mewborne Oil Company.
9-27-76.... Duncan Miller.
226-228.... Mobil Oil Corporation.
232..... Mobil Oil Corporation.
239..... Mobil Oil Corporation.
240..... Mobil Oil Corporation.

Appendix A-19

260 ..... Mobil Oil Corporation
39 ..... Monsanto Company.
124 ..... Monsanto Company.
1 ..... ONG Exploration Inc.
4 ..... Pacific Lighting Gas Development Company.
23 ..... Pennzoil Company.
7-7-58 ..... Philcon Development Company.
374 ..... Phillips Petroleum Company.
3-13-76 .... William G. Ross.
6-10-58 .... Lloyd B. Sands.
10 ..... Caroline Schoellkopt
242 ..... Shell Oil Company.
243 ..... Shell Oil Company.
247 ..... Shell Oil Company.
3-4-59 ..... Shenandoah Oil Corporation.
5-15-73 .... Earle T. Smith and Associates Inc.
2-15-60 .... Summit Energy Inc.
124 ..... Sun Oil Company.
132 ..... Sun Oil Company.
204 ..... Superior Oil Company.
215 ..... Texaco Inc.
8-1-77 ..... Texland Petroleum Inc.
8-1-77 ..... Texland Petroleum Inc.
12 ..... Transwestern Gas Supply Company.
13 ..... Transwestern Gas Supply Company.
48 ..... Union Oil Company of California.
571 ..... Union Oil Company of California.
124 ..... Union Oil Company of California.
4-8-69 ..... Wainoco Inc.
2-6-59 ..... Jack Wallace.
4-6-60 ..... Jack Wallace.

Appendix A-20

51 ..... Warren Petroleum Corporation.
9-9-75 ..... Western Oil Producers Company.
7-7-58 ..... Windsor Gas Corporation.
4-23-71 .... Yates Petroleum Corporation.
7-26-72 .... Yates Petroleum Corporation.
11-1-73 .... Yates Petroleum Corporation.
11-27-74 .. Yates Petroleum Corporation.
1-5-75 ..... Yates Petroleum Corporation.
8-1-75 ..... Yates Petroleum Corporation.
10-21-76 .. Yates Petroleum Corporation.
1-5-59 ..... Yucca Petroleum Company.
5-23-60 .... Yucca Petroleum Company.

Appendix A-21

5-23-66 .... G. E. McBride.
1-29-60 .... American Liberty Oil Company.
98 ..... Huber Corporation.
5 ..... Coltexo Corporation.
379 ..... Continental Oil Company.
276 ..... Exxon Corporation.
506 ..... Mobil Oil Corporation.

Appendix A-22

5-11-71 .... Adobe Oil Company et al.
6-19-58 .... Allied Materials Corporation.
669 ..... Amoco.
654 ..... Atlantic Richfield Company.
673 ..... Atlantic Richfield Company.
213 ..... Cities Service Company.
345 ..... Cities Service Company.
384 ..... Cities Service Company.
406 ..... Cities Service Company.
5-17-71 .... Davoil, Inc.
7-9-73 ..... Ben Eisenberg.
493 ..... Exxon Corporation.
510 ..... Exxon Corporation.
4-5-72 ..... David Fasken.
20 ..... Felmont Oil Corporation.
12-1-71 .... Jack Frost.
6-5-72 ..... R. K. Gantner, R. K. 71'LTD.
5-17-71 .... Great Western Drilling Company.
436 ..... Gulf Oil Corporation.
3-9-72 ..... Jake L. Hamon.
6 ..... Hondo Oil & Gas Company.
3-22-71 .... Marshall and Winston.
499 ..... Mobil Oil Corporation.
102 ..... Monsanto Company.

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102 ..... Monsanto Company.
123 ..... Monsanto Company.
10-29-71 .. Neilson Enterprises, Inc.
12-22-71 .. Neilson Enterprises, Inc.

Appendix A-23

1 ..... Pacific Lighting Gas Development Company.
2 ..... Pacific Lighting Gas Development Company.
36 ..... Pennzoil Company.
9-30-72 .... Philcon Development Company.
10-22-71 .. Prudential Funds, Inc.
4-16-71 .... Shenandoah Oil Corporation.
6-5-72 ..... Southland Royalty Company.
509 ..... Sun Oil Company.
94 ..... Texas Oil and Gas Corporation.
4-25-73 .... Texas West Oil and Gas Company.
1 ..... Transwestern Gas Supply Company.
2 ..... Transwestern Gas Supply Company.
6-19-72 .... Wainoco, Inc.
7-6-72 ..... Wainoco, Inc.
6-10-60 .... Bruce A. Wilbanks, et al.
6-5-72 ..... Bruce A. Wilbanks, et al.

Appendix A-24

469 ..... Mobil Oil Corporation.
470 ..... Mobil Oil Corporation.
30 ..... Pennzoil Company.
175 ..... Superior Oil Company.
3-21-73 .... American Liberty Oil Company.
4-1-75 ..... American Liberty Oil Company.

Appendix A-25

9-10-59 .... Archer, Carl M.
7-10-58 .... Archer, Dan.
4434 ..... Atlantic Richfield.
6-19-58 .... Barber Oil Exploration, Inc.
118 ..... Cabot Corporation.
1 ..... D. D. Feldman.
6-19-58 .... Harper Oil Company.
10-9-58 .... Lighting Production, Inc.
2-24-59 .... Chester Oil Company.

Appendix A-26

4-13-59 .... Berry and Walbert.
7-17-58 .... Braley, William R., et al.
9-29-58 .... Cotton Petroleum Corporation.
5-16-60 .... Cree Drilling Company.
3 ..... Crone Oil Company.
6-19-58 .... Crown Central Petroleum Corporation.
6-19-58 .... Grace Petroleum.
364 ..... Phillips Petroleum Company.
15 ..... Pioneer Production Company.

Appendix B

5-8-78 ..... Brown, H. L. Jr.
5-19-69 .... Brown, Tom.
9-1-69 ..... Brunson and McKnight, Inc.
2-14-78 .... Buchanan, Wayne W.
3-23-59 .... Burk and Moran.
1-9-61 ..... Burrell, Jack L.
1-9-61 ..... Burrell, Jack L.
1-15-75 .... C & K Petroleum, Inc.
7-25-75 .... C & K Petroleum, Inc.
5-6-77 ..... C & K Petroleum, Inc.
11-7-77 .... C & K Petroleum, Inc.
44 ..... Cabot Corporation.
49 ..... Cabot Corporation.
118 ..... Cabot Corporation.
4-24-78 .... Cambridge and Nail.
1-1-77 ..... Canter, Roger E.
8-29-75 .... Caviness, Tom R.
11-10-66 .. Chambers and Kennedy.
7-7-58 ..... Champlin Exploration, Inc.
11-6-74 .... Champlin Exploration, Inc.
11-10-66 .. Chappel, Don O.
2-24-59 .... Chester Oil Company.
122-124 .... Chevron U.S.A., Inc.
121 ..... Chevron U.S.A., Inc.
137 ..... Cities Service Company.
142 ..... Cities Service Company.
147 ..... Cities Service Company.
213 ..... Cities Service Company.
213 ..... Cities Service Company.
218 ..... Cities Service Company.
225 ..... Cities Service Company.
304 ..... Cities Service Company.
317 ..... Cities Service Company.
345 ..... Cities Service Company.
384 ..... Cities Service Company.

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406 ..... Cities Service Company.
420 ..... Cities Service Company.
424 ..... Cities Service Company.
433 ..... Cities Service Company.
477 ..... Cities Service Company.
12-30-77 .. Clarke, Sidney R. III.
12-30-77 .. Clarke, Sidney R. III.
1-27-69 .... Coll, Max-James Stephens.
5 ..... Coltexo Corporation.
5 ..... Coltexo Corporation.
176 ..... Continental Oil Company.
178 ..... Continental Oil Company.
180 ..... Continental Oil Company.
379 ..... Continental Oil Company.
411 ..... Continental Oil Company.
436 ..... Continental Oil Company.
459 ..... Continental Oil Company.
5-6-75 ..... Coquina Oil Corporation.
1-21-77 .... Coquina Oil Corporation.
9-9-77 ..... Coquina Oil Corporation.
9-19-78 .... Coquina Oil Corporation.
7 ..... Cotton Petroleum Corporation.
7-7-58 ..... Cotton Petroleum Corporation.
9-29-58 .... Cotton Petroleum Corporation.
9-29-58 .... Cotton Petroleum Corporation.
9-23-60 .... Cotton Petroleum Corporation.
6-25-69 .... Cotton Petroleum Corporation.
7-1-74 ..... Cotton Petroleum Corporation.
11-26-74 .. Cotton Petroleum Corporation.
12-8-75 .... Cotton Petroleum Corporation.
5-3-61 ..... Courson, Harold D.
5-12-70 .... Courson, Harold D.
9-25-78 .... Courson Oil and Gas Company.
5-16-60 .... Cree Drilling Company
3 ..... Crone Oil Company.

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9-10-59 .... Archer, Carl M.
7-10-58 .... Archer, Dan.
3-1-77 ..... Aston, Rogers.
219 ..... Atlantic Richfield Company.
232 ..... Atlantic Richfield Company.
318 ..... Atlantic Richfield Company.
329 ..... Atlantic Richfield Company.
434 ..... Atlantic Richfield Company.
439 ..... Atlantic Richfield Company.
442 ..... Atlantic Richfield Company.
450 ..... Atlantic Richfield Company.
615 ..... Atlantic Richfield Company.
628 ..... Atlantic Richfield Company.
654 ..... Atlantic Richfield Company.
673 ..... Atlantic Richfield Company.
695 ..... Atlantic Richfield Company.
703 ..... Atlantic Richfield Company.
715 ..... Atlantic Richfield Company.
5-23-77 .... Baker and Taylor Drilling Company.
7-22-64 .... Banks, Max E. Enterprises.
3-25-76 .... Banks, Max E. Enterprises.
6-19-58 .... Barber Oil Exploration, Inc.
3-23-76 .... Barton, R. G. Jr.
6 ..... Bass, Perry R.
17 ..... Bass, Perry R.
9-21-78 .... BDOL-1977 Program LTD.
9-21-78 .... Beard Oil Company.
28 ..... Belco "1972" Oil and Gas Fund.
11-10-75 .. Bennett, R. C.
10-16-78 .. Beren Group.
4-13-59 .... Berry and Walbert.
7-17-58 .... Braley, William R., et al.
6-26-74 .... Brown, H. L. Jr.
2-1-75 ..... Brown, H. L. Jr.
2-1-75 ..... Brown, H. L. Jr.

Appendix B-3

6-19-58 .... Crown Central Petroleum Corporation.
5-2-69 ..... Crown Central Petroleum Corporation.
3-12-75 .... Danden Petroleum, Inc.
3-25-75 .... Davis, J. C. and J. L. Pierce.
5-17-71 .... Davoil, Inc.
4-1-75 ..... Davoil, Inc.
1-20-76 .... Davoil, Inc.
6-10-75 .... Depco, Inc.
7-1-75 ..... Depco, Inc.
8-1-75 ..... Depco, Inc.
8-29-75 .... Depco, Inc.
8-24-77 .... Depco, Inc.
11-7-77 .... Desana Corporation.

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83 ..... Diamond Shamrock Corporation.
85 ..... Diamond Shamrock Corporation.
7-7-58 ..... Dunnavant, L. N., et al.
6-9-77 ..... Dyco Petroleum Corporation.
7-9-73 ..... Eisenberg, Ben.
10-3-75 .... El Ran, Inc.
39 ..... Energy Reserves Group, Inc.
121 ..... Enserch Exploration, Inc.
124 ..... Enserch Exploration, Inc.
239 ..... Exxon Corporation.
276 ..... Exxon Corporation.
346 ..... Exxon Corporation.
408 ..... Exxon Corporation.
455 ..... Exxon Corporation.
456 ..... Exxon Corporation.
469 ..... Exxon Corporation.
479 ..... Exxon Corporation.
493 ..... Exxon Corporation.
510 ..... Exxon Corporation.
556 ..... Exxon Corporation.
648 ..... Exxon Corporation.
651 ..... Exxon Corporation.

Appendix B-4

11-25-75 .. Falcon Petroleum Company.
6-13-78 .... Falcon Petroleum Company.
10-3-68 .... Fasken, David.
4-23-71 .... Fasken, David.
4-5-72 ..... Fasken, David.
10-1-74 .... Fasken, David.
3-12-75 .... Fasken, David.
4-1-75 ..... Fasken, David.
5-19-75 .... Fasken, David.
12-16-70 .. Featherstone Farms.
1 ..... Feldman, D. D.
20 ..... Felmont Oil Corporation.
3-31-78 .... Filon Exploration Corporation.
7-5-78 ..... Filon Exploration Corporation.
9-27-68 .... Flag-Redfern Oil Company.
3-14-75 .... Flag-Redfern Oil Company.
10-19-73 .. Fluor Oil and Gas Corporation.
39 ..... Forest Oil Corporation.
51 ..... Forest Oil Corporation.
12-1-71 .... Frost, Jack.
11-10-66 .. Fulton, R. H.
2-2-77 ..... G & G Operating Company.
1-24-61 .... Gallagher, C. R.
6-5-72 ..... Ganter, R. K. 71' LTD.
105 ..... General American Oil Company of Texas.
107 ..... General American Oil Company of Texas.
105 ..... Getty Oil Company.
196 ..... Getty Oil Company.
401 ..... Getty Oil Company.
8-1-76 ..... Goldston, Iris, et al.
12-3-71 .... Grace, Michael P. and Corinne.
8-3-77 ..... Grace, Michael P. and Corinne.
6-19-58 .... Grace Petroleum.
5-27-77 .... Graham, Bill J.
7-12-60 .... Graham-Michaelis Drilling Company.

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5-17-71 .... Great Western Drilling Company.
4-1-75 ..... Great Western Drilling Company.
1-20-76 .... Great Western Drilling Company.
11-10-66 .. Greenbriar '64 Limited.
3-16-59 .... Gulf Oil Corporation.
192 ..... Gulf Oil Corporation.
193 ..... Gulf Oil Corporation.
195 ..... Gulf Oil Corporation.
196 ..... Gulf Oil Corporation.
197 ..... Gulf Oil Corporation.
215 ..... Gulf Oil Corporation.
296 ..... Gulf Oil Corporation.
342 ..... Gulf Oil Corporation.
366 ..... Gulf Oil Corporation.
370 ..... Gulf Oil Corporation.
373 ..... Gulf Oil Corporation.
375 ..... Gulf Oil Corporation.
376 ..... Gulf Oil Corporation.
393 ..... Gulf Oil Corporation.
401 ..... Gulf Oil Corporation.
402 ..... Gulf Oil Corporation.
412 ..... Gulf Oil Corporation.
418 ..... Gulf Oil Corporation.
436 ..... Gulf Oil Corporation.
478 ..... Gulf Oil Corporation.
504 ..... Gulf Oil Corporation.
532 ..... Gulf Oil Corporation.
614 ..... Gulf Oil Corporation.
7-7-58 ..... H & L Operating Company.
7-7-58 ..... H & L Operating Company.
11-17-75 .. H & L Operating Company.

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7-17-58 .... HBOP, LTD.
11-23-77 .. Hadson Ohio Oil Company.
12-30-77 .. Hadson Ohio Oil Company.
11-10-66 .. Hamon, Jake L.

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9-27-68 .... Hamon, Jake L.
3-9-72 ..... Hamon, Jake L.
6-30-75 .... Hanagan Petroleum Company.
2-1-78 ..... Hanagan Petroleum Company.
7-31-74 .... Hannifin, D. L.
8-2-74 ..... Hanson Oil Corporation.
1-15-75 .... Hanson Oil Corporation.
2-4-59 ..... Harper Oil Company.
6-19-58 .... Harper Oil Company.
8-29-75 .... Hefner, Aulton W.
47 ..... Helmerich and Payne, Inc.
8-31-60 .... Henry Grace Production Company.
3 ..... Hill, A. G.
1 ..... Hill, A. G.
11-1-73 .... Holly Energy, Inc., et al.
1-5-75 ..... Holly Energy, Inc., et al.
8-1-75 ..... Holly Energy, Inc., et al.
8-30-75 .... Holly Energy, Inc., et al.
5 ..... Hondo Oil and Gas Company.
6 ..... Hondo Oil and Gas Company.
7 ..... Hondo Oil and Gas Company.
7-17-58 .... Hoover and Bracken, Inc.
42 ..... Huber Corporation.
98 ..... Huber Corporation.
102 ..... Huber Corporation.
105 ..... Huber Corporation.
11-10-66 .. Hudson, E. R. Jr. and W. A. II.
9-3-58 ..... Hunt Oil Company.
8-4-75 ..... Husky Oil Company.
8-4-75 ..... Husky Oil Company.
7-10-78 .... Inexco Oil Company.
9-15-78 .... Inexco Oil Company.
7-9-58 ..... Inman, Curtis.
2-22-78 .... Jones, Jack G.
2-22-78 .... Jones, Jack G.

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2-22-78 .... Jones, Jack G.
2-18-75 .... Jones and Pellow Oil Company.
9-23-60 .... Kaiser, H. G.
12-29-60 .. Kaiser, H. G.
2-15-61 .... Kaiser, H. G.
12-7-61 .... Kaiser, H. G.
8-29-75 .... Kastman, Marjorie C.
6-19-58 .... Kennedy and Mitchell.
158 ..... Kerr-McGee Corporation.
2-26-76 .... Latham, E. R. Jr.
7-7-58 ..... Lear Petroleum Corporation.
7-14-78 .... Lear Petroleum Corporation.
12-30-77 .. Lib Ventures Company.
12-30-77 .. Lib Ventures Company.
10-9-58 .... Lighting Production, Inc.
8 ..... Louisiana Land and Exploration Company.
9-19-75 .... Loveless, Charles R.
3-19-76 .... MWJ Producing Company.
1-10-77 .... MWJ Producing Company.
5-23-66 .... McBride, G. E.
8-29-75 .... McClellan Oil Company.
2-13-78 .... McCoy, William G.
6-20-75 .... McElvain, T. H. Jr.
4-19-76 .... McElvain, T. H. Jr.
8-1-77 ..... MacFarlane Company.
4-14-78 .... MacFarlane Company.
12-3-59 .... Maddox Energy Corporation.
3-24-76 .... Maddox Energy Corporation.
4-19-76 .... Maralo, Inc.
51 ..... Marathon Oil Company.
79 ..... Marathon Oil Company.
107 ..... Marathon Oil Company.
118 ..... Marathon Oil Company.
136 ..... Marathon Oil Company.
138 ..... Marathon Oil Company.

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140 ..... Marathon Oil Company.
3-22-71 .... Marshall and Winston.
11-10-66 .. Meeker, W. W.
12-12-58 .. Mesa Petroleum Company.
66 ..... Mesa Petroleum Company.
73 ..... Mesa Petroleum Company.
92 ..... Mesa Petroleum Company.
105 ..... Mesa Petroleum Company.
7-7-58 ..... Mewborne Oil Company.
9-23-60 .... Mewborne Oil Company.

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9-1-64 ..... Miles Kimball Production Company.
9-27-76 .... Miller, Duncan.
39 ..... Mitchell Energy Corporation.
226-228 .... Mobil Oil Corporation.
232 ..... Mobil Oil Corporation.
239 ..... Mobil Oil Corporation.
240 ..... Mobil Oil Corporation.
260 ..... Mobil Oil Corporation.
448 ..... Mobil Oil Corporation.
469 ..... Mobil Oil Corporation.
470 ..... Mobil Oil Corporation.
499 ..... Mobil Oil Corporation.
506 ..... Mobil Oil Corporation.
563 ..... Mobil Oil Corporation.
39 ..... Monsanto Company.
43 ..... Monsanto Company.
88 ..... Monsanto Company.
89 ..... Monsanto Company.
92 ..... Monsanto Company.
93 ..... Monsanto Company.
94 ..... Monsanto Company.
102 ..... Monsanto Company.
104 ..... Monsanto Company.
110 ..... Monsanto Company.
114 ..... Monsanto Company.

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116 ..... Monsanto Company.
117 ..... Monsanto Company.
118 ..... Monsanto Company.
120 ..... Monsanto Company.
123 ..... Monsanto Company.
124 ..... Monsanto Company.
126 ..... Monsanto Company.
128 ..... Monsanto Company.
130 ..... Monsanto Company.
131 ..... Monsanto Company.
133 ..... Monsanto Company.
8-1-77 ..... Montgomery Exploration Corporation.
4-5-78 ..... Montgomery Exploration Corporation.
10-20-70 .. Nabob Production Company.
6-19-58 .... Natomas North America, Inc.
9-29-58 .... Natomas North America, Inc.
8-11-60 .... Natomas North America, Inc.
6-15-67 .... Natomas North America, Inc.
8-6-74 ..... Natomas North America, Inc.
10-29-71 .. Neilson Enterprises, Inc.
12-22-71 .. Neilson Enterprises, Inc.
11-1-76 .... Neilson Enterprises, Inc.
1 ..... ONG Exploration, Inc.
11-10-66 .. Olsen, Howard.
4-15-75 .... O'Neill, Joseph I. Jr.
3-17-78 .... O'Neill, Joseph I. Jr.
1-9-58 ..... Overbey, John K.
11-15-63 .. Overbey, John K.
9-1-64 ..... Overbey, John K.
1 ..... Pacific Lighting Gas Development Company.
2 ..... Pacific Lighting Gas Development Company.
4 ..... Pacific Lighting Gas Development Company.
8-29-75 .... Paine, Eugene C., et al.
11-15-60 .. Pan Canadian Petroleum Company.
5-26-78 .... Paradox Petroleum Company.

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15 ..... Pennzoil Company.
22 ..... Pennzoil Company.
23 ..... Pennzoil Company.
30 ..... Pennzoil Company.
36 ..... Pennzoil Company.
41 ..... Pennzoil Company.
2-6-74 ..... Penroc Oil Corporation.
1-1-75 ..... Penroc Oil Corporation.
5-26-78 .... Petroleum, Inc.
12-30-77 .. Petroleum Investments 1977.
7-7-58 ..... Philcon Development Company.
9-30-72 .... Philcon Development Company.
364 ..... Phillips Petroleum Company.
374 ..... Phillips Petroleum Company.
541 ..... Phillips Petroleum Company.
541 ..... Phillips Petroleum Company.
613 ..... Phillips Petroleum Company.
618 ..... Phillips Petroleum Company.
15 ..... Pioneer Production Company.
11-10-66 .. Polk, Lewis.
7-15-74 .... Pollack, Andrea S.
10-22-71 .. Prudential Funds, Inc.
5-1-74 ..... Rael Gas Company.
6-10-75 .... Read and Stevens, Inc.
5-27-77 .... Ricks, Ran Jr.
3-13-76 .... Ross, William G.
1-18-77 .... Sabine Production Company.
1-18-77 .... Sabine Production Company.

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1-18-77 .... Sabine Production Company.
4-1-78 ..... Sabine Production Company.
6-15-67 .... Samedan Oil Corporation.
8-17-78 .... Samedan Oil Corporation.
6-10-58 .... Sands, Lloyd B.
6-17-75 .... Saxon Oil Company.
4-3-75 ..... Scarth Petroleum Engineering Company.

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10-16-78 .. Scarth Petroleum Engineering Company.
10 ..... Schoellkopt, Caroline H.
6-9-77 ..... Schusterman Development Company.
11-10-66 .. Searle, John G.
8-12-60 .... Service Drilling Company.
242 ..... Shell Oil Company.
243 ..... Shell Oil Company.
247 ..... Shell Oil Company.
344 ..... Shell Oil Company.
375 ..... Shell Oil Company.
3-4-59 ..... Shenandoah Oil Corporation.
4-16-71 .... Shenandoah Oil Corporation.
5-15-73 .... Smith, Earle T. and Associates, Inc.
F-5 ..... Southern Natural Gas Company.
6-5-72 ..... Southland Royalty Company.
8-30-76 .... Southland Royalty Company.
10-15-76 .. Stahl Petroleum Company.
10-15-76 .. Stahl Petroleum Company.
4-1-75 ..... Stevens Oil Company.
7-16-60 .... Stubblefield, D. L.
2-15-60 .... Summit Energy, Inc.
8-22-69 .... Summit Energy, Inc.
122 ..... Sun Oil Company.
124 ..... Sun Oil Company.
132 ..... Sun Oil Company.
221 ..... Sun Oil Company.
388 ..... Sun Oil Company.
509 ..... Sun Oil Company.
546 ..... Sun Oil Company.
572 ..... Sun Oil Company.
93 ..... Superior Oil Company.
132 ..... Superior Oil Company.
138 ..... Superior Oil Company.
139 ..... Superior Oil Company.
175 ..... Superior Oil Company.

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185 ..... Superior Oil Company.
204 ..... Superior Oil Company.
9-23-74 .... Tahoe Oil and Cattle Company.
6-19-58 .... Tamarach Petroleum Company.
213 ..... Tenneco, Inc.
328 ..... Tenneco, Inc.
329 ..... Tenneco, Inc.
3-31-78 .... Terra Resources, Inc.
214 ..... Texaco, Inc.
215 ..... Texaco, Inc.
266 ..... Texaco, Inc.
387 ..... Texaco, Inc.
395 ..... Texaco, Inc.
94 ..... Texas Oil and Gas Corporation.
8-16-68 .... Texas Oil and Gas Corporation.
8-21-70 .... Texas Oil and Gas Corporation.
11-1-76 .... Texas Oil and Gas Corporation.
9-12-78 .... Texas Oil and Gas Corporation.
10-2-78 .... Texas Oil and Gas Corporation.
10-3-78 .... Texas Oil and Gas Corporation.
93 ..... Texas Pacific Oil Company.
116 ..... Texas Pacific Oil Company.
124 ..... Texas Pacific Oil Company.
4-25-73 .... Texas West Oil and Gas Company.
10-4-77 .... Texas West Oil and Gas Company.
8-1-77 ..... Texland Petroleum, Inc.
8-1-77 ..... Texland Petroleum, Inc.
1 ..... Transwestern Gas Supply Company.
2 ..... Transwestern Gas Supply Company.
4 ..... Transwestern Gas Supply Company.
5 ..... Transwestern Gas Supply Company.
6 ..... Transwestern Gas Supply Company.
7 ..... Transwestern Gas Supply Company.
8 ..... Transwestern Gas Supply Company.
9 ..... Transwestern Gas Supply Company.

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10 ..... Transwestern Gas Supply Company.
11 ..... Transwestern Gas Supply Company.
12 ..... Transwestern Gas Supply Company.
13 ..... Transwestern Gas Supply Company.
14 ..... Transwestern Gas Supply Company.
15 ..... Transwestern Gas Supply Company.
16 ..... Transwestern Gas Supply Company.
17 ..... Transwestern Gas Supply Company.
18 ..... Transwestern Gas Supply Company.
3-19-78 .... Transwestern Gas Supply Company.
3-20-61 .... Tripor Resources Oil and Gas.
11-10-66 .. Tri-Service Drilling Company.
1-1-76 ..... T & W Company.
48 ..... Union Oil Company of California.
57 ..... Union Oil Company of California.
124 ..... Union Oil Company of California.
95 ..... Union Texas Petroleum.
96 ..... Union Texas Petroleum.
129 ..... Union Texas Petroleum.
130 ..... Union Texas Petroleum.
132 ..... Union Texas Petroleum.
139 ..... Union Texas Petroleum.
4-8-69 ..... Wainoco, Inc.
6-19-72 .... Wainoco, Inc.
7-6-72 ..... Wainoco, Inc.
6-13-73 .... Wainoco, Inc.
2-6-59 ..... Wallace, Jack.
4-6-60 ..... Wallace, Jack.
9-6-77 ..... Wallace, Jack.
3-14-78 .... Wallace, Jack.
51 ..... Warren Petroleum Corporation.
7-22-74 .... Western Oil Producers Company.
9-9-74 ..... Western Oil Producers Company.
3-25-75 .... Western Reserves Oil Company.
5-5-67 ..... Wheeler, Roger.

Appendix B-14

6-10-60 .... Wilbanks, Bruce A., Et Al.
6-5-72 ..... Wilbanks, Bruce A., Et Al.
7-7-58 ..... Windsor Gas Corporation.
3-27-78 .... Wiser Oil Company.
4-1-75 ..... Yates, Harvey E. Company, Inc.
1-11-77 .... Yates, Harvey E. Company, Inc.
3-3-77 ..... Yates, Harvey E. Company, Inc.
5-1-78 ..... Yates, Harvey E. Company, Inc.
4-23-71 .... Yates Petroleum Corporation.
7-26-72 .... Yates Petroleum Corporation.
11-1-73 .... Yates Petroleum Corporation.
11-27-74 .. Yates Petroleum Corporation.
1-5-75 ..... Yates Petroleum Corporation.
8-1-75 ..... Yates Petroleum Corporation.
10-21-76 .. Yates Petroleum Corporation.
1-21-77 .... Yates Petroleum Corporation.
8-1-77 ..... Yates Petroleum Corporation.
1-30-78 .... Yates Petroleum Corporation.
3-1-78 ..... Yates Petroleum Corporation.
4-13-78 .... Yates Petroleum Corporation.
5-1-78 ..... Yates Petroleum Corporation.
5-29-78 .... Yates Petroleum Corporation.
6-6-78 ..... Yates Petroleum Corporation.
7-3-78 ..... Yates Petroleum Corporation.
9-6-78 ..... Yates Petroleum Corporation.
11-1-78 .... Yates Petroleum Corporation.
11-1-78 .... Yates Petroleum Corporation.
1-5-59 ..... Yucca Petroleum Company.
5-23-60 .... Yucca Petroleum Company.
8-18-69 .... Nabob Production Company.
389 ..... Phillips Petroleum Company.
458 ..... Sun Oil Company.

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5-2-69 ..... Adobe Oil Company, Et Al.
5-11-71 .... Adobe Oil Company, Et Al.
10-18-73 .. Adobe Oil Company, Et Al.
6-19-58 .... Allied Materials Corporation.
4-20-70 .... Amares, Inc.
148 ..... Amerada Hess Corporation.
1-29-60 .... American Liberty Oil Company.

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3-21-73 .... American Liberty Oil Company.
4-1-75 ..... American Liberty Oil Company.
8 ..... American Natural Gas Production Company.
10 ..... American Natural Gas Production Company.
6-6-77 ..... American Public Energy Company.
8-5-77 ..... American Public Energy Company.
2-10-78 .... American Public Energy Company.
10-17-78 .. American Public Energy Company.
7-7-58 ..... American Trading and Production Company.
5-2-69 ..... American Trading and Production Company.
279 ..... Amoco Production Company.
290 ..... Amoco Production Company.
295 ..... Amoco Production Company.
329 ..... Amoco Production Company.
372 ..... Amoco Production Company.
450 ..... Amoco Production Company.
656 ..... Amoco Production Company.
661 ..... Amoco Production Company.
669 ..... Amoco Production Company.
680 ..... Amoco Production Company.
705 ..... Amoco Production Company.
709 ..... Amoco Production Company.
710 ..... Amoco Production Company.
712 ..... Amoco Production Company.
739 ..... Amoco Production Company.
790 ..... Amoco Production Company.
2-13-78 .... Andover Oil Company.
3-7-75 ..... Antweil, Alan J.

[FR Doc. 80-12295 Filed 4-22-80; 8:45 am]
BILLING CODE 6450-85-M

Office of Hearings and Appeals

Cases Filed; Week of February 29 Through March 7, 1980

Notice is hereby given that during the week of February 29, 1980 through November 7, 1980, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC. 20461.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

April 15, 1980.

List of Cases Received by the Office of Hearings and Appeals

[Week of Feb. 29 through Mar. 7, 1980]

Date	Name and location of applicant	Case No.	Type of submission
Feb. 29, 1980	Ashland Oil, Inc., Ashland, Ky	BEE-0927, BSG-0017.	Allocation Exception, Request for Special Redress. If granted: Ashland Oil, Inc. would receive an exception which would require other refiners to replace a portion of the crude oil which Ashland previously obtained from Iran.

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Feb. 29 through Mar. 7, 1980]

Date	Name and location of applicant	Case No.	Type of submission
Feb. 29, 1980	Chiles Oil, Inc., Pulaski, Tenn	BEE-0925	Allocation Exception. If granted: Chiles Oil, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Feb. 29, 1980	Floridan Oil Co., Orlando, Fla	BEA-241	Appeal of an Assignment Order. If granted: The December 17, 1980 Assignment Order issued to Floridan Oil Co. by the Economic Regulatory Administration, Region IV, regarding Floridan's supply obligations to Gas Garden Food Store would be modified.
Feb. 29, 1980	Highway Brake Division, Ashtabula, Ohio	BEE-0922	Exception to the reporting requirements. If granted: Rockway International would not be required to file form EIA-149 ("Natural Gas Supply Requirements and Usage").
Feb. 29, 1980	Lucky Four Ltd. No., Dexter, Miss	BEA-0243	Appeal of an Assignment Order. If granted: The January 18, 1980 Assignment Order issued by the Economic Regulatory Administration, Region VII to Lucky Four Ltd. No. 2 would be rescinded.
Feb. 29, 1980	Oklahoma Refining Co., Oklahoma City, Okla	BEE-0926	Exception from the Entitlements Program. If granted: Oklahoma Refining Co. would receive an exception from the provisions of 10 CFR 211.67 which would modify its entitlements purchase obligations.
Feb. 29, 1980	Thos. P. Reidy, Inc., Houston, Tex	BES, BST-0067	Request for Stay, Temporary Stay. If granted: Thos. P. Reidy, Inc. would receive a stay and a temporary stay of the Proposed and Interim Decision and Order issued to Busler Enterprises pending a final determination on its Objection (Case No. DEE-5175).
Feb. 29, 1980	Tosco Corp./I. V. Cole, Washington, D.C	BEJ, BED-0053	Motion for Discovery and Protective Order. If granted: Discovery would be granted and a Protective order would be entered into by Tosco Corp. and I. V. Cole Petroleum Co., Inc. in connection with the Application for Exception filed by I. V. Cole (Case No. BEE-0540).
Mar. 3, 1980	Atlantic Richfield Co./Cities Service Co., Los Angeles, Calif.	BEJ-0055	Motion for Protective Order. If granted: Atlantic Richfield Co. and Cities Service Company would enter into a Protective Order concerning Cities Service's Application for Exception (BEE-0637).
Mar. 3, 1980	Chevron U.S.A./Ashland Oil, Inc., Washington, D.C.	BEJ-0054, BED-0054.	Motion for Discovery and Protective Order. If granted: Discovery would be granted to Chevron U.S.A., Inc. and a Protective Order would be entered into by Chevron and Ashland Oil, Inc. in connection with Ashland's Application for exception (Case No. BEE-0373) and Petition for Special Redress (Case No. BSG-0007).
Mar. 3, 1980	Farmers Union Central Exchange (CENEX)/Marathon, St. Paul, Minn.	BEJ-0056	Motion for Protective Order. If granted: Farmers Union Central Exchange (CENEX) and Marathon Oil Company would enter into a Protective Order in connection with CENEX's Application for Exception (Case No. BEE-0549).
Mar. 3, 1980	Graves Enterprises, Inc., Rector, Ark	BEE-0921	Allocation Exception. If granted: Graves Enterprises, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 3, 1980	Long Island Lighting Co., Mineola, N.Y	BEE-0929	Exception from the reporting requirements. If granted: Long Island Lighting Company would be granted an extension of time in which to file form EIA-149 ("Natural Gas Supply Requirements and Usage").
Mar. 3, 1980	Meridian Oil Co., Gothenburg, Nebr	BEE-0933	Allocation Exception If granted: Meridian Oil Company would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 3, 1980	Petroleum Sales and Services, Inc., Buffalo, N.Y	BEE-0934	Allocation Exception. If granted: Petroleum Sales and Services, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purposes of blending gasohol.
Mar. 3, 1980	Sunflower Fuel Alcohol Co., Topeka, Kans	BEE-0935	Allocation Exception. If granted: Sunflower Fuel Alcohol Company would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 3, 1980	South Florida Gasohol, Inc., Delray Beach, Fla	BEE-0932	Allocation Exception. If granted: South Florida Gasohol, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 3, 1980	Texaco, Inc./Energy Cooperative, Washington, D.C.	BEJ-0059	Motion for Protective Order. If granted: Texaco, Inc. and Energy Cooperative would enter into a Protective Order in connection with Energy Cooperative's Application for Exception (Case No. DEE-8112).
Mar. 4, 1980	Anderson & Zirkle, Tulsa, Okla	BEA-0245	Appeal of an Information Request Denial. If granted: The January 25, 1980 Information Request Denial issued by the Economic Regulatory Administration would be rescinded and Anderson & Zirkle would receive certain DOE information.
Mar. 4, 1980	Colberry Corp., Austin, Tex	BEE-0937	Allocation Exceptions. If granted: Colberry Corporation would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an allocation of unleaded motor gasoline for the purposes of blending gasohol.
Mar. 4, 1980	Dalco Petroleum Corp., Washington, D.C	BES, BST-0068	Request for Stay, Temporary Stay. If granted: Dalco Petroleum Corp. would receive a stay and a temporary stay of the crude oil reselling reporting requirements, Forms ERA-69, FEA-P-124-M-O, and FEA-P-124-M-1 pending final determinations on Department of Justice and Department of Energy investigations concerning the firm.
Mar. 4, 1980	Grace Petroleum Corp., Oklahoma City, Okla	BEE-0938	Price Exception. If granted: Grace Petroleum Corporation would be permitted to sell the crude oil produced from the Star Misener Hunton Unit located in Blaine and Kingfisher Counties, Oklahoma, at upper tier ceiling prices.
Mar. 5, 1980	Buck's Butane and Propane Service, Inc., San Jose, Calif..	BEH-0016	Motion for Evidentiary Hearing. If granted: An evidentiary hearing would be convened in connection with the Statement of Objections submitted by Buck's Butane & Propane Service, Inc. in response to the January 28, 1980 Proposed Decision and Order issued to Buck's Butane by the OHA (Case No. DEE-5546).
Mar. 5, 1980	Cotten, Day & Doyle, Washington, D.C	BFA-0252	Appeal of Information Request Denial. If granted: The February 7, 1980 Information Request Denial issued by the Deputy General Counsel for Enforcement and Litigation would be rescinded, and Cotten, Day & Doyle would receive access to certain DOE documents regarding C & H Refinery Inc. and United Independent Oil Company in addition to documents related to the July 13, 1979 Notice of probable Violation issued to C & H, UIOC, Caribou Four Corner, Inc. and Thriftway Oil Co.
Mar. 5, 1980	Crown Central Petroleum Corp., (Certified), Baltimore, Md.	BES, BST-0184	Request for Stay and Temporary Stay. If granted: Crown Central Petroleum Corporation would receive a stay and a temporary stay of the January 3, 1980 Assignment Order issued to Certified Transport, Inc. by the Office of Petroleum Operations, ERA, pending final determination on its Appeal (Case No. BEA-0184).
Mar. 5, 1980	Doolittle Oil Company, Inc., Webster City, Iowa	BEE-0981	Allocation Exception. If granted: Doolittle Oil Company, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 5, 1980	Giant Industries, Inc., Washington, D.C	BEE, BES-0946	Price Exception and Request for Stay. If granted: Giant Industries, Inc. would receive an exception and a stay from the provisions of 10 CFR 211.65 and 212.94 which would allow the firm to purchase its entire allocation of crude oil under the Buy/Sell Program at a modified price.
Mar. 5, 1980	Gulf Oil Corp. (Jim's) Houston, Tex	BEA-0246	Appeal of Assignment Order. If granted: The January 17, 1980 Assignment Order issued to O. A. Gregory, Inc. by the Economic Regulatory Administration, Region IV, regarding O. A. Gregory's supply obligations to Jim Brown's Service would be rescinded.

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Feb. 29 through Mar. 7, 1980]

Date	Name and location of applicant	Case No.	Type of submission
Mar. 5, 1980	Hogan & Harston, Washington, D.C	BFA-0247	Appeal of Information Request Denial. If granted: The January 25, 1980 Information Request Denial issued by the Enforcement Information Division of the Economic Regulatory Administration would be rescinded, and Hogan & Hartson would receive access to certain documents submitted to both the DOE and the FEA concerning crude oil reseller regulations and their interpretations.
Mar. 5, 1980	Hughes Oil Co., Atlanta, Ga	BFA-0248	Appeal of Information Request Denial. If granted: The February 22, 1980 Information Request Denial issued by the district manager of the Economic Regulatory Administration, Region IV, would be rescinded, and Hughes Oil Company would receive accesss to copies of all documents in the possession of the DOE concerning Hughes Oil Company.
Mar. 5, 1980	Husky Oil Co., Denver, Colo	BES-0073	Request for Stay. If granted: Husky Oil Company would receive a stay of the January 22, 1980 Assignment Order issued to Schaeffer Oil, Inc. by the Economic Regulatory Administration, Region VIII pending final determination on its Appeal which the firm intends to file.
Mar. 5, 1980	Independent Oil & Tire Co., Elyria, Ohio	BEE-0947	Allocation Exception. If granted: Independent Oil & Tire Company would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 5, 1980	Pester Refining Co., Washington, D.C	BEA-0258	Appeal of ERA Assignment Order. If granted: The January 29, 1980, Assignment Order issued by the Economic Regulatory Administration, Region VII, to Pester Refining Company, regarding Pester Refining Company's supply obligations to Highway Oil, Inc. would be rescinded.
Mar. 5, 1980	Phillips Petroleum Co., Bartlesville, Okla	BES, BST-0069	Request for Stay, Temporary Stay. If granted: Phillips Petroleum Company would receive a stay and a temporary stay of the October 11, 1979 Assigment Order issued to Phillips by the Economic Regulatory Administration, Region VII pending a final determination on its Appeal (Case No. BEA-0075).
Mar. 5, 1980	Standard Oil Co. (Indiana), Washington D.C	BES-0074	Request for Stay. If granted: Standard Oil Company of Indiana and the Office of Special Counsel would jointly receive a stay of the administrative proceedings concerning Standard's objection to the PD&O (Case No. DEE-8244).
Mar. 5, 1980	Star Oil Co., Eight Mile, Ala	BEE-0950	Allocation Exception. If granted: Star Oil Company would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 5, 1980	State of New Mexico, Santa Fe, N. Mex	BEE-0944	Allocation Exception. If granted: the State of New Mexico, Commissioner of Public Lands would receive an exception from the provisions of 10 CFR 211.63 regarding the State's royalty share of crude oil which would permit the State to reallocate a portion of its in-kind royalty crude oil for the purpose of achieving Federal and State policy objectives in assuring the continued viability of small independent refiners.
Mar. 5, 1980	Storey Oil Co., Inc., Seymour, Ind	BES, BST-0072	Request for Stay and Temporary Stay. If granted: Storey Oil Company, Inc. would receive a stay and temporary stay of the January 11, 1980 Special Report Order issued to Storey Oil by the Office of Enforcement of the Economic Regulatory Administration.
Mar. 5, 1980	Sun Oil Company of Pa., Washington, D.C	BED, BEJ-0060	Motion for Discovery and Protective Order. If granted: Discovery would be granted to Sun Oil Company of Pennsylvania in connection with the Statement of Objections submitted in response to the Proposed Decision and Order (Case No. DEE-7895) issued to Big D & W Refining & Solvent Company by the OHA. Sun Oil Company and Big D & W Refining would enter into a Protective Order regarding the release of certain confidential information from Big D & W to Sun Oil in connection with its Application for Exception (Case No. DEE-7895).
Mar. 6, 1980	Haase Oil Co., Ellendale, N. Dak	BEN-0018	Interim Order. If granted: Haase Oil Company would be granted interim relief pending a finalization on its Application for Exception (Case No. BEE-0010).
Mar. 6, 1980	John Sullivan, Attleboro, Mass	BFA-0251	Appeal of Information Request Denial. If granted: The February 4, 1980 Information Request Denial issued by the Environmental Control Technology Division would be rescinded and John Sullivan would receive access to certain DOE documents of the Nuclear Regulatory Commission in addition to radiometric data concerning the aerial survey of Attleboro-Norton.
Mar. 6, 1980	Mary Lee Elders, Silver Spring, Md	BFA-0249	Appeal of Information Request Denial. If granted: Mary Lee Elders would receive access to certain DOE personnel files concerning James Geocaris as requested in her February 6, 1980 letter submitted to the Information Access Officer of the DOE.
Mar. 6, 1980	Mobil Oil Corp., Valley Forge, Pa	BEA-0237	Appeal of Assignment Order. If granted: The January 28, 1980 Assignment Order pursuant to the December 12, 1979 PD&O (Case No. BXE-0139) issued to Mobil Oil Corporation by the Economic Regulatory Administration, Region III, regarding Mobil's supply obligations to H. L. Mills Petroleum Products would be rescinded.
Mar. 6, 1980	Navajo Refining Co., Dallas, Tex	BEX-0035	Supplemental Order. If granted: The DOE would stay a portion of Navajo Refining Company's entitlements purchase obligations during the period August 1979 through January 1980 for the crude oil receipts and runs to stills during the period October 1979 through March 1980.
Mar. 6, 1980	Northwest Consolidated Investments, Inc., Fresno, Calif.	BEE-0952	Allocation Exception. If granted: Northwest Consolidated Investments, Inc. would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Mar. 6, 1980	Peerless Petrochemicals, Inc., Washington, D.C	BMR-0028	Motion for Rescission of Order. If granted: The February 13, 1980 Decision and Order (Case Nos. BED-0028, BEJ-0028) issued by the OHA to Commonwealth Oil Refining Company, Inc. would be rescinded.
Mar. 7, 1980	John P. Foley, Jr., Washington, D.C	BFA-0255	Appeal of Information Request Denial. If granted: The February 6, 1980 Information Request Denial issued by the Office of Petroleum Price Regulations of the ERA would be rescinded, and John P. Foley, Jr. would receive access to certain DOE information concerning the change in definition of "heavy crude oil".
Mar. 7, 1980	Mid-Atlantic Legal Foundation, Philadelphia, Pa	BFA-0253	Appeal of Information Request Denial. If granted: The February 21, 1980 Information Denial issued by the Office of Assistant Secretary of Conservation and Solar Energy would be rescinded, and Mid-Atlantic Legal Foundation would receive access to certain financial data concerning the Consumer Energy Council of America.
Mar. 7, 1980	Mobil Oil Corp (CORCO), Washington, D.C	BEA-0250	Appeal of Assignment Order. If granted: The February 5, 1980 Assignment Order issued to Commonwealth Oil Refining Company by the Economic Regulatory Administration, requiring Mobil and other refiners under the buy/sell program to supply CORCO with an emergency allocation of crude oil would be rescinded.
Mar. 7, 1980	Thrifty Car Wash, Reseda, Calif	BEE-0956	Allocation Exception. If granted: Thrifty Car Wash would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.

List of Cases Received by the Office of Hearings and Appeals—Continued

Date	Name and location of applicant	Case No.	Type of submission
Mar. 7, 1980	Union Oil Co. of California (Gasohol, Inc.), Los Angeles, Calif.	BEA-0254	Appeal of Assignment Order. If granted: The January 2, 1980 Assignment Order issued to Union Oil Company of California by the Economic Regulatory Administration, Region IX (Case No. 09-028121), regarding Union's supply obligations to Gasohol, Inc. would be rescinded.
Mar. 7, 1980	Zip-N-Go Food Stores, Fresno, Calif	BEE-0955	Allocation Exception. If granted: Zip-N-Go Food Stores would receive an exception from the provisions of 10 CFR 211 which would permit the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.

Notices of Objection Received

[Week of Feb. 2, 1980, to Mar. 7, 1980]

Date	Name and location of applicant	Case No.
2/29/80	Payne's Oil Company, Inc, Clearwater, FL.	DEE-2431
3/3/80	Ernie's General Store, Stockton, CA	DEE-8330
2/29/80	Petroleum Products Corp., Washington, D.C.	DEE-2868
3/4/80	Highland Park Exxon, Baton Rouge, LA.	DEE-7583
3/7/80	CAF Industries, Inc. Phoenix, Arizona.	DEE-5235
3/7/80	Hobart Corporation, Troy, Ohio	DEE-4459
3/5/80	Hawthorne Lane Shell Service, Charlotte, North Carolina.	DEE-7403
3/5/80	Tuner Up of Boston, East Boston, Massachusetts.	BEE-0055
3/5/80	Thriftway Company, Washington, >D. C.	DEE-5535
3/6/80	Environmentals, Inc, Anaheim, California.	DEE-5995
3/7/80	Wo Wo Wash, San Francisco, California.	DEE-4573

List of Cases Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline

Week of February 29 Through March 7, 1980

If granted: The following firms would be granted relief which would increase their base period allocation of motor gasoline.

Febraury 29, 1980

Allen's Fairway, BEE-0940, Mississippi.
Gluth Oil Co. BEE-0941, Michigan.
Wilson's Arco, Inc. BEE-0924, Rhode Island.
Wilson's Arco, Inc. BEE-0923, Rhode Island.

March 3, 1980

AA Electric Company, Inc. BEE-0966, Oklahoma.
Maholtz Arco Service Station BEE-0930, Pennsylvania.
Pou, Joseph W., Jr. BEE-0931, South Carolina.
Southland Heat & Air Condition BEE-0936, California.

March 4, 1980

Eddies' Texaco Center BEE-0939, California.
Eddies' Texaco Center BES-0939, California.

March 5, 1980

Crouse Fuel Service BEE-0953, Delaware.
J. R. Texaco BEE-1042, California.
Jack & Jill Ice Cream Company BEE-0948, Pennsylvania.
James Exxon BEE-0949 West Virginia.
Neuman Exxon Station BEE-0942, California.
Osceola Service Station BEE-0954, Michigan.

March 7, 1980

M & G Enterprises, BEE-0958, Delaware.
School Bd of Lucie County FL. BEE-0960, Florida.

Items retrieved, 18.

[FR Doc. 80-12378 Filed 4-22-80; 8:45 am]

BILLING CODE 6450-01-M

Issuance of Proposed Decisions and Orders; March 17 Through March 21, 1980

Notice is hereby given that during the period March 17 through March 21, 1980, the Proposed Decisions and Orders which are summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to Applications for Exception which had been filed with that Office.

Under the procedures which govern the filing and consideration of exception applications (10 CFR, Part 205, Subpart D), any person who will be aggrieved by the issuance of the Proposed Decision and Order in final form may file a written Notice of Objection within ten days of service. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. The applicable procedures also specify that if a Notice of Objection is not received from any aggrieved party within the time period specified in the regulations, the party will be deemed to consent to the issuance of the Proposed Decision and Order in final form. Any aggrieved party that wishes to contest any finding or conclusion contained in a Proposed Decision and Order must also file a detailed Statement of Objections within 30 days of the date of service of the Proposed Decision and Order. In that Statement of Objections an aggrieved party must specify each issue of fact or law contained in the Proposed Decision and Order which it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these Proposed Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, NW, Washington, DC 20461, Monday through Friday, between the hours of 1 p.m. and 5 p.m., e.s.t., except Federal holidays.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

April 15, 1980.

Keller Oil Company, Inc., Effingham, Illinois, BEE-0711, motor gasoline

The Keller Oil Company, Inc. (Keller) filed an Application for Exception from the provisions of 10 CFR, Part 211, Subpart F. The exception request, if granted, would permit Keller to receive an additional allocation of unleaded motor gasoline in order to produce gasohol. On March 21, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

Scullin Oil Company, Sunbury, Pennslyvania, BEE-0474, Gasohol

Scullin Oil Company filed an Applicant for Exception from the provisions of 10 CFR, Part 211. The exception request, if granted, would permit the firm to receive an increased allocation of unleaded gasoline with which to expand its marketing of gasohol. On March 17, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

Bowman Petroleum Company, Inc., Tunkhannock, Pennsylvania, BEE-0363, Gasohol

Bowman Petroleum Co., Inc. filed an Application for Exception from the provisions of 10 CFR, Part 211. The exception request, if granted, would permit Bowman to receive an increased allocation of unleaded gasoline for blending gasohol. On March 20, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

Caribou Four Corners, Inc., Washington, D.C., BEE-0234, crude oil

Caribou Four Corners, Inc. filed an Application for Exception from the provisions of 10 CFR 211.67 (the Entitlement Program). The exception request, if granted, would relieve Caribou of a portion of its entitlement purchase obligations during the period March 1980 through May 1980 for crude oil receipts and runs to stills during the period January 1980. On March 21, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

Hartley Company, Cambridge, Ohio, BEE-0417, gasohol

The Hartley Company filed an Applicant for Exception from the provisions of 10 CFR, Part 211. The exception request, if granted, would permit Hartley to receive an increase in its base period allocation of unleaded gasoline for the purpose of producing gasohol. On March 21, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

Mobil Oil Corporation, Denver Colorado, BEE-0750, crude oil

Mobil Oil Corporation filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. The exception request, if granted, would permit the firm to sell a

certain portion of the crude oil produced for the benefit of the working interest owners from the S. E. Bradley A Unit located in Garvin and Grady Counties, Oklahoma, at Upper tier price levels. On March 21, 1980, the DOE issued a Proposed Decision and Order and tentatively determined that exception relief should be granted.

Navajo Refining Company, Dallas, Texas, BXE–0811, crude oil

Navajo Refining Company filed an Application for Exception from the provisions of 10 CFR 211.67 (the Entitlements Program). The exception request, if granted, would relieve Navajo of a portion of its entitlement purchase obligations during the period March 1980 through Sept. 1980 for crude oil receipts and runs to stills during the period January 1980 through July 1980. On March 21, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms' filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the fimrs' base period allocation of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be denied.

Company name, Case No., and Location

Akron/Canton Truck Plaza, Inc., DEE–7052; N. Canton, OH.
Geiger's Sunoco, DEE–7258; Irwin, PA.
Globe-Wallys Fork Lift Co., DEE–5753; San Francisco, CA.
James Tidwell Chevron, BXE–0699; Nipomo, CA.
Jones' 66 Svc. Sta., DEE–6864; Memphis, TN.
Lowe's Chevron, DEE–4274; Oildale, CA.
Malellan's Garage, DEE–7720; Danby, VT.
One Stop Gulf, DEE–4926; Havre de Grace, MD.
Pee-Dee Oil Co., DEE–8259; Latta, SC.
The Barnacle Store, DEE–5365; Rockport, ME.

[FR Doc. 80–12379 Filed 4–22–80; 8:45 am]
BILLING CODE 6450–01–M

Issuance of Decisions and Orders; Week of December 31, 1979, Through January 4, 1980

Notice is hereby given that during the week of December 31, 1979 through January 4, 1980, the Decisions and Orders summarized below were issued with respect to Appeals and Applications for Exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals and the basis for the dismissal.

Appeals

California Energy Commission, Sacramento, California, BFA–0079, freedom of information

The California Energy Commission filed an Appeal from a partial denial by the Director of the Division of Petroleum Price Regulations of the Economic Regulatory Administration of a Request for Information the firm had submitted under the Freedom of Information Act (FOIA). In considering the Appeal, the DOE found that certain of the documents initially withheld under Exemption 5 of the FOIA should be released to the public.

Cities Service Co., Tulsa, Oklahoma, BFA–0084, freedom of information

Cities Service Company filed an Appeal from a partial denial by the Director of the Division of Freedom of Information and Privacy Acts Activities of a Request for Information the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that the Director had correctly applied Exemption 5, but required the Director to conduct a further search within the DOE for additional documents responsive to the firm's request.

Husky Oil Company, Denver, Colorado, DEA–0356, motor gasoline

Husky Oil Company filed an Appeal of an Assignment Order issued on March 8, 1979, by the ERA Region VII Office. The order assigned Simons Truck Oasis and Oil Company, a base period customer of Husky, as the base period supplier for a new retail outlet, E–Z Shop, Inc. Husky sought on appeal to be relieved of its obligation as a prime supplier to furnish Oasis with the base period volume assigned to E–Z Shop. In considering the Appeal, the DOE determined that Husky had failed to show that the regional office did not take into account Husky's comments on the proposed assignment and that, because Husky had not alleged that its allocation fraction would be reduced by the proposed assignment, the regional office acted correctly in issuing the assignment order. Consequently, Husky's Appeal was denied.

Requests for Exception

Bethlehem Grinding Service, Delmar, New York, DEE/7838, temperature restrictions

Bethlehem Grinding Service filed an Application for Exception from the provisions of 10 CFR, Part 490 to maintain a temperature of 70° F. in its business establishment. In considering the request, the DOE found that exception relief was necessary to alleviate a serious health risk. Accordingly, exception relief was granted.

City of Long Beach, California, Long Beach, California, DXE–8240, crude oil

The City of Long Beach, California filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. Exception relief was granted to permit Long Beach to sell at upper tier ceiling prices 54.66 percent of the crude oil produced from the Fault Block III Unit.

R. H. Engelke, San Antonio, Texas, BXE–0265, crude oil

R. H. Engelke filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. Exception relief was granted to permit Engelke to sell at upper tier ceiling prices 55.95 percent of the crude oil produced from the Bertha Copsey Lease.

Temperature Restrictions

Franklin Lakes Racquet Club, Franklin Lakes, N.J.; BEO–0162.
New City Racquet Club, New City, N.Y.; BEO–0163.
Mountain Lakes Racquet Club, Mountain Lakes, N.J.; BEO–0164.
Racquet Chalet, Inc., Flanders, N.J.; BEO–0165.
Fort Lee Racquet Club, Fort Lee, N.J.; BEO–0166.
Fair Lawn Racquet Club, Fair Lawn, N.J.; BEO–0167.

Franklin Lakes Racquet Club *et al.* filed an Application for Exception from the provisions of 10 CFR, Part 490 in which the firms sought permission to lower the temperature in their business establishments below 78°F. In considering the request, the DOE found that the firms had failed to demonstrate that the 78°F requirement causes them to experience a special hardship, inequity or unfair distribution of burdens. Accordingly, exception relief was denied.

Grace Petroleum Corporation, Oklahoma City, Oklahoma, DXE–8238, crude oil

Grace Petroleum Corporation filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. Exception relief was granted to permit Grace to sell at upper tier ceiling prices 96.05 percent of the crude oil produced from the C. I. Lovett Lease.

Greenwood Petroleum Company, Greenwood, South Carolina, DEE–6718, motor gasoline

Greenwood Petroleum Company filed an Application for Exception from the provisions of 10 CFR Part 211 to obtain additional quantities of motor gasoline for its various retail outlets. In considering the request, the DOE found that exception relief was necessary to permit the firm to obtain the intended economic benefits of a capital investment in retail operations it had made prior to February 28, 1978 at the Crosscreek outlet. Exception relief was denied, however, for four other retail outlets where investments not exceeding $1,000 each were made subsequent to the implementation of the Activation Order.

Gulf Oil Corporation, Tulsa, Oklahoma, DXE–8239, crude oil

Gulf Oil Corporation filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. Exception relief was granted to permit Gulf to sell at upper tier ceiling prices 54.41 percent of the crude oil produced from the Kiefer Unit.

Svetomir Kojic, Phoenix, Arizona, DEE–4899, motor gasoline

On April 6, 1979, Svetomir Kojic filed an Application for Exception from the provisions of 10 CFR 211.102 in which the firm sought an increased base period allocation of motor gasoline. In considering the request, the DOE found that while anomalous events had occurred during the base period, Kojic had failed to establish that those conditions seriously distorted the intended use of the base period for measurement purposes as a relatively normal and customary period of business activity. Accordingly, exception relief was denied.

Onyx Corporation, Creve Coeur, Missouri, DEE–3280, motor gasoline

On April 13, 1979, Onyx Corporation filed an Application for Exception from the provisions of 10 CFR Part 211 in which the firm sought assignment of new, lower-priced suppliers. In considering the request, the DOE found that the firm was unable to purchase its base-period volume of motor gasoline at competitive prices and that the substantial disparity between the prices that the firm was paying its base-period suppliers and the prices being paid by comparable firms was causing Onyx to experience a serious financial hardship. Accordingly, exception relief was granted.

Kenneth L. Tipps, et al., Denver, Colorado, DEE–4109, crude oil

Kenneth L. Tipps, *et al.*, filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. In the exception request, the firm sought to increase retroactively and prospectively the price of crude oil produced and sold for the benefit of the working interest owners of its Government 2–24 Lease in Natronta County, Wyoming. In considering this request, the DOE determined that the firm did not meet the standards for retroactive exception relief as applied to the period October 1976 through October 1978 for which such relief was requested. The DOE also found the request for retroactive relief for the time period September 1973 through September 1976 to be premature and speculative at this time because the DOE Office of Enforcement had not yet established the existence of and responsibility for overcharges. Accordingly, the exception request was denied in part and dismissed in part.

United Specialties Company, Houston, Texas, DXE–8222, crude oil

United Specialties Company filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. Exception relief was granted to permit United to sell at upper tier ceiling prices 41.69 percent of the crude oil produced from the State of Texas Tract No. 723–A Lease.

Request for Stay

Energy Cooperative, Inc., East Chicago, Illinois, BES–0021, BST–0035, BES–0035, motor gasoline

On December 14, 1979, Energy Cooperative, Inc. (ECI) filed an Application for Stay of a Temporary Assignment Order issued to ECI by Region VI of the Economic Regulatory Administration of December 7, 1979. The Temporary Assignment Order required ECI to supply Foremost Petroleum Corporation with 29,400,000 gallons of motor gasoline. In considering the Application the DOE determined that ECI and its customers would suffer irreparable injury if the firm were required to supply Foremost, and that the Temporary Assignment Order was procedurally deficient. The stay request was therefore granted.

Interim Orders

The following firms were granted Interim Exception relief implementing the relief the DOE proposed to grant in an order issued on the same date as the Interim Order:

Company Name, Case No., and Location

Best-Way Marketing; DEN–2608; Collinsville, OK.
District of Columbia; DEN–8329; Washington, DC.
Limehouse Gulf Station; DEN–7511; Charleston, SC.
Marine Oil Co.; BEN–6396; Fulton, KY.

Petition Involving the Motor Gasoline Allocation Regulations

The following firm filed an Application for Exception, temporary Exception, Stay, and/or Temporary Stay from the provisions of the Motor Gasoline Allocation Regulations. The request, if granted, would result in an increase in the firm's base period allocation of motor gasoline. The DOE issued a Decision and Order granting the following request.

Company Name, Case No., and Location

Bauserman Oil Co.; BXE–0558; Winchester, VA.

Petition Involving the Motor Gasoline Allocation Regulations

The following firm filed an Application for Exception, Temporary Exception, Stay, and/or Temporary Stay from the provisions of the Motor Gasoline Allocation Regulations. The request, if granted, would result in an increase in the firm's base period allocation of motor gasoline. The DOE issued a Decision and Order which determine that the request be denied.

Company Name, Case No., and Location

Giant Industries; BEL–0018; Washington DC.

Dismissals

The following submissions were dismissed without prejudice to refiling at a later date:

Company Name and Case No.

Edward B. Allen.....DEE–4957
Lawrence H. Bakken.....DBA–0082
Oil City of Utah.....DEE–4950
Unsworth's Sunoco.....DEE–6301
Duncan Oil Co.....DEE–7118
Quality Oil Co.....DEE–7435
Bennington Power Equipment.....DEE–2227
Builder's Floor Service, Inc.....DEE–6632
Rock Creek Gulf.....DRO–0272
Sherman's Chevron.....DEE–6917; DST–6917

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B–120, 2000 M Street, N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: April 15, 1980.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

[FR Doc. 80–12380 Filed 4–22–80; 8:45 am]

BILLING CODE 6450–01–M

Issuance of Decisions and Orders; Week of February 25 Through February 29, 1980

Notice is hereby given that during the week of February 25 through February 29, 1980, the Decisions and Orders summarized below were issued with respect to Appeals and Applications for Exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions dismissed by the Office of Hearings and Appeals and the basis for the dismissal.

Appeals

Amoco Oil Company, Chicago, Illinois, DEA–0499, DEA–0500 Motor Gasoline

The Amoco Oil Company filed appeals of two Mutual Termination and Assignment Orders issued by the Economic Regulatory Administration on October 13, 1978. In the orders, the ERA had directed Menut & Parks, Inc., a branded Amoco jobber, to supply two retail outlets in Concord, Vermont. Amoco was required to furnish Menut & Parks with an increased volume of motor gasoline for the two retail outlets under the upward certification procedure of 10 CFR 211.13(c). In considering the appeals, the DOE found that the October 13 Assignment Orders do not indicate that ERA considered whether the burden of supplying outlets could be more equitably distributed. The DOE held that the failure to give adequate considerations to possible alternatives to the automatic assignment of Menut & Parks as the supplier for the two outlets rendered the orders invalid. The October 13 Assignment Orders were therefore rescinded.

Barry Carl, Richland, Washington, BFA–0156, Freedom of Information

Barry Carl filed an Appeal of a denial by the Manager of the Richland Operations Office of the Department of Energy of a Request for Information Carl had submitted under the Freedom of Information Act. In considering the Appeal, the DOE found that certain portions of two documents initially withheld under Exemption 5 expressed a final agency determination and should therefore be released to the public. Important issues that were considered in the Decision and Order were (i) whether documents generated by government contractors constitute intra-agency documents, and (ii) whether allowing inspection of the documents by certain employees of the firm waives any claim of privilege.

Exxon Company, U.S.A., Washington, D.C., Marine Oil Company, Fulton, Kentucky, BEA–0034, BES–0034, DEO–0403 Motor Gasoline

Exxon Company, U.S.A. filed an appeal of an Assignment Order issued to Marine Oil Company by the Office of Petroleum Operations and a Statement of Objections to a Proposed Decision and Order issued to Marine by the Southeast Regional Center of the Office of Hearings and Appeals. With respect to the appeal, the DOE found that Exxon had been given sufficient notification

it was being considered as a possible supplier for Marine. The DOE also found, with respect to the Statement of Objections, that the conclusions of fact contained in the Proposed Decision and Order issued to Marine were correct. Accordingly, Exxon's Statement of Objections and Appeal were denied.

Hibbard Oil Company, Orlando, Florida, DEA–0618, BES–0015, BEL–0015 Motor Gasoline

Hibbard Oil Company filed an appeal of an Assignment Order issued to a retail sales outlet that it owns. In considering the appeal, the DOE found that the Assignment Order failed to contain an adequate statement of the factual and legal bases for the determination. The Assignment Order was therefore remanded to the Economic Regulatory Administration for further consideration and an Application for Stay and an Application for Temporary Exception filed by Hibbard were dismissed.

Remedial Orders

Callon Petroleum Company, Natchez, Mississippi, DRO–0131 Crude Oil

Callon Petroleum Company objected to a Proposed Remedial Order that the Economic Regulatory Administration (ERA) issued to the firm on September 14, 1978. In the PRO, ERA found that Callon had properly classified certain leases as stripper well properties and had sold the crude oil produced from these properties at prices in excess of applicable DOE price ceiling regulations. In order to remedy this violation, ERA directed Callon to refund $106,796 plus interest to the purchasers of the crude oil. In considering Callon's objections, the DOE determined that the firm could not be excused from its regulatory obligations solely because it had acted in good faith when it erroneously classified certain properties as stripper well leases. The DOE also found that ERA had correctly adjusted the calculation of average daily production to reflect the down time incurred by a particular well in dispute, because that down time was clearly in excess of the historical norm and was not subsequently recouped. The DOE further determined that Callon will not be forced to terminate production from the properties in issue because the firm is unable to certify those properties as stripper well leases. Finally, the DOE concluded that the PRO was properly issued to Callon as operator of the disputed properties.

Entex Petroleum, Inc., Oklahoma City, Oklahoma, DRO–0087 Crude Oil

Entex Petroleum, Inc. objected to a Proposed Remedial Order that ERA Region VI issued to the firm on July 14, 1978. In the Proposed Remedial Order, the ERA found that Entex had sold crude oil from six leases in Oklahoma at prices that exceeded the applicable ceiling prices. In considering the firm's objections, the DOE found that ERA had erroneously failed to consider Entex's production adjustments for base sediment and water for two leases. The DOE therefore concluded that the Proposed Remedial Order should be remanded with respect to those two leases but should otherwise be issued as a final Order.

Hawkie's Service Station Corporation, Malden, Massachusetts, DRO–0281 Motor Gasoline

Hawkie's Service Station Corporation objected to an Interim Remedial Order for Immediate Compliance that the ERA Northeast District Office of Enforcement issued to the firm on July 6, 1979. In the Interim Remedial Order, the ERA found that Hawkie's had placed a limitation on the quantity of motor gasoline that could be purchased by an individual who did not also purchase a car wash. According to the ERA no such limitation was placed on purchases by individuals who did use the car wash facilities. The ERA determined that Hawkie's had not pursued this course of conduct during the base period, and therefore the firm had modified its normal business practices and was engaged in discriminatory practices in violation of 10 CFR 210.62. In considering the record, the DOE determined that Hawkie's had failed to refute the findings made by the ERA that the type of arrangement existing at the Hawkie outlet constituted a "tie-in" prohibited by 10 CFR 210.62. The DOE therefore concluded that the Interim Remedial Order should be issued as a final Order.

Lovelace Gas Service, Inc., Orlando, Fla., DRO–0015, propane

Lovelace Gas Service, Inc. objected to a Proposed Remedial Order that the ERA Region IV Director of Enforcement issued to the firm on March 6, 1978. In the Proposed Remedial Order, the ERA found that Lovelace had sold propane at prices that exceeded the firm's maximum lawful selling prices. In considering the firm's objections, the DOE found that prior to May 15, 1973, Lovelace had delivered propane to its metered customers at an increased price, despite the fact that the invoice for those transactions was not issued until May 17, 1973. The DOE therefore concluded that the Proposed Remedial Order should be rescinded with respect to the metered class, but otherwise issued as a final Order.

Request for Modification and/or Rescission

Economic Regulatory Administration, Washington, D.C., BMR–0026, crude oil

The Economic Regulatory Administration (ERA) filed a Motion for Reconsideration of certain provisions of a Decision and Order issued to Industrial Fuel and Asphalt of Indiana, Inc. (IFAI) by the Office of Hearings and Appeals (OHA) on December 14, 1979. Industrial Fuel and Asphalt of Indiana, Inc., 5 DOE Par. (December 14, 1979). In that determination, the OHA remanded an ERA Decision and Order in substantial part denying IFAI's request for an emergency allocation of crude oil. The OHA determination was based in part on the finding that the regulations did not permit the ERA to calculate the amount of crude oil to be provided to IFAI on the basis of 95 percent of the national utilization rate times IFAI's base period runs to stills. In its Motion for Reconsideration, the ERA maintained that the regulations and the regulatory history of the emergency allocation portion of the Buy/Sell Program did support such a calculation. In considering the ERA's Motion for Reconsideration, the OHA noted that the preamble to Section 211.65(c)(2), the regulatory provision that sets forth the manner in which emergency allocations are to be calculated, indicates that the national utilization rate was designed to compare the current level of runs to stills of all refiners in the United States to the level of runs to stills during the January-October 1978 period. The preamble also indicates that the use of the national utilization rate in the calculation of an emergency allocation is intended to ensure that the recipient of an emergency allocation is not able to process relatively more crude oil than other U.S. refiners. The OHA concluded that this result could most appropriately be achieved by referring to the refiner's base period runs to stills, as the ERA suggested. Accordingly, the ERA's Motion for Reconsideration was granted.

Texaco, Inc., White Plains, N.Y., BMR–0025, motor gasoline

Texaco, Inc. filed a Request for Modification of a decision that was issued to the firm on October 13, 1979. In considering the request, the DOE found that approving the request would permit Texaco to expand its van pool program and thereby contribute to the more efficient use of the nation's limited energy resources. Accordingly, the request was granted.

Requests for Exception

American Nickeloid Co., Peru, Ill., BEO–1020, emergency building temperature restrictions

The American Nickeloid Company filed an Application for Exception from the provisions of 10 CFR Part 490 in which the firm sought permission to operate an auxiliary heating device (space heater) in the work area of one of its employees. In considering the request, the DOE found that compliance with the Temperature Restrictions could have a serious adverse impact upon the health of the employee. Accordingly, exception relief was granted.

Best-Way Marketing, Collinsville, Okla., DEE–2608, motor gasoline

Best-Way Marketing filed an Application for Exception from the provisions of 10 CFR 211.102 in which the firm sought a change in its base period supplier of motor gasoline to a lower-priced supplier. In considering the request, the DOE found that exception relief was necessary to enable Best-Way to offer its customers competitively priced motor gasoline and to enable Best-Way to remain a competitively viable retail operation. Accordingly, exception relief was granted.

Boland Oil Co., Willimantic, Conn., DEE–4333, motor gasoline

Boland Oil Company filed an Application for Exception from the provisions of 10 CFR 211.102 in which the firm sought an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that the firm had failed to show that the citizens of the community it serves were sustaining a disproportionate burden as a result of the application of the DOE allocation regulations, nor did Boland make any showing that it is experiencing financial difficulties that jeopardize its viability as an

independent marketer of motor gasoline. Accordingly, exception relief was denied.

Gordon Bond, Waukesha, Wis., BEO-0237, motor gasoline

Gordon Bond filed an Application for Exception from the provisions of 10 CFR 211.102 seeking an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that the firm had failed to establish that it would sustain a serious hardship, gross inequity or unfair distribution of burdens as a result of the application of DOE allocation regulations. Further, the applicant did not demonstrate that the outlet in question was a new outlet and therefore entitled to an assignment of a base period allocation under 10 CFR 211.12(e)(3). Accordingly, exception relief was denied.

Chevron U.S.A., Inc., San Francisco, Calif., DEE-5818, DEE-5819, crude oil

Chevron U.S.A., Inc. filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D to permit the firm to sell the crude oil produced from two of its properties at market prices. In considering the request, the DOE found that exception relief was necessary to provide Chevron with an economic incentive to continue its present operations and to prevent the loss of a significant quantity of domestic crude oil. Accordingly, exception relief was granted in part.

Crossroads Shell, St. Petersburg, Fla., BEO-0316, motor gasoline

Crossroads Shell filed an Application for Exception from the provisions of 10 CFR 211.102 seeking an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that the residents of the market area served by the firm would not be subject to a gross inequity or unequal distribution of burdens if additional supplies of gasoline were not directed to the community. Accordingly, exception relief was denied.

Double Eagle Drilling Co. Dallas, Tex., DEE-8032, crude oil

Double Eagle Drilling Company filed an Application for Exception from the provisions of 10 CFR, Subpart 212, Subpart D, in which the firm sought to be permitted to charge market prices for the curde oil produced from five new wells to be drilled on the Volger Lease located in Dawson County, Texas. In considering the request, the DOE found that the firm would earn an internal rate of return in excess of 23 percent without exception relief and therefore concluded that sufficient incentive exists to make the required capital investment without exception relief. Accordingly, exception relief was denied.

J. W. Downey, Maryville, Tenn., BEE-0298, gasohol

J. W. Downey filed an Application for Exception from the provisions of 10 CFR Part 211 in which the firm sought an increased allocation of unleaded motor gasoline so that it could blend and sell gasohol. In considering the request, the DOE found that the firm had failed to show that the DOE regulations prevented it from obtaining sufficient volumes of unleaded gasoline to begin an effective gasohol program. Accordingly, exception relief was denied.

E. I. du Pont de Nemours & Co., Wilmington, Del., BEE-0156 through BEE-0199, BEE-0235, BEO-0307 through BEO-0309, BEE-0309, BEE-0310, temperature restrictions

E. I. du Pont de Nemours & Company filed an Application for Exception from the provisions of 10 CFR Part 490 in which the firm sought permission to increase the room temperature in the shower and locker room facilities at various industrial plants operated by the firm. In considering the request, the DOE found that the firm had not demonstrated that the 65°F temperature prescribed by the regulations presented any significant threat to the health of the Du Pont employees using the facilities. Accordingly, exception relief was denied.

Fluor Corp., Irvine, Calif., DEE-7117, motor gasoline

Fluor Corporation filed an Application for Exception from the provisions of 10 CFR Part 211 in which the firm sought an increase in its base period allocation of motor gasoline for use in its van pool program. In considering the request, the DOE found that van pool programs should be encouraged and that regulatory impediments that frustrate their realization should be removed. Accordingly, exception relief was granted.

Great River Gas Co., Hannibal, Mo., BEE-0087, reporting requirements

Great River Gas Company filed an Application for Exception in which the firm requested that it be relieved of any obligation to prepare and submit Parts III and IV of Form EIA-149. In considering the request, the DOE found that exception relief was necessary to prevent the firm from suffering an inordinate burden. Accordingly, exception relief was granted.

McCall Marketing Co., Portland, Oreg., DEE-7887, motor gasoline

McCall Marketing Company filed an Application for Exception from the provisions of 10 CFR 211.102 in which the firm sought an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that exception relief was necessary to implement the national objective of developing alternative energy sources, including gasohol. McCall demonstrated that it was in a position to increase production of gasohol, but that the DOE regulations limited McCall's assured source of supply of motor gasoline. Accordingly, exception relief was granted.

Midway Petroleum, Inc., Baltimore, Md., DEE-3851, motor gasoline

Midway Petroleum, Inc. filed an Application for Exception from the provisions of 10 CFR 211.9 in which the firm sought an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that Midway's base period allocation of motor gasoline was not representative of the firm's normal motor gasoline sales volume and that exception relief was necessary to prevent the firm from experiencing a serious financial hardship. Accordingly, exception relief was granted.

Hilton-Davis Chemical Co., Cincinnati, Ohio, BEE-0463, temperature restrictions

The Hilton-Davis Chemical Company filed an Application for Exception from the provisions of 10 CFR Part 490 in which the firm sought to raise the temperature in two of its shower facilities above 65°F. In considering the request, the DOE found that the firm had failed to demonstrate that its employees were experiencing a significant health hazard as a result of the Emergency Building Temperature Restrictions. Accordingly, exception relief was denied.

Sam's Standard Service, Flint, Mich., BEO-0078, motor gasoline

Sam's Standard Service filed an Application for Exception from the provisions of 10 CFR 211.102 in which the firm sought an increase in its base period allocation of motor gasoline. In considering the request, the DOE found that the firm would not experience any serious financial hardship in the absence of exception relief. Accordingly, exception relief was denied.

Southland Oil Co., Jackson, Miss., DEE-2247, crude oil

Southland Oil Company filed an Application for Exception from the provisions of 10 CFR 211.67 in which the firm sought to received additional entitlements for each barrel of heavy Florida crude oil purchased from the Sun Petroleum Products Company for processing in Southland's refineries. In considering the request, the DOE found that exception relief was not necessary to prevent the curtailment of Sun's production of the particular type of crude oil involved, and that Southland did not meet the other criteria for exception relief of this type as outlined in *Sentry Refining, Inc.*, 2 DOE Par. 81,179 (1978). Accordingly, Southland's exception request was denied.

Tri-Cor Petroleum Inc., Ronkonkoma, N.Y., DEE-5457, gasohol

Tri-Cor Petroleum Inc. filed an Application for Exception from the provisions of 10 CFR 211 in which the firm sought to be assigned an allocation of unleaded motor gasoline for the purpose of blending and marketing gasohol. In considering the request, the DOE found that Tri-Cor had overstated the quantity of gasohol it was supplying to its customers and that Tri-Cor was required to calculate its costs of purchasing unleaded gasoline on a consolidated basis with Pilot Petroleum Inc. The DOE held that when its operations were combined with those of Pilot, Tri-Cor was not experiencing a gross inequity as a result of the DOE allocation regulations. Accordingly, Tri-Cor's Application for Exception was denied.

Whitehead Oil Co., Lincoln, Nebr., DEE-7965, motor gasoline

Whitehead Oil Company filed an Application for Exception from the provisions of 10 CFR Part 211 in which the firm sought an increase in its base period allocation of unleaded motor gasoline. In considering the request, the DOE found that in the absence of exception relief the firm would be unable to produce and distribute gasohol and would therefore experience a gross inequity under applicable DOE allocation regulations. Accordingly, exception relief was granted.

Among the important issues discussed in the Decision and Order was the distinction between an exception and a rulemaking proceeding in the consideration of a request for additional volumes of unleaded motor gasoline to produce and market gasohol.

Request for Temporary Exception

Getty Refining and Marketing Co., Tulsa, Okla., BEL–0492, gasohol

Getty Refining and Marketing Company filed an Application for Temporary Exception from the provisions of 10 CFR 212.83. The firm sought to market gasohol as a separate category and grade of gasoline and to pass through the entire cost of the alcohol. In considering the request, the DOE found that temporary relief was warranted for public policy reasons because the firm would not proceed with its gasohol program unless existing regulatory disincentives were removed and because Getty's marketing of gasohol would help to diminish the nation's reliance on petroleum products for energy. Temporary exception relief was therefore granted.

Request for Stay

Richard P. Cruikshank, et al., Northbrook, Ill., BES–0033, BES–0554, BES–0548, BES–0134, motor gasoline

Richard P. Cruikshank, et al. filed Applications for Stay of the payback requirements of the DOE Mandatory Petroleum Allocation Regulations. 10 CFR 211.23 and 211.25 (c). In considering the Applications, the DOE determined that the applicants' base period supplier, the Standard Oil Company of Indiana, may have violated the DOE regulations with regard to the applicants and that the issues involved in these cases should therefore be referred to the Office of Special Counsel for appropriate proceedings. The DOE also determined that in the absence of Stay relief the applicants could be subject to a gross and inordinate burden pending the conclusion of the Special Counsel's investigation. Accordingly, the Stay requests were granted.

Supplemental Order

Laketon Asphalt Refining, Inc., Evansville, Ind., BEX–0034, crude oil

The DOE stayed Laketon Asphalt Refining, Inc.'s obligation to purchase entitlements, as required by 10 CFR 211.67, to the extent specified in a Proposed Decision and Order issued to the firm on February 22, 1980.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued a Decision and Order that finalized the Proposed Decision and Order issued to each firm.

Name of petitioner	Case No.	Date of filing	Date proposed decision and order issued
Breton Shell Service	DEE–4163	04/19/79	11/08/79
Metz Gulf Service	DEE–6646	06/19/79	11/16/79
Anderson's Shell	DEE–3880	04/13/79	12/05/79
Faircloth, F. W	DEE–6999	07/02/79	12/05/79
Williston Standard	DEE–7271	07/16/79	12/05/79
Coleman Oil Co., Inc	DEE–7089	07/06/79	10/12/79
Mobil Bulk Plant	DEE–2825	03/22/79	12/05/79
Gene's Texaco	DEE–6569	05/01/79	12/06/79
Jerry's Gulf	DEE–7030	07/02/79	12/06/79
North Central Oil Co	DEE–3080	03/28/79	09/18/79
Interstate Texaco	DEE–4945	05/07/79	09/18/79
Ben's Filling Station	DEE–5619	05/18/79	09/18/79
Randy's Exxon	DEE–7143	07/09/79	10/04/79
Pucino, Edward F	DEE–5627	05/18/79	10/11/79
Bill McCord's Texaco	DEE–6431	06/11/79	10/11/79
Georgetown Chevron	DEE–6503	06/13/79	10/16/79
Frank Decarlo Auto Service	DEE–7098	07/06/79	10/16/79
Dave's Alignment Service	DEE–6768	06/22/79	10/23/79
Carol Davis Mini-Market	DXE–7977	08/28/79	10/23/79
Jack Vaughn Oil Co., Inc	DEE–6262	06/05/79	10/25/79
Echo Bay Resort	DEE–5857	05/23/79	11/05/79
Frank's N. 52 Service	DEE–6947	06/28/79	11/09/79
Johnson's Gulf	DEE–5629	05/18/79	11/15/79
Johnny's Sunoco Service	DEE–6450	06/12/79	11/15/79
J & B Automotive	DXE–6585	09/28/79	11/16/79
Convex Marketing Corp	DEE–5229	05/16/79	12/05/79
Boston Road Shell	DEE–5569	05/17/79	12/05/79
Bob's Gulf Service	DEE–5915	05/21/79	12/05/79
El Sineitti, Joseph	DEE–6458	06/12/79	12/05/79
Brown & Marlan auto Service Mobil	DEE–6707	06/20/79	12/05/79
L. L. Potter, Inc	DEE–6760	06/22/79	12/05/79
Sam Mazza's Grocery	DEE–6761	06/22/79	12/05/79
Dick's Exxon	DEE–6769	06/22/79	12/05/79
Davis & Tripp, Inc	DEE–6825	06/22/79	12/05/79
Texaco, Inc	DEE–7113	07/06/79	12/05/79
Santa Cruz Fina Station No. 25	DEE–7242	07/13/79	12/05/79
Shoppers Choice	DEE–7680	08/06/79	12/05/79
Walls, Grover A	DEE–7681	08/06/79	12/05/79
Melnike, Malcolm	DEE–6737	06/22/79	12/06/79
Doug's Exxon	DEE–6751	06/22/79	12/06/79

Name of petitioner	Case No.	Date of filing	Date proposed decision and order issued
Caron's Gulf	DEE-6774	06/22/79	12/06/79
Ray Welch Texaco	DEE-6802	06/18/79	12/06/79
John Huss Exxon	DEE-6978	06/29/79	12/06/79
Wickford Auto Station, Inc	DEE-7114	07/06/79	12/06/79
New Station W. Auto/Truck Plaz	DEE-7154	07/10/79	12/06/79
W. Broward Phillips 66 Ser	BXE-0311	11/07/79	12/11/79
Kickapoo Oil Co., Inc	DEE-8220	09/17/79	12/12/79
Otis Jones Oil Company, Inc	DEE-6355	06/08/79	12/17/79
Williams Grocery	DEE-6630	06/19/79	11/30/79
Wolf's Wool & Mohair	DEE-6597	06/18/79	12/05/79
Gary Hanson's Exxon Station	DEE-7251	07/16/79	11/09/79
Johnson Roofing Inc	DEE-6176	06/01/79	11/14/79
Marty's Service	DEE-7280	07/17/79	12/05/79
Kanat Corp. d.b.a. Costa Mesa	DEE-7786	08/09/79	12/05/79
Feeley, Neil R	DEE-7021	07/02/79	12/13/79
Smather's & Company	DEE-7441	07/23/79	12/13/79
Amerada Hess Corporation	DEE-8316	08/29/79	10/18/79
Williams, W. S., Jr	DEE-2614	03/16/79	11/01/79
Abney, Walter	DEE-3663	04/12/79	11/09/79
Palo/ARCO	DEE-4980	05/08/79	11/09/79
Highland Gulf	DEE-6476	06/12/79	11/09/79
F. Catlett Retail Outlet & Mini-M	DEE-6641	06/19/79	11/09/79
Bill Moore's Exxon	DEE-6399	06/11/79	12/05/79
San Martin Texaco	DEE-6794	06/25/79	12/05/79
Derrick's, Inc	DEE-6031	09/27/79	12/05/79
Lakewood Oil Company, Inc	DEE-2974	03/23/79	09/17/79
Decker's Amoco	DEE-4236	04/20/79	09/17/79
Ye Olde Family Inn & Service	DEE-4639	04/27/79	09/17/79
Karim Safiris ARCO	DEE-6709	06/20/79	09/17/79
Gengarelly's Hillcrest	DEE-7421	07/23/79	09/17/79
Jurdi's	DEE-5264	05/16/79	09/24/79
Nesbit's Service, Inc	DEE-5698	05/18/79	09/24/79
Cox's Amoco & Car Wash	DEE-6187	06/04/79	09/24/79
Breeland, Jabus W	DEE-7077	07/05/79	09/24/79
Khatib, Samih	DEE-5265	05/16/79	10/04/79
Gomez Service	DEE-5288	05/16/79	10/04/79
North Reading Gulf	DEE-5409	05/16/79	10/04/79
Landmark 66 Service	DEE-4394	04/24/79	10/05/79
Duane's Chevron	DEE-7011	07/02/79	10/11/79
County Line Grocery	DEE-7001	07/02/79	10/22/79
Gaithersburg Square Amoco	DEE-4269	04/23/79	10/31/79
McGrady, Michael	DEE-4275	04/23/79	10/31/79
Love's Shell Service	DEE-4900	05/04/79	10/31/79
Lojek's Gas & Oil	DEE-5611	05/18/79	11/08/79
Barbara's Texaco	DEE-6948	06/28/79	11/08/79
Amoco Travel Center	DEE-6191	06/04/79	11/09/79
Sharon Motors	DEE-6724	06/21/79	11/16/79
Stefano's Gasoline	DEE-5183	05/15/79	11/28/79
Jack's ARCO	DEE-6185	06/04/79	11/28/79
Woodbrock Cities Service	DEE-6202	06/04/79	11/28/79
Service Oil Co	DEE-8286	09/21/79	12/04/79
Al Neary's Texaco	DEE-3463	04/06/79	12/05/79
Town & Country Texaco	DEE-3865	04/13/79	12/05/79
Cirelli, Jeffrey J	DEE-5408	05/16/79	12/05/79
Dick Valley Texaco	DEE-6175	06/01/79	12/05/79
Ross Oil Company	DEE-6522	06/14/79	12/05/79
Medfield Gulf	DEE-6678	06/22/79	12/05/79
Caparo's Texaco	DEE-6909	06/26/79	12/05/79
Anderson Gulf	DEE-7727	08/06/79	12/05/79
Constan	DEE-2613	03/16/79	12/06/79
Duquette Service Stations, Inc	DEE-2669	03/20/79	12/06/79
Rain Tree Car Wash	DEE-2745	03/21/79	12/06/79
Broward Fuels Company	DEE-3879	04/13/79	12/06/79
Capital Services, Inc	DEE-4397	04/24/79	12/06/79
Feagan's Sunoco Station	DEE-6140	05/31/79	12/06/79
Plaza Gulf, Inc	DEE-6164	06/01/79	12/06/79
Eddie's Auto Truck Plaza	DEE-6480	06/12/79	12/06/79
Parkmont Amoco	DEE-6496	06/12/79	12/06/79
Serignan's Gulf Service	DEE-6814	06/22/79	12/06/79
Braxton's Amoco	DEE-6936	06/27/79	12/06/79
Medford Tire & Service Clinic	DEE-7176	07/10/79	12/06/79
Wharton, Clyde, Sr	DEE-7302	07/17/79	12/06/79
Town & Country Oil Company	DEE-2793	03/16/79	12/17/79
Gene Sanders Service, Inc	DEE-2578	03/19/79	09/17/79
Home Oil, Inc	DEE-4544	04/25/79	09/27/79
Van Alstine Oil Company	DEE-5383	05/16/79	10/04/79
Danville Gas House Company	DEE-5439	05/15/79	10/04/79
Hinson's Crossroads General	DEE-5602	05/18/79	10/11/79

Name of petitioner	Case No.	Date of filing	Date proposed decision and order issued
Little Tub Car Wash	DEE-5919	05/24/79	10/18/79
Darcy Automotive Service	DEE-7349	07/17/79	10/18/79
Georgetown Gulf	DEE-6860	06/25/79	10/23/79
Westgate Oil Company	DEE-2464	03/14/79	10/31/79
P.C.H. Company	DEE-409	04/04/79	11/15/79
Boulevard Gulf Service	DEE-3798	04/13/79	11/15/79
Carport, The	DEE-5570	05/17/79	11/15/79
Ray's Standard Service	DEE-6303	06/05/79	11/15/79
Bartel Oil Company	DEE-6858	06/25/79	11/15/79
Freeman's Mobil Service Center	DEE-6501	06/12/79	11/28/79
Camp Springs Car Wash, Inc	DEE-5203	05/15/79	11/30/79
Sonny's Amoco	DEE-3642	04/12/79	12/05/79
S. & H. Gulf Service	DEE-4624	04/27/79	12/05/79
Ed's West Harwich Gulf	DEE-4688	04/30/79	12/05/79
Morris, Gordon D	DEE-4809	05/01/79	12/05/79
Bon-Air Gulf	DEE-5349	04/17/79	12/05/79
Wilson, J. E	DEE-6135	05/31/79	12/05/79
Clayton's Standard	DEE-6251	06/05/79	12/05/79
Murphy's Exxon	DEE-6851	06/25/79	12/05/79
Kingston Hill Store	DEE-7015	06/29/79	12/05/79
Husky Travel Center	DEE-7084	07/05/79	12/05/79
Dedham Ave. Texaco Service	DEE-6841	06/25/79	12/06/79
Glaser's Amoco Services	DEE-7468	07/12/79	12/06/79
Jenkins Gas Company Inc	DEE-3318	04/03/79	12/11/79
Adamo, Peter P	DEE-5628	08/22/79	09/17/79
Ozarks Petroleum Service	DEE-6488	06/12/79	09/17/79
Bob & Roy's Standard	DEE-7785	08/10/79	09/19/79
Northside Country Store	DEE-7638	07/30/79	10/26/79
Handi-Car, Inc	DEE-4605	04/27/79	12/17/79
Stonewall County	DEE-8248	09/19/79	12/17/79
Murray Oil Company	DEE-2284	03/06/79	05/08/79
Gilroy Mobil	DEE-3572	04/06/79	09/28/79
Savory Corporation	DEE-7050	07/03/79	09/28/79
C. B. Clay Service Station	DEE-4336	04/24/79	10/31/79
Collard, Dewey	DEE-4010	04/11/79	11/05/79
Quail Valley Car Care Center	DEE-6657	06/05/79	11/06/79
Brock, Jerry	DEE-2771	03/21/79	12/05/79
Edison Exxon	DEE-2881	03/23/79	12/05/79
Navy Exchange Service Station	DEE-5724	05/17/79	12/05/79
Smallwood, S. E	DEE-6793	06/25/79	12/05/79
Kinney's Gulf Service	DEE-7020	07/02/79	12/05/79
Clarksburg Grocery	DEE-7119	07/06/79	12/05/79
Montpelier Amoco	DEE-7346	97/17/79	12/05/79
Ray's Standard	DEE-7460	07/16/79	12/05/79
Eugene Wonneberg Standard	DEE-6798	06/25/79	12/06/79
Goodhall's West	DEE-7121	07/06/79	12/06/79
Al's Mobil Service Station	DEE-7868	07/18/79	09/17/79
Ulysses J. Papini Arco	DEE-6722	06/21/79	10/23/79
McHenry Exxon Service	DEE-5386	05/16/79	10/31/79
Bucklin's Downtown Amoco	DEE-5396	05/16/79	11/08/79
John's Auto Service	DEE-6934	06/27/79	11/08/79
Don's Dodge Street Car Wash	DEE-6642	06/19/79	11/16/79
Lipscomb Oil Company	DEE-2858	03/22/79	11/20/79
Colorado County Oil Co., Inc	DEE-6656	06/19/79	11/20/79
Ferndale Shell	DEE-5976	05/23/79	11/21/79
Link Lloyd	DEE-7762	08/08/79	11/21/79
Duane's Lakeland Shell	DEE-7724	06/05/79	12/05/79
H. C. Lester, Inc	DEE-5333	05/16/79	12/06/79
Berry's Garage	DEE-6819	06/22/79	12/17/79
Gene's Mini Market	DEE-4652	04/30/79	10/18/79
Dennis K. Burke	DEE-7672	08/06/79	12/13/79
First Minute Markets Inc	DEE-6462	06/21/79	08/27/79
Mike's Tire & Super Station	DEE-4191	04/19/79	09/26/79
Jack's ARCO Service	DEE-6100	05/30/79	09/26/79
Abzakh, Mohammed	DEE-5762	05/22/79	10/03/79
Gay's ARCO & Mini-Mart	DEE-6273	06/05/79	10/04/79
Epsom Circle Market	DEE-6746	06/22/79	10/04/79
Estate Co. Store, Inc	DEE-7205	07/12/79	10/05/79
S.O.K.'s Service & Grocery Inc	DEE-4657	04/30/79	10/15/79
Len's Self Service & Mini Shop	DEE-7490	07/26/79	10/18/79
North Kingston Shell	DEE-3820	05/21/79	10/31/79
Jerry's Exxon & Car Wash	DEE-6987	07/02/79	10/31/79
Gary Keating's Village Texaco	DEE-7024	07/02/79	10/31/79
Walt's Sunoco Service	DEE-7065	07/03/79	10/31/79
Barnes Exxon Service	DEE-5493	05/17/79	11/01/79
Sea View Exxon	DEE-6834	06/25/79	11/01/79

Name of petitioner	Case No.	Date of filing	Date proposed decision and order issued
Pine Grove Exxon	BXE-0278	10/17/79	11/15/79
Service Oil Company	DEE-5996	05/29/79	11/20/79
Greenfield's Service	DEE-5647	05/18/79	11/21/79
Wilsey Auto Service, Inc	DEE-7358	07/18/79	11/21/79
Jorgensen, Alf M	DEE-5407	05/16/79	11/29/79
Fasgo, Inc	DEE-7922	08/20/79	11/15/79
Hiser's Servicenter	DEE-4030	04/17/79	09/17/79
William L. Gibbs Shell	DEE-7473	07/24/79	09/24/79
Bell Meade Shell	DEE-7474	07/24/79	09/24/79
Enka Shell Service	DEE-7516	07/26/79	09/24/79
Catalano, Andrew J	DEE-3907	04/13/79	10/31/79
Guadalajara Gas	DEE-5280	05/16/79	11/28/79
Fredericksburg Amoco	DEE-5798	05/21/79	11/28/79
Yates Stores, Inc	DEE-3091	03/30/79	11/30/79
Richmond Texaco	DEE-4906	05/04/79	12/05/79
Allen's Shell	DEE-5005	05/09/79	12/05/79
Fort & Emmons Shell	DEE-6338	06/06/79	12/05/79
Reece's Exxon	DEE-6460	06/12/79	12/05/79
Mike Craig ARCO Station	DEE-6932	06/27/79	12/05/79
Western Avenue ARCO	DEE-6941	06/26/79	12/05/79
Artemisa Shell Service	DEE-7772	08/09/79	12/05/79
Chuck Bryant Chevron	DEE-4067	04/16/79	12/06/79
Gaeta's ARCO	DEE-6029	05/29/79	12/06/79
Mylo Oil	DEE-6241	06/05/79	12/06/79
Rene's Self Service Station	DEE-6366	06/04/79	12/06/79
Ozymy Texaco	DEE-6696	06/20/79	12/06/79
Fuller Automotive Service Inc	DEE-6749	06/22/79	12/06/79
Juliano, Anthony	DEE-7034	07/02/79	12/06/79
Bowman (Rosecrans Ave.)	DEE-3391	03/29/79	12/13/79
Dan's Getty Station	DEE-4017	04/17/79	09/27/79
High Street Exxon	DEE-6762	06/22/79	09/27/79
Marcy Brothers, Inc	DEE-6782	06/22/79	09/27/79
South Hill Inc	DEE-7342	07/18/79	09/27/79
Navy Yard Shell	DEE-7499	07/25/79	10/31/79
Odyssey Enterprises Inc	DEE-6771	06/22/79	11/01/79
T & J Gulf Service	DEE-4742	04/30/79	12/05/79
Queen City Car Wash	DEE-6479	06/12/79	12/05/79
Femenias Shell	DEE-6662	06/19/79	12/05/79
C & R Riverside Motors	DEE-6785	06/08/79	12/05/79
Jo-Mar Car Wash	DEE-7230	07/13/79	12/05/79
Harvey's ARCO & Mini-Mart	DEE-7407	07/19/79	12/05/79
Davis Gulf Station	DEE-7410	07/20/79	12/05/79
John's Getty	DEE-7427	07/23/79	12/05/79
Bill's Service Center	DEE-7509	07/26/79	12/05/79
Randolph Auto Servicenter	DEE-3925	04/13/79	12/06/79
Martone Brothers, Inc	DEE-5366	05/16/79	12/06/79
Ah Tye Brothers Shell	DEE-7367	07/18/79	12/06/79
Village Market, The	DEE-7442	07/23/79	10/04/79
Twin State Oil Co of Tabor Cit	DEE-5759	05/22/79	09/17/79
West Texas Gas, Inc	DEE-3521	04/09/79	09/25/79
Malone-Cook Gulf Station	DEE-7266	07/16/79	10/03/79
Bedles Gulf Service	DEE-7204	07/12/79	10/05/79
Calif. Dept. of Transportation	DEE-6527	06/14/79	10/10/79
A & R Enterprises, Inc	DEE-7180	07/10/79	10/22/79
Bazell Oil Co., Inc	DEE-4490	04/24/79	10/23/79
Chaney's Service Station	DEE-6708	06/20/79	11/01/79
Grotticelli, Marie	DEE-7185	07/10/79	11/16/79
Norris Supply Company, Inc	DEE-5596	05/18/79	11/20/79
M & M Redemption Center	DEE-7283	07/17/79	12/05/79
Smith's Exxon Servicenter	DEE-6655	06/19/79	10/04/79
Jim McMahon Service	DEE-4143	04/17/79	10/12/79
CHO's Self-Service Gasoline	DEE-4564	04/26/79	11/07/79
Charlie's Standard Service	DEE-4395	05/25/79	11/09/79
Awads Mobil	DEE-5941	05/24/79	11/09/79
Greenlawn Transport	DEE-6078	05/30/79	11/14/79
C & B Exxon	DXE-8243	09/18/79	11/23/79
Hawks Oil Company	DEE-5801	05/21/79	11/28/79
Happy Valley Exxon Service	DEE-7945	08/23/79	12/03/79
Don's Chevron Service	DEE-3106	03/29/79	12/05/79
Ron's Chevron	DEE-4150	04/17/79	12/05/79
Bill Morrow's Shell	DEE-4361	04/24/79	12/05/79
Ripley & Fletcher Co. No. 52	DEE-5632	05/18/79	12/05/79
Buford Oil Company, Inc	DEE-5730	05/17/79	12/05/79
Porkey's Standard Service	DEE-6099	05/30/79	12/05/79

Name of petitioner	Case No.	Date of filing	Date proposed decision and order issued
Sun Valley Gas., Inc. (Sun Valley)	DEE-6740	06/22/79	12/05/79
Wayne Tipton Grocery	DEE-7231	07/13/79	12/05/79
Grasso's Oineyville Gulf, Inc	DEE-7299	07/17/79	12/05/79
Emil's ARCO	DEE-7365	07/18/79	12/05/79
Stiltner ARCO Mini Mart	DEE-6040	05/30/79	12/21/79
Parkview Exxon Service Station	DEE-6348	06/07/79	12/21/79
CM Leasing Corporation	DEE-7726	08/17/79	09/21/79
Development Service	DEE-7267	07/23/79	10/03/79
Country Mile, The	DEE-7709	08/06/79	10/18/79
North Miami Beach Fina	DEE-7249	08/03/79	10/22/79
Murphy's Service	DEE-7529	07/27/79	09/18/79
Ruscon Big C Stores	DEE-7532	07/27/79	09/25/79
Ruscon Big C Stores No. 2	DEE-7587	07/27/79	09/25/79
Secondi Bros. Service Station	DEE-5643	05/18/79	10/11/79
Shannon Motors Inc	DEE-6849	06/25/79	10/18/79
Sanford Oil	DEE-7678	08/06/79	10/25/79
Schmidt, John	DEE-5208	07/16/79	10/26/79
Schapeler Oil Co	DEE-7086	07/05/79	11/28/79
Ballance Oil Company	DEE-2751	03/21/79	09/07/79
Westchester Shell	DEE-3254	04/03/79	09/18/79
Peter & Frank's 66 Service, Inc	DEE-7124	07/06/79	09/28/79
Wright Industries. Inc	DEE-4252	04/20/79	10/11/79
Quintana, Nick	DEE-7122	07/06/79	10/11/79
Texas Instruments Inc	DEE-4826	05/01/79	10/18/79
Environmentals Inc	DEE-5995	05/29/79	11/15/79
Rucker, Joe	DEE-7247	07/16/79	11/15/79
Action Gas	DXE-8324	09/26/79	11/15/79
Laconia Car Wash Corp	DEE-7156	07/09/79	11/30/79
Quality Car Wash & Convenience	DEE-3961	04/06/79	10/04/79
Sparkle Car Wash	DEE-2761	03/21/79	09/26/79
Marshall's American Service	DEE-6368	06/08/79	10/18/79
B & B Gasland	DEE-7115	07/06/79	10/18/79
Timberlake Brothers	DEE-4853	05/02/79	10/19/79
Richard Oil Corporation	DEE-4855	05/02/79	10/26/79
M. D. Fisher Oil Inc	DEE-4880	05/04/79	11/28/79
Beall Oil Company	DEE-2289	03/08/79	12/05/79
Mini-Market Groceries	DEE-3248	04/03/79	12/05/79
Wiler's Exxon & Towing Service	DEE-3592	04/10/79	12/05/79
P. & T. Motors, Inc	DEE-4724	04/30/79	12/05/79
Performance Automotive Service	DEE-5048	05/09/79	12/05/79
Childer's Oil Co., Inc	DEE-6491	06/12/79	12/05/79
Kiawah Island	DEE-6499	06/13/79	12/05/79
Les Gordon's Texaco	DEE-6586	06/18/79	12/05/79
Jordan Oil Co	DEE-6908	06/26/79	12/05/79
Town of Bristol, RI	DEE-7041	07/02/79	12/05/79
Moon & Sons Gulf	DEE-4300	04/13/79	12/06/79
Bacca, Aurelio, Jr	DEE-4435	04/24/79	12/06/79
LaPointe's Service Center, Inc	DEE-4642	04/30/79	12/06/79
Bob's Gulf	DEE-4645	04/30/79	12/06/79
Huhtala Oil & Templeton Garage	DEE-4698	04/30/79	12/06/79
Walkey's Exxon	DEE-5377	05/16/79	12/06/79
Curt's Chevron	DEE-5607	05/18/79	12/06/79
J & R Texaco	DEE-6094	05/30/79	12/06/79
Highway Host Standard	DEE-6217	06/04/79	12/06/79
Tuckerton Exxon	DEE-6260	06/05/79	12/06/79
H. A. Wallace (Plymouth)	DEE-6845	06/25/79	12/06/79
Cove Exxon	DEE-7229	07/13/79	12/06/79
Pratt Texaco Service	DEE-7498	07/25/79	12/06/79
Tony's Gulf	DEE-7597	07/31/79	12/06/79
Withem's Service Center	DEE-7630	08/01/79	12/06/79
Praxton's Gulf Service	DEE-7702	08/06/79	12/06/79
Floreks Dairy Store	DEE-7728	08/06/79	12/06/79
Gold Oil Company	DEE-7734	08/01/79	12/06/79
A. Abart Enterprises Inc	DEE-6991	07/02/79	09/24/79
Falmouth Exxon	DEE-7719	08/06/79	10/18/79
Adamson Amoco	DEE-6836	06/25/79	10/26/79
Bob's Marina Service	DEE-5390	05/16/79	11/16/79
Stone's Store	DEE-7083	07/05/79	12/04/79
Shaw's Gulf	DEE-4316	04/13/79	09/24/79
Melton's Exxon	DEE-5474	09/12/79	11/28/79
Harpers Farm Car Care	DEE-5498	05/17/79	12/05/79
Ashmont Hill Service Station	DEE-7023	07/02/79	12/05/79
Oswald's Standard	DEE-3437	03/29/79	12/06/79
Patrick, L. E., Jr.	DEE-3657	04/12/79	12/06/79
S. M. Shapiro	DEE-4315	04/24/79	12/06/79
Oakton Service Center	DEE-4392	04/24/79	12/06/79
W. C. Eaton, Inc	DEE-4745	04/30/79	12/06/79
Bowen's Grocery	DEE-6091	05/30/79	12/06/79
Dick's Gulf Station	DEE-6847	06/25/79	12/06/79
Ralph's Service Station	DEE-7103	07/05/79	12/06/79
Shell Oil Company	DEE-2694	03/23/79	05/02/79
Bevins Motor Co., Inc	DEE-7623	07/31/79	10/03/79

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception, Temporary Exception, Stay, and/or Temporary Stay from the provisions of the Motor Gasoline Allocation Regulations. The requests, if granted, would result in an increase in the base period allocation of motor gasoline. The DOE issued Decisions and Orders granting the requests.

Company Name, Location, and Case No.

Howard Moor Service, Wentzville, Md.; BEO–0197.
Woody's Mobil, Minneapolis, Minn.; BEO–0337.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception, Temporary Exception, Stay, and/or Temporary Stay from the provisions of the Motor Gasoline Allocation Regulations. The requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued Decisions and Orders denying the requests.

Company Name, Location, and Case No.

Bauserman Oil Co., Winchester, Va.; DEE–2915.
Belle Haven Sunoco, Washington, D.C.; DEO–0246.
Diversified Properties, Nitro, W. Va.; BEO–0408.
Frank Thompson's Chevron, Spokane, Wash.; BEO–0082.
Joe Maider's Mobil, N. Attleboro, Mass.; DEE–7792.
Kelly Lake Standard, Suring, Wis.; BEO–0075.
Park Hills Texaco, Mountlake Terrace, Wash.; BEO–0399.
Plantation Shell, Plantation, Fla.; BEO–0126.
Seasweet Crabmeat, Crystal River, Fla.; BEO–0381.
Stax Gas & Truck Stop, West Chester, Pa.; DEO–0323.
Thompson Irrigation, Paducah, Ky.; BEO–0159.
W. H. Bartram, Inc., Bellevue, Nebr.; DEO–0309.
Zemet's Inc., Johnstown, Pa.; DEO–0305.

Petition Involving the Emergency Building Temperature Restrictions

The following firm filed an Application for Exception from the provisions of the Emergency Building Temperature Restrictions Regulations. The request, if granted, would permit the firm to change the temperature in its facility from the temperature level prescribed in the regulations. The DOE issued a Decision and Order denying the request.

Company Name, Location, and Case No.

Alexander's Dept. Store, Inc., Wilmington, N.C.; DEE–7571.

Protective Order

The following firm filed an Application for Protective Order. The application, if granted, would result in the issuance by the DOE of the proposed protective order submitted by the firm. The DOE granted the following application and issued the requested protective order as an Order of the Department of Energy:

Company Name, Case No. and Location

Chevron USA, Inc., BEJ–0033; BEJ–0035; San Francisco, Calif.

Interim Orders

The following firms were granted interim exception relief that implements the relief the DOE proposed to grant in an order issued on the same date as the interim order:

Company Name, Case No., and Location.

Bosar Enterprises, DEN–7870; New York, N.Y.
Earl Wilkins, DEN–6041; Reform, Ala.
Larry Mills Exxon, DEN–7105; Olancha, Calif.
Surrey Lane Service, DEN–6566; Hempstead, N.Y.

Temporary Stay

The following Application for Temporary Stay was denied on the grounds that the applicant had failed to make a compelling showing that temporary stay relief was necessary to prevent an irreparable injury:

Company Name, Case No., and Location.

Phillips Petroleum Co., BST–0825; Bartlesville, Okla.

Dismissals

The following submissions were dismissed without prejudice to refiling at a later date:

Company Name and Case No.

Arvada East Conoco, DEE–4005.
Seddon-Tremond Service Station Corp., DEE–7925.
Texaco, Inc., BED–0018.
Arthur Young & Co., DEE–7658.
BD. of Cty, Road Comm., Kent Cty., DEE–6425.
Double B Oil, Inc., BXE–0434.
Highway 99 Truck Auto Stop, DEE–3740.
National Exploration Company, BEE–0878.
Occidental Petroleum Corporation, BED–0037.
Sheetz Kwik Shoppers, BEO–0274.
Total Petroleum, Inc., DEA–0457; DES–0457.
U.S. Oil Company, DST–3174.
Coogler Oil Co., DEE–5797.
Ralph Watson Oil Company, DEE–8006.
Seattle Flight Service, Inc., BEO–0706.
Winther Chevron, DEE–7211.
Babylon Racquet & Fitness Club, DEE–7799.
East Campus 66, DEE–7594.
Fairview Exxon, DEE–7926.
Fred Astaire National Dance Association, BEO–0556.
Kar Klinic, DEE–7277.
Kay's Korner, DEE 7134.
Knoll Enterprise, DEE–7888.
Atlantic Richfield Co., DEE–7733.
City of Long Beach, BMR–0024.
Demier Oil Operating Company, BEE–0002.
Fanning Oil Co., BEE–0416.
Greenfield-Six Mile Shell, BEO–0672.
J. Hus Hawkins, BEE–0085.
Kerr-McGee Corporation, BEE–0457; BSG–0008.
Kean Bros., Inc., BEE–0431.
Paul Littleton, DEE–5872.
Servis-Likens Truck Co., Inc., DEE–6911.
Triadelphia Distributing Co., Inc., DEE–2710.
Woods Petroleum Corp., DEE–8284.

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B–120, 2000 M Street, N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

April 15, 1980.

[FR Doc. 80–12389 Filed 4–22–80; 8:45 am]
BILLING CODE 6450–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1472–8]

Announcement of Fuel Economy Retrofit Device Evaluation for Goodman Engine System, Model 1800

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of fuel economy retrofit device evaluation.

SUMMARY: This document announces the conclusions of the EPA evaluation of the Goodman Engine System, Model 1800 under the provisions of Section 511 of the Motor Vehicle Information and Cost Savings Act.

FOR FURTHER INFORMATION CONTACT: F. Peter Hutchins, Emission Control Technology Division, Office of Mobile Source Air Pollution Control, Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan 48105, 313–668–4340.

BACKGROUND INFORMATION: Section 511(b)(1) and Section 511(c) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2011(b)) require that:

(b)(1) "Upon application of any manufacturer of a retrofit device (or prototype thereof), upon the request of the Federal Trade Commission pursuant to subsection (a), or upon his own motion, the EPA Administrator shall evaluate, in accordance with rules prescribed under subsection (d), any retrofit device to determine whether the retrofit device increases fuel economy and to determine whether the representations (if any) made with respect to such retrofit devices are accurate."

(c) "The EPA Administrator shall publish in the **Federal Register** a summary of the results of all tests conducted under this section, together with the EPA Administrator's conclusions as to—

(1) the effect of any retrofit device on fuel economy;

(2) the effect of any such device on emissions of air pollutants; and

(3) any other information which the Administrator determines to be relevant in evaluating such device."

* * * * *

EPA published final regulations establishing procedures for conducting fuel economy retrofit device evaluations on March 23, 1979 [44 FR 17946].

Origin of Request for Evaluation

On August 17, 1979, the EPA received a request from Mr. Edward Knight of Akin, Gump, Haver & Feld for evaluation of a fuel saving device termed the Goodman Engine System, Model 1800. This device was the subject of a "60 Minutes" television program entitled "Those Crazy Men in Their Driving Machines" which was broadcast over the Columbia Broadcasting System (CBS) on June 10, 1979. The testing data submitted with the application for evaluation was the same data generated by CBS. An evaluation has been made and the results are described completely in a report entitled: EPA Evaluation of the Goodman Engine System, Model 1800 under Section 511 of the Motor Vehicle Information and Cost Savings Act. Copies of this report are available upon request from F. Peter Hutchins, Emission Control Technology Division, EPA, 2565 Plymouth Road, Ann Arbor, Michigan 48105.

Summary of Evaluation

The overall conclusion of this report is that the Goodman Engine System, Model 1800 device does not have any significant effect on regulated emissions or fuel economy. A small reduction in nitrogen oxides (NO_x) exhaust emissions on the Federal Highway Fuel Economy Test Procedure (HFET) was noted.

The Columbia Broadcasting System (CBS) data generated at the Transportation Research Center cannot be used to evaluate the Goodman Engine System Model 1800 device because too many extraneous variables such as altered timing, higher compression ratio, different camshaft, different test fuels, and 13,000 miles between the "before and after" tests were introduced to make comparative analysis possible. The Environmental Protection Agency data was run on a suitable test vehicle with available unleaded fuel. The Goodman Engine System Model 1800 device was judged by the inventor to be operating properly during the EPA testing. The EPA data do not substantiate the claims made about the device.

The Goodman Engine System Model 1800 device appears to operate safely and does not appear to cause emission of any non-regulated emissions. It is suggested that future installation instructions specify the type of antifreeze to be used in the device. Several antifreeze compounds such as ethylene glycol are known to cause engine damage.

The reduction in NO_x on the HFET cycle does suggest some promise for a better developed water injection system. However, no significant improvement in fuel economy was noted.

Dated: April 16, 1980.

David G. Hawkins,

Assistant Administrator for Air, Noise, and Radiation.

[FR Doc. 80-12486 Filed 4-22-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL COMMUNICATIONS COMMISSION

[Report No. B-3]

FM Broadcast Applications Accepted for Filing and Notification of Cut-Off Date

Released: April 15, 1980.

Cutoff Date: June 4, 1980.

Notice is hereby given that the applications listed in the attached appendix below are accepted for filing. Because the applications listed in the attached appendix below are in conflict with applications which were accepted for filing and listed previously as subject to a cut-off date for conflicting applications, no application which would be in conflict with the applications listed in the attached appendix below will be accepted for filing.

Petitions to deny the applications listed in the attached appendix below and minor amendments thereto must be on file with the Commission not later than the close of business on June 4, 1980. Any application previously accepted for filing and in conflict with the applications listed in the attached appendix below may also be amended as a matter of right not later than the close of business on June 4, 1980. Amendments filed pursuant to this notice are subject to the provisions of § 73.3572(b) of the Commission's rules.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

BPH-781129AH (new), Ventura, California. Ventura Broadcasting Co., Inc. Req: 107.1 Mhz; Channel No. 296A; ERP: .263 Kw; HAAT: 858 ft.

BPH-781228AA (new), Grand Island, Nebraska. Farvel Properties, Inc. Req: 107.7 Mhz; Channel No. 299C; ERP: 100 Kw; HAAT: 800 ft.

BPH-790112AF (new), Belen, New Mexico. Manzano Broadcasting. Req: 97.7 Mhz; Channel No. 249A; ERP: 3 Kw; HAAT: 57 ft.

BPH-790212AC (new), San Buenaventura, California. San Buenaventura Wireless Co., Inc. Req: 107.1 Mhz; Channel No. 296A; ERP: .24 Kw; HAAT: 760 ft. (Allocated to Ventura, Ca).

BPH-790323AC (new), Ventura, California. William & Arike Shearer. Req: 107.1 Mhz; Channel No. 296A; ERP: .282 Kw; HAAT: 836.5 ft.

BPH-790327AA (new), Ventura, California. Latino Broadcasting Corporation. Req: 107.1 Mhz; Channel No. 296A; ERP: .240 Kw; HAAT: 887 ft.

BPH-790327AE (new), Grand Island, Nebraska. Manchik Broadcasting Inc. Req: 107.7 Mhz; Channel No. 299C; ERP: 100 Kw; HAAT: 896 ft.

BPH-790327AF (new), Ventura, California. Richard H. Albert. Req: 107.1 Mhz; Channel No. 296A; ERP: .280 Kw; HAAT: 728 ft.

BPH-790327AI (new), Ventura, California. Marandee Broadcast Engineering. Req: 107.1 Mhz; Channel No. 296A; ERP: .415 Kw; HAAT: 709 ft.

BPH-790328AJ (new), Summersville, West Virginia. Bright Broadcasting Corporation. Req: 92.9 Mhz; Channel No. 225B; ERP: 6.69 Kw; HAAT: 1305 ft.

BPH-790328AN (new), Ventura, California. Ventura Radio, Inc. Req: 107.1 MHz; Channel No. 296A; ERP: .375 kW; HAAT: 730 ft.

BPH-790328AO (new), Clovis, New Mexico. KICA, Inc. Req: 107.5 MHz; Channel No. 298C; ERP: 100 kW; HAAT: 538 ft.

BPH-790523AA (new), Green Valley, Arizona. Green Valley Broadcasting Company. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: 88 ft.

BPH-790529AE (new), Green Valley, Arizona. Johnson Broadcasting, Inc. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: 150 ft.

BPH-790530AA (new), Green Valley, Arizona. Kangaroo, Inc. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: 300 ft.

BPH-790530AB (new), Green Valley, Arizona. Fairfield Green Valley, Inc. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: 174 ft.

BPH-790530AD (new), Tallahassee, Florida. Hub Radio. Req: 95.9 MHz; Channel No. 240A; ERP: 3 kW; HAAT: 300 ft.

BPH-790530AH (new), Green Valley, Arizona. Canoa Broadcasting Corporation. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: −15 ft.

BPH-790801AF (new), Burlington, Iowa. Town & Country Broadcasting Corp. Req: 93.5 MHz; Channel No. 228A; ERP: 3 kW; HAAT: 300 ft.

BPH-790803AB (new), Ocean City, New Jersey. JM Communications, Inc. Req: 98.3 MHz; Channel No. 252A; ERP: 3 kW; HAAT: 300 ft.

BPH-790803AE (new), Florence, Oregon. Cecilia Murphy. Req: 104.7 MHz; Channel No. 284C; ERP: 100 kW; HAAT: 1,082 ft.

BPH-790807AG (new), Florence, Oregon. Constant Communications Company. Req: 104.7 MHz; Channel No. 284C; ERP: 100 kW; HAAT: 1,703 ft.

BPH-790808AB (new), Ocean City, New Jersey. Ocean City Radio of New Jersey, Inc. Req: 98.3 MHz; Channel No. 252A; ERP: 3 kW; HAAT: 288.3 ft.

BPH-790808AC (new), Brawley, California. Robert T. Mindte. Req: 96.1 MHz; Channel No. 241B; ERP: 50 kW; HAAT: 240 ft.

BPH-790808AD (new), Tehachapi, California. Chambers-Anglin Broadcasting. Req: 103.1 MHz; Channel No. 276A; ERP: 3 kW; HAAT: −539 ft.

BPH-790831AF (new), Lincoln City, Oregon. Brown Broadcasting Enterprises, Inc. Req: 96.7 MHz; Channel No. 244A; ERP: 3 kW; HAAT: 300 ft.
BPH-790831AI (new), King City, California. Radio Del Ray, Inc. Req: 92.1 MHz; Channel No. 221A; ERP: 3 kW; HAAT: −313 ft.
BPH-790920AB (new), Yoakum, Texas. Ritchey Communications Company. Req: 102.3 MHz; Channel No. 272A; ERP: 3 kW; HAAT: 299.8 ft.

[FR Doc. 80-12439 Filed 4-22-80; 8:45 am]
BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Agreement Filed; Correction

Agreement No. 10374.

Filing Party: Edward Schmeltzer, Esquire, Schmeltzer, Aptaker & Sheppard, P.C., 1800 Massachusetts Avenue, NW., Washington, D.C. 20036.

Summary: Agreement No. 10374 appeared in the **Federal Register** on April 14, 1980 (FR Vol. 45, No. 73, p. 25137), as having been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916. Please disregard this notice of filing.

Dated: April 16, 1980.

By order of the Federal Maritime Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-12449 Filed 4-22-80; 8:45 am]
BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 954R]

James Sierra & Co., Inc.; Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4 further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of James Sierra & Co., Inc., 1100 Pleasantville Drive, Houston, Texas 77029, FMC No. 954R, was cancelled effective December 26, 1979.

By letter dated December 13, 1979, James Sierra & Co., Inc. was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 954R would be automatically revoked unless a valid surety bond was filed with the Commission.

James Sierra & Co., Inc. has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), section 5.01(d) dated August 8, 1977;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 954R was revoked effective December 26, 1979.

It is ordered, That Independent Ocean Freight Forwarder License No. 954R, issued to James Sierra & Co., Inc. be returned to the Commission for cancellation.

It is further ordered, That a copy of this Order be published in the Federal Register and served upon James Sierra & Co., Inc.

Robert G. Drew,

Director, Bureau of Certification and Licensing.

[FR Doc. 80-12448 Filed 4-22-80; 8:45 am]
BILLING CODE 6730-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health National Institute of Environmental Health Sciences; Meeting

Board of Scientific Counselors

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Environmental Health Sciences, June 25-26, 1980, in Building 18 conference room, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina.

This meeting will be open to the public from 9 a.m. to 12 non on June 25, for the purpose of discussing recent developments in the Institute's budget, personnel, permanent facilities, contracts, scientific programs, and plans of the Laboratory of Organ Function and Toxicology, the Laboratory of Reproductive and Developmental Toxicology, and the Comparative Pathology Section, Environmental Biology Branch. Attendance by the pubilc will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6) Title 5 U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on June 25 from approximately 1 p.m. to adjournment on June 26, 1980, for the evaluation of the programs of the Laboratory of Organ Function and Toxicology, the Laboratory of Reproductive and Developmental Toxicology, and the Comparative Pathology Section, Environmental Biology Branch, including the consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Executive Secretary, Dr. Charles E. Carter, Scientific Director, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina 27709, telephone (919) 541-3205, will furnish summaries of the meeting, rosters of committee members, and substantive program information.

Dated: April 15, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institute of Health.

[FR Doc. 80-12373 Filed 4-22-80; 8:45 am]
BILLING CODE 4110-08-M

National Advisory Eye Council; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Eye Council, National Eye Institute, May 28, 29, and 30, 1980, Building 31, Conference Room 8, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public from 9:00 a.m. until noon on Wednesday, May 28, for opening remarks by the Director, National Eye Institute, discussion of procedural matters, and presentations by the extramural staff of the National Eye Institute. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from approximately 1:00 p.m. for the remainder of the day on Wednesday, May 28, and all day on Thursday and Friday, May 29 and 30, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable materials, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Julian Morris, Chief, Office of Scientific Reports and Program Planning, National Eye Institute, Building 31, Room 6A-25, AC 301/496-5248, will provide summaries of meetings and rosters of committee members.

Dr. Ronald G. Geller, Associate Director for Extramural and

Collaborative Programs, National Eye Institute, Building 31, Room 6A–04, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.867, 13.868, 13.869, 13.870, and 13.871, National Institutes of Health)

Dated: April 14, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80–12371 Filed 4–22–80; 8:45 am]

BILLING CODE 4110–08–M

National Advisory General Medical Sciences Council; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory General Medical Sciences Council, National Institute of General Medical Sciences, National Institutes of Health, May 22 and 23, 1980, Building 1, Wilson Hall, Bethesda, Maryland.

This meeting will be open to the public on May 22, 1980, from 9 a.m. to 1 p.m. for opening remarks; report of the Director, NIGMS; and other business of the Council. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), the meeting will be closed to the public for approximately the last four hours of the day on May 22, 1980, and six hours on May 23, 1980. It is estimated that the closed session will occur on May 22 from approximately 1:00 p.m. to 5:00 p.m., and on May 23, 1980, from 9:00 a.m. until adjournment, for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Paul Deming, Public Information Officer, National Institute of General Medical Sciences, National Institutes of Health, Room 9A12, Westwood Building, Bethesda, Maryland 20205, Telephone: 301, 496–7301 will provide a summary of the meeting and a roster of council members.

Dr. Ruth L. Kirschstein, Executive Secretary, NAGMS Council, National Institutes of Health, Building 31, Room 4A52, Bethesda, Maryland 20205, Telephone: 301, 496–5231 will provide substantive program information.

(Catalog of Federal Domestic Assistance Programs Nos. 13–859, 13–860, 13–861, 13–862, 13–863, National Institutes of Health)

Dated: April 14, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80–12372 Filed 4–22–80; 8:45 am]

BILLING CODE 4110–08–M

Office of Education

National Advisory Council on Women's Educational Programs and the National Advisory Council on Vocational Education

AGENCY: Office of Education, National Advisory Council on Women's Educational Programs and the National Advisory Council on Vocational Education.

ACTION: Notice of public hearings.

SUMMARY: This notice sets forth the schedule and purpose of two forthcoming public hearings being held jointly by the Nationally Advisory Council on Women's Educational Programs and the National Advisory Council on Vocational Education. It also describes the functions of both Councils. Notice of the hearing is required pursuant to Section (a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463). This document is intended to notify the general public of its opportunity to attend.

DATED: (a) May 8 and 9, 1980; (b) May 15 and 16, 1980.

ADDRESSES: (a) Bank Street College of Education Auditorium, 610 West 112 Street, New York, New York; (b) Old Senate Supreme Court Chambers, State Capitol Building, East Colfax and Sherman, Denver, Colorado.

FOR FURTHER INFORMATION CONTACT: Ralph Bregman or Sarah Bennett, National Advisory Council on Vocational Education, 425 13th Street, N.W., Suite 412, Washington, D.C. 20004, (202) 376–8873 or Martine Brizius, National Advisory Council on Women's Educational Programs, 1832 M Street, N.W., Suite 821, Washington, D.C. 20036, (202) 653–5846.

The National Advisory Council on Women's Educational Programs is established pursuant to Pub. L. 95–561. The Council is mandated to (a) advise the Secretary, Assistant Secretary, and the Commissioner on matters relating to equal education opportunities for women and policy matters relating to the administration of the Women's Educational Equity Act of 1978; (b) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to that Act, including criteria developed to insure an appropriate geographical distribution of approved programs and projects throughout the Nation; (c) recommend criteria for the establishment of program priorities; (d) make such reports as the Council determines appropriate to the President and Congress on the activities of the Council; and (e) disseminate information concerning the activities of the Council.

The National Advisory Council on Vocational Education was established under Section 104 of the Vocational Education Amendments of 1968, Pub. L. 90–576. The Council is directed to: (a) advise the President, Congress, the Secretary, and the Commissioner concerning the administration of, preparation of general regulations for, and operation of vocational education programs supported with assistance under this title; (b) review the administration and operation of vocational education programs under this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary for transmittal to the Congress; and (c) conduct independent evaluations of programs carried out under this title and publish and distribute the results thereof.

On Thursday, May 8, 1980, from 1:00 p.m. to 7:00 p.m. and on Friday, May 9, 1980, from 9:00 a.m. to 3:45 p.m. the National Advisory Council on Women's Educational Programs and the National Advisory Council on Vocational Education will hold the first of two regional hearings to study sex equity in vocational education. This hearing will be held at the Bank Street College of Education Auditorium, 610 West 112 Street (near corner of Broadway and 112th Street), New York, New York. The second hearing will be held in Denver, Colorado on Thursday, May 15, 1980, from 1:00 p.m. to 7:00 p.m. and on Friday, May 16, 1980, from 9:00 a.m. to 3:45 p.m. in the Old Senate Supreme Court Chamber of the State Capitol Building, East Colfax and Sherman.

These hearings are being held in an effort to assess the impact of the Vocational Education Amendments of 1976 on vocational education sex equity implementation. Key individuals and concerned groups in the region will

describe and evaluate the extent to which the sex equity features of the 1976 Vocational Amendments are being implemented and the impact their implementation is having on sex discrimination and sex stereotyping in vocational programs. Specifically, the New York hearing will include panel discussions of: (a) State Profiles, focusing on the problems of a single state as perceived by different levels of education; (b) A Perspective from Persons Outside the Vocational Education System, with emphasis on the perception of the community; (c) Special Needs of Minorities; and (d) Supportive Services/Innovative Programs. The topics of panel discussions at the Denver meeting include: (a) State Profiles, with testimony focusing on the implementation of legal requirements; progress and problems in planning, accountability, public hearings, monitoring and funding from several states; (b) A Perspective from Persons Outside the Vocational Education System, with emphasis on the perspective of Advisory Committees and women's organizations; (c) Sex Equity Coordinators' Roles and Functions: Problems and Successes; and (d) Postsecondary Vocational Education and Displaced Homemaker Programs.

Following the testimony on the second day of each hearing there will be a roundtable discussion on the implications for legislation. This informal discussion involving those who have participated and others who have attended the hearing with the Council members, will focus on the implications of the testimony for changes, additions or support of legislation.

Records will be kept of the proceedings of the public hearings and a final report will be issued jointly by the two Advisory Councils. Copies of this report will be available to the public from the office of either Council. In addition, the submission of written testimony to the office of the National Advisory Council on Women's Educational Programs is encouraged and will be accepted through May 30th 1980.

Signed in Washington, D.C., on April 17, 1980.

Joy R. Simonson,

Executive Director, National Advisory Council on Women's Educational Programs.

Raymond C. Parrott,

Executive Director, National Advisory Council on Vocational Education.

[FR Doc. 80-12366 Filed 4-22-80; 8:45 am]

BILLING CODE 4110-02-M

Public Health Service

Alcohol, Drug Abuse, and Mental Health Administration; Statement of Organization, Functions, and Delegations of Authority

Part H, Chapter HM (Alcohol, Drug Abuse, and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (38 FR 1654, January 11, 1974, as amended most recently at 61659, October 26, 1979) is revised to reflect the following changes in the National Institute of Mental Health of the Alcohol, Drug Abuse, and Mental Health Administration: (1) a revision in item (2) of the functional statement for the Division of Mental Health Service Programs to include extramural research and development activities and (2) a modification of the functional statement for the Division of Biometry and Epidemiology to include a new financial assistance program on mental health service system research.

Section HM-B, Organization and Functions, is amended as follows: Under the *National Institute of Mental Health (HMM),* make the following changes:

1. Under the *Division of Mental Health Service Programs (HMM4),* change item (2) to read: (2) conducts and supports intramural and extramural research and development activities to provide new knowledge of direct relevance to the quality and delivery of mental health services nationwide;

2. Delete the functional statement for the *Division of Biometry and Epidemiology (HMM9)* in its entirety and substitute the following:

Division of Biometry and Epidemiology (HMM9). (1) Operates a national reporting program to obtain, analyze, and disseminate statistics on the major characteristics of the U.S. mental health service system, its resources, utilization patterns, costs and financing; (2) coordinates Institute activities in mental health epidemiology; develops and supports programs of research, training, field trials and demonstrations regarding mental health epidemiology through grants, contracts, and cooperative agreements; (3) develops, conducts, and supports broadscale research on the quantitative aspects of the national mental health service system emphasizing: (a) the cost and financing of mental health services; (b) the development and application of service need assessment methodologies; (c) factors affecting the supply of national service delivery resources and their utilization; (d) applications of information systems technology; and (e) the interaction among parts of the national mental health service system, particularly at the interface of general health and mental health services; (4) conducts and supports research and develops quantitative models for research and data collection in areas of biometric, epidemiologic, and demographic significance, and provides statistical and mathematical consultative services to the Institute and ADAMHA as requested; (5) provides technical assistance to State and local mental health service and statistical agencies regarding statistical and epidemiologic methodology, development of mental health information systems, and the use of statistical, epidemiologic, and demographic data to improve program management; (6) analyzes, synthesizes, and disseminates statistical and research information regarding the U.S. mental health service system to improve services policy and program development at local, State, national, and international levels.

Dated: April 16, 1980.

Patricia Roberts Harris,

Secretary.

[FR Doc. 80-12472 Filed 4-22-80; 8:45 am]

BILLING CODE 4110-88-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Disapproval of Petition for Reassumption of Jurisdiction Over Indian Child Custody Proceedings by the Lac Courte Oreilles Tribe

April 8, 1980.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of disapproval of petition for reassumption of jurisdiction over Indian child custody proceedings.

SUMMARY: The Lac Courte Oreilles Tribe has filed a petition with the Interior Department to reassume exclusive jurisdiction over child custody proceedings involving Indian children who reside or are domiciled on the Lac Courte Oreilles Reservation in Wisconsin. Based on a review of that petition the Assistant Secretary—Indian Affairs has concluded that tribal exercise of jurisdiction is not presently feasible. This notice constitutes the official disapproval of the Lac Courte Oreilles Tribe's petition by the Interior Department.

FOR FURTHER INFORMATION CONTACT: Office of the Field Solicitor, Department of the Interior, 686 Federal Building, Fort

Snelling, Twin Cities, Minnesota 55111, Phone (612) 725–3540.

SUPPLEMENTARY INFORMATION: The authority for the Assistant Secretary—Indian Affairs to publish this notice is contained in 25 U.S.C. 1918, 25 CFR § 13.14 and 209 DM 8.

The principal author of this document is Louise Zokan, Division of Social Services, Bureau of Indian Affairs, Department of the Interior, Washington, D.C.

Section 108 of the Indian Child Welfare Act of 1978, Pub. L. 95–608, 92 Stat. 3074, 25 U.S.C. 1918, authorizes Indian tribes that occupy a reservation as defined in 25 U.S.C. 1903(10) over which a state asserts jurisdiction over Indian child custody proceedings pursuant to federal statute to reassume jurisdiction over such proceedings. To reassume such jurisdiction a tribe must first file a petition in the manner prescribed in 25 CFR Part 13. The petition is then reviewed by the Interior Department using criteria set out in 25 CFR 13.12. If the Department finds that tribal exercise of jurisdiction is not feasible, the petition is disapproved by publication in the **Federal Register**. A letter is sent to the tribal governing body stating the reasons for the disapproval and offering technical assistance for the purpose of overcoming the defect in the petition that resulted in the disapproval. The tribe may file a new petition when it believes it has corrected the problems identified by the Interior Department.

Notice that the Lac Courte Oreilles Tribe had submitted a petition for reassumption of jurisdiction was published in the **Federal Register** on January 21, 1980 FR Vol. 45 No. 22. The following notice is based on the Interior Department's review of that petition:

Notice

This is notice that the petition for tribal reassumption of jurisdiction over Indian child custody proceedings filed by the Lac Courte Oreilles Tribe is disapproved. A letter has been sent to the tribal governing body explaining the reasons for the disapproval and offering technical assistance for the purpose of overcoming the problems identified by the Interior Department.

The tribe may repetition after taking action to overcome the deficiencies of the first petition.

This decision may be appealed under the procedures established in 43 CFR 4.350–4.369.

Rick Lavis,

Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 80-12368 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-02-M

Irrigation Operation and Maintenance Charges; Water Charges and Related Information on the Fort Peck Irrigation Project, Mont.

This notice of operation and maintenance rates and related information is published under the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs in 230 DMI and redelegated by the Assistant Secretary—Indian Affairs to the Area Directors in 10 BIAM 3, and by authority delegated to the Project Engineer and to the Superintendents by the Area Director in 10 BIAM 7.0, Sections 2.70–2.75. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and Sections 463 and 456 of the Revised Statutes (25 U.S.C. 2 and 9), and also under 25 CFR 191.1 (e).

Pursuant to final rule published on June 14, 1977, in 42 FR 30361, this notice sets forth changes to the operation and maintenance charges and related information applicable to the Fort Peck Irrigation Project, Wolf Point, Montana. These charges were proposed pursuant to the authority contained in the Acts of August 1, 1914, and March 7, 1928, (38 Stat. 583,25 U.S.C. 385; 45 Stat. 210, 25 U.S.C. 387).

This notice was posted in the U.S. Post Offices, and published in local newspapers serving the affected area.

Interested persons were given 30 days in which to submit written comments, views, or arguments regarding the proposed rates and related provisions. No comments were received during the 30 day comment period. The only comment received after 32 days did not present any substantive information which would lead to revision of the original notice.

In compliance with the above, the operation and maintenance charges for the lands under the Fort Peck Irrigation Project, Montana, for the season of 1980 and subsequent years until further notice, are hereby fixed as follows:

For the season of 1980 and until further notice, the Project charge per acre is as follows:

Wiota Irrigation Unit, $8.00/Acre.

Frazer-Wolf Point Irrigation Unit, $8.00/Acre.

Invoicing will be delayed til April, 1980 and charges will become due and payable May 1 for the 1980 season only because of change-over to automatic data processing. Charges fixed shall become due and payable on April 1 of each succeeding calendar year. Delivery of water will be subject to payment of charges in accordance with 25 CFR 191.17.

David W. Pennington,

Acting Superintendent, Fort Peck Indian Agency.

[FR Doc. 80-12424 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

[NM 35829]

New Mexico; Hearing on Proposed Withdrawal of Public Lands

April 11, 1980.

Notice is hereby given that a public hearing will be held at 10:00 a.m., Wednesday, May 28, 1980, Community Public Service Building, 901 Florida Avenue, Alamogordo, New Mexico, pertaining to the request by Corps of Engineers, Department of the Army (NM 35829) for withdrawal from settlement, sale, location, or entry, under all of the general land laws, including the mining laws but not the mineral leasing laws of the lands described hereafter for use as the McGregor Range as set forth in the Notice of Withdrawal and Reservation of Lands, published in the **Federal Register** on January 11, 1979, Vol. 44, Page 2434.

The lands are requested to be withdrawn for a period of twenty years. The lands are described as follows:

New Mexico Principal Meridan

T. 26 S., R. 6 E.,
- Sec. 1, N½SE¼ lying south and east of the Southern Pacific Railway right-of-way;
- Sec. 25, S½N½ and E½SE¼;
- Sec. 26, S½NE¼ and S½SE¼;
- Sec. 35, N½NE¼;
- Sec. 36, lots 5, 6, 7, 8 and N½N½.

T. 24 S., R. 7 E.,
- Secs. 1, 12, 13, 14 and 23, those parts lying east of the Southern Pacific Railway right-of-way;
- Secs. 24 and 25;
- Secs. 26, 27 and 34, those parts lying east of the Southern Pacific Railway right-of-way;
- Secs. 35 and 36.

T. 25 S., R. 7 E.,
- Sec. 1 and 2;
- Sec. 3, E½ and that part of the W½ lying east of the Southern Pacific Railway right-of-way;
- Sec. 4 and 9, those parts lying east of the Southern Pacific Railway right-of-way;
- Secs. 10, 11, 12, 13 and 14;
- Sec. 16, that part lying east and south of the Southern Pacific Railway right-of-way;
- Sec. 20, NE¼NE¼;
- Sec. 21, NW¼NW¼;
- Sec. 23;
- Sec. 24, N½, SW¼, E½SE¼ and SW¼SE¼;
- Secs. 25, 26 and 27;
- Sec. 28, S½S½;
- Sec. 30, that part lying east of the Southern Pacific Railway right-of-way;
- Sec. 31, lots 5, 6 and 7;
- Sec. 32, lots 1, 2, 3, 4, N½ and N½S½;
- Sec. 34, lots 1, 2, NE¼ and N½SE¼;

Sec. 35, lots 1, 2, 3, 4, N½ and N½S½;
Sec. 36, lots 1, 2, 3, 4, N½ and N½S½.
T. 26 S., R. 7 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, S½NE¼ and SE¼;
Sec. 6, lots 3, 6 and SE¼NW¼;
Sec. 10;
Sec. 11, E½ and NW¼;
Secs. 12 and 13;
Sec. 14, E½ and SW¼;
Sec. 15, NE¼, N½NW¼, SE¼NW¼ and SW¼SW¼;
Sec. 16 and 17;
Sec. 18, lots 3, 4, E½ and E½SW¼;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 23, 24, 25, 26, 27 and 28;
Sec. 29, N½;
Sec. 30, lots 1, 2, NE¼ and E½NW¼;
Sec. 31, lots 2, 3, 4 and 5;
Sec. 32, lots 1, 2, 3, 4 and N½N½;
Sec. 33, lots 1, 2, 3, 4 and N½N½;
Sec. 34, lots 1, 2, 3, 4 and N½N½;
Sec. 35, lots 1, 2, 3, 4 and N½N½;
Sec. 36, lots 1, 2, 3, 4 and N½N½;
T. 22 S., R. 8 E.,
Secs. 13, 23 and 24, those parts lying east of the Southern Pacific Railway right-of-way;
Sec. 25 lots 1 to 16, inclusive;
Sec. 26, lots 1, 2, 6 and that part of S½ lying east of the Southern Pacific Railway right-of-way;
Secs. 34 and 35, those parts lying east of the Southern Pacific Railway right-of-way;
Sec. 36.
T. 23 S., R. 8 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Secs. 3, 9 and 10, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 11, 12, 13, 14 and 15;
Secs. 16, 20 and 21, those parts lying east and south of the Southern Pacific Railway right-of-way;
Secs. 22, 23, 24, 25, 26, 27 and 28;
Secs. 29, 31 and 32, those parts lying east and south of the Southern Pacific Railway right-of-way;
Secs. 33, 34, 35 and 36.
T. 24 S., R. 8 E.,
Sec. 1, lots 1, 2, 3, 4, SE¼NE¼, S½NW¼ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Secs. 6 and 7, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 8 to 14, inclusive;
Sec. 15, N½, N½S½, SE¼SW¼ and S½SE¼;
Secs. 16 and 17;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 to 36, inclusive.
T. 25 S., R. 8 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW½, E½SW¼ and SE¼
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32, 33, 34, 35 and 36.
T. 26 S., R. 8 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 to 26, inclusive;
Sec. 27, E½, E½W½, W½NW¼ and NW¼SW¼;
Sec. 28, N½N½, NE¼SW¼ and NW¼SE¼;
Sec. 29, N½, N½S½, S½SW¼ and SW¼SE¼;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, 5, N½NE¼ and NE¼NW¼;
Sec. 33, lot 4 and NW¼NW¼;
Sec. 34, N½NE¼ and NE¼NW½;
Sec. 35, lots 1, 2, 3, 4, and N½N½;
Sec. 36, lots 1, 2, 3, 4 and N½N½.
T. 19 S., R. 9 E.,
Sec. 2, lots 1 to 12, inclusive, and S½;
Secs. 3 and 10, all those parts lying east of the Southern Pacific Railway right-of-way;
Sec. 11, W½;
Sec. 12, E½;
Secs 13 and 14;
Secs. 15 and 22, all those parts lying east of the Southern Pacific Railway right-of-way;
Secs 23, 24, 25 and 26;
Secs. 27 and 34, all those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 35 and 36.
T. 20 S., R. 9 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Secs. 3 and 10, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 11, 12, 13 and 14;
Secs. 15 and 21, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 22 to 27, inclusive;
Secs. 28 and 33, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 34, 35 and 36.
T. 21 S., R. 9 E.,
Sec. 1, lots 1 to 12, inclusive, and S½;
Sec. 2, lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12 and S½;
Sec. 3, lots 1 to 12, inclusive, and S½;
Secs. 4 and 9, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 10 to 15, inclusive;
Sec. 16, E½;
Sec. 21, that part lying east of the Southern Pacific Railway right-of-way;
Secs. 22, 23, 24 and 25;
Sec. 26, NE½, W½, N½SE¼ and SE¼SE¼;
Sec. 27;
Secs. 28, 32 and 33, those parts lying east of the Southern Pacific Railway right-of-way;
Sec. 34, lots 1, 2, 3, 4, N½ and N½S½;
Sec. 35, lots 1, 2, 3, 4, N½ and N¼S½;
Sec. 36, lots 1, 2, 3, 4, N½ and N½S½.
T. 22 S., R. 9 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Secs. 5, 7 and 8, those parts lying east of the Southern Pacific Railway right-of-way;
Secs. 9 to 14, inclusive;
Sec. 15, E½, E½NW¼, NW¼NW¼ and SW¼;
Secs. 16 and 17;
Sec. 18, that part lying east of the Southern Pacific Railway right-of-way;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 and 21;
Sec. 22, E½;
Secs. 23, 24, 25 and 26;
Sec. 27, E½;
Secs. 28 and 29;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 and 33;
Sec. 34, E½;
Secs. 35 and 36.
T. 23 S., R. 9 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, S½NE¼ and SE¼;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6 lots 1, 2, 3, 4, 5, 6, 7, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 8;
Sec. 9, W½NE¼ and W½;
Sec. 10, E½, NW¼NW¼ SE¼NW¼ and SW¼;
Secs. 11 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20, 21 and 22;
Sec. 23, N½, SW¼, E½SE¼ and SW¼SE¼;
Secs. 24 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 to 36, inclusive.
T. 24 S., R. 9 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs, 8, 9, 10 and 11;
Sec. 12, E½, E½W½, W½NW¼ and NW¼SW¼;
Secs. 13 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 to 36, inclusive.
T. 25 S., R. 9 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8, 9 and 10;
Sec. 11, W½NE¼, SE¼NE¼, W½ and SE¼;
Sec. 12, SW¼SW¼;
Secs. 13 to 17, inclusive;
sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
sec. 19, lots 1, 2, 3, 4, E½ and E½W½;

secs. 20 to 26, inclusive;
sec. 27, W½NE¼, SE¼NE¼, W½ and SE¼;
secs. 28 and 29;
sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
secs. 32 to 36, inclusive.

T. 26 S., R. 9 E.,
sec. 1, NE¼, W½ and W½SE¼;
sec. 2, 3, and 4;
sec. 5, E½;
sec. 6, lots 1, 2, 3, 4 and E½W½;
sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
secs. 8 to 16, inclusive
sec. 17, N½ and SW¼;
sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
sec. 20, W½;
sec. 21, E½ and SW¼;
secs. 22 and 23;
sec. 24, N½, N½S½, SE¼SW¼ and S½SE¼;
secs. 25 to 29, inclusive;
sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
sec. 31, lots 1, 2, 3, 4, 5, N½NE¼ and NE¼NW¼;
sec. 32, lots 1, 2, 3, 4 and N½N½;
sec. 33, lots 1, 2, 3, 4 and N½N½;
sec. 34, lots 1, 2, 3, 4 and N½N½;
sec. 35, lots 1, 2, 3, 4 and N½N½;
sec. 36, lots 1, 2, 3, 4 and N½N½.

T. 19 S., R. 10 E.,
sec. 7 W½ and S½SE¼;
sec. 8 SW¼SW¼;
sec. 9, SW¼;
sec. 10, E½;
sec. 11;
sec. 12, W½ (unsurveyed);
sec. 13, lots 1, 2, 3, 4 and W½;
sec. 14, NE¼ and S½;
secs. 15 and 16;
sec. 17, W½W½;
sec. 18 to 22, inclusive;
sec. 23, E½ and SW¼;
sec. 24, lots 1, 2, 3, 4 and W½;
sec. 25, lots 1, 2, 3, 4 and W½;
secs. 26 to 34, inclusive;
sec. 36, lots 1, 2, 3, 4 and W½.

T. 20 S., R. 10 E.,
sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
sec. 6, lots 1, 2, 3, 4, 5, 6, S½NE¼ and SE¼;
sec. 7, lots 1, 2, 3, 4, E½;
secs. 8 and 9;
secs. 11 to 17, inclusive;
sec. 18, lots 1, 2, 3, 4, E½;
sec. 19, lots 1, 2, 3, 4, E½;
secs. 22 to 27, inclusive;
sec. 30, lots 1, 2, 3, 4, E½;
secs. 32 to 36, inclusive;

T. 21 S., R. 10 E.,
sec. 1, lots 1 to 12, inclusive, and S½;
sec. 2, lots 1 to 12, inclusive, and S½;
sec. 3, lots 1 to 12, inclusive, and S½;
sec. 4, lots 1 to 12, inclusive, and S½;
sec. 5, lots 1 to 12, inclusive, and S½;
sec. 6, lots 1 to 21, inclusive, and SE½;
sec. 7, lots 1 to 12, inclusive, and E½;
secs. 8 to 14, inclusive;
sec. 15, SE¼;
secs. 16 and 17;
sec. 18, lots 1 to 12, inclusive, and E½;
sec. 19, lots 1 to 12, inclusive, and E½;
secs. 20, 21 and 22;
sec. 23, N½, SW¼ and N½ SE¼;
secs. 24 and 25;
sec. 26, W½NE¼, W½ and SE¼;
secs. 27, 28 and 29;
sec. 30, lots 1 to 12, inclusive, and E½;
sec. 31, lots 1 to 14, NE¼ and N½SE¼;
sec. 32, lots 1, 2, 3, 4, N½ and N½S½;
sec. 33, lots 1, 2, 3, 4, N½ and N½S½;
sec. 34, lots 1, 2, 3, 4, N½ and N½S½;
sec. 35, lots 1, 2, 3, 4, N½ and N½S½;
sec. 36, lots 1, 2, 3, 4, N½ and N½S½;

T. 22 S., R. 10 E.,
sec. 1, lots 5 to 12, inclusive, and S½;
sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
sec. 3, lots 5 to 12, inclusive, and S½;
sec. 4, lots 1 to 12, inclusive, and S½N½;
sec. 5, lots 1, 2, 3, 4 and S½N½;
sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
sec. 8;
sec. 9, lots 1 to 16, inclusive;
sec. 10 to 17, inclusive;
sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
sec. 19, lots 1, 2, 5 to 12, inclusive, NE¼and E½NW¼;
sec. 20, lots 1 to 15, inclusive;
sec. 21, lot 1 to 8, inclusive, and E½;
secs. 22 to 29, inclusive;
sec. 30, lots 5 to 20, inclusive;
sec. 31, lots 5 to 20, inclusive;
secs. 32 to 36, inclusive.

T. 23 S., R. 10 E.,
sec. 1, lots 1, 2, 3, S½N½ and S½;
sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
sec. 7, lots 1, 2, 3, 4, E½ an E½W½;
secs. 8 to 17, inclusive;
sec. 18, lots 1, 2, 3, 4, E½ an E½W½;
sec. 19, lots 1, 2, 3, 4, N½NE¼, SW¼NE¼, E½W½ and SE¼;
sec. 20, N½NE¼; SW¼NE¼, W½ and SE¼;
secs. 21 to 29, inclusive;
sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
secs. 32 and 33;
sec. 34, E½, E½W½, NW¼NW¼ and W½SW¼;
secs. 35 and 36;

T. 24 S., R. 10 E.,
sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
sec. 3, lots 5 to 20, inclusive;
sec. 4, lots 5 to 20, inclusive;
sec. 5, lots 3 to 8, inclusive, S½NW¼ and S½;
sec. 6, lots 1, 2, 8, 9, 10, 11, 12, 13, 14, 15, S½NE¼ and SE¼;
sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
secs. 8 and 9;
sec. 10, E½, N½NW¼ and SW¼;
sec. 11, lots 1 to 16, inclusive;
sec. 12, lots 1, 2, 3, 4, E½ and NW¼;
sec. 13, lots 1 to 16, inclusive;
secs. 14, 15, 16 and 17;
sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
secs. 20, 21, 22 and 23;
sec. 24, lots 1 to 16, inclusive;
sec. 25, lots 1 to 16, inclusive;
secs. 26, 27, 28 and 29;
sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 32, E½, W½NW¼, SE¼NW½ and SW¼;
Secs. 33, 34, 35 and 36.

T. 25 S. R. 10 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 8, SW¼;
Sec. 9, S½;
Sec. 10, S½S½;
Sec. 11, N½;
Secs. 12 and 13;
Sec. 14, E½SW¼, NW¼SW¼ and SE¼;
Secs. 15, 16 and 17;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20, 21 and 22;
Sec. 23, E½E½, NW¼NE¼ and W½SE¼;
Sec. 24, N½ and SW¼;
Sec. 26, E½ and S½SW¼;
Secs. 27, 28 and 29;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 and 33;
Sec. 35.

T. 26 S., R. 10E.,
Secs. 2, 3, 4 and 5;
Sec. 6, lots 1, 2, E½ and E½W½;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 and 9;
Sec. 10, NW¼;
Sec. 16, N½ and SW¼;
Sec. 17;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 20;
Sec. 21, NW¼;
Sec. 29, N½ and SW¼;
Sec. 30, lot 1, NE¼ and NE¼NW¼;
Sec. 32, lots, 3, 4 and N½NW¼.

T. 20 S., R. 11 E.,
Sec. 1, lots, 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots, 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots, 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW½ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 and 29;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 to 36, inclusive.

T. 21 S., R. 11 E.,
Sec. 1, lots 1 to 12, inclusive, and S½;
Sec. 2, lots 1 to 12, inclusive, and S½;
Sec. 3, lots 1 to 12, inclusive, and S½;
Sec. 4, lots 1 to 12, inclusive, and S½;
Sec. 6, lots 1 to 14, inclusive, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 20;
Secs. 25 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1 to 7, inclusive, NE¼, E½NW¼, NE¼SW¼ and N½SE¼;
Sec. 32, lots 1, 2, 3, 4, N½ and N½S½;
Sec. 33, lots 1, 2, 3, 4, N½ and N½S½;
Sec. 34, lots 1, 2, 3, 4, NW¼NE¼, N½NW¼, S½N½ and N½S½;
Sec. 35, lots 1, 2, 3, 4, N½ and N½S½;
Sec. 36, lots 1, 2, 3, 4, N½ and N½S½;

T. 22 S., R. 11 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 to 12, inclusive;
Secs. 15, 16, and 17;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;

Secs. 20 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32 to 36, inclusive;
T. 23 S., R. 11 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, W½E½, E½W½, SE¼SE¼, E½NE¼ and NE¼SE¼;
Secs. 32 to 36, inclusive;
T. 24 S., R. 11 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 8 to 23, inclusive;
Sec. 6, lots 5 to 20, inclusive;
Sec. 6, lots 1 to 16, inclusive;
Secs. 9, 10 and 11;
Sec. 12, NW¼;
Sec. 14, NW¼;
Secs. 15, 16 and 17;
Sec. 18, lots 5 to 20, inclusive;
Sec. 19, lots 5 to 20, inclusive;
Sec. 20, lots 1 to 8, inclusive, and W½;
Sec. 21, lots 1 to 16, inclusive;
Sec. 22, lots 3, 4, 5, 6, 11, 12, 13 and 14;
Sec. 28, N½ and SW¼;
Sec. 29;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 32.
T. 25 S., R. 11 E.,
Sec. 5, lots 3, 4, S½NW¼ and SW¼;
Sec. 6, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 7, N½ and SW¼;
Sec. 18, NW¼.
T. 20 S., R. 12 E.,
Sec. 2, S½;
Sec. 3, lots 1, 2, 3, 4 and S½N½;
Sec. 5, lots 1, 2 and S½NE¼;
Sec. 7, NW¼NW¼;
Sec. 8, NW¼;
Sec. 9, SE¼NE¼;
Sec. 10, N½SW¼ and SE¼SE¼;
Sec. 11, E½NW¼ and NE¼SW¼;
Sec. 15, E½NE¼ and SE¼SE¼;
Sec. 16;
Sec. 22, W½SW¼;
Sec. 24, lot 3 and NW¼SE¼;
Sec. 26, SE¼NE¼, S½NW¼, N½SW¼ and NW¼SE¼;
Sec. 27, SW¼NE¼, S½NW¼ and N½S½;
Sec. 28, NW¼NE¼, N½NW¼, S½N½ and N½S½;
Secs. 30 and 32;
Sec. 36, lots 1, 2, 3, 4, W½E½ and W½.
T. 21 S., R. 12 E.,
Sec. 1, lots 1 to 12, inclusive, and S½;
Sec. 2, lots 1 to 12, inclusive, and S½;
Sec. 3, lots 1, 2, 3, and 4;
Sec. 4, lots 1, 2, 3, 4, 5, 6, 11, 12 and SW¼;
Sec. 5, lots 1 to 12, inclusive, and S½;
Sec. 6, lots 1 to 11, inclusive, and SE¼;
Sec. 7, lots 1, 2, 3, 4 and E½;
Secs. 8, 11, 12, 13, 14, 15, 16 and 17;
Sec. 18, lots 1, 2, 3, 4 and E½;
Sec. 19, lots 1, 2, 3, 4 and E½;
Secs. 20 and 21;
Sec. 22, N½;
Secs. 23 to 27, inclusive;
Sec. 29;
Sec. 30, lots 1, 2, 3, 4 and E½;
Sec. 31, lots 1, 2, 3, 4 and E½;
Secs. 32, 34, 35 and 36.
T. 22 S., R. 12 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1, 2, 3, 4, 5, 6, S½NE¼ and SE¼;
Secs. 8, 9, 10, 11 and 12;
Secs. 14, 15, 16 and 17;
Sec. 18, E½;
Sec. 19, lots 1, 2, 3, 4 and E½;
Secs. 20, 21 and 22;
Secs. 24 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 4 and E½;
Sec. 31, lots 1, 2, 3, 4 and E½;
Secs. 32 to 36, inclusive.
T. 23S., R. 12 E.,
Secs. 1 to 5, inclusive;
Sec. 6, lots 1, 2, 3, 4 and E½;
Sec. 7, lots 1, 2, 3, 4 and E½;
Secs. 8 to 12, inclusive;
Sec. 14, N½;
Sec. 15, N½, N½S½ and S½SW¼;
Sec. 17;
Sec. 18, lots 1, 2, 3, 4 and E½;
Sec. 19, lots 1, 2, 3, 4 and E½;
Secs. 20 and 21;
Sec. 22, W½NE¼, SE¼NE¼ and W½;
Sec. 28, NW¼;
Sec. 29;
Sec. 30, lots 1, 2, 3, 4 and E½;
Sec. 31, lots 1, 2, 3, 4, 5, 6, NE¼ and NE¼SE¼;
Sec. 32, NW¼;
T. 24S., R. 12 E.,
Sec. 6, lots 10, 11, 12 and 13.
T. 20 S., R. 13 E.,
Sec. 7, lots 3 and 4;
Sec. 16, S¼;
Sec. 17, S½;
Sec. 18, lots 1, 2, 3, 4, E½SW¼ and SE¼;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 21, NE¼;
Sec. 22, E½, NW¼ and E½SW¼;
Sec. 25, E½NW¼ and SW¼;
Sec. 26, SW¼NE¼ and E½SE¼;
Secs. 27 and 28;
Sec. 29, S½;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32, 33 and 34;
Sec. 35, SE¼NW¼, W½W½ and NE¼SW¼;
Sec, 36.
T. 21 S., R. 13 E.,
Sec. 1, lots 8, 9, 10, 12 and S½;
Sec. 2, lots 1 to 12, inclusive, and S½;
Sec. 3, lots 1 to 12, inclusive, and S½;
Sec. 4, lots 1 to 12, inclusive, and S½;
Sec. 5, lots 1 to 12, inclusive, and S½;
Sec. 6, lots 1 to 14, inclusive, and E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½
Sec. 8 to 17, inclusive;
Sec. 18, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 19, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 20, 21, 22 and 23;
Sec. 24, N½ and SW¼
Sec. 25, NW¼
Secs. 26, 27, 28 and 29;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Secs. 32, 33 and 34;
Sec. 35, N½ and SW¼
T. 22 S., R. 13 E.,
Sec. 3, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 4, lots 3, 4, S½NW¼ and S½;
Sec. 5, lots 1, 2, 3, 4, S½N½ and S½;
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 9, E½ and SW¼;
Sec. 10, W½;
Sec. 16, NW¼ and N½SW¼;
Sec. 20;
Sec. 21, NW¼;
Sec. 29, N½ and SW¼;
Sec. 30, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 31, lots 1, 2, 3, 4, E½ and E½W½;
Sec. 32, NW¼.
T. 23 S., R. 13 E.,
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼ and E½SW¼.
T. 21 S., R. 14 E.,
Sec. 5, lots 1, 2, 3, 8 and SW¼;
Sec. 6, lots 1 to 14, inclusive, E½SW¼ and SE¼;
Sec. 7, lots 1, 2, 3, 4, NE¼ and E½W½;
Sec. 18, lots 1, 2, and E½NW¼.

The area described includes approximately 608,384.87 acres of public lands in Otero County, New Mexico.

The hearing will be open to attendance of opponents to the withdrawal who may state their views and to proponents of the withdrawal who may explain its purpose, intent and extent, and to all interested persons who desire to be heard on the subject. Those who desire to be heard in person at this hearing and those who desire to submit written statements, should file notice thereof not later than May 21, 1980, with the State Director, Bureau of Land Management, P.O. Box 1449, Santa Fe, New Mexico 87501.

Arthur W. Zimmerman,

State Director.

[FR Doc. 80-12433 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

[INT DEIS 80-23]

Proposed Grazing Management Program for the McGregor Range Environmental Impact Statement Area, Otero County, N. Mex.; Availability of Draft Environmental Impact Statement and Public Hearing

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement for the proposed Grazing Management Program on McGregor Range in Otero County, New Mexico.

The public land within the McGregor Range was withdrawn by the U.S. Army in 1957 for use as an artillery and missile firing range. The Army purchased all the private land, water rights, and facilities within the McGregor boundaries. State land was exchanged for public land elsewhere in New Mexico and included in the withdrawal.

A Memorandum of Understanding between the Department of the Army and the Department of the Interior was signed in 1966 establishing a co-use area

of 515,000 acres on which BLM would manage the livestock grazing and wildlife habitat. At present, livestock grazing is allowed on 271,000 acres. Grazing use is awarded to the highest bidder on 14 grazing units at a public auction held each year.

Under the proposed grazing program, grazing use would be awarded annually at public auction, utilization of key forage species by livestock and wildlife would be no more than 50 percent, and the grazing seasons would be from September 30 through June 30. Range improvements consisting of wells, stock tanks, pipelines, storage tanks, and troughs would be constructed to achieve more uniform forage utilization and increase the area suitable for grazing. Following full implementation, forage available for livestock and wildlife would increase from 42,060 animal unit months (AUMs) to 57,230 AUMs and 2,793 AUMs to 4,032 AUMs, respectively. All funds expended on the management of McGregor Range would be derived from revenues received from the sale of forage.

A limited number of copies of the Draft Environmental Impact Statement are available at the Las Cruces District Office, 1705 North Valley Drive, P.O. Box 1420, Las Cruces, New Mexico 88001. Public reading copies are available for review at the BLM State Office, Office of Public Affairs, U.S. Federal Building, Sante Fe, New Mexico and public and university libraries in Las Cruces, Alamogordo, Truth or Consequences, and Albuquerque, New Mexico and El Paso, Texas.

BLM invites written comments on the draft statement. Comments will be accepted until June 17, 1980, which is the close of the 60 day public comment period. Comments should be addressed to: District Manager, Bureau of Land Management, 1705 North Valley Drive, Las Cruces, New Mexico 88001.

A public hearing will be held at the Community Public Service Building, 901 Florida Avenue, Alamogordo, New Mexico on May 28, 1980 at 1:00 pm to receive oral or written comments on the proposed grazing program.

Oral comments will be limited to 10 minutes, and should be accompanied with a written synopsis of the comments. Anyone wanting to present oral comments should contact Tommy Hatfield at the Las Cruces District Office (phone (505) 523-5571) prior to May 24, 1980.

Dated: April 18, 1980.

Ed Hastey,

Associate Director.

[FR Doc. 80-12431 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

Vernal District Grazing Management Advisory Board; Public Meetings

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given in accordance with Public Law 92-463 that a meeting of the Vernal District Grazing Advisory Board will be held on May 28, 1980.

The meeting will begin at 9:00 a.m. in the conference room of the Bureau of Land Management office, 170 South 5th East; Vernal, Utah.

The agenda for the meeting will include a discussion of: (1) A review of minutes and items pertaining to the last board meeting; (2) recent policy relating to participation of permittees in the BLM inventory, planning, and other programs; (3) the status of FY80 Range Betterment Work; (4) projected Range Betterment work for FY81 and out-years; (5) Range Betterment equipment needs; (6) status of the District ranges ES program; (7) recent legislation relating to range management; (8) allocation procedures and policy with respect to making grazing adjustments; (9) the role of District Multiple Use Boards; (10) continuation of the District Grazing Board Charter.

The meeting is open to the public. Interested persons may make oral statements for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager; Bureau of Land Management; 170 South 5th East; Vernal, Utah by May 27, 1980. Depending on the number of persons wishing to make statements, the District Manager may establish a per person time limit. Oral statements will be taken beginning 3:00 p.m. May 28, 1980.

Summary minutes of the Board meeting will be maintained at the District Office and will be available for public inspection and reproductions (during regular business hours) within 30 days following the meeting.

Date signed: April 15, 1980.

Lloyd H. Ferguson,

District Manager.

[FR Doc. 80-12436 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

[Int DEIS 80-22]

White River Resource Area Grazing Management Program; Availability of Draft Environmental Impact Statement and Public Hearing

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of Interior has prepared a draft environmental impact statement for proposed grazing management of the White River Resource Area, located in northwestern Colorado. The area includes a total of 1,521,806 acres of public lands administered by the Bureau of Land Management.

The proposed action is to provide an improved rangeland condition capable of supplying 182,888 animal unit months (AUMs) of forage in the short term and 229,758 AUMs within 20 years for use by big game wildlife, wild horses, and livestock on a sustained yield basis. The proposal would continue intensive grazing management on 156,471 acres, implement intensive grazing management on 1,290,554 acres, and implement less intensive grazing management on 61,941 acres.

The environmental statement analyzes the impacts which would result from management of livestock grazing and proposed range improvement projects which include approximately 186,000 acres of vegetation manipulations, 700 water developments, and 212 miles of fence. The proposal is scheduled for implementation over an 8-year period.

Copies of the draft statement are available for inspection at the following locations:

Bureau of Land Management, Room 2063 Interior Building, 18th and C Streets, NW Washington, D.C. 20240 (Phone: 202-343-6011)

Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202 (Phone: 303-837-4481)

Bureau of Land Management, Craig District Office, P.O. Box 248, 455 Emerson Street, Craig, Colorado 81625 (Phone: 303-824-3417)

Bureau of Land Management, White River Resource Area, P.O. Box 928, 317 E. Market Street, Meeker, Colorado 81641 (Phone: 303-878-5084)

Public Libraries

Meeker Public Library, 200 Main Street, Meeker, Colorado 81641

Craig Moffat County Library, 651 Yampa Avenue, Craig, Colorado 81625

Rangely Public Library, 109 E. Main Street, Rangely, Colorado 81648

Glenwood Springs Public Library, 806 Cooper, Glenwood Springs, Colorado 81601

Conservation Library, Denver Public Library, 1357 Broadway, Denver, Colorado 80206

County Courthouses

Rio Blanco County, Meeker, Colorado 81641
Garfield County, Glenwood Springs, Colorado 81601
Moffat County, Craig, Colorado 81625

Single copies of the draft statement can be obtained from the District Manager, Craig District Office; or the State Director, Colorado State Office, at the addresses listed above.

Written comments on the adequacy of the draft environmental impact statement should be submitted by June 17, 1980, to the District Manager, Craig District Office, Bureau of Land Management, P.O. Box 248, 455 Emerson Street, Craig, Colorado 81625.

Oral and written comments will be received at public hearings. Hearings are scheduled for May 29, 1980, at the Fairfield Center, 200 Main Street, Meeker, Colorado at 1 p.m. and 7 p.m.

Oral testimony of 10 minutes maximum duration will be accepted from each witness at the hearing in lieu of written comments or in addition to any written comments submitted by such witness. The 10-minute time limitation will be strictly enforced. The complete text of prepared speeches may be filed with the presiding officer at the hearing whether or not the speaker has been able to finish with oral delivery in the allotted 10 minutes.

Speakers will be heard, if present, in their established order on the witness list. After the last listed witness has been heard, the presiding officer will consider the request of any other person present and wishing to testify. Only one witness will be allowed to represent the viewpoints of a single organization. However, any witness will be permitted to give germane testimony if offered as the views or opinions of a private citizen.

Written requests to testify orally should be received at the Craig District Office at the above address prior to close of business on May 22, 1980. Requests should identify the organization represented and should be signed by the prospective witness. The cut-off date is necessary so that a witness list can be made available on the day of the public hearing.

Comments on the draft environmental statement, whether written or oral, will receive equal consideration in preparation of a final environmental statement.

Dated: April 18, 1980.

Ed Hastey,

Associate Director.

[FR Doc. 80-12430 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-84-M

[AA-6659-A, B, and AA-6659-D through I]

Alaska Native Claims Selections

On May 2 and 19, 1961, the State of Alaska filed general purpose grant selection applications A-054330, A-054332, A-054334, A-054335, A-054621, A-054625 and A-054626, all as amended, pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 340; 48 U.S.C. Ch. 2, Sec. 6(b)) for certain lands in the Dillingham area. Decisions granting tentative approval were issued on September 6 and December 23, 1963 for those lands selected by the State under State selection applications A-054621 and A-054335, respectively.

Section 11(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 696; 43 U.S.C. 1601, 1610(a) (1976)) (ANCSA), withdrew the lands surrounding the Native village of Dillingham, including the lands in the subject State selection applications for Native selection. Choggiung Limited filed selection applications AA-6659-A on December 4, 1973, AA-6659-B on July 29, 1974 and AA-6659-D through AA-6659-I on November 14, 1974, all as amended, under the provisions of Sec. 12 of the Alaska Native Claims Settlement Act for lands within the subject State selections.

Section 12(a)(1) of the Alaska Native Claims Settlement Act provides that village selections shall be made from lands withdrawn by Sec 11(a). Section 11(a)(2) further withdrew for possible selection by the Native corporation those lands within the townships described in Sec. 11(a)(1) that have been selected by, or tentatively approved to, but not yet pantented to the State under the Alaska Statehood Act.

Section 12(a) further provided, however, that no village corporation may select more than 69,120 acres from lands withdrawn by Sec. 11(a)(2).

The following described State selected and tentatively approved lands have been properly selected by Choggiung Limited. Accordingly, the following State selection applications are rejected and the tentative approval given is rescinded as to the following described lands:

Seward Meridian, Alaska (Surveyed)

State Selection A-054330

T. 11 S., R. 55 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 4, excluding Native allotments AA-7282, AA-7644 and the Wood River;
Sec. 5, excluding U.S. Survey 4924, Native allotments AA-7282, AA-7644 and the Wood River;
Sec. 6, all;
Sec. 7, excluding Native allotment AA-7657 Parcel B;
Sec. 8, excluding Native allotment AA-7658 Parcel A and the Wood River;
Sec. 9 and 10, excluding the Wood River;
Sec. 16, excluding Native allotment A-054430 Parcel A and the Wood River;
Sec. 17, 18, 19 and 20, all;
Sec. 21, excluding Wood River;
Sec. 31, all;
Sec. 32, excluding Native allotment AA-7643;
Sec. 33, excluding Native allotment AA-7642 Parcel B, AA-7643 and the Wood River.
Containing approximately 8, 714 acres.

State Selection A-054332

T. 11 S., R. 56 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 13, all;
Sec. 14, excluding Native allotments AA-7701 and AA-7759 Parcel C;
Sec. 22, excluding Native allotments AA-7673 and AA-7677;
Sec. 23, excluding Native allotments AA-7677 and AA-7762;
Secs.24 and 25, all;
Sec. 26, excluding Native allotments AA-7679 Parcel A, AA-7756 and AA-7905;
Sec. 27, excluding Native allotments AA-7679 Parcel A and AA-7905;
Secs. 28 to 33, inclusive, all;
Sec. 34, excluding Native allotments AA-AA-7679 Parcel A and AA-7904;
Sec. 35, excluding Native allotments AA-7672 Parcel A, AA-7679 Parcel A, AA-7756, AA-7758 and AA-7904;
Sec. 36, all.
Containing approximately 9, 351 acres.

State Selection A-054334

T. 12 S., R. 55 W.
That portion of Tract A more particularly described as (protracted):
Sec. 8, excluding Native allotments AA-6431 Parcel C, AA-7654, AA-7656 Parcel A, AA-7657 Parcel A and AA-7706.
Containing approximately 205 acres.

State Selection A-054335

T. 12 S., R. 56 W.
Those portions of Tract A more particularly described as (protracted):
Secs. 4, 5, 6 and 10, all.
Containing approximately 2,551 acres.

State Selection A-054621

T. 11 S., R. 57 W,
Those portions of Tract A more particularly described as (protracted):
Sec. 19, excluding Lake Nunavaugaluk;
Sec. 22, excluding Native allotment AA-7790 and Lake Nunavaugaluk;
Sec. 23, excluding Lake Nunavaugaluk;
Secs. 24 and 25, all;
Secs. 27, 30, 31 and 34, excluding Lake Nunavaugaluk;
Sec. 36, all.
Containing approximately 4,031 acres.

State Selections A-054625 and A-054626

T. 12 S., R. 57 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 1, all;
Secs. 2, 3, 5 and 6, excluding Lake Nunavaugaluk;

Sec. 8, excluding Lake Nunavaugaluk;
Sec. 9, excluding U.S. Survey 4933, Native allotment AA–7601, the Snake River and Lake Nunavaugaluk;
Sec. 10, excluding U.S. Survey 4933 and Lake Nunavaugaluk;
Sec. 11, excluding Lake Nunavaugaluk.
Containing approximately 3,507 acres.
Aggregating approximately 28,359 acres.

The total amount of State selected lands rejected to permit the conveyance hereafter given, including State selections previously rejected, totals approximately 64,180 acres, which is less than the 69,120 acres permitted by Sec. 12(a)(1) of the Alaska Native Claims Settlement Act. Previous State selection rejection totals have been recalculated to correspond with conveyance documents issued. Further action on the subject State selection applications as to those lands not rejected herein will be taken at a later date.

On November 14, 1978, the State of Alaska filed general purposes grant selection applications AA–21764, AA–21772, AA–21779, AA–21781, AA–21788 and AA–21799, all as amended, pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 340; 48 U.S.C. Ch. 2, Sec. 6(b)), for certain lands in the Dillingham area.

The following described lands have been properly selected by Choggiung Limited or segregated by applications pursuant to the public land laws. Section 6(b) of the Alaska Statehood Act of July 7, 1958, provides that the State may select *vacant, unappropriated* and *unreserved* public lands in Alaska. Therefore, the following State selection applications are hereby rejected as to the following described lands:

Seward Meridian, Alaska (Unsurveyed)

State Selection AA–21764

T. 11 S., R. 54 W.
Secs. 3 and 4, all;
Secs. 5 and 6, excluding the Muklung River;
Sec. 7, all;
Sec. 8, excluding the Muklung River;
Secs. 9 and 10, all;
Secs. 14, 15 and 16, all;
Secs. 17 and 20, excluding the Muklung River;
Secs. 21, 22 and 23, all;
Secs. 26, 27 and 28, all;
Secs. 33, 34 and 35, all;
Containing approximately 14,044 acres.

State Selection AA–21772

T. 12 S., R. 53 W.
Secs. 26 to 35, inclusive, all.
Containing approximately 6,397 acres.

State Selection AA–21779

T. 13 S., R. 53 W.
Secs. 2 to 10, inclusive, all;
Secs. 15, 16 and 17, all;
Secs. 21, 22 and 27, all;
Secs. 28, 33 and 34, excluding the Nushagak River;
Sec. 35, all.
Containing approximately 11,097 acres.

State Selection AA–21781

U.S. Survey No. 3710, Lot 14, situated along the Dillingham-Wood River Road, three (3) miles northwesterly from Dillingham, Alaska.
Containing 2.15 acres.
U.S. Survey No. 4980, Lots 1, 24 and 25, situated along the Dillingham-Kanakanak Road approximately two and one-half (2½) miles westerly of Dillingham, Alaska.
Containing 22.51 acres.
Aggregating 24.66 acres.

State Selection AA–21788

T. 14 S., R. 53 W.
Sec. 1, all;
Secs. 2, 3 and 4, excluding the Nushagak River;
Secs. 5, 6, 7 and 8, all;
Secs. 9, 10 and 11, excluding the Nushagak River;
Sec. 12, all;
Secs. 13, 14 and 15, excluding the Nushagak River;
Secs. 16 to 21, inclusive, all;
Secs. 22 to 26, inclusive, excluding the Nushagak River;
Secs. 27 to 34, inclusive, all;
Secs. 35 and 36, excluding the Nushagak River;
Containing approximately 17,806 acres.

State Selection AA–21799

T. 15 S., R. 53 W.
Secs. 1 and 2, excluding the Nushagak River;
Secs. 3 to 11, inclusive, all;
Secs. 12 and 13, excluding the Nushagak River;
Secs. 14 to 36, inclusive, all.
Containing approximately 21,954 acres.
Aggregating approximately 71,323 acres.

The State selected lands rejected above, as to State selections AA–21764, AA–21772, AA–21779, AA–21781, AA–21788 and AA–21799, were not valid selections and will not be charged against the village corporation as State selected lands. State selections AA–21788 and AA–21799 are rejected in their entirety and the case files will be closed of record when this decision becomes final. Further action on the subject State selection applications as to those lands not rejected herein will be taken at a later date.

As to the lands described below, the applications submitted by Choggiung Limited, as amended, are properly filed and meet the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands selected pursuant to Sec. 12(a), aggregating approximately 99,682 acres, is considered proper for acquisition by Choggiung Limited and is hereby approved for conveyance pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act:

U.S. Survey No. 3710, Lot 14, situated along the Dillingham-Wood River Road, three (3) miles northwesterly from Dillingham, Alaska.
Containing 2.15 acres.
U.S. Survey No. 4980, Lots 1, 24 and 25, situated along the Dillingham-Kanakanak Road approximately two and one-half (2½) miles westerly of Dillingham, Alaska.
Containing 22.51 acres.
Aggregating 24.66 acres.

Seward Meridian, Alaska (Surveyed)

T. 11 S., R. 55 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 4, excluding Native allotments AA–7282, AA–7644 and the Wood River;
Sec. 5, excluding U.S. Survey 4924, Native allotments AA–7282, AA–7644 and the Wood River;
Sec. 6, all;
Sec. 7, excluding Native allotment AA–7657 Parcel B;
Sec. 8, excluding Native allotment AA–7658 Parcel A and the Wood River;
Secs. 9 and 10, excluding the Wood River;
Sec. 16, excluding Native allotment A–054430 Parcel A and the Wood River;
Secs. 17, 18, 19 and 20, all;
Sec. 21, excluding the Wood River;
Sec. 31, all;
Sec. 32, excluding Native allotment AA–7643;
Sec. 33, excluding Native allotments AA–7642 Parcel B, AA–7643 and the Wood River.
Containing approximately 8,714 acres.
T. 12 S., R. 55 W.
That portion of Tract A more particularly described as (protracted):
Sec. 8, excluding Native allotments AA–6431 Parcel C, AA–7654, AA–7656 Parcel A, AA–7657 Parcel A and AA–7706.
Containing approximately 205 acres.
T. 11 S. R. 56 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 13, all;
Sec. 14, excluding Native allotments AA–7701 and AA–7759 Parcel C;
Sec. 22, excluding Native allotments AA–7673 and AA–7s677;
Sec. 23, excluding Native allotments AA–7677 and AA–7762;
Secs. 24 and 25, all;
Sec. 26, excluding Native allotments AA–7679 Parcel A, AA–7756 and AA–7905;
Sec. 27, excluding Native allotments AA–7679 Parcel A and AA–7905
Secs. 28 to 33, inclusive, all;
Sec. 34, excluding Native allotments AA–7679 Parcel A and AA–7904;
Sec. 35, excluding Native allotments AA–7672 Parcel A, AA–7679 Parcel A, AA–7756, AA–7758 and AA–7904;
Sec. 36, all.
Containing approximately 9,351 acres.
T. 12 S., R. 56 W.
Those portions of Tract A more particularly described as (protracted):
Secs. 4, 5, 6 and 10, all.
Containing approximately 2,551 acres.
T. 11 S., R. 57 W.
Those portions of Tract A more particularly described as (protracted):

Sec. 19, excluding Lake Nunavaugaluk;
Sec. 22, excluding Native allotment AA–7790 and Lake Nunavaugaluk;
Sec. 23, excluding Lake Nunavaugaluk;
Secs. 24 and 25, all;
Secs. 27, 30, 31 and 34, excluding Lake Nunavaugaluk;
Sec. 36, all.
Containing approximately 4,031 acres.
T. 12 S., R. 57 W.
Those portions of Tract A more particularly described as (protracted):
Sec. 1, all;
Secs. 2, 3, 5 and 6, excluding Lake Nunavaugaluk;
Sec. 8, excluding Lake Nunavaugaluk;
Sec. 9, excluding U.S. Survey 4933, Native allotment AA–7601, the Snake River and Lake Nunavaugaluk;
Sec. 10, excluding U.S. Survey 4933 and Lake Nunavaugaluk;
Sec. 11, excluding Lake Nunavaugaluk.
Containing approximately 3,507 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 12 S., R. 53 W.
Secs. 26 to 35, inclusive, all.
Containing approximately 6,397 acres.
T. 13 S., R 53 W.
Secs. 2 to 10, inclusive, all;
Secs. 15, 16 and 17, all;
Secs. 21, 22 and 27, all;
Secs. 28, 33 and 34, excluding the Nushagak River;
Sec. 35, all.
Containing approximately 11,097 acres.
T. 14 S., R. 53 W.
Sec. 1, all;
Secs. 2, 3 and 4, excluding the Nushagak River;
Secs. 5, 6, 7 and 8, all;
Secs. 9, 10 and 11, excluding the Nushagak River;
Sec. 12, all;
Secs. 13, 14 and 15, excluding the Nushagak River;
Secs. 16 to 21, inclusive, all;
Secs. 22 to 26, inclusive, excluding the Nushagak River;
Secs. 27 to 34, inclusive, all;
Secs. 35 and 36, excluding the Nushagak River.
Containing approximately 17,806 acres.
T. 15 S., R. 53 W.
Secs. 1 and 2, excluding the Nushagak River;
Secs. 3 to 11, inclusive, all;
Secs. 12 and 13, excluding the Nushagak River;
Secs. 14 to 36, inclusive, all.
Containing approximately 21,954 acres.
T. 11 S., R. 54 W.
Secs. 3 and 4, all;
Secs. 5 and 6, excluding the Muklung River;
Sec. 7, all;
Sec. 8, excluding the Muklung River;
Secs. 9 and 10, all;
Secs. 14, 15 and 16, all;
Secs. 17 and 20, excluding the Muklung River;
Secs. 21, 22 and 23, all;
Secs. 26, 27 and 28, all;
Secs. 33, 34 and 35, all.
Containing approximately 14,044 acres.
Aggregating approximately 99,657 acres.
Total aggregated acreage, approximately 99,682 acres.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file AA–6659–EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail—The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

60 Foot Road—The uses allowed on a sixty (60) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site—The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 1a D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 31, T. 11 S., R. 57 W., Seward Meridian, on the west shore of Lake Nunavaugaluk (Snake Lake). The uses allowed are those listed above for a one (1) acre site.

b. (EIN 1b D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 1a D9 in Sec. 31, T. 11 S., R. 57 W., Seward Meridian, westerly one-half mile to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

c. (EIN 7 D9) An easement sixty (60) feet in width for an existing road from road EIN 9 C5, the Dillingham-Aleknagik road, in Sec. 35, T. 11 S., R. 56 W., Seward Meridian, westerly to Lake Nunavaugaluk (Snake Lake). The uses allowed are those listed above for a sixty (60) foot wide road easement.

d. (EIN 9 C5) An easement sixty (60) feet in width for an existing road from the Aleknagik Natives Limited selection boundary on the south line of Sec. 11, T. 11 S., R. 56 W., Seward Meridian, southerly to the villages of Dillingham in Sec. 21, T. 13 S., R. 55 W., with laterals to Wood River in Sec. 10, T. 13 S., R. 55 W., and Kanakanak in Sec. 36, T. 13 S., R. 56 W., Seward Meridian. The uses allowed are those listed above for a sixty (60) foot wide road easement.

e. (EIN 14a D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 5, T. 11 S., R. 54 W., Seward Meridian, on the left bank of the Muklung River. The uses allowed are those listed above for one (1) acre site.

f. (EIN 14c E) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 14a D9 in Sec. 5, T. 11 S., R. 54 W., Seward Meridian, easterly to public lands in Sec. 33, T. 10 S., R. 54 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

g. (EIN 20 D9, C5) An easement for an existing access trail twenty-five (25) feet in width from the village of Wood River in Sec. 10, T. 13 S., R. 55 W., Seward Meridian, easterly along the right bank of the Nushagak River to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter use.

h. (EIN 20b D1, C5) An easement for a proposed access trail twenty-five (25) feet in width from trail EIN 2a C5, E located on the Portage Creek Selection in Sec. 31, T. 14 S., R. 52 W. Seward Meridian north-northeasterly to public land in Sec. 30 T. 14 S., R. 52 W. Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

i. (EIN 25 C8) An easement for a proposed access trail twenty-five (25) feet in width from the switch-back located on road EIN 7 D9 in Sec. 32, T. 11 S., R. 56 W., Seward Meridian, northerly to public lands in Sec. 20, T. 11 S., R. 56 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

j. (EIN 32 E) An easement fifty (50) feet in width, twenty-five (25) feet on each side of the center line for an existing 7.2 KV power transmission line from the Aleknagik selection boundary in Sec. 11, T. 11 S., R. 56 W., Seward Meridian, southerly to Dillingham in Sec. 21, T. 13 S., R. 55 W., Seward Meridian. The uses allowed are those activities associated with the

construction, operation, and maintenance of the powerline facility.

k. (EIN 34 C4) An easement for an existing access trail twenty-five (25) feet in width from the village of Clarks Point easterly to Portage Creek. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

l. (EIN 37 L) An easement twenty-five (25) feet in width, twelve and one-half (12½) feet each side of the centerline, for a buried telephone line from the Aleknagik selection boundary in Sec. 11, T. 11 S., R. 56 W., Seward Meridian, southerly to the village of Dillingham in Sec. 21, T. 13 S., R. 55 W., Seward Meridian. The uses allowed are those activities associated with the construction, operation, and maintenance of the telephone line facility.

m. (EIN 38 C5) An easement for an existing access trail twenty-five (25) feet in width from site EIN 20a C5 located in the Aleknagik selection in Sec. 32, T. 10 S., R. 55 W., Seward Meridian, southerly and then easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

The grant of lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges and benefits thereby granted to him. Further, pursuant to Sec . 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;

3. A right-of-way, A–058798, containing approximately 3.67 acres, within protracted SE¼SW¼ Sec. 35, T. 11 S., R. 56 W., Seward Meridian (within surveyed Tract A), for a Federal Aid material site. Act of August 27, 1958, as amended (72 Stat 885; 23 U.S.C. 317);

4. A right-of-way, AA–9170, for a Federal Aid Highway. Act of August 27, 1958, as amended (72 Stat. 885; 23 U.S.C. 317); and

5. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Choggiung Limited is entitled to conveyance of 161,280 acres of land selected pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. To date, approximately 153,599 acres of this entitlement have been approved for conveyance; the remaining entitlement of approximately 7,781 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act, conveyance to the subsurface estate of the lands described above shall be granted to Bristol Bay Native Corporation when conveyance is granted to Choggiung Limited for the surface estate, and shall be subject to the same conditions as the surface conveyance.

Only the following inland water bodies, within the described lands, are considered to be navigable: Nushagak River; Wood River; Snake River; Muklung River; Lake Nunavaugaluk (Snake Lake).

The Muklung River is considered to be tidally influenced to the northern boundary of Sec. 29, T. 10 S., R. 54 W., Seward Meridian.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks in the Anchorage times. Any party claiming a property interest in lands affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501, also:

1. Any party receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign the return receipt shall have until May 23, 1980 to file an appeal.

3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the adverse parties to be served are:

Choggiung Limited, P.O. Box 247, Dillingham, Alaska 99576

Bristol Bay Native Corporation, P.O. Box 198, Dillingham, Alaska 99576

State of Alaska, Department of Natural Resources, Division of Research and Development, 323 East Fourth Avenue, Anchorage, Alaska 99501.

Ricky M. Elliott,

Chief, Branch of Adjudication.

[FR Doc. 80–12397 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–84–M

Geological Survey

Implementation of Section 606(d)(3) of the Outer Continental Shelf Lands Act Amendments of 1978; a Request for Comments on a Proposed Procedure

AGENCY: Geological Survey (GS), Department of the Interior.

ACTION: Request for comments.

SUMMARY: Section 606 of the Outer Continental Shelf Lands Act Amendments of 1978 (Pub.L. 95–372) requires the Secretary of the Interior to conduct a continuing investigation as to the availability of oil and natural gas from the Outer Continental Shelf (OCS). The purpose of the investigation "* * * is to enable the Secretary of the Interior and the Congress to gain the best possible knowledge of the status of OCS oil and natural gas reserves, resources, productive capacity, and production available to meet current and future energy supply emergencies, to gain accurate knowledge of the potential quantity of oil and natural gas resources which could be made available to meet such emergencies, and to aid in establishing energy pricing and conservation policies."

Section 606 requires that the investigation include, in part, the following:

1. A maximum attainable rate of production (MAR) determination for significant OCS fields with an analysis of the differences between actual production and the MAR's.

2. An estimate of discovered crude oil and natural gas reserves by fields and undiscovered cruid oil and natural gas resources for the OCS.

3. The relationship of any and all such information to the requirements of conservation, industry, commerce and the national defense.

Further, section 606 requires that the Secretary forward a biennial report to the Congress on the above parts to the investigation, commencing with January 1, 1980.

While parts 1 and 2 are quantifiable, part 3 requires a judgment based upon input from conservation, industry, commerce, and national defense organizations. To ensure the accuracy and usefulness of our response to part 3, the GS proposes to conduct a nationwide survey in late 1980 or early 1981 directed toward obtaining the necessary information. However, before initiating the survey, the GS requests comments concerning the design, content, and practical utility of the questionnaire which will be used to solicit the data.

This Notice provides a copy of the questionnaire for general comment and in particular asks the following questions:

1. Is the questionnaire procedure a viable means of procuring representative materials for the Congressional report?

2. a. Will your firm or will you as an individual respond to the questionnaire below?

b. In your opinion, will other firms in your business respond?

3. What is the best listing(s) from which to randomly select organizations or individuals who would be involved with conservation, industry, commerce, and/or national defense and who would be dependent on oil and gas supplies? Also, who in the public sector would (or could) respond to national defense needs?

4. a. What is your general reaction to the questionnaire?

b. Which questions in the questionnaire should be phrased differently?

c. Should any questions be eliminated or added?

d. Will detailed responses from 25 firms or individuals by category (conservation, industry, commerce, or national defense) be sufficiently representative to compile and project data in a way that oil and gas needs can be related to OCS supplies, making a viable report possible? If not 25, how many?

5. a. Can sufficient information be obtained through a voluntary questionnaire such that the Secretary and the Congress can more ably allocate OCS oil and gas supplies "* * * to meet current and future energy supply emergencies * * *" in fulfillment of the investigatory purpose? Explain.

b. In similar manner, can sufficient information be obtained such that the Secretary and the Congress can more ably assist "* * * in establishing energy pricing and conservation policies * * *" in fulfillment of the investigatory purpose? Explain.

DATE: Comments will be received on or before July 22, 1980.

ADDRESS: Chief, Conservation Division, Geological Survey, MS 640, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

FOR FURTHER INFORMATION: Contact Price McDonald, (703) 860–7531, Physical Scientist, Conservation Division, Reston, Virginia.

Proposed Questionnaire: The Questionnaire will be attached to a letter fully explaining to the recipient why it is being sent. The Questionnaire will carry a heading and will read as follows:

Questionnaire To Determine the Relationship of Outer Continental Shelf (OCS) Production, Reserves, and Resources to the Requirements of Conservation, Industry, Commerce, and the National Defense

Note.—Section 606 speaks explicitly to the OCS. No mention is made of onshore oil and gas supplies. The responder who knows that his/her firm has little or no connection with OCS oil and gas should qualify his/hre remarks accordingly.

As a matter of information, during 1978 the U.S. consumption amounted to about 18.0 million barrels of oil per day and about 53 billion cubic feet of natural gas per day. The OCS contributed about 4.4 percent of the oil production and about 22.4 percent of the natural gas production.

For purposes of administering this questionnaire, assume that the consumption curve for oil and natural gas holds about steady as does the OCS natural gas production, but that the OCS oil production continues declining such that by 1984 it contributes only 3.8 percent of the domestic usage.

General

1. What is the nature of your business?

2. How is your business connected or related to OCS oil and natural gas production, reserves, and resources?

3. Would you care particularly, one way or the other, if the domestic production, reserves, and resources were more so from the OCS or from onshore lands? Why?

4. Assuming that you agree to the probability (or possibility) of significant production offshore Alaska in the near future, in what way would this affect your business?

Conservation

1. Conservation in this part means avoiding waste both under ground and above ground through industry drilling and production practices.

(a) Is waste occurring in one or more phases of OCS operations which could be avoided? Could this waste be avoided without undue economic burden? Please explain.

(b) If the waste situation under (a) above was corrected, without concern for costs, what improvement would result in the OCS production rates for 1982–83?

2. Conservation in this part means conserving usage of oil and natural gas for transportation and/or fuel so as to extend the life of current supplies. Use 1975 as the base year for comparison.

(a) Commencing with the year 1975, prepare a table or graph showing the annual consumption of oil and natural gas for a given organization or for a certain sector of our society. Also, show the amounts conserved and explain how conservation was acccomplished. Extend your table or graph through 1983.

(b) What energy sources are being used in support of or to replace oil and natural gas? In what amounts annually?

(c) What are your aims over the next 10 years as to the volumes of oil and natural gas to be conserved annually?

(d) What are your suggestions as to where and in what volumes additional conservation might be possible in your business, as well as in other businesses, and in the society at large?

Industry

As used here, industry means those organizations which use substantial amounts of fuel in their plants for the purpose of processing or refining a base substance or for the purpose of manufacturing a product.

1. For the years 1975–83, prepare a table or graph showing your firm's past and expected annual consumption of oil and natural gas through plant fueling.

2. What energy sources are being used in support of or to replace oil and natural gas in your plants? In what amounts annually beginning with 1975?

3. How are the declining domestic oil and natural gas production rates affecting your plant output? That is, at a certain level of cost or availability, will your operations be reduced or perhaps removed to another location?

4. What are your aims over the next 10 years, either generally or specifically, as to increasing, decreasing, or simply maintaining plant output, knowing that oil and natural gas production rates

domestically and worldwide are declining? What recourse do you have in maintaining plant output in the case of a severe 1-year shortage of crude oil?

Commerce

As used here, commerce shall mean large scale buying and selling of manufactured or refined products and the related transportation, domestically and worldwide.

1. Transportation within the realm of commerce requires large amounts of petroleum products for fueling shipping vessels, rail locomotives, highway trucks, and cargo airplanes.

a. For the years 1975–83, prepare a table or graph showing your firm's past and expected annual consumption of oil and natural gas for transporting purposes.

b. What are your expectancies over the next 10 years as to increasing, decreasing, or simply maintaining current transporting levels?

2. The commerce associated with the importing of crude oil is concerning, particularly in the area of pricing. As a trend, what will a barrel of crude oil cost over the next 10 years considering that even world supplies are declining?

3. The hope for significant domestic oil and natural gas supplies appears to lie onshore and/or offshore Alaska. Assuming that such resources become a reality to some degree through discoveries, etc., over the next 10 years, what effect will this have on the price of crude oil?

National Defense

National defense shall include the Army, Navy, Air Force, and Coast Guard and their respective roles during peacetime and war emergencies.

1. For the years 1975–83, prepare a table or graph showing national defense past and expected annual consumption of oil and natural gas.

2. Assuming no war emergencies, what annual amounts of oil and natural gas could be conserved through usage of alternative fuels for the years 1981–83? How much would such a conservation measure cost, considering current oil and natural gas costs as the base?

3. In a similar view, in the event of a war emergency for the year 1981, what are the oil and natural gas requirements with maximum usage of alternative fuels?

Additional

Documents which contain authentic information relative to one or more of the above and which may be helpful to the GS are listed as follows:

George H. Davis,

Acting Director.

[FR Doc. 80-12325 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-31-M

[Federal Phosphate Lease No. I-012890]

Intent To Prepare Environmental Impact Statement on Proposed Surface Phosphate Mine and Slurry Pipeline; J. R. Simplot Co.—Smoky Canyon Mine; Caribou County, Idaho

AGENCY: U.S. Geological Survey.

ACTION: Notice of intent to prepare environmental impact statement on proposed surface phosphate mine and slurry pipeline.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Geological Survey and the U.S. Forest Service, Caribou National Forest, have determined that an environmental impact statement (EIS) is required on J. R. Simplot Company's proposed Smoky Canyon phosphate mine in Caribou County, Idaho.

The Geological Survey is the responsible agency for taking action on the approval of the mine plan and the Forest Service is the responsible agency for taking action on the issuance of special land-use permits for national forest lands outside the leasehold. Because both agencies have approval actions to take with regard to this proposal, they have determined that the statement should be prepared under the joint leadership of the Geological Survey and the Caribou National Forest.

The environmental impact statement will evaluate the Geological Survey and Forest Service proposed approval actions and alternatives. Technical alternatives will include, but are not limited to, alternative mill site locations, slurry pipeline routes, means of ore transportation, overburden disposal sites, waste rock and topsoil storage sites, reclamation methodology, and power line routing. Administrative alternatives include approval of the proposal after modifications to the mining and reclamation plan, approval with stipulations, rejection of the proposal, and no action.

The proposed mine will be located about 8 miles west of Afton, Wyoming. It is anticipated that the major socioeconomic impacts from this mine will occur in Lincoln County, Wyoming. The Simplot proposal consists of surface mining 2 million tons of phosphate ore per year over a mine life in excess of 50 years, and a 25-mile slurry pipeline to transport the ore to Simplot's existing beneficiation plant at Conda, Idaho. The mine is expected to disturb about 60 acres per year, with about 500 total acres to be disturbed by mining and associated activities at any one time. In addition, the proposal includes construction of 25 miles of electrical power lines, plant facilities, ore crushing, slurry preparation and pumping facilities, tailings ponds, and the upgrading of area access roads.

Meetings will be held in Afton, Wyoming, on May 14, 1980, at 7 p.m., and in Soda Springs, Idaho, on May 15, 1980, at 7 p.m. to discuss the significant issues related to this project. Any interested persons or agencies are invited to participate in these scoping meetings.

Any person wishing either to submit written comments and suggestions on the scope of this EIS, or to request further information, should direct requests to:

Mr. Barney Brunelle, District Mining Supervisor, Suite 172, Federal Building, 250 South Fourth Avenue, Pocatello, Idaho 83201, Telephone: (208) 236–6860.

Mr. Charles Hendricks, Forest Supervisor, Caribou National Forest, Suite 294, Federal Building, 250 South Fourth Avenue, Pocatello, Idaho 83201, Telephone: (208) 236–6700.

Dated: April 18, 1980.

George H. Davis,

Assistant Director—Mineral and Water Resources, U.S. Geological Survey.

[FR Doc. 80-12459 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf, Receipt of Proposed Development and Production of Plan

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Anadarko Production company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3975, Block 104, East Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weedays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone 837–4720, Ext. 226.

SUPPLEMENTAL INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 16, 1980.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 80-12435 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

Lamar Bath House Co. et al.; Intention To Negotiate Concession Contracts

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that on or before May 23, 1980, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate concession contracts with Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc., authorizing them to provide bathing facilities and services for the public at Hot Springs National Park for a period of seven (7) years from January 1, 1981 through December 31, 1987.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the Southwest Regional Office, 1100 Old Santa Fe Trail, Sante Fe, New Mexico 87501.

The foregoing concessioners have performed their obligations to the satisfaction of the Secretary under existing contracts which expire by limitation of time on December 31, 1980, and therefore, pursuant to the Act of October 9, 1965, as cited above, are entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. This provision, in effect, grants Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc., as the present satisfactory concessioners, the right to meet the terms of responsive proposals for the proposed new contract and a preference in the award of the contract, if, thereafter, the proposals of Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc., are substantially equal to others received. In the event responsive proposals superior to those of Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc., (as determined by the Secretary) are submitted, Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc., will be given the opportunity to meet the terms and conditions of the superior proposals the Secretary considers desirable, and, if it does so, the new contracts will be negotiated with Lamar Bath House Company, Buckstaff Bath House Company, Health Services, Inc., Superior Bath House Company, Inc., and Libbey Memorial Physical Medicine Center, Inc. The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposals, including those of the existing concessioners, must be post marked or hand delivered on or before May 23, 1980, to be considered and evaluated.

Interested parties should contact the chief, Division of Concessions, Southwest Regional Office, 1100 Old Sante Fe Trail, Sante Fe, New Mexico 87501, for information as to the requirements of the proposed contracts.

Dated: March 27, 1980.

Lorraine Mintzmyer,

Regional Director, Southwest Region.

[FR Doc. 80-12432 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-70-M

Public Meetings, New River Gorge National River, W. Va.

Notice is hereby given in accordance with the National Parks and Recreation Act of 1978 (Pub. L. 95–625) of four (4) public workshops to be held at locations in Fayette, Raleigh, Summers and Kanawha Counties, West Virginia, between the dates of May 12 and May 15, 1980. Section 1109 of the Act provides that by 1981 the Secretary of the Interior shall develop and transmit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a general management plan for the protection and development of the New River Gorge National River that is consistent with the purposes of the Act.

The General Management Plan will outline the broad decisions to be made by the National Park Service on matters such as park development, interpretation and management. It is written to meet the requirements of State and Federal laws, NPS policy and public concerns.

The General Management Plan will cover: (1) Measures for the preservation of the area's resources; (2) indications of types and general intensities of development; (3) identification of an implementation of commitments for visitor carrying capacities for all the areas of the unit; and (4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.

These public workshops are being held to assist the NPS Planning Team in developing a responsible plan for the New River Gorge NR.

The schedule of workshops follows:

Date	Location	Time
May 12	Fayetteville High School, 515 West Maple Avenue, Fayetteville.	7 p.m.
May 13	National Mine Health and Safety Academy, Airport Road, Beckley, West Virginia.	7 p.m.
May 14	National Guard Armory, Route 3, East of Hinton, Hinton, West Virginia.	7 p.m.
May 15	Capitol Complex, Building 7, Conference Room A, 1900 Washington St., E, Charleston, West Virginia.	7 p.m.

Each meeting is open to the public. Citizens will be accommodated on a first-come first-served basis. Any member of the public may file with the National Park Service a written statement addressing the subject to be discussed.

Persons wishing further information concerning these workshops, or who wish to submit a written statement, may write or telephone: Superintendent James W. Carrico, New River Gorge National River, 137½ Main Street, Oak Hill, West Virginia 25901, (304) 465–0508.

Dated: April 16, 1980.

James W. Coleman, Jr.,

Acting Regional Director, Mid-Atlantic Region.

[FR Doc. 80-12450 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-70-M

Office of the Secretary

[516 DM 1-6]

National Environmental Policy Act; Revised Implementing Procedures

AGENCY: Department of the Interior.

ACTION: Notice of final revised procedures.

SUMMARY: This notice announces revised Departmental policies and procedures for compliance with the National Environmental Policy Act of 1969, as amended (NEPA), Executive Order 11514, as amended, and the Council on Environmental Quality's (CEQ) regulations. These procedures are published as Part 516 of the Departmental Manual. They adopt the CEQ regulations, provide supplementary instructions, and reflect the Secretary's decisions concerning the issuance of NEPA procedures, the delegation of the preparation of environmental impact statements (EISs), and the role of the Assistant Secretary—Policy, Budget and Administration.

DATE: The procedures were adopted March 18, 1980.

FOR FURTHER INFORMATION CONTACT: Bruce Blanchard, Director, Office of Environmental Project Review, Office of the Secretary, Department of the Interior, Washington, D.C. 20240. Telephone: (202) 343-3891, FTS 343-3891

SUPPLEMENTARY INFORMATION: This Part provides policy and procedural directions to all elements of the Department for complying with the mandate of NEPA and the CEQ regulations. Instructions specific to bureaus will be issued as appendices to these procedures. Bureaus will not promulgate separate directives but will, however, prepare handbooks or other technical guidance on how to apply this Part to principal programs.

In addition, the procedures reflect the Secretary's decision to delegate the approval of EISs to program Assistant Secretaries (with further delegation to bureaus allowed) in those cases where the responsibility for the decision for which the EIS has been prepared rests with the Assistant Secretary or below. The authority for approval of an EIS where the decision will occur above an individual program Assistant Secretary is assigned to the Assistant Secretary—Policy, Budget and Administration.

They also set forth the role of the Assistant Secretary—Policy, Budget and Administration and delegate certain functions to the Director, Office of Environmental Project Review, with regard to NEPA matters.

Response to Comments: Proposed procedures were published in the **Federal Register** on July 10, 1979 (44 FR 40436).

Comments were received from one environmental organization, two industries, and two Federal agencies. As a result of external and internal input, several technical changes were made to improve the procedures. The following is the response to the substantive comments:

1. *Procedures are too broad and more specific guidance is needed.* Two commentors believe that the procedures were too broad and that more specific guidance should be provided in such areas as categorical exclusions, scoping, and public participation. It is the intent of these procedures to provide broad Department-wide procedures adopting and implementing the CEQ regulations. More specific guidance implementing Sec. 1507.3(b)(2) will appear in the bureau appendices. Guidance relating such things as scoping and public participation in bureau planning and decisionmaking processes will appear in bureau handbooks. These will be made available for public review and notices of their availability will be published in the **Federal Register.**

2. *Categorical exclusions.* Two commentors felt that the categorical exclusions and exceptions to these exclusions were too restrictive and that this would lead to an excessive number of environmental assessments (EA), while another commentor indicated that they were too broad and would allow too many actions to be excluded from the NEPA process. For the past several years, the Department has prepared about 15,000 EAs annually of which less than 10 per year have led to the preparation of EISs.

The Department has carefully constructed the categorical exclusion/exception process to exclude those categories having large numbers of actions with a history of no or little impact, but to include (except from exclusion) those specific actions which may reasonably be expected to have significant impacts. This is expected to reduce substantially the number of unnecessary EAs while insuring that an EA is prepared in all cases where there is any question about the need for an EIS. In addition, the procedures allow EAs to be prepared whenever they assist in planning and decisionmaking.

3. *Joint lead agency designations.* One commentor expressed concern that the Department's procedures do not permit designation of State agencies as joint lead agencies in the preparation of an EIS if they do not have a responsibility to comply with a State statute similar to NEPA. This provision has been included, because lead agencies must agree on the contents of a joint EIS. There can only be a joint EIS where the non-Federal agency has compliance responsibilities similar to NEPA. State agencies without such compliance responsibilities may be cooperating agencies.

4. *Timing of EISs.* One commentor questioned the provision that EISs need not be initiated until applications were essentially complete in light of the requirement in the CEQ regulations that EISs be commenced no later than immediately after the application is received. The Department consulted with CEQ on this matter and is mindful of the intent of the CEQ regulations to encourage EIS preparation to begin early. Thus, the Department's procedures emphasize early initiation of the NEPA process, including consultation and cooperation with the applicant, the public, and other agencies in preliminary studies and analyses of the proposal, its alternatives, and their environmental effects (1.4C, 1.5A, 2.2). In addition, the procedures permit commencement of preparation of the EIS itself prior to completion of an application and this is encouraged where it will expedite the NEPA process and is consistent with the Department's permitting requirements. Nevertheless, the Department is not required to expend funds for preparation of EISs where an application is tentative, substantially incomplete, or where completion is unreasonably delayed.

5. *Supplemental EIS.* Three commentors raised questions about the preparation and processing of supplemental EISs. The CEQ regulations provide the basic requirements in this regard and the Department's procedures are merely supplementary. Minor clarifying changes have been made.

6. *Summaries of EISs.* One commentor believed that the Department should emphasize the summary; expand it to include a description and environmental ranking of the proposal and its alternatives; and bind it separately so that it may be included as the environmental section in Departmental decision documents. Although the Department has reservations about environmental rankings in many cases, because of incomparable values, the suggestion has some merit and will be considered on a case-by-case basis for especially large or complex proposals.

7. *Alternatives.* Two commentors recommended that the Department specify the environmentally preferable alternative(s) in the EIS. The Department considers this a part of the decision process and, consistent with

the CEQ regulations, will not so specify in the EIS but will do so in the Record of Decision. Two other commentors questioned whether the procedures allowed a bureau's preferred alternative to be the same as an applicant's proposed action. It is the intent of these procedures to require bureaus, after analyzing the reasonable alternatives associated with an applicant's proposal, to identify their preferred alternative in the EIS. This alternative may be the applicant's proposal in many cases.

8. *Other environmental review and consultation requirements.* One commentor requested the Department to include detailed procedures for integrating the environmental review and consultation requirements of the National Historic Preservation Act with NEPA. The Department's NEPA procedures supplement the CEQ regulations and instruct Departmental components to integrate the NHPA procedures to the fullest extent possible. These procedures provide that the draft EIS should be prepared concurrently and integrated with other environmental review requirements. But, because the Department's planning and decision making procedures vary widely among programs, the integration of NEPA and NHPA procedures for specific programs will not be detailed here but will be identified in the bureau handbooks.

9. *Delegation of approval of EISs.* One commentor expressed concern about the Secretary's decision to delegate approval of certain EISs to lower levels of the Department and felt that the procedures should require that the relationship between the Office of Environmental Project Review and the bureaus be further detailed to ensure the adequacy of environmental documents. The Secretary carefully reviewed this situation before making this decision and, as a part of his decision, these procedures specifically require the Assistant Secretary—Policy, Budget and Administration to make certain that adequate safeguards are instituted.

Format. This Part of the Departmental Manual (516 DM) is organized as follows:

Chapter 1 (516 DM 1) Protection and Enhancement of Environmental Quality.

1.1 Purpose
1.2 Policy
1.3 General Responsibilities
1.4 Consideration of Environmental Values
1.5 Consultation, Coordination, and Cooperation with Other Agencies and Organizations
1.6 Public Involvement
1.7 Mandate *Chapter 2 (516 DM 2) Initiating the NEPA Process*
2.1 Purpose
2.2 Apply NEPA Early [1501.2]
2.3 Whether to Prepare an EIS [1501.4]
2.4 Lead Agencies [1501.5]
2.5 Cooperating Agencies [1501.6]
2.6 Scoping [1501.7]
2.7 Time Limits [1501.8]
Appendix 1. Departmental Categorical Exclusions

Chapter 3 (516 DM 3) Environmental Assessments

3.1 Purpose
3.2 When to Prepare [1501.3]
3.3 Public Involvement
3.4 Content
3.5 Format Chapter 4 (516 DM 4) Environmental Impact Statements
4.1 Purpose
4.2 Statutory Requirements [1502.3]
4.3 Timing [1502.5]
4.4 Page Limits [1502.7]
4.5 Supplemental Statements [1502.9]
4.6 Format [1502.10]
4.7 Cover Sheet [1502.11]
4.8 Summary [1502.12]
4.9 Purpose and Need [1502.13]
4.10 Alternatives Including the Proposed Action [1502.14]
4.11 Appendix [1502.18]
4.12 Incorporation by Reference [1502.21]
4.13 Incomplete or Unavailable Information [1502.22]
4.14 Methodology and Scientific Accuracy [1502.24]
4.15 Environmental Review and Consultation Requirements [1502.25]
4.16 Inviting Comments [1503.1]
4.17 Response to Comments [1503.4]
4.18 Elimination of Duplication with State and Local Procedures [1506.2]
4.19 Combining Documents [1506.4]
4.20 Departmental Responsbility [1506.5]
4.21 Public Involvement [1506.6]
4.22 Further Guidance [1506.7]
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Appendix 1. List of Other Environmental Review and Consultation Requirements
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Chapter 5 (516 DM 5) Relationship to Decisionmaking

5.1 Purpose
5.2 Predecision Referrals to CEQ [1504.3]
5.3 Decisionmaking Procedures [1505.1]
5.4 Record of Decision [1505.2]
5.5 Implementing the Decision [1505.3]
5.6 Limitations on Actions [1506.1]
5.7 Timing of Actions [1506.10]
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Chapter 6 (516 DM 6) Managing the NEPA Process

6.1 Purpose
6.2 Organization for Environmental Quality
6.3 Approval of EISs
6.4 List of Specific Compliance Responsibilities
6.5 Bureau Requirements
6.6 Information about the NEPA Process
Appendix 1 Fish and Wildlife Service (reserved)
Appendix 2 Geological Survey (reserved)
Appendix 3 Heritage Conservation and Recreation Service (reserved)
Appendix 4 Bureau of Indian Affairs (reserved)
Appendix 5 Bureau of Land Management (reserved)
Appendix 6 Bureau of Mines (reserved)
Appendix 7 National Park Service (reserved)
Appendix 8 Office of Surface Mining (reserved)
Appendix 9 Water and Power Resources Service (reserved)

Chapter 7 (516 DM 7) Review of Other Agencies' Proposals (interim)

[The existing Chapter 3 is being revised and, in the interim, is redesignated as Chapter 7. It is not republished here.]

Chapter 8 (516 DM 8) Environmental Effects Abroad (reserved)

[Citations in brackets refer to the CEQ regulations.]

Proposed appendices to Chapter 6 for bureaus have been published in the **Federal Register** as follows:

Fish and Wildlife Service (44 FR 65822) November 15, 1979

Heritage Conservation and Recreation Service (44 FR 49523) August 23, 1979

Bureau of Mines (45 FR 10043) February 14, 1980

Office of Surface Mining (45 FR 10043) February 14, 1980

Water and Power Resources Service (44 FR 47627) August 14, 1979

Other bureau appendices to Chapter 6, revised Chapter 7, and Chapter 8 will be published in the **Federal Register** for review and comment at later dates.

For further information about these procedures or other information about the Department's NEPA process, please contact: Mr. Bruce Blanchard, Director, Office of Environmental Project Review, Office of the Secretary, Department of the Interior, Washington, D.C. 20240, Telephone (202) 343–3891, FTS 343–3891

Dated: April 18, 1980.

Heather L. Ross,

Deputy Assistant Secretary of the Interior.

Department of the Interior—Departmental Manual

Part 516—National Environmental Policy Act of 1969

Chapter 1—Protection and Enhancement of Environmental Quality; 516 DM 1.1

1.1 *Purpose.* This Chapter establishes the Department's policies for complying with Title 1 of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321–4347) (NEPA); Section 2 of Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended by Executive Order 11991; and the regulations of the Council on Environmental Quality (CEQ)

implementing the procedural provisions of NEPA (40 CFR 1500–1508).

1.2 *Policy.* It is the policy of the Department:

A. To provide leadership in protecting and enhancing those aspects of the quality of the Nation's environment which relate to or may be affected by the Department's policies, goals, programs, plans, or functions in furtherance of national environmental policy;

B. To use all practicable means, consistent with other essential considerations of national policy, to improve, coordinate, and direct its policies, plans, functions, programs, and resources in furtherance of national environmental goals;

C. To interpret and administer, to the fullest extent possible, the policies, regulations, and public laws of the United States administered by the Department in accordance with the policies of NEPA;

D. To consider and give important weight to environmental factors, along with other essential considerations, in developing proposals and making decisions in order to achieve a proper balance between the development and utilization of natural, cultural, and human resources and the protection and enhancement of environmental quality;

E. To consult, coordinate, and cooperate with other Federal agencies and State, local, and Indian tribal governments in the development and implementation of the Department's plans and programs affecting environmental quality and, in turn, to provide to the fullest extent practicable, these entities with information concerning the environmental impacts of their own plans and programs;

F. To provide, to the fullest extent practicable, timely information to the public to better assist in understanding Departmental plans and programs affecting environmental quality and to facilitate their involvement in the development of such plans and programs; and

G. To cooperate with and assist the CEQ.

1.3 *General Responsibilities.* The following responsibilities reflect the Secretary's decision that the officials responsible for making program decisions are also responsible for taking the requirements of NEPA into account in those decisions and will be held accountable for that responsibility:

A. *Assistant Secretary—Policy, Budget and Administration.* (1) Is the Department's focal point on NEPA matters and is responsible for overseeing the Department's implementation of NEPA.

(2) Serves as the Department's principal contact with the CEQ.

(3) Assigns to the Director, Office of Environmental Project Review, the responsibilities outlined for that Office in this Part.

B. *Solicitor.* Is responsible for providing legal advice in the Department's compliance with NEPA.

C. *Assistant Secretaries.* (1) Are responsible for compliance with NEPA, E.O. 11514, as amended, the CEQ regulations, and this Part for bureaus and offices under their jurisdiction.

(2) Will insure that, to the fullest extent possible, the policies, regulations, and public laws of the United States administered under their jurisdiction are interpreted and administered in accordance with the policies of NEPA.

D. *Heads of Bureaus and Office.* (1) Must comply with the provisions of NEPA, E.O. 11514, as amended, the CEQ regulations and this Part.

(2) Will interpret and administer, to the fullest extent possible, the policies, regulations, and public laws of the United States administered under their jurisdiction in accordance with the policies of NEPA.

(3) Will continue to review their statutory authorities, administrative regulations, policies, programs, and procedures, including those related to loans, grants, contracts, leases, licenses, or permits, in order to identify any deficiencies or inconsistencies therein which prohibit or limit full compliance with the intent, purpose, and provisions of NEPA and, in consultation with the Solicitor and the Legislative Counsel, shall take or recommend, as appropriate, corrective actions as may be necessary to bring these authorities and policies into conformance with the intent, purpose, and procedures of NEPA.

(4) Will monitor, evaluate, and control on a continuing basis their activities so as to protect and enhance the quality of the environment. Such activities will include those directed to controlling pollution and enhancing the environment and designed to accomplish other program objectives which may affect the quality of the environment. They will develop programs and measures to protect and enhance environmental quality and assess progress in meeting the specific objectives of such activities as they affect the quality of the environment.

1.4 *Consideration of Environmental Values.*

A. *In Departmental Management.* (1) In the management of the natural, cultural, and human resources under its jurisdiction, the Department must consider and balance a wide range of economic, environmental, and social objectives at the local, regional, national, and international levels, not all of which are quantifiable in comparable terms. In considering and balancing these objectives, Departmental plans, proposals, and decisions often require recognition of complements and resolution of conflicts among interrelated uses of these natural, cultural, and human resources within technological, budgetary, and legal constraints.

(2) Departmental project reports, program proposals, issue papers, and other decision documents must carefully analyze the various objectives, resources, and constraints, and comprehensively and objectively evaluate the advantages and disadvantages of the proposed actions and their reasonable alternatives. Where appropriate, these documents will utilize and reference supporting and underlying economic, environmental, and other analyses.

(3) The underlying environmental analyses will factually, objectively, and comprehensively analyze the environmental effects of proposed actions and their reasonable alternatives. They will systematically analyze the environmental impacts of alternatives, and particularly those alternatives and measures which would reduce, mitigate or prevent adverse environmental impacts or which would enhance environmental quality. However, such an environmental analysis is not, in and of itself, a program proposal or the decision document, is not a justification of a proposal, and will not support or deprecate the overall merits of a proposal or its various alternatives.

B. *In Internally Initiated Proposals.* Officials responsible for development or conduct of planning and decisionmaking systems within the Department shall incorporate to the maximum extent necessary environmental planning as an integral part of these systems in order to insure that environmental values and impacts are fully considered and in order to facilitate any necessary documentation of those considerations.

C. *In Externally Initiated Proposals.* Officials responsible for development or conduct of loan, grant, contract, lease, license, permit, or other externally initiated activities shall require applicants, to the extent necessary and practicable, to provide environmental information, analyses, and reports as an integral part of their applications. This will serve to encourage applicants to incorporate environmental considerations into their planning processes as well as provide the

Department with necessary information to meet its own environmental responsibilities.

1.5 *Consultation, Coordination, and Cooperation with Other Agencies and Organizations.*

A. *Departmental Plans and Programs.* (1) Officials responsible for planning or implementing Departmental plans and programs will develop and utilize procedures to consult, coordinate, and cooperate with relevant State, local, and Indian tribal governments; other bureaus and Federal agencies; and public and private organizations and individuals concerning the environmental effects of these plans and programs on their jurisdictions or interests.

(2) Bureaus and offices will utilize, to the maximum extent possible, existing notification, coordination and review mechanisms established by the Office of Management and Budget, the Water Resources Council, and CEQ. However, use of these mechanisms must not be a substitute for early and positive consultation, coordination, and cooperation with others, especially State, local, and Indian tribal governments.

B. *Other Departmental Activities.* (1) Technical assistance, advice, data, and information useful in restoring, maintaining, and enhancing the quality of the environment will be made available to other Federal agencies, State, local, and Indian tribal governments, institutions, and individuals as appropriate.

(2) Information regarding existing or potential environmental problems and control methods developed as a part of research, development, demonstration, test, or evaluation activities will be made available to other Federal agencies, State, local, and Indian tribal governments, institutions and other entities as appropriate.

(3) Recognizing the worldwide and long-range character of environmental problems, where consistent with the foreign policy of the United States, appropriate support will be made available to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment.

C. *Plans and Programs of Other Agencies and Organizations.* (1) Officials responsible for protecting, conserving, developing, or managing resources under the Department's jurisdiction shall coordinate and cooperate with State, local, and Indian tribal governments, other bureaus and Federal agencies, and public and private organizations and individuals, and provide them with timely information concerning the environmental effects of these entities' plans and programs.

(2) Bureaus and offices are encouraged to participate early in the planning processes of other agencies and organizations in order to insure full cooperation with and understanding of the Department's programs and interests in natural, cultural, and human resources.

(3) Bureaus and offices will utilize to the fullest extent possible, existing Departmental review mechanisms to avoid unnecessary duplication of effort and to avoid confusion by other organizations.

1.6 *Public Involvement.* Bureaus and offices, in consultation with the Office of Public Affairs, will develop and utilize procedures to insure the fullest practicable provision of timely public information and understanding of their plans and programs with environmental impact including information on the environmental impacts of alternative courses of action. These procedures will include, wherever appropriate, provision for public meetings or hearings in order to obtain the views of interested parties. Bureaus and offices will also encourage State and local agencies and Indian tribal governments to adopt similar procedures for informing the public concerning their activities affecting the quality of the environment. (See also 301 DM 2.)

1.7 *Mandate.* A. This Part provides Department-wide instructions for complying with NEPA and Executive Orders 11514, as amended by 11991 (Protection and Enhancement of Environmental Quality) and 12114 (Environmental Effects Abroad of Major Federal Actions).

B. The Department hereby adopts the regulations of the CEQ implementing the procedural provisions of NEPA (Sec. 102(2)(C)) except where compliance would be inconsistent with other statutory requirements. In the case of any apparent discrepancies between these procedures and the mandatory provisions of the CEQ regulations, the regulations shall govern.

C. Instructions supplementing the CEQ regulations are provided in Chapters 2–7 of this Part. Citations in brackets refer to the CEQ regulations. Instructions specific to each bureau are appended to Chapter 6. In addition, bureaus may prepare a handbook(s) or other technical guidance for their personnel on how to apply this Part to principal programs.

D. Instructions implementing Executive Order 12114 will be provided in Chapter 8.

Chapter 2—Initiating the NEPA Process; 516 DM 2.1

2.1 *Purpose.* This Chapter provides supplementary instructions for implementing those portions of the CEQ regulations pertaining to initiating the NEPA process.

2.2 *Apply NEPA Early* [1501.2].

A. Bureaus will initiate early consultation and coordination with other bureaus and any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved, and with appropriate Federal, State, local and Indian tribal agencies authorized to develop and enforce environmental standards.

B. Bureaus will also consult early with interested private parties and organizations, including when the bureau's own involvement is reasonably foreseeable in a private or non-Federal application.

C. Bureaus will revise or amend program regulations or directives to insure that private or non-Federal applicants are informed of any environmental information required to be included in their applications and of any consultation with other Federal agencies, and State, local, or Indian tribal governments required prior to making the application. A list of these regulations or directives will be included in each Bureau Appendix to Chapter 6.

2.3 *Whether to Prepare an EIS* [1501.4].

A. *Categorical Exclusions* [1508.4].

(1) The following criteria will be used to determine actions to be categorically excluded from the NEPA process:

(a) The action or group of actions would have no significant effect on the quality of the human environment, and

(b) The action or group of actions would not involve unresolved conflicts concerning alternative uses of available resources.

(2) Based on the above criteria, the classes of actions listed in Appendix 1 to this Chapter are categorically excluded, Department-wide, from the NEPA process. A list of categorical exclusions specific to bureau programs will be included in each Bureau Appendix to Chapter 6.

(3) The following exceptions apply to individual actions within categorical exclusions. Environmental assessments must be prepared for actions which may:

(a) Have significant adverse effects on public health or safety.

(b) Adversely affect such unique geographic characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or

scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks.

(c) Have highly controversial environmental effects.

(d) Have highly uncertain environmental effects or involve unique or unknown environmental risks.

(e) Establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects.

(f) Be related to other actions with individually insignificant but cumulatively significant environmental effects.

(g) Adversely affect properties listed or eligible for listing in the National Register of Historic Places.

(h) Affect a species listed or proposed to be listed on the List of Endangered or Threatened Species.

(i) Threaten to violate a Federal, State, local, or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.

(4) Notwithstanding the criteria and exceptions above, extraordinary circumstances may dictate or a responsible Departmental or bureau official may decide to prepare environmental assessments.

B. *Environmental Assessment (EA)* [1508.9]. See 516 DM 3.

C. *Finding of No significant Impact (FONSI)* [1508.13]. A FONSI will be prepared as a separate covering document based upon a review of an EA. Accordingly, the words *include(d)* in Section 1508.13 should be interpreted as *attach(ed).*

D. *Notice of Intent (NOI)* [1508.22]. A NOI will be prepared as soon as practicable after a decision to prepare an environmental impact statement and shall be published in the *Federal Register,* with a copy to the Office of Environmental Project Review, and made available to the affected public in accordance with Section 1506.6. Publication of a NOI may be delayed if there is proposed to be more than three (3) months between the decision to prepare an environmental impact statement and the time preparation is actually initiated. The Office of Environmental Project Review will periodically publish a consolidated list of these notices in the Federal Register.

E. *Environmental Impact Statement (EIS)* [1508.11]. See 516 DM 4. Decisions/actions which would normally require the preparation of an EIS will be identified in the Bureau Appendix to Chapter 6.

2.4 *Lead Agencies* [1501.5].

A. The Assistant Secretary—Policy, Budget and Administration will designate lead bureaus within the Department when bureaus under more than one Assistant Secretary are involved and will represent the Department in consultations with CEQ or other Federal agencies in the resolution of lead agency determinations.

B. Bureaus will inform the Office of Environmental Project Review of any agreements to assume lead agency status.

C. A non-Federal agency will not be designated as a joint lead agency unless it has a duty to comply with a local or State environmental impact statement requirement that is comparable to a NEPA statement. Any non-Federal agency may be a cooperating agency by agreement. Bureaus will consult with the Solicitor's Office in cases where such non-Federal agencies are also applicants before the Department to determine relative lead/cooperating agency responsibilities.

2.5 *Cooperating Agencies* [1501.6].

A. The Office of Environmental Project Review will assist bureaus and coordinate requests from non-Interior agencies in determining cooperating agencies.

B. Bureaus will inform the Office of Environmental Project Review of any agreements to assume cooperating agency status or any declinations pursuant to Section 1501.6(c).

2.6 *Scoping* [1501.7].

A. The invitation requirement in Section 1501.7(a)(1) may be satisfied by including such an invitation in the NOI.

B. If a scoping meeting is held, consensus is desirable; however, the lead agency is ultimately responsible for the scope of an EIS.

2.7 *Time Limits* [1501.8]. When time limits are established they should reflect the availability of personnel and funds.

[516 DM 2]

Appendix 1—Departmental Categorical Exclusions

The following actions are categorical exclusions pursuant to 516 DM 2.3A(2). However, environmental documents will be prepared for individual actions within these categorical exclusions if the exeptions listed in 516 DM 2.3A(3) apply.

1.1 Personnel actions and investigations and personnel services contracts.

1.2 Internal organizational changes and facility and office reductions and closings.

1.3 Routine financial transactions, including such things as salaries and expenses, procurement contracts, guarantees, financial assistance, income transfers, and audits.

1.4 Law enforcement and legal transactions, including such things as arrests; investigations; patents; claims; legal opinions; and judicial proceedings including their initiation, processing and/or settlement.

1.5 Regulatory and enforcement actions, including inspections, assessments, administrative hearings, and decisions; when the regulations themselves or the instruments of regulations (leases, permits, licenses, etc.) have previously been covered by the NEPA process or are exempt from it.

1.6 Non-destructive data collection, inventory (including mapping), study, research and monitoring activities.

1.7 Routine and continuing government business, including such things as supervision, administration, operations, maintenance, and replacement.

1.8 Management, formulation, and allocation of the Department's budget at all levels. (This does not exempt the preparation of environmental documents for proposals included in the budget when otherwise required.)

Chapter 3—Environmental Assessments; 516 DM 3.1

3.1 *Purpose.* This Chapter provides supplementary instructions for implementing those portions of the CEQ regulations pertaining to environmental assessments (EA).

3.2 *When to Prepare* [1501.3].

A. An EA will be prepared for all actions, except those covered by a categorical exclusion, covered sufficiently by an earlier environmental document, or for those actions for which a decision has already been made to prepare an EIS. The purpose of such an EA is to allow the responsible official to determine whether to prepare an EIS.

B. In addition, an EA may be prepared on any action at any time in order to assist in planning and decisionmaking.

3.3 *Public Involvement.*

A. Public notification must be provided and, where appropriate, the public involved in the EA process [1506.6].

B. The scoping process may be applied to an EA [1501.7].

3.4 *Content.*

A. At a minimum, an EA will include brief discussions of the need for the proposal, of alternatives as required by Section 102(2)(E) of NEPA, of the environmental impacts of the proposed action and such alternatives, and a listing of agencies and persons consulted [1508.9(b)].

B. In addition, an EA may be expanded to describe the proposal, a broader range of alternatives, and proposed mitigation measures if this facilitates planning and decisionmaking.

C. The level of detail and depth of impact analysis should normally be

limited to that needed to determine whether there are significant environmental effects.

D. An EA will contain objective analyses which support its environmental impact conclusions. It will not, in and of itself, conclude whether or not an EIS will be prepared. This conclusion will be made upon review of the EA by the responsible official and documented in either a NOI or FONSI.

3.5 *Format.*

A. An EA may be prepared in any format useful to facilitate planning and decisionmaking.

B. An EA may be combined with any other planning or decisionmaking document; however, that portion which analyzes the environmental impacts of the proposal and alternatives will be clearly and separately identified and not spread throughout or interwoven into other sections of the document.

Chapter 4—Environmental Impact Statements; 516 DM 4.1

4.1 *Purpose.* This Chapter provides supplementary instructions for implementing those portions of the CEQ regulations pertaining to environmental impact statements (EIS).

4.2 *Statutory Requirements* [1502.3] NEPA requires that an EIS be prepared by the responsible Federal offical. This official is normally the lowest-level official who has overall responsibility for formulating, reviewing, or proposing an action or, alternatively, has been delegated the authority or responsibility to develop, approve, or adopt a proposal or action. Preparation at this level will insure that the NEPA process will be incorporated into the planning process and that the EIS will accompany the proposal through existing review processes.

4.3 *Timing* [1502.5].

A. The feasibility analysis (go/no-go) state, at which time an EIS is to be completed, is to be interpreted as the stage prior to the first point of major commitment to the proposal. For example, this would normally be at the authorization stage for proposals requiring Congressional authorization, the location or corridor stage for transportation, transmission, and communication projects, and the leasing stage for mineral resources proposals.

B. An EIS need not be commenced until an application is essentially complete; e.g., any required environmental information is submitted, any consultation required with other agencies has been conducted, and any required advance funding is paid by the applicant.

4.4 *Page Limits* [1502.7]. Where the text of an EIS for a complex proposal or group of proposals appears to require more than the normally prescribed limit of 300 pages, bureaus will insure that the length of such statements is no greater than necessary to comply with NEPA, the CEQ regulations, and this Chapter.

4.5 *Supplemental Statements* [1502.9].

A. Supplements are only required if such changes in the proposed action or alternatives, new circumstances, or resultant significant effects are not adequately analyzed in the previously prepared EIS.

B. A bureau and/or the appropriate program Assistant Secretary will consult with the Office of Environmental Project Review and the Office of the Solicitor prior to proposing to CEQ to prepare a final supplement without preparing an intervening draft.

C. If, after a decision has been made based on a final EIS, a described proposal is further defined or modified and if its changed effects are minor or still within the scope subsequent decisions rather than a supplement.

4.6 *Format* [1502.10].

A. Proposed departures from the standard format described in the CEQ regulations and this Chapter must be approved by the Office of Environmental Project Review.

B. The section listing the preparers of the EIS will also include other sources of information, including a bibliography or list of cited references, when appropriate.

C. The section listing the distribution of the EIS will also briefly describe the consultation and public involvement processes utilized in planning the proposal and in preparing the EIS, if this information is not discussed elsewhere in the document.

D. If CEQ's standard format is not used or if the EIS is combined with another planning or decisionmaking document the section which analyzes the environmental consequences of the proposal and its alternatives will be clearly and separately identified and not interwoven into other portions of or spread throughout the document.

4.7 *Cover Sheet* [1502.11]. The cover sheet will also indicate whether the EIS is intended to serve any other environmental review or consultation requirements pursuant to Section 1502.25.

4.8 *Summary* [1502.12]. The emphasis in the summary should be on those considerations, controversies, and issues which significantly affect the quality of the human environment.

4.9 *Purpose and Need* [1502.13]. This section may introduce a number of factors, including economic and technical considerations and Departmental or bureau statutory missions, which may be beyond the scope of the EIS. Care should be taken to insure an objective presentation and not a justification.

4.10 *Alternatives Including the Proposed Action* [1502.14].

A. As a general rule, the following guidance will apply:

(1) For internally initiated proposals; i.e., for those cases where the Department conducts or controls the planning process, both the draft and final EIS shall identify the bureau's proposed action.

(2) For externally initiated proposals; i.e., for those cases where the Department is reacting to an application or similar request, the draft and final EIS shall identify the applicant's proposed action and the bureau's preferred alternative unless another law prohibits such an expression.

(3) Proposed departures from this guidance must be approved by the Office of Environmental Project Review and the Office of the Solicitor.

B. Mitigation measures are not necessarily independent of the proposed action and its alternatives and should be incorporated into and analyzed as a part of the proposal and appropriate alternatives. Where appropriate, major mitigation measures may be identified and anlayzed as separate alternatives in and of themselves where the environmental consequences are distinct and significant enough to warrant separate evaluation.

4.11 *Appendix* [1502.18]. If an EIS is intended to serve other environmental review or consultation requirements pursuant to Section 1502.25, any more detailed information needed to comply with these requirements may be included as an appendix.

4.12 *Incorporation by Reference* [1502.21]. Citations of specific topics will include the pertinent page numbers. All literature references will be listed in the bibliography.

4.13 *Incomplete or Unavailable Information* [1502.22]. The references to overall costs in this section are not limited to market costs, but include other costs to society such as social costs due to delay.

4.14 *Methodology and Scientific Accuracy* [1502.24]. Conclusions about environmental effects will be preceded by an analysis that supports that conclusion unless explicit reference by footnote is made to other supporting documentation that is readily available to the public.

4.15 *Environmental Review and Consultation Requirements* [1502.25].

A. A list of related environmental review and consultation requirements is attached as Appendix 1 to this Chapter.

B. If the EIS is intended to serve as the vehicle to fully or partially comply with any of these requirements, the associated analyses, studies, or surveys will be identified as such and discussed in the text of the EIS and the cover sheet will so indicate. Any supporting analyses or reports will be referenced or included as an appendix and shall be sent to reviewing agencies as appropriate in accordance with applicable regulations or procedures.

4.16 *Inviting Comments* [1503.1].

A. Comments from State agencies will be requested through the State Clearinghouse established by the Governor pursuant to OMB Circular A-95, unless the Governor has designated an alternative review process, and may be requested from local agencies through Areawide Clearinghouses to the extent that they include the affected local jurisdiction.

B. When the proposed action may affect the environment of an Indian reservation, comments will be requested from the Indian tribe through the tribal governing body, unless the tribal governing body has designated an alternate review process.

4.17 *Response to Comments* [1503.4].

A. Preparation of a final EIS need not be delayed in those cases where a Federal agency, from which comments are required to be obtained [1503.1(a)(1)], does not comment within the prescribed comment period. Informal attempts will be made to determine the status of any such comments and every reasonable attempt should be made to include the comments and a response in the final EIS.

B. When other commentators are late, their comments should be included in the final EIS to the extent practicable.

C. For those EISs requiring the approval of the Assistant Secretary—Policy, Budget and Administration pursuant to 516 DM 6.3, bureaus will consult with the Office of Environmental Project Review when they propose to prepare an abbreviated final EIS [1503.4(c)].

4.18 *Elimination of Duplication with State and Local Procedures* [1506.2]. Bureaus will incorporate in their appropriate program regulations provisions for the preparation of an EIS by a State agency to the extent authorized in Section 102(2)(D) of NEPA. Eligible programs are listed in Appendix 2 to this Chapter.

4.19 *Combining Documents* [1506.4]. See 516 DM 4.6D.

4.20 *Departmental Responsibility* [1506.5]. Following the responsible official's preparation or independent evaluation of and assumption of responsibility for an environmental document, an applicant may print it provided the applicant is bearing the cost of the document pursuant to other laws.

4.21 *Public Involvement* [1506.6]. See 516 DM 1.6 and 301 DM 2.

4.22 *Further Guidance* [1506.7]. The Office of Environmental Project Review may provide further guidance concerning NEPA pursuant to its organizational responsibilities (110 DM 22) and through supplemental directives (015 DM 6).

4.23 *Proposals for Legislation* [1506.8]. The Legislative Counsel, in consultation with the Office of Environmental Project Review, shall:

A. Identify in the annual submittal to OMB of the Department's proposed legislative program any requirements for and the status of any environmental documents.

B. When required, insure that a legislative EIS is included as a part of the formal transmittal of a legislative proposal to the Congress.

4.24 *Time Periods* [1506.10].

A. The minimum review period for a draft EIS will be sixty (60) days from the date of transmittal to the Environmental Protection Agency.

B. For those EISs requiring the approval of the Assistant Secretary—Policy, Budget and Administration pursuant to 516 DM 6.3, the Office of Environmental Project Review will be responsible for consulting with the Environmental Protection Agency and/or CEQ about any proposed reductions in time periods or any extensions of time periods proposed by those agencies.

[516 DM 4]

Appendix 1—List of Other Environmental Review and Consultation Requirements

1.1 *Cultural Resources*

Archeological Resources Protection Act of 1979, 16 U.S.C. 470aa *et seq.*
Archeological and Historic Preservation Act of 1974, 16 U.S.C. 469a-1
National Historic Preservation Act of 1966 (Sec. 106), 16 U.S.C. 470f
Antiquities Act of 1906, 16 U.S.C. 431
Executive Order 11593 (Protection and Enhancement of the Cultural Environment)
American Indian Religious Freedom Act, 92 Stat. 469

1.2 *Water and Related Land Resources*

Marine Protection, Research and Sanctuaries Act of 1972 (Sec. 102, 103, 301), 16 U.S.C. 1431 *et seq.*
Safe Drinking Water Act of 1974, 42 U.S.C. 300f
Flood Disaster Protection Act of 1973, 12 U.S.C. 24, 1701-1 Supp., 42 U.S.C. 4001 *et seq.*
Coastal Zone Management Act of 1972, 16 U.S.C. 1451, 1456
Estuary Protection Act, 16 U.S.C. 1221
Executive Order 11988 (Floodplain Management)
Executive Order 11990 (Wetlands Protection)
Federal Water Project Recreation Act (Ss 6(a)), 16 U.S.C. 4601-17
Clean Water Act (Sec. 208, 303, 401, 402, 404, 405, 511), 33 U.S.C. 1288, 1314, 1341, 1342, 1344
Rivers and Harbors Act of 1899 (Section 9 and Section 10), 33 U.S.C. 401 *et seq.*
Wild and Scenic Rivers Act of 1968 (Sec. 7), 16 U.S.C. 1274 *et seq.*
Federal Power Act, 16 U.S.C. 797
Water Resources Planning Act of 1965, 42 U.S.C. 1962 *et seq.*
Water Resources Council's Principles and Standards

1.3 *Wildlife*

Endangered Species Act (Sec. 7), 16 U.S.C. 1531 *et seq.*
Fish and Wildlife Coordination Act, 16 U.S.C. 661, 662
Fish and Wildlife Conservation at Small Watershed Projects, 16 U.S.C. 1001, 1005(4), 1008

1.4 *Public Lands, Open Space, Recreation*

Federal Land Policy and Management Act, 43 U.S.C. 1701, 1761-1771
Mineral Leasing Act Amendments of 1973, 30 U.S.C. 185
Forest and Rangeland Renewable Resources Act, 16 U.S.C. 1601 *et seq.*
Land and Water Conservation Fund Act of 1965 (Sec. 6(f)), 16 U.S.C. 4601-8(f)
Open Space Lands, 42 U.S.C. 1500a(d)
Urban Park and Recreation Recovery Act, 16 U.S.C. 2501 *et seq.*
National Trails System Act, 16 U.S.C. 1241

1.5 *Marine Resources*

Deepwater Port Act, 33 U.S.C. 1501, 1503-1505
Ocean Dumping, 33 U.S.C. 1401, 1412, 1413, 1414
Marine Protection, Research and Sanctuaries Act, 16 U.S.C. 1431-1434

1.6 *Transportation*

Department of Transportation Act of 1966 (Sec. 4(f)), 49 U.S.C. 1653(f)
Federal Aid Highway Act of 1958, 23 U.S.C. 128, 138
Urban Mass Transportation Act of 1964, 49 U.S.C. 1602, 1610
Airport and Airway Development Act of 1970, 49 U.S.C. 1716
Federal Aviation Act, 49 U.S.C. 3334

1.7 *Air Quality*

Clean Air Act, 42 U.S.C. 7401 *et seq.*

1.8 *Miscellaneous*

Intergovernmental Coordination Act of 1968 42 U.S.C. 4201, 4231, 4233 (A-95 review process, including urban impact analysis)
Demonstration Cities and Metropolitan Development Act of 1966 42 U.S.C. 3334
Surface Mining Control and Reclamation Act of 1977 30 U.S.C. 1201 *et seq.*
Resources Conservation and Recovery Act of 1976 42 U.S.C. 3251 *et seq.*
Noise Control Act of 1972, as amended 42 U.S.C. 4901 *et seq.*

[516 DM 4]

Appendix 2—Programs of Grants to States in Which State Agencies Having Statewide Jurisdiction May Prepare EIS's

2.1 Fish and Wildlife Service

A. Anadromous Fish Conservation [#15.600]
B. Fish Restoration [#15.605]
C. Wildlife Restoration [#15.611]
D. Endangered Species Conservation [#15.612]

2.2 Heritage Conservation and Recreation Service

A. Outdoor Recreation—Acquisition, Development and Planning [#15.400]
B. Historic Preservation Grants-in-Aid [#15.411]
C. Urban Park and Recreation Recovery Program Grants (not yet incorporated in CFDA)

Note.—Citations in brackets refer to the Catalog of Federal Domestic Assistance, Office of Management and Budget, 1979.

Chapter 5—Relationship to Decisionmaking; 516 DM 5.1

5.1 *Purpose.* This Chapter provides supplementary instructions for implementing those portions of the CEQ regulations pertaining to decisionmaking.

5.2 *Predecision Referrals to CEQ* [1504.3].

A. Upon receipt of advice that another Federal agency intends to refer a Departmental matter to CEQ, the lead bureau will immediately meet with that Federal agency to attempt to resolve the issues raised and expeditiously notify its Assistant Secretary and the Office of Environmental Project Review.

B. Upon any referral of a Departmental matter to CEQ by another Federal agency, the Office of Environmental Project Review will be responsible for coordinating the Department's position.

5.3 *Decisionmaking Procedures* [1505.1]

A. Procedures for decisions by the Secretary/Under Secretary are specified in 301 DM 1. Assistant Secretaries should follow a similar process when an environmental document accompanies a proposal for their decision.

B. Bureaus will incorporate in their formal decisionmaking procedures and NEPA handbooks provisions for consideration of environmental factors and relevant environmental documents. The major decision points for principal programs likely to have significant environmental effects will be identified in the Bureau Appendix to Chapter 6.

C. Relevant environmental documents, inlcuding supplements, will be included as part of the record in formal rulemaking or adjudicatory proceedings.

D. Relevant environmental documents, comments, and responses will accompany proposals through existing review processes so that Departmental officials use them in making decisions.

E. The decisionmaker will consider the environmental impacts of the alternatives described in any relevant environmental deocument and the range of these alternatives must encompass the alternatives considered by the decisionmaker.

5.4 *Record of Decision* [1505.2].

A. Any decision documents prepared pursuant to 301 DM 1 for proposals involving an EIS may incorporate all appropriate provisions of Section 1505.2(b) and (c).

B. If a decision document incorporating these provisions is made available to the public following a decision, it will serve the purpose of a record of decision.

5.5 *Implementing the Decision* [1505.3]. The terms "monitoring" and "conditions" will be interpreted as being related to factors affecting the quality of the human environment.

5.6 *Limitations on Actions* [1506.1]. A bureau will notify its Assistant Secretary, the Solicitor, and the Office of Environmental Project Review of any situation described in Section 1506.1(b).

5.7 *Timing of Actions* [1506.10]. For those EISs requiring the approval of the Assistant Secretary—Policy, Budget and Administration pursuant to 516 DM 6.3, the responsible official will consult with the Office of Environmental Project Review before making any request for reducing the time period before a decision or action.

5.8 *Emergencies* [1506.11]. In the event of an unanticipated emergency situation, a bureau will immediately take any necessary action to prevent or reduce risks to public health or safety or serious resource losses and then expeditiously consult with its Assistant Secretary, the Solicitor, and the Office of Environmental Project Review about compliance with NEPA. The Office of Environmental Project Review and the bureau will jointly be responsible for consulting with CEQ.

Chapter 6—Managing the NEPA Process; 516 DM 6.1

6.1 *Purpose.* This Chapter provides supplementary instructions for implementing those provisions of the CEQ regulations pertaining to procedures for implementing and managing the NEPA process.

6.2 *Organization for Environmental Quality.*

A. *Office of Environmental Project Review.* The Director, Office of Environmental Project Review, reporting to the Assistant Secretary—Policy, Budget and Administration (PBA), is responsible for providing advice and assistance to the Department on matters pertaining to environmental quality and for overseeing and coordinating the Department's compliance with NEPA, E.O. 11514, the CEQ regulations, and this Part. (See also 110 DM 22.)

B. *Bureaus and Offices.* Heads of bureaus and offices will designate organizational elements or individuals, as appropriate, at headquarters and regional levels to be responsible for overseeing matters pertaining to the environmental effects of the bureau's plans and programs. The individuals assigned these responsibilities should have management experience or potential, understand the bureau's planning and decisionmaking processes, and be well trained in environmental matters, including the Department's policies and procedures so that their advice has significance in the bureau's planning and decisions. These organizational elements will be identified in the Bureau Appendix to this Chapter.

6.3 *Approval of EIS's.*

A. A program Assistant Secretary is authorized to approve an EIS in those cases where the responsibility for the decision for which the EIS has been prepared rests with the Assistant Secretary or below. The Assistant Secretary may further assign the authority to approve the EIS if he or she chooses. The Assistant Secretary—PBA will make certain that each program Assistant Secretary has adequate safeguards to assure that the EISs comply with NEPA, the CEQ regulations, and the Departmental Manual.

B. The Assistant Secretary—PBA is authorized to approve an EIS in those cases where the decision for which the EIS has been prepared will occur at a level in the Department above an individual program Assistant Secretary.

6.4 *List of Specific Compliance Responsibilities.*

A. Bureaus and offices shall:

(1) Prepare NEPA handbooks providing guidance on how to implement NEPA in principal program areas.

(2) Prepare program regulations or directives for applicants.

(3) Propose categorical exclusions.

(4) Prepare and approve EAs.

(5) Decide whether to prepare an EIS.

(6) Prepare and publish NOIs and FONSIs.

(7) Prepare and, when assigned, approve EISs.

B. Assistant Secretaries shall:

(1) Approve bureau handbooks.

(2) Approve regulations or directives for applicants.

(3) Approve categorical exclusions.

(4) Approve EISs pursuant to 516 DM 6.3.

C. The Assistant Secretary—Policy, Budget and Administration shall:

(1) Concur with regulations or directives for applicants.

(2) Concur with categorical exclusions.

(3) Approve EISs pursuant to 516 DM 6.3.

6.5 *Bureau Requirements.*

A. Requirements specific to bureaus appear as appendices to this Chapter and include the following:

(1) Identification of officials and organizational elements responsible for NEPA compliance (516 DN 6.2B).

(2) List of program regulations or directives which provide information to applicants (516 DM 2.2B).

(3) Identification of major decision points in principal programs (516 DM 5.3B) for which an EIS is normally prepared (516 DM 2.3E).

(4) List of categorical exclusions (516 DM 2.3A).

B. Appendices are attached for the following bureaus:

(1) Fish and Wildlife Service (Appendix 1).

(2) Geological Survey (Appendix 2).

(3) Heritage Conservation and Recreation Service (Appendix 3).

(4) Bureau of Indian Affairs (Appendix 4).

(5) Bureau of Land Management (Appendix 5).

(6) Bureau of Mines (Appendix 6).

(7) National Park Service (Appendix 7).

(8) Office of Surface Mining (Appendix 8).

(9) Water and Power Resources Service (Appendix 9).

C. The Office of the Secretary and other Departmental Offices do not have separate appendices, but must comply with this Part and will consult with the Office of Environmental Project Review about compliance activities.

6.6 *Information About the NEPA Process.* The Office of Environmental Project Review will publish periodically a Departmental list of contacts where information about the NEPA process and the status of EISs may be obtained.

[FR Doc. 80-12392 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-10-M

INTERSTATE COMMERCE COMMISSION

Finance Applications Notice

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 11343 (formerly Section 5(2)) or 11349 (formerly Section 210a(b)) of the Interstate Commerce Act.

An original and one copy of protests against the granting of the requested authority must be filed with the Commission on or before May 23, 1980. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC-F-14086F Filed: July 19, 1980. Transferee: Delta Transprot Corp., 844 Union Street, P.O. Box 546, West Springfield, MA 01089. Transferor: Feldman's Express, Inc., George B. Rubin, Trustee in Bankruptcy, 10 Emerson Place, Boston, MA 02114. Transferee Representative: Paul Sheley, 844 Union Street, P.O. Box 546, West Springfield, MA 01089. Transferor Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Delta Transport Corporation (DELTA) (844 Union Street, West Springfield, MA 01089)—PURCHASE (PORTION)—Feldman's Express, Inc., GEORGE B. RUBIN, TRUSTEE IN BANKRUPTCY (Feldman) (10 Emerson Place, Boston, MA 02114). Transferee's Representative, Paul Sheley, 344 Union Street, West Springfield, MA 01089. Transferor's Representative, Frank J. Weiner, 15 Court Square, Boston, MA 02108. DELTA seeks authority to purchase a portion of the interstate operating rights of FELDMAN's. DELTA is purchasing those portions of the interstate operating rights of FELDMAN that are contained in MC-96986 Sub 3, 5, and 6, which authorizes the following: *MC-96986 Sub 3—General Commodities,* usual exceptions, irregular routes, between Boston, MA, on the one hand, and, on the other, points in MA; *MC-96986 Sub 5* —regular route, *Steel, Paper, Furniture, Liquors, Candy, Groceries, and Fruit and Produce,* between Boston, MA, and Providence, RI, serving the intermediate points of Dedham, MA, and Pawtucket, RI, and the off-route points in MA within 15 miles of Boston, MA, and those in MA and RI within 10 miles of Providence, RI. From Boston over U.S. Hwy 1 to Providence, and return over the same route. Irregular Routes: *Fruit and Produce,* from Boston, Charlestown, and South Boston, MA, to Moosup, CT, with no transportation for compensation on return except as otherwise authorized. *MC-96986 Sub 6—General Commodities,* usual exceptions, regular routes, beteen Boston, MA and Providence, RI, serving all intermediate points, and the off-route points within ten miles of Boston, without restriction, and points within ten miles of Providence, restricted to delivery only: from Boston over U.S. Hwy 1 via North Attleboro, MA, to Providence, and return over the same route: From Boston over MA Hwy 1A to North Attleboro, MA, then to Providence as specified above, and return over the same route. Between Boston, MA, and Lowell, MA, serving all intermediate points: from Boston over MA Hwy 3A (formerly U.S. Hwy 3) to Lowell, and return over the same route. From Boston over MA Hwy 28 to Lawrence, MA, then over MA Hwy 110 to Lowell, and return over the same route. Between Boston, MA, and Beverly, MA, serving all intermediate points: from Boston over MA Hwy 107 to Salem, MA, then over MA Hwy 1A to Beverly, and return over the same route. Between Boston, MA, and Worcester, MA, serving all intermediate points, and the off-route points within ten miles of Worcester, and those within ten miles of Boston: from Boston over U.S. Hwy 20 to Worcester, and return over the same route. From Boston over MA Hwy 9 to Worcester, and return over the same route. Between Boston, MA and New Bedford, MA, serving all intermediate points: From Boston over MA Hwy 28 to Bridgewater, MA, then over U.S. Hwy 6 to New Bedford, and return over the same routes. From Boston over MA Hwy 28 to Bridgewater, MA, then over MA Hwy 104 to Taunton, MA, then over MA Hwy 140 to New Bedford, and return over the same routes. *Groceries, Canned Goods, Cotton Warp, Lubricating Oils and Greases, and Cotton Yarn,* between Boston, MA, and New Bedford, MA, serving no intermediate points: From Boston over MA Hwy 3A to Quincy, MA, then over MA Hwy 3 to junction MA Hwy 18, then over MA Hwy 18 to Bridgewater, MA, then to New Bedford as specified immediately above, and return over the same routes. *Textile Products, Machinery, Wool, Burlap Bags, Yarn, Groceries, Soaps, Dyes, Chemicals, and Machine and Lubricating Oils and Greases,* between Boston, MA, and Harrisville, RI, serving the intermediate points of Woonsocket, Glendale and Masonville, RI, and the

off-route points within five miles of Harrisville, and those within ten miles of Boston. From Boston over U.S. Hwy 1 to junction MA Hwy 140, then over MA Hwy 140, then over MA Hwy 121 (formerly MA Hwy 11) to the MA/RI State Line, then over RI Hwy 114 (formerly RI Hwy 11) to Woonsocket, RI, then over unnumbered Hwy to junction RI Hwy 146, then over RI Hwy 146 to junction RI Hwy 102, then over RI Hwy 102 to Oakland, RI, and then over unnumbered Hwy to Harrisville, and return over the same routes. From Boston over MA Hwy 1A to Wrentham, MA, then to Harrisville as specified immediately above, and return over the same route. From Boston over U.S. Hwy 1 to junction unnumbered Hwy near East Walpole, MA, then over unnumbered Hwy via East Walpole, Walpole, Norfolk, Franklin, Bellingham, and Blackstone, MA, to the MA/RI State Line, then over unnumbered Hwy to Woonsocket, RI, and then to Harrisville as specified above, and return over the same route. From Boston over MA Hwy 16 to Uxbridge, MA, then over MA Hwy 122 (formerly portion MA Hwy 146) to junction unnumbered Hwy (formerly portion MA Hwy 146) then over unnumbered Hwy to junction MA Hwy 146 then over MA Hwy 146 to the MA/RI State line, then over RI Hwy 146 to junction RI Hwy 102, then over RI Hwy 102 to Oakland, RI, and then to Harrisville as specified above, and return over the same routes. Between Boston, MA and Harrisville, RI serving the intermediate point of Providence, RI, restricted to pickup only; and the off-route points within five miles of Harrisville, and those within ten miles of Boston, without restriction: from Boston over U.S. Hwy 1 to Providence, RI, then over U.S. Hwy 44 to Chepachet, RI, and then over unnumbered Hwy to Harrisville, and return over the same route. *Canned Goods and Groceries,* between Smithtown, NH, and Lowell, MA, serving all intermediate points. From Smithtown over city streets to the NH/MA State Line, then over MA Hwy 110 to Lowell, and return over the same routes. Between Boston, MA, and Fitchburg, MA serving all intermediate points, from Boston over MA Hwy 2 to junction MA Hwy 2A (formerly MA Hwy 2), then over MA Hwy 2A to Fitchburg, and return over the same route. From Boston over U.S. Hwy 20 to Waltham, MA, then over MA Hwy 117 to Leominster, MA, and then over MA Hwy 12 to Fitchburg, and return over the same routes. Irregular Routes: *Wool, Grease,* in Drums and Barrels, from Providence, Woonsocket, and Harrisville, RI, to Lawrence, MA, with no transportation for compensation on return, except as otherwise authorized. *Textile Machinery,* from Hopedale, MA, to Harrisville, and Washington, RI, with no transportation for compensation on return, except as otherwise authorized. From Harrisville and Mapleville, RI, to Graniteville and Andover, MA, with no transportation for compensation on return, except as otherwise authorized. *Corrugated Paper Boxes,* from Boston, MA, to Nashua and Lincoln, NH, and points in RI, with no transportation for compensation on return, except as otherwise authorized. *Groceries,* from Boston, MA, to points in RI, with no transportation for compensation on return, except as otherwise authorized. *Turbines,* between Lynn, MA, and Harrisville, RI.

Notes: 1—Application for Temporary Authority has been filed. 2—A directly related Gateway Elimination Application has been filed in MC–93147 Sub 9F published in the same Federal Register Issue. (Hearing Site: Boston, MA or Hartford, CT).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–12467 Filed 4–22–80; 8:45 am]

BILLING CODE 7035–01–M

Operating Rights Application(s) Directly Related To Finance Proceedings

The following operating rights application(s) are filed in connection with pending finance applications under Section 11343 (formerly Section 5(2)) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 10926 (formerly Section 212(b)) of the Interstate Commerce Act.

On applications filed before March 1, 1979, an original and one copy of *protests* to the granting of authorities must be filed with the Commission on or before May 23, 1980. Such protests shall conform with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities.

Applications filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *General Rules of Practice* also but are subject to petitions to intervene either with or without leave. An orginal and one copy of the petition must be filed with the Commission on or before May 23, 1980. A petition for intervention must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points. Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, the extent to which petitioner's interest will be represented by other parties, the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Verified statements in opposition should not be tendered at this time. A copy of the protest or petition to intervene shall be served concurrently upon applicant's representative or applicant if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

Docket No. MC 93147 (Sub-9F), filed July 19, 1979. Applicant: DELTA TRANSPORT CORP., 844 Union Street, P.O. Box 546, West Springfield, MA 01089. Representative: Paul Sheley, 844 Union Street, P.O. Box 546, West Springfield, MA 01089. Authority sought to operate as a Common Carrier, by motor vehicle, (a) over Irregular Routes, transporting: General Commodities, (except those of unusual value, Classes A and B Explosives, Household Goods as Defined by the Commission, Commodities in Bulk, Commodities Requiring Special Equipment, and those injurious or contaminating to other lading) between points and places in MA, and (b) over Regular Routes, transporting: General Commodities, (except those of unusual value, Classes A and B Explosives, Household Goods as Defined by the Commission, Commodities in Bulk, Commodities Requiring Special Equipment, and those injurious or contaminating to other lading), between Mashapaug, CT and Worcester, MA serving all intermediate points and all points in MA as off-route points in conjunction with carrier's regular route operations, from Mashapaug, CT over Interstate Hwy 86

to junction of Interstate Hwy 90, then over Interstate Hwy 90 to junction of Interstate Hwy 290, then over Interstate Hwy 290 to Worcester, MA. (Hearing Site: Boston, MA or Hartford, CT.)

Note.—(1) The purpose of this application is to eliminate the Gateway of Boston, MA in (a) above and to convert a portion of authority from irregular route to regular route in (b) above. (2) Applicant proposes to tack the authority sought herein to its existing authority in Docket No. MC 93147. (3) This proceeding is a matter directly related to a proceeding pursuant to 49 USC 11343 in MC-F-14086F published in this same **Federal Register.**

No. MC 60430 (Sub-No. 26) (Republication), filed January 3, 1978, published in the **Federal Register** issue of February 16, 1978, and republished this issue. Applicant: FRIEDMAN'S EXPRESS, INC., P.O. Box 480, Wilkes Barre (Dorrance), PA 18703. Applicant's representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Phillipsburg, NJ, and Philadelphia, PA, from Phillipsburg over Route 31 to junction U.S. Hwy 202, then across bridge near Lambertsville, NJ, to reenter PA at New Hope, then over U.S. Hwy 611 to Philadelphia.

Note.—The purpose of this republication is to close the gap in the service between New York and Philadelphia via an extension of authority. This matter is directly related to the application in MC-F-13472, which was granted by the Commission on March 5, 1980. The application in No. MC 60430 (Sub-No. 26) will be granted as set forth hereto, provided no comments are received on or before May 23, 1980.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12468 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that 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

MC 148392 (Sub-1 TA), filed October 26, 1979. Applicant: SERVICE TRANSPORT, INC., P.O. Box 2749, Cookeville, TN 38504. Representative: W. C. Keyt, 404 Arlington Ave., Nashville, TN 37210. *Common carrier:* regular route: General commodities, with the exception of household goods, classes A and B explosives, commodities in bulk, and those requiring specialized equipment, and subject to the restrictions hereinafter stated, over the following described routes, all of which are to be used in conjunction with each other and with other authority which applicant may hold: (a) Between Chattanooga, TN and Bristol, TN over the following described route: From Chattanooga via U.S. Hwy 11 to its junction with U.S. Hwy 11W, thence via U.S. Hwy 11W to Bristol, TN and return over the same route, serving the intermediate point of Knoxville, TN and also all intermediate points between Surgoinsville, TN and Bristol, TN, including but not limited to Surgoinsville and Kingsport, TN, and lying within two miles of that segment of U.S. Hwy 11W which extends between Surgoinsville and Kingsport, TN. (b) Between Knoxville, TN and Bristol, TN over the following described route: From Knoxville, via U.S. Hwy 11E to Bristol, TN and return over the same route, serving all intermediate points between Jonesboro, TN and Bristol, TN including Jonesboro. (c) Between Knoxville, TN and Bristol, TN over the following described route: From Knoxville, via Interstate Hwy 40 to its junction with Interstate Hwy 81, thence via Interstate 81 to Bristol, TN and return over the same route, serving all intermediate points between the intersection of TN Hwy, 137 with Interstate Hwy 81 and Bristol. (d) Between Chattanooga, TN and Knoxville, TN via Interstate Hwy 75, serving no intermediate points. (e) Between Johnson City, TN and Kingsport, TN via TN Hwy 137, serving all intermediate points. (f) Between Kingsport, TN and Erwin, TN via U.S. Hwy 23, serving all intermediate points. (g) Between Elizabethton, TN and Bristol, TN over the following described route: From Elizabethton, TN via U.S. Hwy, 19E to its junction with U.S. Hwy 19, thence via U.S. Hwy 19 to Bristol, TN and return over the same route, serving all intermediate points. (h) Between Elizabethton, TN and Johnson City, TN via U.S. Hwy 321, serving all intermediate points. (i) Between Bristol, TN and Kingsport, TN over the following described route: From Bristol, TN via U.S. Hwy 11 to its junction with TN Hwy 126, thence via TN Hwy 126 to Kingsport, and return over the same route, serving all intermediate points. (j) Between Blountville, TN and the intersection of TN Hwy 75 and U.S. Hwy 23, via TN Hwy 75 serving all intermediate points. (k) Between Blountville, TN and Bluff City, TN via TN Hwy 37 serving all intermediate points. The authority sought to include all commercial zones of all points, irrespective of the states in which portions thereof might lie. All the foregoing to include authority to tack or join any of these aforesaid routes, or portions thereof, at intersections of them, and also authority over any convenient streets and highways between any point on Interstate Hwy 81 and any point at which service is otherwise authorized, but with no authority to serve any intermediate point along such streets and highways unless otherwise authorized. The authority sought is restricted and limited to the handling of shipments moving in interstate commerce, and having some part of their prior or subsequent movement in consolidation, distribution, or other pool or collective shipments, by either air, water, rail or motor vehicle. Supporting shipper(s): "There are (37) shippers. Their statements may be examined at the Office listed below and Headquarters." Send protests to: Glenda Kuss, ICC–TA, Suite A–422, U.S. Court

House, 801 Broadway, Nashville, TN 37203.

Notice No. F–20

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7520, Atlanta, GA 30357.

MC 116254 (Sub-3–5TA), filed April 3, 1980. Applicant: CHEM-HAULERS, INC., P.O. Box 339, Florence, AL 35631. Representative: Mr. M. D. Miller (same address as applicant). *Titanium Dioxide Slurry,* in tank vehicles, from the facilities of E. I. DuPont Company at or near New Johnsonville, TN, to: AZ, AR, CO, CT, ID, IL, IN, KS, ME, MI, MN, MS, MT, NE, NV, NH, NM, NC, ND, OK, OR, RI, SC, SD, UT, VT, VA, WA, WI, WY. Supporting shipper: E. I. DuPont de Nemours and Company, 1007 Market Street, Willimington, DE 19898.

MC 106074 (Sub-3–7TA), filed April 15, 1980. Applicant: B AND P MOTOR LINES, INC. Shiloh Rd. and U.S. Hwy. 221 S., Forest City, NC 28043. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Such merchandise as is dealt in by wholesale, retail, chain grocery, and food business (except in bulk, in tank vehicles),* from the facilities of A. E. Staley Manufacturing Company at Arlington, TX to New Orleans, Broussard, Jefferson, Metairie, Harahan, Algiers, Church Point, Harvey, Baton Rouge, Chalmette, Monroe, Alexandria, Shreveport, and Houma, LA; and Atlanta, GA and points in its Commercial Zone. Supporting shipper: A. E. Staley Manufacturing Company, 2222 Kensington Ct., Oak Brook, IL 60521.

MC 136898 (Sub-3TA), Filed April 15, 1980. Applicant: BAKER TRANSPORT, INC., P.O. Box 678, Hartselle, AL 35640. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 3640. Contract, irregular routes: *Paper and paper products, plastics, plastic articles, containers, metal ends, machinery parts, warp beams, pulpwood articles, cones, tubes, metal buildings or parts thereof, lumber, forest products, adhesives, coatings, waste paper, pulpboard products, and materials, supplies and equipment used in the manufacture, sale or distribution of the above commodities (except commodities in bulk, in tank vehicles),* between points in the United States (except AK and HI), restricted to traffic that either originates or is destined to the facilities utilized by the Sonoco Products Company. Supporting Shipper: Sonoco Products Company; North Second Street; Hartsville, SC 29550.

MC 147127 (Sub-3–4TA), filed April 14, 1980. Applicant: McLAURIN TRUCKING COMPANY, P.O. Box 26506, Charlotte, N.C. 28213. Representative: Donald J. Balsley, Jr., Esquire, Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. *Petroleum and petroleum products* (except in bulk), from points in Charleston, SC to points in NC and VA. Supporting shipper: Exxon Company, U.S.A., 5601 77 Center Drive, Charlotte, NC 28210.

MC 147127 (Sub-3–3TA), filed April 14, 1980. Applicant: McLAURIN TRUCKING COMPANY, P.O. Box 26506, Charlotte, N.C. 28213. Representative: Donald J. Balsley, Jr., Esquire, Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. *Fabricated metal products,* between points in Mecklenberg County, NC and points in SC. Supporting shipper: Kanematsu-Gosko U.S.A., Inc., 11800 Westinghouse Blvd., Charlotte, NC.

MC 147127 (Sub-3–2TA), filed April 14, 1980. Applicant: McLAURIN TRUCKING COMPANY, P.O. Box 26506, Charlotte, NC 28213. Representative: Donald J. Balsley, Jr., Esq., Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburgh, PA 15219. *Chemicals and dyes,* (1) from Mecklenberg County, NC to SC, and (2) from Charleston, SC to Mecklenberg and Gaston Counties, NC. Supporting shipper(s): Crompton, Knowles Corporation, 3001 N. Graham Street, Charlotte, NC; Quaker Chemical Corporation, P.O. Box 5474, 3100 Cullman Ave., Charlotte, NC 28225; M. Lowenstein Corporation, P.O. Box 10352, Rock Hill, SC 29730; Laurel Products Corporation, 1024 N. Interstate 85, Charlotte, NC; and General Latex & Chemical Corp. of N.C., 2321 North Davidson Street, P.O. Box 5487, Charlotte, NC 28225.

MC 147127 (Sub-3–1TA), filed April 14, 1980. Applicant: McLAURIN TRUCKING COMPANY, P.O. Box 26506, Charlotte, N.C. 28213. Representative: Donald J. Balsley, Jr., Esquire, Wick, Vuono & Lavelle, 2310 Grant Building, Pittsuburgh, Pa. 15219. *(1) Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses,* between points in Mecklenburg County, NC and points in SC; and (2) *Materials, equipment and supplies* used in the manufacture of such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, between points in Mecklenberg County, NC and points in SC. Supporting shippers: Hunt-Wesson Foods, Inc., P.O. Box 61770, New Orleans, La. 70161 and the Clorox Company, P.O. Box 24305, 1221 Broadway, Oakland, CA 94612.

MC 121107 (Sub-3–1TA), filed March 25, 1980. Applicant: PITT COUNTY TRANSPORTATION COMPANY, INC., P.O. Box 207, Farmville, NC 27828. Representative: Harry J. Jordan, 1000 16th Street, N.W., Washington, DC 20036. (a) *Newsprint paper,* from Laurens County, GA to points in AL, AR, DE, FL, GA, IL, IN, KY, LA, MD, MS, MO, NC, NJ, NY, OH, OK, PA, SC, TN, TX, VA, WV and DC; and (b) *Waste newspapers, cores, and other supplies, materials and equipment,* excluding materials in bulk, *used in the manufacture of or distribution of newsprint,* from Laurens County, GA to points in the same states described in (a) and the District of Columbia. Supporting Shipper: Southeast Paper Manufacturing Company, P.O. Box 1169, Dublin, GA 31021.

MC 138882 (Sub-3–11TA), filed April 14, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, Alabama 36081. Representative: John J. Dykema, P.O. Drawer 707, Troy, Alabama 36081. *Plastic pipe, valves, fittings, accessories, furnaces, and materials, equipment and supplies used in the manufacture, distribution and installation of the foregoing commodities (except commodities in bulk, in tank vehicles)* between the facilities of A R I Products/North America, Inc., located at or near Thomasville, GA, on the one hand, and, on the other, points in the states of AL, AR, CT, MA, RI, WV, DE, MD, VA, FL, NC, SC, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NJ, NY, ND, OH, OK, PA, SD, TN, TX, and WI. Supporting shipper: A R I Products/North America, Inc., Thomasville, GA.

MC 146559 (Sub-3–2TA), filed April 14, 1980. Applicant: GOLDSTON TRANSFER, INC., P.O. Box 1059, Eden, NC 27288. Representative: Archie W. Andrews (same address as applicant). *Wooden pallets,* from Chase City, VA. to Rockingham County, NC. Supporting shipper: Swan Products, 13712 Princess Anne Way, Phoenix, MD 21131.

MC 99498 (Sub-3–1TA), filed April 14, 1980. Applicant: JIMMY STEIN MOTOR LINES, INC., Post Office Box 2286, Mobile, AL 36601. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. *Such commodities as are manufactured, dealt in, or used by a manufacture of herbicides, cleaning compounds, plastics, resins, and chemicals (except in bulk,* between facilities of CIBA-GEIGY Corporation at or near St. Gabriel, LA, Port Allen, LA, Baton Rouge, LA, Birmingham, AL, Mobile, AL, and McIntosh, AL, on the one hand, and,

on the other, points in TX, IA, AR, LA, MS, AL, FL, GA, NC, SC, TN, KY, OH, IN, IL, OK, KS and MO. Supporting shipper: CIBA-GEIGY Corporation, 444 Sawmill River Road, Ardsley, NY 10502.

MC 150553 (Sub-3–1TA), filed April 7, 1980. Applicant: TRI-STATE TRUCKING OF FULTON, INC., P.O. Box 39, Fulton, MS 38843. Representative: Ronald L. Stichweh, 727 Frank Nelson Building, Birmingham, AL 35203. *Treated and untreated forest products and lumber bill products,* (1) From Fulton, MS to points located in AL, AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MO, NE, NC, ND, OH, OK, SC, SD, TN, TX and WI, and, (2) From points in AL, AR, FL, GA, LA, and TX to Fulton, MS. Supporting shipper: Weyerhaeuser Co., Inc., P.O. Box 2288, Columbus, MS 39701.

MC 139504 (Sub-3–2TA), filed April 7, 1980. Applicant: SHEA/RUSTIN TRANSPORT CO., P.O. Box 93567, Martech Station, Atlanta, GA 30318. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Frozen orange juice bars and frozen concentrate,* between Spartanburg, SC, on the one hand, and, on the other, points in FL, GA, NC, TN, AL, MS, KY, MO, AR, LA, TX and Pasadena, CA, under a continuing contract or contracts with Funshine Corporation. Supporting Shipper: Funshine Corporation, P.O. Box 3064, Spartanburg, SC 29304.

MC 115841 (Sub-3–6TA), filed April 14, 1980. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Representative: D. R. Beeler, P.O. Box 22168, McBride Lane, Knoxville, TN 37922. *Paints, stains, varnishes, and caulking compounds with related display and advertising materials, and materials, equipment and supplies used in the manufacture of paints, stains, varnishes and caulking compounds* (except commodities in bulk), between the facilities of United Coatings, Inc., located at or near Memphis, TN and Indianapolis, IN on the one hand, and, on the other, points in AZ, KS, NM, OK, and TX. Supporting shipper: United Coatings, Inc., 3050 North Rockwell, Chicago, IL 60618.

MC 115322 (Sub-3–1TA), filed March 19, 1980. Applicant: REDWING REFRIGERATED., INC., P.O. Box 10177, Taft, Florida 32809. Representative: Jimmy Fischer, Traffic Manager, P.O. Box 10177, Taft, Florida 32809. *Horticultural products, exempt under section 10526 of the Interstate Commerce Act, when moving with food products presently authorized* between points in CT, DE, FL, GA, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, VT, VA, and WV. Supporting Shippers: R. P. Welker Plants, Inc., P.O. Box 637, Apopka, FL 32703. Spring Gardens Products, Inc., P.O. Box 1081, Apopka, FL 32703. Apopka Truck Brokerage, Inc., Drawer AL, Apopka, FL 32703.

MC 47171 (Sub-3–3TA), filed April 3, 1980. Applicant: COOPER MOTOR LINES, INC., P.O. Box 2820, Greenville, South Carolina 29602. Representative: Harris G. Andrews (same address as applicant). *Cotton towels and piece goods* from Monroe, NC to Metuchen, NJ. Supporting shipper: Franco Manufacturing Co., 555 Prospect Street, Metuchen, NJ 08840.

MC 145940 (Sub-3–1TA), filed April 10, 1980. Applicant: DIXIE REFRIGERATED, INC., Post Office Box 2163, Mobile, Alabama 36601. Representative: James David Mills, Post Office Box 2664, Mobile, Alabama 36601. *Commodities and merchandise dealt in by retail discount stores,* between the facilities of Dixie Refrigerated, Inc. in Los Angeles and Orange County, CA to the facilities of Howard Brothers Discount Stores, Inc. in Monroe, LA. Supporting shipper: Howard Brothers Discount Stores, Inc., 3030 Aurora, Monroe, LA 71201.

MC 2421 (Sub-3–2TA), filed April 4, 1980. Applicant: NEWTON TRANSPORTATION COMPANY, INC., 510 Greer Circle, S.W., P.O. Box 678, Lenoir, North Carolina 28645. Representative: Charles H. Keller, Traffic Manager, 510 Greer Circle S.W., P.O. Box 678, Lenoir, North Carolina 28645. *New furniture and furniture parts* from (1) The facilities of Bernhardt Furniture Company located in Troutman, N.C. and Statesville, N.C. to points in PA., IN., and IL. Supporting shipper: Bernhardt Furniture Company, P.O. Box 740, Lenoir, North Carolina 28645.

MC 135895 (Sub-3–4TA), filed April 4, 1980. Applicant: B & R DRAYAGE, INC., P.O. Box 8534, Battlefield Station, Jackson, MS 39204. Representative: Douglas C. Wynn, Wynn, Bogen & Mitchell, P.O. Box 1295, Greenville, MS 38701. (1) *Paper and paper articles, and wood pulp (except in bulk) and (2) equipment, materials and supplies used in the manufacture and distribution of commodities described in (1) above (except commodities in bulk and those requiring special equipment)* between the facilities of Bowater Southern Paper Corporation at or near Calhoun, TN, on the one hand and, on the other, points in OK, and TX. No tacking or joinder sought. Supporting shipper(s): Bowater Southern Paper Corporation, Calhoun, TN 37309.

MC 140484 (Sub-3–3TA), filed March 17, 1980. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Myers, FL 33902. Representative: Frank T. Day (same as above). *Electric motors, electric gear motors, power transmission equipment, and machinery and controllers or controller parts, and parts and accessories therefor, elevator and elevator parts and accessories, weighing machinery and parts and accessories, and tele-communication equipment and parts and accessories and escalators and escalator parts and accessories, except commodities which because of size or weight require the use of special equipment,* between the facilities of Reliance Electric at or near Lawrenceburg, KY, and Memphis, TN. Supporting shipper(s): Reliance Electric Company, Lawrenceburg, KY 40342.

MC 143956 (Sub-3–5TA), filed April 2, 1980. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Walterboro, SC 29488. Representative: Steven W. Gardner (same as above). *Welding equipment and supplies,* from the facilities of Hobart, Troy, OH, to points in the United States (except AK, and HI). Supporting shipper: Hobart Brothers Company, Hobart Square, Troy, Ohio, 43373.

MC 138157 (Sub-3–12TA), filed March 20, 1980. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 S. Market St., Chattanooga, TN 37410. Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. *Yarn and materials, equipment and supplies used in the manufacture, sale and distribution of yarn,* between Pryor, OK on the one hand; and on the other, points in the United States in and east of MN, IA, MO, AR, & LA. Supporting shipper: Mid America Yarn Mills, Inc., Box 1028, Pryor, OK 74361.

Note.—Applicant holds contract carrier authority in MC–134150 and subs thereunder, therefore, dual operations may be involved.

MC 143594 (Sub-3–2TA), filed March 26, 1980. Applicant: NATIONAL BULK TRANSPORT, INC., 624 Holcomb Bridge Road, Suite 13, Roswell, GA 30309. Representative: Patrick M. Byrne, P.O. Box 2298, Green Bay, WI 54306. *Liquid amorphous polypropylene, in bulk, in tank vehicles,* from the facilities of USS Novamont, Inc. at LaPorte, TX to Crowley, LA; Menasha, WI; and Sayreville, NJ. Supporting shipper: USS Novamont, Inc., 600 Grant Street, Pittsburgh, PA 15230.

MC 134105 (Sub-3–3TA), filed March 27, 1980. Applicant: CELERYVALE TRANSPORT, INC., 1706 Rossville Avenue, Chattanooga, Tennessee 37408. Representative: Garfield P. Raymond, Attorney at Law, 205 West Touhy Avenue, Suite 200, Park Ridge, Illinois

60068. (1) *Frozen foodstuffs* from Arlington, TN to points in the U.S. (except AK, HI, and TN) in and east of the States of ND, SD, NB, CO, OK and TX and (2) *equipment, materials and supplies used in the manufacture, distribution, packaging, warehousing and sale of commodities named in (1) above (except in bulk and those requiring special equipment)* from DE, GA, IA, IL, MD, MA, NH AND NJ to Arlington, TN. Restricted in parts (1) and (2) above to shipments originating at or destined to the facilities of Pure Packed Foods, Inc. Supporting shipper: Pure Packed Foods, Inc., 5885 Jetway Dr., Arlington, Tennessee 38002.

MC 140484 (Sub-3–4TA), filed March 28, 1980. Applicant: LESTER COGGINS TRUCKING, INC., 2671 East Edison Avenue, P.O. Box 69, Fort Myers, FL 33902. Representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth St., N.W., Washington, D.C. 20005. *Electric heaters, metering devices, switches, controllers, transformers, circuit breakers, parts thereof, and items used in the manufacture, sale, and distribution of such commodities,* between the facilities of Federal Pacific Electric Company, division of Reliance Electric Company, near Fort Mill, SC, on the one hand, and, on the other, points in the United States (except AK and HI). Supporting shipper: Federal Pacific Electric Company, Division of Reliance Electric Company, 24701 Euclid Avenue, Cleveland, Ohio 44117.

MC 150464 (Sub-3–1TA), filed March 28, 1980. Applicant: C. E. MELTON TRANSPORT, Route 4, Highway 280 East, Americus, GA 31709. Representative: Carl E. Melton (same as above). *(1) Christmass trees, artificial, with or without stands; (2) Flowers or foliage, artificial or floral designs, wreaths or sprays; (3) Materials and supplies used in the manufacture of items in (1) and (2) above,* (1) From Americus, GA to points in AL, AR, FL, GA, KY, LA, NC, SC, TN, MS and VA with authority to handle return loads of raw materials and supplies from above States to Americus, GA; (2) From Americus, GA to Cordele, Columbus, and Macon, GA, restricted to traffic having a subsequent interstate move. Supporting shipper: American Tree and Wreath, Route 4, Jingle Bell Lane, Americus, GA 31709.

MC 116254 (Sub-3–3TA), filed March 28, 1980. Applicant: CHEM-HAULERS, INC., 118 East Mobile Plaza, Florence, AL 35631. Representative: M. D. Miller (same as above). *Aluminum articles, electrolite bath, crushed,* from the facilities of Alumax of SC at or near Mt. Holly (Berkeley County), SC to OK, TX; and from Rockdale, TX to the facilities of Alumax of SC at or near Mt. Holly (Berkeley County), SC. Supporting shipper: Alumax of SC, Inc., P.O. Box 1000, Goose Creek, SC 29445.

MC 139113 (Sub-3–2TA), filed March 28, 1980. Applicant: HUDSON TANSPORTATION, INC., Post Office Box 847, Troy, AL 36081. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. *Contract carrier.* (1) *Foodstuffs (except frozen and in bulk),* from the facilities of Knouse Foods, Inc., at Peach Glen, Orrtanna, and Chambersburg, PA, to points in NC and SC; and (2) *Materials, equipment, and supplies, used in the manufacture and distribution of the above commodities,* from points in MD and NJ, to the facilities of Knouse Foods, Inc., at Peach Glen, Orrtanna, and Chambersburg, PA. Restriction: Restricted to the transportation of shipments under a continuing contract or contracts with Knouse Foods, Inc. Supporting shipper: Knouse Foods, Inc., Peach Glen, PA 17306.

MC 150464 (Sub-3–2TA), filed March 28, 1980. Applicant: C. E. MELTON TRANSPORT, Route 4, Highway 280 East, Americus, GA 31709. Representative: Carl E. Melton (same as above). *(1) Electrical lighting fixtures and equipment; (2) Parts and accessories for the commodities in (1) above,* (1) From the facilities of Gibson-Metalux Corp. at or near Americus, GA to points in AL, FL, SC, TN, VA, KY, MS, LA, NC and AR (2) From Americus, GA to Cordele, Columbus and Macon, GA restricted to traffic having a subsequent interstate move. Supporting shipper: Metalux Corpo., Southerfield Rd., Americus, GA 31709

MC 135709 (Sub-3–1TA), filed March 28, 1980. Applicant: WALLACE TRUCKING COMPANY, Route 4 Box A–71, Laurinburg, North Carolina 28352. Representative: F. Kent Burns, Boyce, Mitchell, Burns & Smith, P.O. Box 1406, Raleigh, North Carolina 27602. *Contract, irregular, (1) Finished rubber clutches bonded to metal rims* from Laurinburg, North Carolina to Cleveland, Ohio; *(2) metal rims and (3) rubber, crude or reclaimed, unvulcanized, rubber compounds and chemicals used in the manufacture of rubber in containers* from Cleveland, Barberton and Akron, Ohio to Laurinbnurg, North Carolina under a continuing contract with Eaton Corporation in Laurinburg, North Carolina. Supporting shipper: Eaton Corp., 100 Erieview Plaza, Cleveland, OH 44114.

MC 146293 (Sub-3–6TA), filed March 27, 1980. Applicant: REGAL TRUCKING CO., INC., Post Office Box 829, Lawrenceville, Georgia 30246. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S, 3390 Peachtree Road, N.E., Atlanta, Georgia 30326. *General commodities (except in bulk),* (1) from points in CA to Houston, TX, New Orleans, LA and Miami and Port Everglades, FL; (2) from Chicago, IL, New Orleans, LA, Minneapolis, MN, New York, NY and points in its commercial zone, and Houston, TX, to Miami and Port Everglades, FL; and (3) from Miami and Port Everglades, FL to CA, Chicago, IL, Minneapolis, MN and New York, NY and points in its commercial zone. Restriction: Restricted to the transportation of traffic on bills of lading of Econocaribe Consolidators, Inc., a freight forwarder as defined in 49 USC §10102(8), and having an immediate prior or subsequent movement by water. Dual opertions may be involved. Supporting shipper: Economcaribe Consolidators, Inc., 2929 N.W. 73rd St., Miami, FL 33147.

MC 150477 (Sub-3–1TA), filed March 31, 1980. Applicant: CLIFTON HALL, d.b.a. CLIFTON HALL TRUCK LINE, Route 5, Box 61A, DeFuniak Springs, FL 32433. Representative: Clifton Hall (Same as above). *Contract, irregular, fertilizer compounds, NOI, or fertilizer materials in bags, boxes or in bulk,* from Dothan and Montgomery, AL to points in the states of AL, all points in FL west of US Hwy. 319, all points in GA form AL State line east of I–75 and from FL State line north to US Hwy 80 and all points in MS east of the LA State line and I–59 to the AL state line. Supporting shipper: Estech General Chemicals Corp., 340 Interstate North Parkway, Suite 150, Atlanta, GA 30339.

MC 150476 (Sub-3–2TA), filed April 2, 1980. Applicant: VIRCALMAR, INC., Route 2, Box 215, Waycross, GA 31501. Representative: O. C. Beakes, 836 Riverside Ave., Jacksonville, FL 32204. *Bakery products,* from Sandston, VA to Jacksonville, Orlando, Tampa, and West Palm Beach, FL and Riviera Beach, FL. Supporting Shipper: Nabisco, Inc., East Hanover, NJ 07936.

MC 128720 (Sub-3–2TA), filed April 3, 1980. Applicant: MERCHANTS FREIGHT LINE, INC., 1185 Omohundro Drive, Nashville, TN 37210. Representative: Henry E. Seaton, 929 Pennsylvania Building, 425 13th Street, N.W., Washington, DC 20004. *Candy, Fruitcakes, materials, equipment, and supplies used in the manufacture of candy and/or fruitcakes,* between points in IN, IL, GA, SC and TX, on the one hand, and on the other, facilities of

Russell Stover Candies, located at or near Cookeville, TN. Supporting Shipper: Russell Stover Candy Co., Inc., 1976 Chocolate Dr., Cookeville, TN.

MC 121664 (Sub-3–11TA), filed March 25, 1980. Applicant: HORNADY TRUCK LINE, INC., P.O. Box 846, Monroeville, Alabama 36460. Representative: W. E. Grant, 1702 First Avenue South, Birmingham, Alabama 35233. *Material, equipment and supplies used in the manufacture of wood fiber insulation sheating, hardboard siding, wallboard, particleboard, plywood, composition board, gypsum wallboard, and Lumber.* Between the facilities utilized by Temple Industries at Diboll and Pineland, TX, West Memphis, AR, Thomson, GA, and Monroeville, AL, on the one hand and on the other, points in the United States in and east of ND, SD, NE, KS, OK, and TX. Supporting Shipper: Temple Industry, P.O. Drawer N, Diboll, TX 75941.

MC 115311 (Sub-3–5TA), filed April 3, 1980. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. *Knock down cartons and boxes, other than corrugated,* from the facilities of C. W. Zumbiel Company at or near Norwood, OH to points in TN, AL, GA and MS. Supporting Shipper: C. W. Zumbiel Company, 2339 Harris Ave., Norwood, OH 45212.

MC 146451 (Sub-3–2TA), filed April 3, 1980. Applicant: WHATLEY-WHITE, INC., Post Office Box 6, Dothan, Alabama 36302. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S, 3390 Peachtree Road, N.E., Atlanta, Georgia 30326. *Uncartoned New Furniture* from the facilities of Southeastern Cabinet Co. at or near Headland, AL, to points in FL, GA, KY, LA, MD, MS, NC, SC, TN, VA, WV & DC. Supporting Shipper: Southeastern Cabinet Co., 3 Cleveland Street, Headland, AL.

MC 115840 (Sub-3–1TA), filed March 31, 1980. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Representative: D. R. Beeler, P.O. Box 22168, McBride Lane, Knoxville, TN 37922. *Iron and Steel Articles* from Parker Ford, PA to points in AL, CA, and TX. Supporting shipper: Allied Steel Company, Route 724 Wells Road, Parker Ford, PA 19457.

MC 13882 (Sub-3–10TA), filed March 31, 1980. Applicant: WILEY SNADERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (same address as applicant). *Wood and aluminum stepladders, collapsed, extension and straight* from the plantsite of Davidson Manufacturing Corp. located at or near Nashville, TN to points in the states of AL, AR, CA, FL, GA, IL, IN, KY, LA, MN, MD, MS, MO, NC, OH, OR, PA, SC, TX, VA, WA, and WV. Supporting shippper: Davidson Manufacturing Corp., 478 Allied Dr., Box 110869, Nashville, TN 37211.

MC 134105 (Sub-3–4TA), filed April 1, 1980. Applicant: CELERYVALE TRANSPORT, INC., 1706 Rossville Ave., Chattanooga, TN 37408. Representative: L. D. Miller III (same address as applicant). *Lighting fixtures, lighting fixtures parts and lighting fixture accessories* from the facilities of Lithonia Lighting Company at Chattanooga, TN to points in AR, CO, IL, IN, IA, KS, KY, LA, MI, MN, MO, NE, NM, ND, OH, OK, SD, TX, VA, WV, WI, and WY. Supporting shippper: Lithonia Lighting Company, 1335 Industrial Blvd., P.O. Box A, Conyers, GA 30207.

MC 115654 (Sub-3–2TA), filed April 9, 1980. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Building, 13th & Pennsylvania Avenue, N.W., Washington, DC 20004. (a) *Frozen foods,* from the facilities of Pure Packed Foods, Inc., at or near Arlington, TN, to points in AL, AR, GA, IL, IN, KY, LA, MS, MO, OH, those points in MI on and south of MI Hwy 21, those in VA on and west of U.S. Hwy 21, those in WV on and west of U.S. Hwy 77, and Kansas City, KA, and (b) *Materials, equipment, and supplies used in the manufacture, sale, and distribution of the commodities named in (a) above,* from points in those states named in (a) above, to the facilities of Pure Packed Foods, Inc. at or near Arlington, TN. Supporting shippper: Pure Packed Foods, Arlington, TN.

Caption Summary

MC 95540 (Sub-3–5TA), filed April 9, 1980. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, Florida 33802. Representative: Benjy W. Fincher, General Traffic Manager, WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, Florida 33802. *Swinging meat* from Albemarle, NC to Denver, CO. Supporting shippper: Carolina Packing Company, 151 Morgan Road, Albemarle, NC 28001.

Federal Register Caption Sheet

MC 148392 (Sub-3–2TA), filed April 11, 1980. Applicant: SERVICE TRANSPORT, INC., P.O. Box 2749, Cookeville, Tennessee 38501. Applicant's representative: James Clarence Evans, Attorney, 1800 Third National Bank Building, Nashville, Tennessee 37219. *General commodities,* with the exception of household goods, classes A and B explosives, commodities in bulk, and those requiring specialized equipment, and subject to the restrictions hereinafter stated, over the following described routes, all of which are to be used in conjunction with each other and with other authority which applicant may hold: (a) Between Chattanooga, TN and Bristol, TN over the following described route: From Chattanooga via U.S. Hwy. 11 to its junction with U.S. Hwy. 11W, thence via U.S. Hwy. 11W to Bristol, TN, and return over the same route, serving the intermediate point of Knoxville, TN and also all intermediate points between Surgoinsville, TN and Bristol, TN, including but not limited to Surgoinsville and Kingsport, TN, and lying within two miles of that segment of U.S. Hwy. 11W which extends between Surgoinsville and Kingsport, TN. (b) Between Knoxville, TN and Bristol, TN over the following described route: From Knoxville via U.S. Hwy. 11 E to Bristol, TN, and return over the same route, serving all intermediate points between Jonesboro, TN and Bristol, TN, including Jonesboro. (c) Between Knoxville, TN and Bristol, TN over the following described route: From Knoxville via Interstate Hwy. 40 to its junction with Interstate Hwy. 81, thence via Interstate 81 to Bristol, TN and return over the same route, serving all intermediate points between the intersection of TN Hwy. 137 with Interstate Hwy. 81 and Bristol. (d) Between Chattanooga, TN and Knoxville, TN via Interstate Hwy. 75, serving no intermediate points. (e) Between Johnson City, TN and Kingsport, TN via TN Hwy. 137, serving all intermediate points. (f) Between Kingsport, TN and Erwin, TN via U.S. Hwy. 23, serving all intermediate points. (g) Between Elizabethton, TN and Bristol, TN over the following described route; From Elizabethton, TN via U.S. Hwy. 19 E to its junction with U.S. Hwy. 19, thence via U.S. Hwy. 19 to Bristol, TN and return over the same route, serving all intermediate points. (h) Between Elizabethton, TN and Johnson City, TN via U.S. Hwy. 321, serving all intermediate points. (i) Between Bristol, TN and Kingsport, TN over the following described route: From Bristol, TN via U.S. Hwy. 11 to its junction with TN Hwy. 126, thence via TN Hwy. 126 to Kingsport, and return over the same route, serving all intermediate points. (j) Between Blountville, TN and the intersection of TN Hwy. 75 and U.S. Hwy. 23, via TN Hwy. 75, serving all

intermediate points. (k) Between Blountville, TN and Bluff City, TN via TN Hwy. 37, serving all intermediate points. The authority sought includes all commercial zones of all points, irrespective of the state in which portions thereof might lie. All the foregoing shall include authority to tack or join any of these aforesaid routes, or portions thereof, at intersections of any of them, and also authority over any convenient streets and highways between any point on Interstate Hwy. 81 and any point at which service is otherwise authorized, but with no authority to serve any intermediate point along such streets and highways unless otherwise authorized. Supporting shippers: There are 59 statements in support of this application which may be examined at the Interstate Commerce Commission's Regional Office in Atlanta, Georgia.

MC 85970 (Sub-3–1TA), filed April 9, 1980. Applicant: SARTAIN TRUCK LINE, INC., 1625 Hornbrook Street, Dyersburg, TN 38024. Applicant's representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. (1) *Candy and confectionery; and (2) materials, equipment, and/or supplies useful in the manufacture, sale or distribution of commodities listed in (1) above,* between the facilities of the Charms Company at or near Covington, TN, on the one hand, and, on the other, points in the continental United States. Supporting shipper: Charms Company, Halls Mill Road, Freehold, NJ 07728.

MC 121821 (Sub-3–2TA), filed April 7, 1980. Applicant: TENNESSEE MOTOR LINES, INC., 402 Maple Avenue, Nashville, Tennessee 37210. Representative: Bryan Stanley, P.O. Box 100363, Nashville, Tennessee 37210. *General commodities* (Except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); Between Atlanta, GA and Loudon, TN; From Atlanta, GA over Interstate Hwy 75 to its intersection with TN Hwy. 72, then over TN Hwy. 72, to Loudon, TN, and return over same route serving all intermediate points between Cleveland and Loudon, TN, and serving all other points not on described routes in Bradley, McMinn and Monroe counties, TN as off-route points. Supporting shippers: There are 73 shippers. Their statements may be examined at the office listed above.

MC 143621 (Sub-3–8TA), filed April 11, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., 901 5th Avenue North, Nashville, Tennessee 37219. Applicant's Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. *Coiled steel* from the facilities of Batesville Casket Co., Inc. at or near Batesville, IN to the facilities of Batesville Casket Co., Inc. at or near Manchester, TN. Supporting shipper: Batesville Casket Co., Inc., Highway 46, East Batesville, In 47006.

MC 138308 (Sub-3–6TA), filed April 7, 1980. Applicant: KLM, INC., P.O. Box 6098, Jackson, MS 39208. Applicant's Representative: Robert L. McArty, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. *Rubber tire tubes* from the facilities of Cooper Tire & Rubber Company at or near Clarksdale, MS to points in AL, AR, GA, FL, LA, NC, SC, and TX. Supporting shipper(s): Cooper Tire & Rubber Company, Lima and Western Avenue, Findlay, OH 45840.

MC 126305 (Sub-3–4TA), filed April 11, 1980. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., RFD 1, Box 18, CLAYTON, AL 36016. Applicant's Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Practice Bombs,* From Anniston, AL, To points in the US east of and including the states of ND, SD, NE, CO, and NM. Supporting shipper(s): CAMBRIDGE LEE INDUSTRIES, INC., 14 Perimeter Pk., Atlanta, GA 30341.

Caption Summary of Authority Sought

MC 143921 (Sub-3–1TA), filed April 11, 1980. Applicant: BAMA EXPRESS, INC., P.O. Box 222, Tuscaloosa, AL 35401. Applicant's Representative: Donald B. Sweeney, Jr., Esq., 603 Frank Nelson Building, Birmingham, AL 35203, 205/251–2881. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Metals, metal articles, fabrications, pipe, gaskets, casings, fittings, breeching, valves, hydrants, boxes, tanks and vessels; (2) plastic and plastic articles; (3) bath and shower enclosures, modules, doors and windows, parts and accessories; (4) materials, equipment, parts and supplies used in connection with the manufacture, fabrication, distribution, or installation of commodities in (1), (2), and (3). Restricted against commodities in bulk, in tank vehicles. Between Tuscaloosa County, AL, on the one hand, and on the other, points in the United States, on the other, (except AK and HI). Supporting shippers: Dixie Steel & Supply Company, Inc.; Dexol, Inc., Coral Industries, Inc.; McAbee Construction Company; Campbell & associates, Inc.; Reliance Steel Products Company; and the Central Foundry Company.

MC 146646 (Sub-3–4TA), filed April 7, 1980 Applicant: BRISTOW TRUCKING COMPANY, P.O. Box 6355 A; Birmingham, AL 35217. Representative: Mr. James W. Segrest (same address as applicant). *Cleaning solutions, cleaning compounds and air fresheners* from the facilities of Blue Cross laboratories located in Los Angeles County, CA to points in and east of ND, SD, NE, KS, OK, and TX. Supporting shipper: Blue Cross Laboratories, 7400 Greenbush Avenue, North Hollywood, California 91605.

MC 150221 (Sub-3–3TA), filed April 7, 1980. Applicant: CENTRAL SOUTHERN, INC., P.O. Box 375, Drayton, SC 29333. Representative: George W. Clapp, P.O Box 836, Taylors, SC 29687. *Contract carrier,* irregular routes, (1) *Beverage cooling equipment,* and (2) *materials and supplies* used in the manufacture of commodities in (1), between the facilities of Beverage Air, Inc., at or near Spartanburg, SC, on the one hand, and, on the other, the facilities of Beverage Air, Inc., at or near Brookville, PA, under a continuing contract(s) with Beverage Air, Inc. Supporting shipper: Beverage Air, Inc., P.O. Box 5932, Spartanburg, SC 29304.

MC 150436 (Sub-3–1TA), filed April 7, 1980. Applicant: CHEM-HAULERS, INC., 118 East Mobile Plaza, Florence, AL 35630. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. *Contract carrier,* irregular routes. *Such commodities as are dealt in or distributed by a manufacturer of electric welders,* between the facilities of Miller Electric Manufacturering Co., at or near Appleton, WI, on the one hand, and, on the other, points in IL restricted to the transportation of shipments under a continuing contract or contracts with Miller Electric Manufacturing Co. Supporting shipper: Miller Electric Manufacturing Co., Appleton, WI.

MC 144082 (Sub-3–1TA), filed March 31, 1980. Applicant: DIST/TRANS MULTI–SERVICES, INC., d.b.a. TAHWHEELALEN EXPRESS, INC., 1333 Nevada Boulevard, Post Office Box 7191, Charlotte, North Carolina 28217. Representative: Wyatt E. Smith, 1333 Nevada Boulevard, Post Office Box 7191, Charlotte, North Carolina 28217. *Contract carrier,* irregular routes. *Such commodities as are dealt in, distributed or used by retail department stores and mail order merchandisers,* from Chicago, Illinois to Forest Park, Georgia and Morrow, Ga., restricted to service performed under a continuing contract or contracts with J.C. Penney Company, Inc., of New York, N.Y. Supporting

shipper: J.C. Penney Company, Inc., of New York, N.Y.

MC 140389 (Sub-3–4TA), filed April 11, 1980. Applicant: Osborn Transportation, Inc., P.O. Box 1830, Gadsden, AL 35902. Representative: Clayton R. Byrd, P.O. Box 304, Conley, GA 30027. *Dehydrated foodstuffs* from Idaho Falls, ID, and points in its commercial zone to points in CA. Supporting shipper: Idaho Fresh-Pak, Inc., P.O. Box 130, Lewisville, ID 83431.

MC 107515 (Sub-3–9TA), filed April 10, 1980. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, Esq., 3390 Peachtree Road, N.E., 5th Floor, Lenox Towers South, Atlanta, GA 30326. *Refrigerated bottle and can vending machines and materials, equipment and supplies for bottle and can vending machines* from Chattanooga, TN to points in the US in and east of ND, SD, NE, KS, OK, and TX. Supporting shipper: Cavalier Corp., 1100 E. 11th Street, Chattanooga, TN 37403.

MC 146781 (Sub-3–1TA), filed March 12, 1980. Applicant: ZANE SHACKELFORD, d.b.a. ZANE SHACKELFORD TRUCKING, P.O. Box 112, Millport, AL 35576. Representative: Fred W. Johnson, Jr., P.O. Box 22807, Jackson, MS 39205. *Wood chips* from the facilities of Weyerhaueser Company located at or near Bruce, MS to Counce, TN. Supporting shipper: Weyerhaeuser Company, P.O. Box 2288, Columbus, MS 39701.

MC 150541 (Sub-3–1TA), filed March 27, 1980. Applicant: WILLIAM J. ANDREWS, d.b.a. ABG CARTAGE CO. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *General commodities* (but not to include Classes A and B explosives), between points in the commercial zone of Jacksonville, FL, restricted to traffic having a prior or subsequent movement by water. Supporting shipper: Puerto Rico Marine Management, Inc., P.O. Box 26483, New Orleans, LA 70186.

MC 121664 (Sub-3–12TA), filed April 7, 1980. Applicant: HORNADY TRUCK LINE, INC., P.O. Box 846, Monroeville, AL 36460. Representative: W. E. Grant, 1702 First Avenue South, Birmingham, AL 35233. *Hardboard siding, composition board, wallboard, particleboard, gypsum board, lumber, poles, posts, piling, plywood, crossties, insulation board,* between points in AL, FL, GA, NC, SC, KY, and TN. Supporting shipper(s): There are ten statements in support attached to this application which may be examined at the ICC Regional Office in Atlanta, GA.

[FR Doc. 80-12470 Filed 4-22-80; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. 9]

Petitions, Applications, Finance Matters (Including Temporary Authorities), Alternate Route Deviations, Intrastate Applications, Gateways, and Pack and Crate

Petitions for Modification, Interpretation, or Reinstatement of Motor Carrier Operating Rights Authority

The following petitions seek modification or interpretation of existing motor carrier operating rights authority, or reinstatement of terminated motor carrier operating rights authority.

All pleadings and documents must clearly specify the suffix numbers (e.g., M1 F, M2 F) where the docket is so identified in this notice.

The following petitions, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications will be *rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that if (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(1). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277.

Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 94393 (Sub-8M1F) (notice of filing of petition to modify certificate), filed November 13, 1979. Petitioner: W.J. CASEY TRUCKING & RIGGING CO., INC., 1200 Springfield Rd., Union, NJ 07083. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Petitioner holds a motor *common carrier* certificate in MC 94393 (Sub-8), issued July 20, 1978, to operate over irregular routes, in interstate or foreign commerce, transporting *industrial heating tanks, industrial dust collectors, scrubber tanks,* all of which because of size or weight require the use of special equipment or handling, and *parts* thereof, from Keyport and Belford, NJ, to points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KY, LA, MD, ME, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC. Restriction: The operations authorized herein are restricted to the transportation of traffic originating at Keyport and Belford, NJ, and destined to the above named destination points. By the instant petition, petitioner seeks to modify the certificate as follows: (1) territory to read between Keyport and Belford, NJ, on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KY, LA, MD, ME, MA, MI, MN, MS, NO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC; and (2) to delete the restriction.

MC 114552 (Sub-157M1F) (Notice of filing of petition to modify certificate), filed October 15, 1979. Petitioner: SENN TRUCKING COMPANY, a corporation, P.O. Drawer 220, Newberry, SC 29108. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. Petitioner holds a motor *common carrier* certificate in MC 114552 (Sub-157), issued March 1, 1979, to operate over irregular routes, in interstate or foreign commerce, transporting (1) *construction materials, concrete forms, and accessories therefor,* from the plant site of Slaughter Industries, Inc., at Dallas, TX, to points in PA, MD, VA, KY, NC,

SC, TN, GA, FL, AL, MS, AR, LA, and DC; and (2) *materials and supplies* used in the manufacture or distribution of the commodities in (1) above, (except in bulk), in the reverse direction. By the instant petition, petitioner seeks to modify the authority as follows: Delete the plant site reference.

MC 115233 (Sub-2M1F) (notice of filing of petition to modify certificate), filed October 19, 1979. Petitioner: MARSHALL STORAGE COMPANY, a corporation, P.O. Box 145, Marshall, MN 56258. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. Petitioner holds a motor *common carrier* certificate in MC 115233 (Sub-2), issued July 11, 1978, to operate over irregular routes, in interstate or foreign commerce, transporting (1) *glass and glass products,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of glass and glass products, (except commodities in bulk, in tank vehicles), between the plant sites of PPG Industries, Inc., at Marshall, MN and at or near Wichita Falls, TX. By the instant petition, Petitioner seeks to modify the authority as follows: between the facilities of PPG Industries, at Marshall, MN, on the one hand, and, on the other, the facilities of PPG Industries, Inc., at or near (a) Mt. Zion, IL, and (b) Wichita Falls, TX.

MC 59332 (M1F) (notice of filing of petition to modify certificate), filed November 15, 1979. Petitioner: TAYLOR'S EXPRESS, INC., 425 North 37th St., Pennsauken, NJ 08810. Representative: Michael R. Werner, 167 Fairfield Rd., P.O. Box 1409, Fairfield, NJ 07006. Petitioner holds a motor *common carrier* certificate in MC 59332, issued November 22, 1965, to operate in interstate or foreign commerce, over irregular routes, transporting *general commodities,* except those of unusual value and except high explosives, liquors, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Philadelphia, PA, and points in PA within 12 miles of Philadelphia, PA, on the one hand, and, on the other, Camden, NJ, and points in NJ within 12 miles of Camden, NJ. By the instant petition, petitioner seeks to modify the certificate as follows: between Philadelphia, PA, on the one hand, and, on the other, points in NJ.

MC 142963 (Sub-2M1F) (notice of filing of petition to modify permit), filed November 7, 1979. Petitioner: IRON & METAL TRUCKING, INC., 7620 Winding Way, Brecksville, OH 44141. Representative: Andrew Jay Burkholder, 275 East State St., Columbus, OH 43215. Petitioner holds a motor *contract carrier* permit in MC 142963 (Sub-2), issued May 26, 1978, to operate in interstate or foreign commerce, over irregular routes, transporting *coke, flue dust, and mill scale,* in bulk, in dump vehicles, from Cleveland and Youngstown, OH, to points in NY and PA. Restriction: The authority granted herein is limited to a transportation service to be performed under a continuing contract(s) with Mid-Continent Coal and Coke Company of Cleveland, OH. By the instant petition, petitioner seeks to modify the authority as follows: add Massillon and Canton, OH as origins.

MC 5692 (M1F) (notice of filing of petition to modify certificate), filed October 22, 1979. Petitioner: WILLIAM J. LOBB, INC., 531 Main St., Pen Argyl, PA 18072. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. Petitioner holds a motor *common carrier* certificate in MC 5692, issued April 10, 1959, which authorizes in part, authority to operate in interstate or foreign commerce, over irregular routes, transporting *boilers and heavy machinery,* between Pen Argyl, PA, and points within 30 miles of Pen Argyl, on the one hand, and, on the other, points in NY, NJ, PA, MD, and SC. By the instant petition, petitioner seeks to modify the certificate as follows: (a) boilers, (b) commodities, which because of size or weight, require the use of special equipment, or special handling and (c) self-propelled articles, each weighing 15,000 pounds or more (when transported on trailers).

MC 107583 and (Sub-35, 40, 45, 47, 48, 49, 50, 54, 55, 58, and 59) (M1F) (notice of filing of petition to modify certificates), filed November 20, 1979. Petitioner: SALEM TRANSPORTATION CO., INC., 133–03–35th Avenue, Flushing, NY 11354. Representative: George H. Rosen, 265 Broadway, P.O. Box 348, Monticello, NY 12701. Petitioner holds motor *common carrier* certificates to transport in interstate or foreign commerce, over irregular routes, as follows: (1) MC 107583, issued May 15, 1972. *Passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats Between New York, NY, and Philadelphia, PA, on the one hand, and, on the other, Atlantic City, NJ; Between Atlantic City, NJ, on the one hand, and, on the other, Wilmington, DE, Baltimore, MD, and Washington, DC; Between Atlantic City, NJ, on the one hand, and, on the other, points in Westchester County, NY; Between Fort Dix, McGuire Air Force Base, Wrightston, NJ, and points in the townships of New Hanover, North Hanover, Chesterfield, Bordentown, Mansfield, Springfield, and Pemberton, in Burlington County, NJ, on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, PA, and LaGuardia Airport, John F. Kennedy International Airport, Fort Hamilton and Manhattan Beach Air Force Base, New York, NY; Between Wilimington, DE, points in Philadelphia, Bucks, Montgomery, Chester, and Delaware Counties, PA, and points in NJ in the Philadelphia, PA, Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in the New York, NY, Commercial Zone as defined by the Commission. (Restriction: The authority granted immediately above is restricted to the transportation of persons having an immediately prior or immediately subsequent movement by water); Between Ventnor, Margate, Longport Borough, Absecon, Pleasantville, Northfield, Linwood, and Somers Point, NJ, on the one hand, and, on the other, New York, NY, and Philadelphia, PA; Between points in the Baltimore, MD, Commercial Zone as defined by the Commission except points within the limits of the City of Baltimore, MD, on the one hand, and, on the other, Atlantic City, NJ; Between Lakehurst, NJ, and the Lakehurst United States Naval Air Station near Lakehurst, NJ, on the one hand, and, on the other, New York, NY, and Philadelphia, PA; Between Wilmington, DE, and points in the Philadelphia, PA, Commercial Zone, as defined by the Commission, on the one hand, and, on the other, John F. Kennedy International Airport, New York, NY; Between points in Montgomery, Chester and Delaware Counties, PA, on the one hand, and, on the other, John F. Kennedy International Airport at New York, NY; (2) MC 107583 Sub 35, issued October 4, 1968. *Passengers and their baggage,* in charter operations, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, Between LaGuardia Airport and John F. Kennedy International Airport at New York, NY, on the one hand, and, on the other, Philadelphia International Airport at Philadelphia, PA, and McGuire Air Force Base, NJ; Between Philadelphia International Airport at Philadelphia, PA; and McGuire Air Force Base, NJ; Between McGuire Air Force Base, NJ, and Philadelphia International Airport

at Philadelphia, PA, on the one hand, and, on the other, New York, NY; Between LaGuardia Airport and John F. Kennedy International Airport at New York, NY, on the one hand, and, on the other, Philadelphia, PA (Restriction: The service authorized herein is restricted to the transportation of airline crews). (3) MC 107583 Sub 40, issued August 3, 1970. *Passengers and their baggage,* in the same vehicle with passengers, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, in special and charter operations, Between points in New Castle County (except Odessa) and Kent County (except Dover, Smyrna, and Harrington), DE, on the one hand, and, on the other, McGuire Air Force Base and Newark Airport, NJ, and John F. Kennedy International Airport and LaGuardia Airport, NY. (4) MC 107583 Sub 45, issued October 3, 1972. *Passengers and their baggage,* in the same vehicle with passengers, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, and not including children under 10 years of age who do not occupy a seat or seats, in special operations, in nonscheduled door-to-door service, Between the United States Army Military Ocean Terminal, Bayonne, NJ, on the one hand, and, on the other, John F. Kennedy International Airport, LaGuardia Airport, Fort Hamilton, and Fort Wadsworth, NY; Between Fort Hamilton and Fort Wadsworth, NY, on the one hand, and, on the other, Newark Airport, Newark, NJ; (5) MC 107583 Sub 47, issued March 31, 1972. *Passengers and their baggage,* and express and newspapers when moving in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, Between points in Mercer County, NJ, on the one hand, and, on the other, North East Philadelphia Airport and Philadelphia International Airport, at Philadelphia, PA; (6) MC 107583 Sub 48, issued July 24, 1975. *Passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, Between New York, NY, Philadelphia, PA, and the Philadelphia International Airport, Philadelphia, PA, on the one hand, and, on the other, Fort Dix, McGuire Air Force Base, and Wrightstown, NJ, and points in New Hanover, North Hanover, Chesterfield, Bordentown, Mansfield, Springfield and Pemberton Township (Burlington County), NJ; (7) MC 107583 Sub 49, issued March 9, 1973. *Passengers and their baggage,* express and newspapers in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, Between points in Burlington, Camden, and Mercer Counties, NJ, on the one hand, and, on the other, points in the New York, NY, Commercial Zone, as defined by the Commission. (Restriction: The operations authorized above are restricted to the transportation of persons or property having an immediately prior to subsequent movement by water). Between points in Burlington, Camden, and Mercer Counties, NJ, on the one hand, and, on the other, John F. Kennedy International Airport and LaGuardia Airport at New York, NY; (8) MC 107583 Sub 50, issued September 3, 1975. (A) *passengers and their baggage,* in special operations, in nonscheduled, door-to-door service, Between the site of the Philadelphia International Airport at or near Philadelphia, PA, on the one hand, and, on the other, Atlantic City, Ventnor, Margate, Longport Borough, Absecon, Pleasantville, Northfield, Linwood, and Somers Point NJ; (B) (1) *passengers and their baggage,* in special and charter operations, in nonscheduled, door-to-door service, limited to the transportation of not more than 11 passengers in one vehicle, not including the driver, and not including children under 10 years of age who do not occupy a seat or seats, (2) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), when moving in the same vehicle with passengers, restricted against the transportation of package or articles weighing more than 100 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day and (3) *unaccompanied baggage* when moving in the same vehicle with passengers, Between points in that part of Pennsylvania within the Philadelphia, PA, Commercial Zone as defined by the Commission, on the one hand, and, on the other, Atlantic City, Ventnor, Magate, Longport Borough, Absecon, Pleasantville, Northfield, Linwood, and Somers Point, NJ; (9) MC 107583 Sub 54, issued May 15, 1975. *Passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, Between points in Ocean, Atlantic and Cape May Counties, NJ, on the one hand, and, on the other, New York, NY, Philadelphia, PA, and the commercial zone thereof, as defined by the Commission, Wilmington, DE, Baltimore, MD, and the commercial zone thereof, as defined by the Commission, Washington, DC, and points in Westchester County, NY; (10) MC 107583 Sub 55, issued January 7, 1976. *Passengers and their baggage,* and newspapers and unaccompanied baggage when moving in the same vehicle with passengers, in special and charter operations, in nonscheduled, door-to-door service, limited to the transportation of no more than 11 passengers in any one vehicle, not including the driver, and not including children under 10 years of age who do not occupy a seat or seats, Between points in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties, PA, and Wilmington, DE, on the one hand, and, on the other, Newark International Airport, Newark, NJ; (11) MC 107583 Sub 58, issued June 3, 1976. (1) *Passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, and (2) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, articles of unusual value, commodities in bulk, and commodities requiring the use of special equipment), when moving in the same vehicle with passengers, Between Philadelphia, PA, and points in the Philadelphia, PA, Commercial Zone, as defined by the Commission, on the one hand, and, on the other, the Military Ocean Terminal at Bayonne, NJ, and points in the Bayonne, NJ, Commercial Zone as defined by the Commission.

(Restriction: The authority granted herein is restricted against the transportation of packages or articles weighing more than 100 pounds in aggregate from one consignor at one location to one consignee at one location during a single day); (12) MC 107583 Sub 59, issued February 12, 1979. (1) *Passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, in nonscheduled, door-to-door service limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats; (2) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, articles of unusual value, commodities in bulk, and commodities requiring the use of special equipment) when moving in the same vehicle with passengers, restricted against the transportation of packages or articles weighing more than 100 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day, and (3) *unaccompanied baggage* when moving in the same vehicle with passengers, (A) between points in the Philadelphia, PA, commercial zone, on the one hand, and, on the other, points in the Wilmington, DE, commercial zone, and points in the Baltimore, MD, commercial zone, restricted against transportation between the Philadelphia International Airport on the one hand, and, on the other, points in the Wilmington, DE, commercial zone, and (B) between points in the Wilmington, DE, commercial zone, on the one hand, and, on the other, points in the Baltimore, MD, commercial zone. By the instant petition, petitioner seeks to remove the restrictions contained in the aforesaid certificates of the service to be performed in (1) nonscheduled door-to-door operations and (2) with no more than 11 passengers in any one vehicle.

MC 136212 (Sub-13, 17, 20, and 22 (MF) (notice of filing of petition to modify certificate), filed October 25, 1979. Petitioner: JENSEN TRUCKING COMPANY, INC., P.O. Box 349, Gothenburg, NE 69138. Representative: Scott T. Robertson, 521 South 14th St., Suite 500, P.O. Box 81849, Lincoln, NE 68501. Petitioner holds motor *common carrier* certificates (1) in MC 136212 Sub 13, issued May 25, 1976, (2) MC 136212 Sub 17, issued October 5, 1977, (3) MC 136212 Sub 20, issued December 9, 1977, and (4) MC 136212 Sub 22, issued June 16, 1978, authorizing transportation, over irregular routes: (1) *Meats, meat products, meat byproducts, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), From the plant site and storage facilities of, or utilized by, Farmland Foods, Inc., at or near Crete, NE, to points in CO, IL, IN, IA, KS, MI, MN, MO, ND, OH, SD, and WI, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of traffic originating at the named origin and destined to named destinations. (2) *Meat, meat products, meat byproducts, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), From the facilities of Morgan Colorado Beef Company, at or near Fort Morgan, CO, to points in IL, IA, KY, MI, and OH, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the named origin and destined to the named destinations. (3) *Meat, meat products, meat byproducts, and articles distributed by meat-packing houses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C., 209 and 766 (except hides and commodities in bulk), From the facilities of Dugdale Packing Company at or near Darr, NE, to points in IL, IN, IA, KS, KY, LA, MI, MN, MO, OH, TN, and WI, with no transportation for compensation on return except as otherwise authorized. Restriction: The operation authorized herein are restricted to the transportation of shipments originating at the named facilities and destined to points in the named destination states. (4) *Meat, meat products, meat byproducts, and articles distributed by meat-packing houses,* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C., 209 and 766 (except hides and commodities in bulk), From the facilities of Morgan Colorado Beef Company, at or near Ft. Morgan, CO, to points in IN, NE, and WI. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the described Ft. Morgan facilities, and destined to points in IN, NE, and WI. By the instant petition, petitioner seeks to modify the authorities as follows: add *in tank vehicles* to the parenthetical commodity restriction, to read: (except hides, and commodities in bulk, in tank vehicles).

MC 142317 (Sub-1(M2F)) (notice of filing of petition to modify the territorial description), filed October 15, 1979. Petitioner: CENTRAL FLORIDA COACH LINES, INC., P.O. Box 127, Mountaintop, PA 18707. Representative: Joseph F. Hoary, 121 So. Main St., Taylor, PA 18517. Petitioner holds motor common carrier, authority in Certificate No. MC 142317 Sub 1, issued May 16, 1977, authorizing transportation, over irregular routes, of passenger automobiles, in secondary movement in truckaway service, between the following named points as well as points within ten (10) miles thereof: Cocoa Beach, Orlando, St. Augustine, and Tallahassee, FL, Cartersville and Savannah, GA, Lexington, KY, Chicago, IL, New Orleans, LA, Worcester, MA, Minneapolis, MN, St. Louis, MO, Somerville, NJ, Lumberton, NC, Boston Heights, Bowling Green, and Perrysburg, OH, Buck Horn, Dillsburg, Hazelton, Philadelphia, and White Haven, PA, and Fredericksburg, VA. Restriction: The authority granted herein is restricted to the transportation of automobiles tendered to carrier by those passengers moving pursuant to the authority set out in MC 138297 Sub 4 as part of a unit movement. By the instant petition, petitioner seeks to modify the territorial description by substituting Atlantic City, NJ, in lieu of Somerville, NJ.

Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the **Federal Register.**

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission on or before May 23, 1980. Such pleading shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 98964 (Sub-17F) (republication), filed January 4, 1979, published in the

Federal Register issue of April 27, 1979, and republished this issue. Applicant: P. B. I. FREIGHT SERVICE, a corporation, 960 North 1200 West, Orem, UT 84057. Representative: Lon Rodney Kump, 33 East Fourth South, Salt Lake City, UT 84111. A Decision of the Commission, Review Board Number 2, served January 18, 1980, finds that the present and future public convenience and necessity require operations by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes transporting *general commodities* (except commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), (1) between Page, AZ, and Phoenix, AZ, from Page over U.S. Hwy 89 to Flagstaff, AZ, then over Interstate Hwy 17 to Phoenix, and return over the same route, serving all intermediate points, and (2) between Fredonia, AZ, and junction Alternate U.S. Hwy 89 and U.S. Hwy 89 near Bitter Springs, AZ, over Alternate U.S. Hwy 89, serving all intermediate points, and the off-route point of the North Rim of the Grand Canyon, AZ. Limitation: The authority granted here to the extent that it authorizes the transportation of Classes A and B explosives shall be limited in point of time to a period expiring 5 years after the date of issuance of this certificate; that applicant is fit, willing and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to reflect applicant's actual grant of authority.

MC 99938 (Sub-8) (republication), filed June 15, 1979, published in the Federal Register issue of July 25, 1979, as New York Docket No. T–1587, and republished this issue. Applicant: VAN'S AUTO & AIR EXPRESS, INC., C.P.O. Box 609, Kingston, NY 12401. Representative: Bruce J. Robbins, 118–21 Queens Blvd., Forest Hills, NY 11375. A Decision of the Commission, Review Board Number 4, decided January 25, 1980, and served February 12, 1980, finds that the applicant may conduct operations in interstate or foreign commerce within limits which do not exceed the scope of the intrastate operations for which applicant holds Certificate No. 2667, embraced in the order dated October 25, 1979, issued by the New York State Department of Transportation, which authorizes operations operations as a *common carrier*, by motor vehicle, solely within the State of New York in the transportation of *general commodities*, as defined in Section 800.1 of Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York, between all points in a territory comprised of the Counties of Albany, Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Rockland, Rensselaer, Sullivan, Ulster and Westchester, and the Cities of New York and Oneonta. This certificate supersedes and revokes the prior State certificate on which applicant's Certificate of Registration's in No. MC 99938 (Sub-1, 2, and 3) dated July 19, 1971, June 11, 1971, and June 11, 1971, respectively, are based. The purpose of this republication is to indicate applicant's actual grant of authority.

MC 116254 (Sub-221F) (republication) filed December 4, 1978, published in the Federal Register issue of March 15, 1979, and republished this issue. Applicant: CHEM-HAULERS, INC., 118 East Mobile Plaza, Florence, AL 35630. Representative: Hampton M. Mills (same address as applicant). A Decision of the Commission, Review Board Number 2, decided December 28, 1979, and served January 28, 1980, finds that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *aluminum articles*, and (2) *materials and supplies* used in the manufacture of the commodities in (1) above, between Listerhill and Sheffield, AL, on the one hand, and, on the other, points in Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia; that applicant is fit, willing and ble properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to reflect applicant's actual grant of authority.

MC 116915 (Sub-42F) (republication) filed October 12, 1977, published in the Federal Register issue of December 15, 1977, and republished this issue. Applicant: ECK MILLER TRANSPORTATION CORPORATION, Route #1, P.O. Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. An Initial Decision of the Commission, Administrative Law Judge, dated October 30, 1978, served November 22, 1978 and a Decision of the Commission, Division 2, decided December 21, 1979, and served January 29, 1980, finds on further consideration that operations by applicant will be consistent with the public interest and the national transportation policy to operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *non-ferrous metal* (except liquid, in bulk), between points in the United States in and east of MN, IA, NE, CO, and NM, under a continuing contract or contracts with Aaron Ferer & Sons Co., of Omaha, NE, restricted against the transportation of Mercer and earth-drilling commodities, and mining equipment and supplies; that applicant is fit, willing, and able properly to perform the service and to conform to statutory and administrative requirements. The purpose of this republication is to reflect service as a contract, in lieu of common as previously published and to assign MC 149395 as the docket number.

MC 144858 (Sub-6F) (republication), filed October 27, 1978, published in the Federal Register issue of December 5, 1978, and republished this issue. Applicant: DENVER SOUTHWEST EXPRESS, INC., a Nebraska corporation, P.O. Box 9950, 1310 Stagecoach Road, Little Rock, AR 72209. Representative: David R. Parker, 717 17th Street, Ste 2600, Denver, CO 80202. A Decision of the Commission, Review Board Number 2, decided October 11, 1979, and served November 8, 1979, finds that the present and future public convenience and necessity require operations by applicant in interstate or foreign commerce as a *common carrier*, by motor vehicle, over irregular routes, transporting (1) *wine* (except in bulk), (a) from the facilities of The Taylor Wine Company, Inc., at Hammondsport, NY, to points in AL, AZ, AR, CA, CO, FL, GA, ID, IA, KS, LA, MN, MS, MO, MT, NE (except Omaha), NV, NM, NC, ND, OR, SC, SD, TN, TX, UT, WA, WY, and those in Illinois on and south of U.S. Hwy 24, and (b) from the facilities of Sterling Vineyards, at Calistoga, CA, the facilities of Gonzales & Co., Inc., at Gonzales, CA, and the facilities used by Gonzales & Co., Inc., at Ripon and Union City, CA, to points in the United States (except AK and HI), and (2) *diatomaceous earth* (except in bulk), from Lompoc, CA, to the facilities of the Taylor Wine Company, Inc., at Hammondsport, NY, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate applicant's actual grant of authority.

Motor Carrier Operating Rights Applications

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications *will be rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277. Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 83539, (Sub-535F), filed March 24, 1980. Applicant: C & H TRANSPORTATION CO., INC., 9757 Military Parkway, P.O. Box 270535, Dallas, Texas 75227. Representative: Mr. Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: General commodities (except household goods, commodities in bulk, classes A and B explosives, and automobiles, trucks, and busses). Between points in the U.S. (except points in TX), on the one hand, and on the other, ports of entry in AZ, CA, and TX, on the international boundary line between United States and Mexico. RESTRICTION: Restricted to traffic moving in foreign commerce. (Hearing Site and time: Will be heard at the same time as Sammons Trucking Co., Docket No. MC–124692 (Sub-No. 279F) at Fort Worth, TX commencing on April 30, 1980 (3 days) at 9:30 a.m. local time, hearing room 4th floor, Neil P. Anderson Bldg., 411 West 7th St., Fort Worth, TX before an Administrative Law Judge to be later designated.)

Note.—Common control may be involved.

MC 145733 (Sub-2F) (correction), filed May 2, 1979, published in the **Federal Register**, issue of August 30, 1979, and republished, as corrected, this issue. Applicant: AMERICAN AUTO SHIPPERS, A Partnership, 152 W. 42nd Street, Suite 923, New York, NY 10036. Representative: C. Jack Pearce, 1000 Connecticut Avenue, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *new and used motor vehicles* (except trucks over ¾ ton), in secondary movements in driveaway services, between points in the United States. Hearing: The above-entitled proceeding is assigned for continued prehearing conference on the 8th day of April, 1980 at 9:30 a.m. Local Time at the Offices of the Interstate Commerce Commission, Washington, D.C., before Administrative Law Judge Jacob Leventhal. The purpose of this republication is to correct the commodity description.

Permanent Ex-Water Authority Decision-Notices

Decided: April 7, 1980.

The following applications are governed by 49 CFR 1062.3. Applicants seek to obtain motor common carrier authority to perform service within the commercial zone of port cities where the shipment has a prior or subsequent movement by maritime carrier. The full text and explanation of the rules are contained at 44 FR 7965, as corrected at 44 FR 37230.

The sole issue upon which these applications can be protested is the applicant's fitness to perform the service. Protests (an originial and one copy) must be filed with the Commission on or before May 23, 1980. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently upon applicant's representative, or, if none is listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity.

Each applicant is fit, willing, and able to properly perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient protests, filed on or before May 23, 1980 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon

compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 3, Members Parker, Fortier, and Hill.

MC 149285F, filed December 14, 1979. Applicant: GO TRANSPORT & DELIVERY SERVICE, INC., 8612 Wallisville Rd., Houston, TX 77029. Representative: Ralph L. Garcia (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zone of Houston, TX, restricted to the transportion of traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

Permanent Authority Decisions Volume, Decision-Notice

Decided: April 7, 1980.

The following broker, freight forwarder or water carrier applications are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date notice of the application is published in the **Federal Register**. Failure to file a protest on or before May 23, 1980, will be considered as a waiver of Opposition to the application. A protest under these rules shall comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding, as specifically noted below, and specify with particularity the facts, matters, and things relied upon. The protest shall not include issues or allegations phrased generally. A protestant shall include a copy of the specific portion of its authority which it believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use this authority to provide all or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission. A copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

FINDINGS: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is either (a) required by the public convenience and necessity, or, (b) will be consistent with the public interest and the transportation policy of 49 U.S.C. § 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests, filed on or before May 23, 1980 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 3, Members Parker, Fortier, and Hill.

MC 130812F, filed March 14, 1980. Applicant: DESERET TRAVEL, INC., 30 South 300 East, Provo, UT 84601. Representative: Duane Bunnell (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker*, at Provo, UT, in arranging for the transportation, by motor vehicle, of *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, between points in the United States (including AK and HI). (Hearing site: Provo or Salt Lake City, UT.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

MC 130815F, filed March 18, 1980. Applicant: MANNING TOURS, INC., P.O. Box 536, Elizabeth City, NC 27909. Representative: Myrtle M. Pritchard (same address as applicant). To engage in operations, in interstate or foreign commerce, as a broker, at Elizabeth City, NC, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, between points in NC, on the one hand, and, on the other, points in the United States (including AK and HI). (Hearing site: Raleigh, NC.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York, NY*, 54 M.C.C. 291 (1952).

FF 175 (Sub-3F), filed December 21, 1979. Applicant: B. C. FORWARDING CO., LTD., 3600 South Western Ave., Chicago, IL 60609. Representative: H. Barney Fireston, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. To operate as a *freight forwarder*, through the use of the facilities of common carriers by railroad or motor vehicle, in the transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and motor vehicles), between ports of entry on the International Boundary line between the United States and Canada, in MN, MT, ND, ID, and WA, on the one

hand, and, on the other, points in CA. (Hearing site: Los Angeles and San Francisco, CA.)

FF 434 (Sub-5), filed December 31, 1979. Applicant: TRANSCONEX, INC., 3000 N.W. 74th Ave., Miami, FL 33152. Representative: Alan F. Wohlstetter, 1700 K St., NW, Washington, DC 20006. To operate as a *freight forwarder*, through the use of the facilities of common carriers by rail, motor, or water vehicles, in the transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and motor vehicles, and those commodities in vehicles equipped with mechanical refrigeration), from points in GA to points in FL. (Hearing site: Atlanta, GA.)

FF 442 (Sub-2F), filed February 12, 1980. Applicant: C-LINE FORWARDING, INC., 340 Jefferson Blvd., Warwick, RI 02888. Representative: Ronald N. Cobert, 1730 M St NW, Suite 501, Washington, DC 20036. To operate in interstate commerce, as a *freight forwarder*, through the use of the facilities of common carriers by rail, motor, and water of *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) between Alexandria, VA, Baltimore, MD, the District of Columbia, New York, NY, the Counties of Anne Arundel, Baltimore, Howard, Montgomery, and Prince Georges, MD, the Counties of Bergen, Camden, Essex, Gloucester, Hudson, Middlesex, Passaic, and Union, NJ, the Counties of Nassau, Rockland, and Westchester, NY, the Counties of Delaware, Montgomery and Philadelphia, PA, and the Counties of Arlington and Fairfax, VA, on the one hand, and, on the other, points in FL. (Hearing site: New York, NY.)

Office of Proceedings, Permanent Authority Notices, Substitution Applications: Single-Line Service for Existing Joint-Line Service

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2). These proposals are published as "service sought", (as opposed to decision-notices), because in each case it appears questionable as to whether all or part of the authority sought should be issued, weighing applicant's evidence under 49 CFR 1062.2. (For example, questions may be raised relating to applicant's contentions concerning why the involved joint-line service has been cancelled or is in a state of deterioration which warrant a decision on the merits, regardless of whether the application is opposed.)

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such petitions may seek intervention either with or without leave as discussed below. However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission within 30 days of publication of this decision-notice.

Petitions for intervention without leave (i.e., automatic intervention), may be filed only by carriers which are, or have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occurred within the one-year period immediately proceeding the application's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition, however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e., applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

MC 30844 (Sub-682F), filed February 19, 1980. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 4616 E. 67th St., Tulsa. OK 74121. Representative: John P. Rhodes, P.O. Box 5000, Waterloo, IA 50704. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Canned goods, groceries, and candy*, from Chicago, IL, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (2) *Canned goods*, from the Lower Peninsula of Michigan to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (3) *Canned goods and groceries*, between Minneapolis-St. Paul, Rochester and Winona, MN and LaCrosse, WI, on the one hand, and, on the other, points in IL on and south of U.S. Hwy 36, and points in AR, CO, IN, (except Indianapolis), KS, MO, NE, OH, OK, and TX, (4) *Canned goods and groceries*, from Pittsburgh, PA to Rochester, Winona, MInneapolis-St. Paul. MN and LaCrosse, WI, (5) *Malt beverages, canned goods, groceries, and candy*, from St. Louis, Mo. to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI (6) *Canned goods* in mixed loads with frozen foods, in vehicles equipped with mechanical refrigeration, from Decatur, Lawton, and Mattawan, MI, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (7) *Canned goods*, from the facilities of Curtice-Burns, Inc., at Alton, Leroy, Mt. Morris, Oakfield, and South Dayton, NY, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (8) *Packing house products*, between Bay City, MI and points in MI on and South of a line extending from Muskegon, MI, along MI Hwy 46 through Newaygo and Saginaw, MI, to Port Sanilac (except Detroit, Flint and Saginaw, MI), points in OH on and north of a line extending from the Indiana-Ohio State line along U.S. Hwy 40 through Springfield and Columbus, OH, to junction OH Hwy 440 (formerly portion U.S. Hwy 40), near Kirkersville, OH, thence along OH Hwy 440 to junction U.S. Hwy 40, near Brownsville, OH, thence along U.S. Hwy 40 through Cambridge and Bridgeport, OH, to the Ohio-West Virgina State line (except Columbus and Toledo, OH), Altoona, PA, and points in PA on and west of a line extending from the Maryland-Pennsylvania State line along U.S. Hwy 219 through Salisbury, Johnstown, Du Bois, and Bradford, PA, to the New York-Pennsylvania State line, and Buffalo, Niagara Falls, Rochester, Syracuse, and Utica, NY, on the one hand, and, on the other, Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (9) *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, from Rochester, Winona,

Minneapolis-St. Paul, MN and LaCrosse, WI to points in CT, DE, IN (except points in Indiana located within the Chicago, IL, Commercial Zone, as defined by the Commission), KS, ME, MD, MA, MO (south of U.S. Hwy 40), NE, NH, NJ, NY (except Buffalo, Niagara Falls, Rochester, Syracuse, and Utica), PA (except points on and west of U.S. Hwy 219), RI, VT, WV, and the District of Columbia.(10) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and commodities in bulk, in tank vehicles, from Sioux City, IA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (11) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the facilities of Missouri Beef Packers, Inc., at or near Phelps City, MO, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (12) *Meats, meat products, and meat by-products* (other than frozen) as described in Section A of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Quakertown, PA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (13) *Meat, meat products, and meat by-products, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Great Bend, KS, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (14) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Descrtiptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI to Garner, NC, and points in GA and TN, (15) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Desciptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Omaha, NE, to points in CT, DE, IL, IN, MD, MA, ME, MI, NH, NJ, NY, OH, PA, RI, and VA, (16) *Meats, meat products and meat by-products, and articles distributed by meat packinghouses,* as describedd in Section A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and commodities in bulk, in tank vehicles, from the plant site of Farmland Industries, Inc., Garden City, KS, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (17) *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packinghouses,* as described in the appendix to the report in Modifications of Permits—Packing House Products, 48 M.C.C. 628, between Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, on the one hand, and, on the other, Colorado Springs, Denver, and Pueblo, Co, Lawrence and Topeka, KS, Detroit, Flint, and Saginaw, MI, Joplin and Kansas City, MO, Cincinnati, Columbus, Dayton, and Toledo, OH, and Henrietta, Muskogee, Oklahoma City, Okmulgee, and Tulsa, OK. (18) *Frozen foods,* in vehicles equipped with mechanical refrigeration, from Decatur, Lawton, and Mattawan, MI, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (19) *Frozen manufactured or prepared foods,* from Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, to points in AL, LA, MS and TN. (20) *Prepared frozen foods,* from Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, to points in CT, DE, IL (except points on and south of U.S. Hwy 36, and except Aurora, Chicago, Elgin and Joliet), MD, MA, the Lower Peninsula of MI, MN, NJ, NY, PA, RI, WV, and the District of Columbia. (21) *Frozen foods, and potatoes and potato products* when moving in mixed loads with frozen foods, from points in Montcalm County, MI, to Rocheste, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (22) *Frozen potatoes, and potato products,* from Easton, Portland, and presque Isle, ME, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (23) *Frozen foods,* from Omaha, NE, to points in CT, DE, IL (except points on and south of U.S. Hwy 36, and except Aurora, Chicago, Elgin and Joliet), MD, MA, MI (except Ann Arbor, Detroit, Livonia and Ypsilanti), MN, NJ, NY, PA, RI, WV, and the District of Columbia. (24) *Frozen foods,* from Omaha, NE, to points in AL, LA, MS and TN. (25) *Flour and feed,* from Atchinson and Hutchinson, KS, and Kansas City and St. Joseph, MO to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (26) *Cocoa beans,* from New York, NY, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (27) *Coffee beans,* from New York, NY, and Philadelphia, PA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (28) *Tea,* from Hoboken, Jersey City, and Port Newark, NJ, and New York, NY, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (29) *Candy, confectionery, and confectionery products* (except commodities in bulk, in tank vehicles), from the facilities of Topps Chewing Gum, Inc., at or near Duryea, PA, to points in Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (30) *Foodstuffs* (except frozen foods, meat, meat products, meat by-products, and commodities in bulk), from the plant sites of Standard Brands, Inc., at Suffolk, VA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (31) *Malt beverages,* in containers, from Pueblo, CO, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (32) *Glassware,* (a) from Winchester, IN to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, and (b) from Ada, Blackwell and Okmulgee, OK, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (33) *Glassware and glass articles,* (a) from Fort Smith, AR; Kansas City, MO; and Ada, Blackwell, Okmulgee, and Sapulpa, OK, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (34) *Paper and paper articles,* from Denver, CO; Hutchinson, Lawrence and Wichita, KS, and Tulsa, OK, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (35) *Fibreboard, paper, and paperboard containers and metal container ends,* from Oil City, PA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, *Printed material,* from Trevose, PA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (36) *Such materials, supplies and accessories as are dealt in by electrical contractors,* from Athens, TN, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (37) *Oil,* in containers, from Coffeyville, KS, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (38) *Petroleum products,* from El Dorado, KS, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (39) *Petroleum products* in containers, from Bartlesville, Enid, Muskogee, Okmulgee, and Ponca City, OK, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (40) *Fertilizer, fertilizer ingredients, and agricultural chemicals,* except in bulk, from Columbus, OH, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI and their respective

Commercial Zones. (41) *Farm machinery, farm machinery parts, farm implements, and hardware,* from Chicago, East Moline, Moline, Rock Falls, Rock Island, Sandwich, and Sterling, IL, and Milwaukee and Racine, WI, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, Zones, Waterloo and Charles City, IA. (42) *Truck trailer and railroad car heating and cooling machines,* from Louisville, GA, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (43) *Farm tractor engines and farm tractor parts,* from Waukesha, WI, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (44) *Soaps, toilet preparations and cleaning compounds,* in containers, from Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, to points in AL, AR, CO, CT, KE, FL, GA, IL, IN, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and the District of Columbia. (45) *Soaps, toilet preparations and cleaning compounds,* in containers, from Chicago, IL, Indianapolis, IN, Cedar Rapids, Des Moines, Davenport, and Iowa City, IA and their respective Commercial Zones, to points in (a) CO, KS, MN, NE, OK, and TX, and (b) AL, AR, CT, DE, FL, GA, KY, LA, ME, MD, MA, MI, MN, NE, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI, and DC. (46) *Soaps, toilet preparations and cleaning compounds,* in containers, from Omaha, NE to points in AL, AR, CT, DE, FL, GA, IL (except Chicago and points in the Chicago Commercial Zone), KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VT, VA, WV, WI and DC. (47) *Soaps, toilet preparations and cleaning compounds,* in containers, from Kansas City, MO, to points in AL, AR, CT, DE, FL, GA, IL (except Chicago), KS, ME, MD, MA, MI, MN (except Minneapolis-St. Paul and Commercial Zone), NH, NJ, MN, OK, PA, RI, VT, VA, WV, WI and DC. (48) *Prepared infant foods and infant clothing and supplies,* from Fremont, MI, to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, (49) *Infant's and children's clothing and supplies,* from Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI, to points in AL, AR, CO, CT, DE, FL, GA, IL, IN, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV,WI, and the District of Columbia. (50) *Infant's and children's clothing and supplies,* from Chicago, IL, Indianapolis, IN, Cedar Rapids, Davenport, and Des Moines, IA Zones, to points in CO, MN, MO, NE, OK, and TX. (51) *Infant's and children's clothing and supplies,* from Omaha, NE, to points in AL, AR, CT, DE, FL, GA, IL (except Chicago and its Commercial Zone), KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC. (52) *Canned goods and groceries,* between Omaha, NE, on the one hand, and, on the other, points in IL on and south of U.S. Hwy 36, AR, MS, IN and OH. (53) *Prepared frozen foods,* from Omaha, NE, to points in CT, DE, IL (except points on and south of U.S. Hwy 36, and except Aurora, Chicago and Joliet), MD, MA, ME, NJ, NY, PA, RI, WV, and DC. (54) *Prepared frozen foods,* from Stromsburg, NE and 10 miles thereof, on the one hand, and, on the other, points in that part of NE on and east of NE Hwy 61 and points in CT, DE, IL (except points on and south of U.S. Hwy 36, and except Aurora, Chicago and Joliet), MD, MA, MN, NJ, NY, PA, RI, WV, and DC. (55) *Canned goods and groceries,*between Stromsbury, NE and 10 miles thereof, on the one hand, and, on the other, points in that part of NE on and east of NE Hwy 61 and points in IL (on and south of U.S. Hwy 36), IN, OH, AR, and MO. (56) *Canned goods and groceries,* between points in AR, CO, KS, MO, NE, OK, and TX, on the one hand, and, on the other, Chicago, IL and Indianapolis, IN and their respective Commercial Zones. (57) *Coffee beans,* from New York, NY, Hoboken NJ and Philadelphia, PA, to Kansas City, MO and Omaha, NE. (58) *Cocoa beans,* from New York, NY to Kansas City, MO and Omaha, NE. (59) *Tea,* from Hoboken, NJ to Kansas City, MO and Omaha, NE, and (60) *Prepared food products,* from points in NY to Rochester, Winona, Minneapolis-St. Paul, MN and LaCrosse, WI. (The purpose of this application is to eliminate interline service in conjunction with commonly controlled carriers.

MC 118318 (Sub-53F), filed January 11, 1980. Applicant: IDA-CAL FREIGHT LINES, INC., P.O. Drawer M, Nampa, ID 83651. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. Authority sought to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in by grocery and food business houses, from points in CA to points in UT. (Hearing site: Boise, ID.)

Note.—The sole purpose of this application is to substitute single line for a joint-line operations.

Notice of Correction

The following applications were published in the **Federal Register** issue of February 22, 1980, in the incorrect section of Motor Carrier Operating Rights Applications. The correct heading is Permanent Authority Notices, Substitution Applications: Single-Line Service for Existing Joint-Line Service as noted above.

MC 68860 (Sub-43F), filed August 15, 1979. Applicant: RUSSELL TRANSFER, INCORPORATED, 5259 Aviation Dr., NW., Roanoke, VA 24012. Representative: Liniel G. Gregory, Jr. (same address as applicant).

MC 69281 (Sub-52F), filed August 30, 1979. Applicant: THE DAVIDSON TRANSFER & STORAGE CO., a corporation, 698 Fairmount Ave., Baltimore, MD 21204. Representative: Henry J. Bouchat, P.O. Box 58, Baltimore, MD 21203.

MC 129631 (Sub-69F), filed August 24, 1979. Applicant: PACK TRANSPORT, INC., 3975 South 300 West, Salt Lake City, UT 84107. Representative: Max D. Eliason, P.O. Box 2602, Salt Lake City, UT 84110.

MC 136782 (Sub-21F), filed July 11, 1979. MC 136782 (Sub-23F), filed August 3, 1979. Applicant: R.A.N. TRUCKING COMPANY, a corporation, P.O. Box 128, Eau Claire, PA 16030. Representative: Daniel C. Sullivan, 10 South LaSalle St., Suite 1600, Chicago, IL 60603.

MC 138960 (Sub-8F), filed August 13, 1979. Applicant: ROKO EXPRESS, INC., P.O. Box 169, 819 West Fifth Ave., Columbus, OH 43212. Representative: Daniel C. Sullivan, 10 South LaSalle St., Suite 1600, Chicago, IL 60603.

The rest of the publications remain the same.

Office of Proceedings, Permanent Authority Decisions, Decision-Notice Substitution Applications: Single-Line Service for Existing Joint-Line Service

Decided: April 7, 1980.

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2).

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such petitions may seek intervention either with or without leave as discussed below. However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission on or before May 23, 1980.

Petitions for intervention without leave (i.e. automatic intervention), may be filed only by carriers which are, or

have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occurred within the one-year period immediately preceding the application's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition, however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e. applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings:

With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930 (a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient petitions for intervention, filed on or before May 23, 1980 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 4, Members Fitzpatrick, Fisher, and Felder. Member Felder not participating.

MC 43038 (Sub-493F), filed February 11, 1980. Applicant: COMMERCIAL CARRIERS, INC., 20300 Civic Center Dr., 4th Floor, Box CS 5027, Southfield, MI 48037. Representative: Paul H. Jones, 29725 Shacket Ave., Madison Heights, MI 48071. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *motor vehicles* (except trailers), in secondary movements, in truckaway service, between points in FL, on the one hand, and, on the other, points in NC, SC, VA, and WV.

(Hearing site: Detroit, MI, or Washington, D.C.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

MC 51018 (Sub-14F), filed February 19, 1980. Applicant: THE BESL TRANSFER CO., a corporation, 5550 Este Ave., Cincinnati, OH 45232. Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *commodities* which by reason of size or weight require the use of special handling or special equipment, from Cincinnati, OH, and points in Butler, Clermont, Hamilton, Montgomery, and Warren Counties, OH, to points in IA and MN.

(Hearing site: Cincinnati, OH.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

MC 71478 (Sub-48F), filed February 5, 1980. Applicant: THE CHIEF FREIGHT LINES CO., a corporation, 2401 North Harvard, Tulsa, OK 74115. Representative: Carl L. Steiner, 39 south LaSalle St., Chicago, IL 60603. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Wichita, KS and Caney, KS, from Wichita over U.S. Hwy 54 to junction U.S. Hwy 77, then over U.S. Hwy 77 to junction U.S. Hwy 166, then over U.S. Hwy 166 to Caney, and return over the same route, serving no intermediate points.

Applicant intends to tack this authority with its existing regular-route authority.

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

MC 98334 (Sub-4F), filed December 11, 1979. Applicant: INDUSTRIAL TRANSIT SERVICE, INC., 3203 Pluto, Dallas, TX 75212. Representative: Bernard H. English, 6270 Firth Rd., Fort Worth, TX 76116. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *commodities* which because of size or weight require the use of special equipment, and (2) *parts* for the commodities named in (1) above, when moving in connection with such commodities, (3) *self propelled articles*, each weighing 15,000 pounds or more, and (4) *related machinery, tools, parts, and supplies* moving in connection with (3) above, between points in AR, KS, LA, NE, NM, OK, and TX.

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

(Hearing site: Dallas or Fort Worth, TX.)

MC 110988 (Sub-408F), filed January 14, 1980. Applicant: SCHNEIDER TANK LINES, INC., 4321 W. College Ave., Appleton, WI 54911. Representative: Matthew J. Reid, Jr., P.O. Box 2298, Green Bay, WI 54306. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over

irregular routes, transporting *acids and chemicals,* in bulk, in tank and hopper vehicles, from Chicago, Joliet, and Lemont, IL, to points in AL, FL, GA, MD, MS, NC, SC, TN, VA, and WV. (Hearing site: Chicago, IL.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

MC 140024 (Sub-168F), filed October 29, 1979. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Ave., Commerce City, CO 80022. Representative: Don L. Bryce (same address as applicant). To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Salt Lake City and Clearfield, UT, Kansas City, MO, points in CO on, east and north of a line beginning at the WY-CO State line and extending over Interstate Hwy 25 to junction U.S. Hwy 50, then extending over U.S. Hwy 50 to the CO-KS State line, points in IA, KS, and NE, on the one hand, and, on the other, Louisville, KY, Pittsburgh, PA, points in the lower peninsula of MI, IN, OH, and points in NY on and west of U.S. Hwy 11. (Hearing site: Denver, CO, or Washington, DC.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

MC 142228 (Sub-1F), filed February 4, 1980. Applicant: M-T EXPRESS, INC., 2700 Sterick Bldg., Memphis, TN 38103. Representative: James N. Clay, III (same address as applicant). To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Jackson, MS and Memphis, TN, over U.S. Hwy 51 (and I-Hwy 55), serving as off-route points those on and north of MS Hwy 8 and on and west of I-Hwy 55, (2) between Jackson, MS and Holly Springs, MS, from Jackson over U.S. Hwy 51 (and I-Hwy 55) to Grenada, then over MS Hwy 7 to Holly Springs and return over the same route, serving all intermediate points, restricted against the transportation of traffic moving between Jackson, Sharpsburg, Pickens, Goodman, Durant, Hoffman, West, Beatty, Vaiden, Winona, Eskridge, Duckhill and Elliott, MS, (3) between Grenada, MS and Calhoun City, MS over MS Hwy 8 serving all intermediate points, restricted against the transportation of traffic originating at, interchanged at, or destined to Grenada and Calhoun City, (4) between Greenville, MS and Jackson, MS, (a) from Greenville over U.S. Hwy 82 to Winona, and then over U.S. Hwy 51 to Jackson, and return over the same route, serving all intermediate points on U.S. Hwy 82, and off-route points in Washington County, MS, and (b) from Greenville over MS Hwy 1 to junction U.S. Hwy 61, then over U.S. Hwy 61 to junction I-Hwy 20, and then over I-Hwy 20 to Jackson, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, and (5) between Jackson, MS and Canton, MS over U.S. Hwy 51 (and I-Hwy 55), serving all intermediate points, and serving all points in Madison County as off-route points, and serving Jackson, MS, and points within its commercial zone as points of joinder only. (Hearing site: Memphis, TN.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-12469 Filed 4-22-80; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL CONVENTION ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. Appendix I, that a meeting of the International Convention Advisory Commission will be held on Friday, May 30, 1980, at 9:00 a.m. at the Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006.

The Commission will consider goals and objectives that it should undertake, development of the U.S. position for the third meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, applications for international trade in species protected by the Convention, and other business.

For further information contact Dr. William Y. Brown, Acting Executive Secretary, International Convention Advisory Commission, Room 3348, 18th & C Streets NW., Washington, D.C. 20240, telephone 202/343-7407. Opportunity will be given for oral or written presentations provided that appointments are made with Dr. Brown by 5:00 p.m., May 27, 1980.

Jane H. Yarn,

Chairman, International Convention Advisory Commission.

[FR Doc. 80-12391 Filed 4-22-80; 8:45 am]

BILLING CODE 4310-68-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development Joint Committee for Agricultural Development of the Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a), (2), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Joint Committee on Agricultural Development (JCAD) of the Board for International Food and Agricultural Development (BIFAD) on May 12 and 13, 1980.

The purpose of the meeting is to: Summarize the CDSS activities and plan follow-up to Missions; review program submissions of Missions proposed projects and evaluate their potential for Title XII involvement; review the summary of JCAD Team visits to Missions; review progress and revision of the Registry of Resources; and discuss how to relate the Strengthening Grant activities to Mission programs.

The meeting on May 12, 1980 will convene from 9:00 a.m. to 12:00 p.m. in the form of Regional Work Groups: Africa RWG in Room 2941, New State Department Building, Washington, D.C. 20523 (Mr. William Johnson, A.I.D. Federal Designee for this meeting, can be contacted at (202/632-3650); Latin America RWG in Room 2242 New State Department Building (Mr. Blair Allen, A.I.D. Federal Designee for this meeting can be contacted at (202/632-8126); Near East RWG in Room 6484 New State Department Building (Mr. Keith Sherper, A.I.D. Federal Designee for this meeting, can be contacted at (202/632-9256); and the Asia RWG in Room 606 Rosslyn Plaza "C" Building, 1601 North Kent Street, Rosslyn, Virginia (Dr. Donald Plucknett, A.I.D. Federal Designee for this meeting can be contacted at (703/235-8870). The Full JCAD Committee will convene on May 12 from 1:00 p.m. to 5:00 p.m. at the Holiday Inn, Dynasty Room, 1850 N. Fort Meyer Drive, Arlington, Virginia 22209. The Ful JCAD Committee will meet also on May 13 from 9:00 a.m. to 1:00 p.m. at the Holiday Inn, Dynasty Room, 1850 N. Fort Meyer Drive, Arlington, Virginia 22209. The meetings are open to the

public. Any interested person may attend, may file written statements with the Committee before or after the meetings, or may present oral statements in accordance with procedures established by the Committee, and to the extent the time available for the meetings permit.

Dr. Frank H. Madden, BIFAD Support Staff, is designated A.I.D. Advisory Committee Representative at the May 12 and 13 meetings. It is suggested that those desiring further information write to him in care of the Agency for International Development, State Department, Washington, D.C. 20523, or telephone him at (202) 632–3009.

Dated: April 17, 1980.

Frank H. Madden,

AID Advisory Committee Representative, Joint Committee on Agricultural Development, Board for International Food and Agricultural Development.

[FR Doc. 80–12403 Filed 4–22–80; 8:45 am]

BILLING CODE 4710–02–M

INTERNATIONAL TRADE COMMISSION

[TA–131(b)–(4)

List of Articles Which May Be Considered for International Trade Negotiations; Investigation and Hearing

The United States Trade Representative (USTR), acting pursuant to the authority delegated to him by the President (E.O. 11846, as amended by E.O. 11974) and in conformity with section 131 of the Trade Act of 1974 (19 U.S.C. 2151), gave notice on April 7, 1980 (45 FR 23558), of articles that may be considered for modification or continuance of U.S. duties or for additional duties.

The USTR has requested the Commission to furnish its advice pursuant to section 131 of the Trade Act as to the probable economic effects on producers of like or directly competitive products and on consumers, of increases in the current duty rates for certain listed items.

The list, annotated with the current rates of duty for each listed article and the maximum rates of duty which may be imposed on such articles under authority of section 124 and section 101(c) of the Trade Act is published as an annex to this notice. The current rates of duty shown in rate columns numbered 1 and 2 are the same as the rates in effect as of January 1, 1975.

Investigations

In accordance with the request of the USTR and the provisions of sections 124 and 131 of the Trade Act, the Commission, on April 14, 1980, insituted investigation TA–131(b)–4 for the purposes of obtaining, to the extent practicable, information of the kind described in section 131(d) of the Trade Act for use in connection with the preparation of the advice requested by the USTR.

Hearing

A public hearing in connection with the investigation will be held in the Commission Hearing Room 701 E Street, NW., Washington, D.C. 20436, beginning at 10:00 a.m., e.d.t. on Wednesday, May 14, 1980. All interested persons will be given an opportunity to be present, to produce evidence, and to be heard at the hearing. Requests to appear at the public hearing should be addressed to the Secretary at the Commission's office in Washington, D.C., and should be received not later than noon of the fifth calendar day preceding the hearing.

Written Submissions

In lieu of or in addition to appearing at the public hearing, interested persons may submit written statements. Any business information which a submitter desires the Commission to treat as confidential shall be submitted on separate sheets, each 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 made available for inspection by interested persons. To be ensured of consideration by the commission, written statements should be submitted at the earliest practicable date, but no later than May 19, 1980. All submissions should be addressed to the Secretary at the Commission's office in Washington, D.C.

Report

At the completion of this investigation, the Commission will transmit its report to the USTR. The Commission expects to transmit to the USTR by June 16, 1980.

Issued: April 15, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

Annex

GSP	TSUS item No.[1]	Article description	Rates of duty— Cents per pound Col. 1	Col. 2	Maximum increase permissible [2]
		Vegetables, fresh, chilled, or frozen (but not reduced in size nor otherwise prepared or preserved).			
	135.92	Cucumbers, if entered during the period from March 1 to June 30, inclusive, or the period from September 1 to November 30, inclusive in any year.	3	3	4.5¢/lb, or 3¢/lb plus 20 pct ad val., whichever is higher.
A	135.94	Cucumbers, if entered during the period from July 1 to August 31, inclusive, in any year.	1.5	3	4.5¢/lb, or 1.5¢/lb plus 20 pct ad val., whichever is higher.
	136.22	Eggplant, if entered during the period from December 1 in any year to the last day of the following March, inclusive.	1.1	1.5	2.25¢/lb, or 1.1¢/lb plus 20 pct ad val., whichever is higher.

[1] Tariff Schedules of the United States. The Tariff Schedules of the United States Annotated (1980) is for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402; it is also available for inspection without charge at any field office of the U.S. Customs Service or the Department of Commerce and at depository libraries.

[2] Sec. 101(c) of the Trade Act of 1974 provides as follows: (c) No proclamation shall be made pursuant to subsection (a)(2) increasing any rate of duty to, or imposing a rate above, the higher of the following: (1) The rate which is 50 percent above the rate set forth in rate column numbered 2 of the Tariff Schedules of the United States as in effect on Jan. 1, 1975, or (2) the rate which is 20 percent ad valorem above the rate existing on Jan. 1, 1975. Current rates of duty are shown in rate columns numbered 1 and 2. Such rates are also the same as the rates in effect as of Jan. 1, 1975.

[FR Doc. 80–12483 Filed 4–22–80; 8:45 am]

BILLING CODE 7020–02–M

[TA-406-6]

Anhydrous Ammonia From the U.S.S.R.; Report to the President

April 11, 1980.

To the President: In accordance with section 406(a) of the Trade Act of 1974 (19 U.S.C. 2436(a)), the United States International Trade Commission herein reports the results of an investigation relating to anhydrous ammonia (ammonia) from the U.S.S.R. The investigation (No. TA-406-6) was undertaken to determine, with respect to imports of ammonia, provided for in items 417.22 and 480.65 of the Tariff Schedules of the United States (TSUS), which is the product of the U.S.S.R., whether market disruption exists with respect to an article produced by a domestic industry.

The Commission instituted the investigation on January 28, 1980, following the receipt on January 18, 1980, of a request from the President to institute an investigation. The President made the request pursuant to section 406(c) of the Trade Act, having found under that section that there are reasonable grounds to believe that market disruption exists with respect to such anhydrous ammonia the product of the U.S.S.R. The President also found, pursuant to section 406(c), that emergency action was necessary and took action, under sections 202 and 203 of the Trade Act, limiting the quantity of such anhydrous ammonia the product of the U.S.S.R. which may enter the United States during the period January 24, 1980, to January 24, 1981, to 1,000,000 short tons (Proclamation 4714 of January 18, 1980, published in the **Federal Register** of January 21, 1980 (45 FR 3875)). the Commission held a public hearing on this matter in Washington, D.C on March 3, 1980. Notice of the institution of the investigation and of the paublic hearing was published in the **Federal Register** of February 4, 1980 (45 FR 7645).

The information in this report was obtained from fieldwork and interviews by members of the Commission's staff, from other Federal agencies, from responses to the Commission's questionnaires, from information presented at the public hearing, from briefs submitted by interested parties, and from the Commission's files.

A transcript of the hearing and copies of the briefs submitted by interested parties in connection with this investigation are attached.

Determination of the Commission

On the basis of the investigation, the Commission (Chairman Bedell and Commissioner Moore dissenting) determines, with respect to imports of anyhdrous ammonia the product of the U.S.S.R., provided for in items 417.22 and 480.65 of the TSUS, that market disruption does not exist with respect to an article produced by a domestic industry.

Statement of Reasons of Commissioner Paula Stern and Vice-Chairman Bill Alberger

On the basis of the information developed during the course of this investigation, we determine that market disruption as defined in Section 406 of the Trade Act of 1974 (Trade Act) [1] does not exist with respect to imports of anhydrous ammonia from the Union of Soviet Socialist Republics (U.S.S.R.).

Background

The U.S. International Trade Commission (Commission) conducted the present investigation at the request of the President. On January 18, 1980, the President announced that pursuant to Section 406)c) of the Trade Act, he found "reasonable grounds to believe" that market disruption existed with respect to imports of Soviet ammonia.[2] In conjunction with this finding, the President imposed an interim quota limiting imports of ammonia from the U.S.S.R. to 1 million short tons for the year beginning January 24, 1980. This emergency action, taken as if the Commission had made an affirmative determination, will cease to apply on the day on which the present negative determination is submitted to the President.[3]

This is the second Section 406 investigation which the commission has conducted within the last half year of imports on Soviet ammonia. On October 11, 1979, the Commission found by a three-to-two majority that market disruption existed. We strongly dissented from that determination.[4] On December 11, 1979, the President announced that the provision of the relief recommended by the majority was "not in the national economic interest" and, therefore, he was not proclaiming such relief.[5]

In initiating the second investigation on January 18, 1980, the President stated that "recent events have altered the international economic conditions" under which he had acted on December 11, 1979.

The present determination by the Commission has been made on a *de novo* basis and takes into account all the information before the Commission. In the previous investigation, data were not available beyond the first half of 1979. The present investigation benefits from data for the full year of 1979 as well as information and predictions based on changes in international economic conditions. We have carefully reviewed our previous determination and reconsidered our findings and have reached the same conclusion: market disruption does not exist with respect to imports of anhydrous ammonia from the U.S.S.R.

The Product and the Domestic Industry

We found no new issues regarding the product and the domestic industry. In 1979, ammonia was produced in the United States by 51 companies operating at 79 locations throughout the country. The petitioners in the previous investigation accounted for 48 percent of domestic production in 1979. Two of them were also major importers from their facilities in Canada and Trinidad.

Rapidly Increasing Imports[6]

Occidental Petroleum Corp. ships virtually all of its imports of Soviet ammonia to 10 customers in the United States. These customers purchase a fixed amount each year over the length of their contracts, running from 1 to 10 years. U.S. imports from the U.S.S.R. reached 777,000 short tons in 1979 (less than the 1 million short tons anticipated during the last investigation) and, in the absence of restrictions, are expected to increase to 1.5 million tons in 1980 and 2 million tons in 1981.

Imports from other important foreign sources changed slightly in volume from 1978 to 1979. Imports from Canada increased 16,000 short tons to 533,000 in 1979; imports from Trinidad increased 56,000 short tons to 332,000 in 1979; and imports from Mexico fell 40,000 short tons to 309,000 in 1979. The ratio of all imports to total consumption climbed from 8 percent in 1978 to 10 percent in 1979. The Soviet Union has become the

[1] 19 U.S.C. 2436.

[2] Presidential Proclamation No. 4714, 45 FR 3875 (1980).

[3] 19 U.S.C. 2436(C)(1).

[4] United States International Trade Commission, *Anhydrous Ammonia from the U.S.S.R.: Report to the President on Investigation No. TA-406-5 . . ., USITC Publication 1006., October 1979 (Report).*

[5] 44 FR 71809 (1979).

[6] We find the framework and substance of our joint views in the previous case, No. TA-406-5, remain valid and have not repeated ourselves here. For the sake of brevity, we have merely updated previous data and noted changed conditions. We incorporate our previous opinion by reference. See "Statement of Reasons for the Determination of Commissioners Paula Stern and Bill Alberger" in Report, pp. 13-43.

largest single foreign supplier of this product to the United States.

During the last 2 years, Soviet ammonia increased its share of the domestic market from 2 percent in 1978 to 4 percent in 1979, one point below the market share expected for 1979 at the time we made our previous determination. Publicly announced targets for imports from the U.S.S.R. have not yet been met in *any* year. As we indicated in the previous investigation, these imports minimally meet the standard for rapidly increasing imports of section 406.

Material Injury

We have examined anew all the relevant economic indicators through 1979 to assess the present health of the domestic industry. Our examination shows that the ammonia industry in the United States—which had been experiencing difficulties since mid-1975, well before Soviet imports began to enter the United States—was rapidly recovering at a time when Soviet imports were increasing to their highest levels. There are many indications that 1980 will be a fine year for this industry.

In 1979 capacity utilization rose to 89 percent, 3 percentage points higher than reported in the first half of 1979 and a full 12 points higher than in 1978. With new plants coming on stream and the closure of outmoded ones, the larger, newer, more efficient plants now account for 56 percent of total capacity. Capacity for 1980 is greater than in 1979.

The dramatic decline in profitability of domestic ammonia operations from 1976 to 1978 has reversed itself. The ratio of net operating profit to total sales rose from 1 percent in 1978 to 5 percent in 1979. Because previous data showed a net loss for the first half of 1979, we know that the second half of 1979 must have been quite profitable to pull the full year profit figure up to 5 percent.

Employment declined 10 percent in 1979 compared with that in 1978, but is up slightly from the first half year of 1979. Since U.S. production increased more than one million tons to a recordbreaking 18.1 million short tons in 1979, any decline in employment in this industry reflects rising productivity, made possible by newer, more efficient facilities. Shipments reached record high levels in 1979, and inventories continued to decline through all of 1979.

In the previous investigation, we found material injury that resulted from causes other than imports from the U.S.S.R. In this case, however, we do not believe material injury exists, but we will carry our discussion through the causation test for the sake of clarifying all issues.

Threat of Material Injury

We have already observed that during the last half of 1979 the domestic ammonia industry exceeded on virtually all counts the expectations we formed in the previous case. (These expectations were based on developments clearly underway in the first half and the best available predictions.) The strong recovery that was predicted is well underway; Occidental has not inaugurated a policy of underselling domestic ammonia; prices have increased rapidly to increasingly profitable levels.

It is on the question of threat that the altered international economic conditions cited by the President have direct bearing. Barely two weeks after the President rejected the remedy that the then Commission majority had recommended in the previous case, Soviet troops invaded Afghanistan. In partial response, the President made two decisions which altered the environment of the ammonia market. On January 4, 1980, he announced that the United States would limit grain exports to the U.S.S.R., and on February 25, 1980, he ordered an embargo on the exportation of domestic phosphates to the U.S.S.R. Because production of the crops in question, wheat and corn, accounts for a significant portion of domestic fertilizer demand, and because Occidental in effect pays for imported Soviet ammonia with phosphate exports (e.g., superphosphoric acid), both these events had a significant bearing on the domestic ammonia industry.

The impact of these two announcements on the ammonia industry could have been direct and/or indirect. Direct effects are those which operate in the first instance in the ammonia market itself. Indirect effects include those which operate in the first instance in other markets linked in some fashion to the ammonia industry. We here considered both the direct effects of the phosphate embargo as it relates to the U.S.S.R.'s willingness to supply ammonia and the indirect effects of the grain embargo.

The U.S. Government embargo on phosphate exports has not, according to Occidental, affected the ability or desire of the Soviet Union to meet its delivery commitments for ammonia. Nor has a private boycott of all U.S.S.R. vessels and cargo initiated by the International Longshoreman's Association (ILA) on January 9, 1980. On February 1, 1980, ILA longshoremen in Jacksonville, Florida, obeyed a court injunction against the boycott, and Occidental reports that no phosphate shipments or ammonia deliveries have been delayed.[7] Therefore, we have to assume that ammonia imports from the U.S.S.R. will continue at approximately the levels projected, while recognizing that they have consistently fallen short of projected levels.

As for the indirect effects of the grain embargo, nearly 17 million short tons of wheat and corn contracted to be sold to the U.S.S.R. before October 1980 will not be shipped to the U.S.S.R. To offset the impact of this embargo on the U.S. agricultural sector, the Government has offered to assume the contractual obligations for approximately 4 million short tons of wheat and 11 million short tons of corn. The Department of Agriculture (Agriculture) will take delivery of all of the wheat and place it in reserve to be used only for food assistance programs. The balance between supply and demand for wheat thus will not change as a result of the embargo. For corn, Agriculture has revised the farmer-owned reserve system to eliminate most of the embargoed corn from the market.[8]

Further offsetting developments in the grain markets include the purchase by Mexico of 1 million short tons of corn originally destined for the U.S.S.R. and poorer-than-expected harvests in Brazil, which will force it to purchase increased quantities of grain. At present, corn export projections for 1980 by Agriculture are larger than those made in December 1979, in spite of the embargo.[9]

The best measure of the overall impact of all these phenomena on the total demand for corn can be found in an analysis of corn prices. In December 1979, Agriculture forecast that farmers would receive an average of $2.25 to $2.55 per bushel of corn in the 1979/80 crop year. In March 1980, Agriculture projected that such prices would be between $2.30 and $2.50. The range has narrowed, but the average is unchanged despite the embargo.

On February 29, 1980, the Secretary of Agriculture stated that "farm output and prices are near levels expected before the suspension."[10] Agriculture has accordingly dropped plans for a paid land-diversion program for the 1980 crops of wheat and corn. A post-embargo survey of farmers conducted in January 1980 indicated that 5 to 6 percent more acres of corn will be cultivated in 1980 than in 1979.[11]

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[7] Accompanying staff report, pp. A-27 and A-28.

[8] See accompanying staff report, p. A-25 for details.

[9] Accompanying staff report, p. A-26.

[10] Ibid.

[11] Ibid.

Forecasts by Chase Econometrics support those of Agriculture.[12]

Thus, the derived demand for ammonia in wheat and corn cultivation will not be negatively impacted. In fact, demand for ammonia in 1980 should grow another 4 percent at a time when its price has already rapidly increased. With all indicators showing positive trends for the industry during a period of increasing imports from the U.S.S.R., there is clearly no threat of material injury to the domestic producers of anhydrous ammonia.

Significant Cause

We have not been able to find any credible shred of evidence that would link Soviet imports to any material injury that the domestic industry has experienced or may continue to experience.

Our previous examination showed that the significant causes of the injury the industry had encountered were to be found in increasing costs combined with overcapacity, which had led to fierce competition, declining prices, and the closure of older, less efficient plants. By the end of 1979, 8.0 million short tons of new capacity, representing 46 percent of total U.S. capacity in 1974, had been added since 1974, most of it coming on stream during 1977 and 1978. The rapid increase in natural gas feedstock prices continued in 1979 as the average price paid by U.S. ammonia producers reached $1.55 per 1,000 cubic feet by yearend, 22 percent higher than in 1978.

Since the last investigation, one additional plant has closed. However, confirming the closure pattern observed in the previous investigation, it was one of the older, smaller, reciprocating type using outmoded pre-1963 technology. Moreover, one new plant is opening this spring; it is a modern giant with a capacity of 400,000 short tons per year.

Previously, we were unable to link Occidental's sales of Soviet ammonia to any of the problems then encountered by the U.S. industry. Since then, Occidental Petroleum has added one new customer. As in most of the cases of the nine customers previously analyzed, there are good indications that price was not the main reason that this customer selected Occidental. We remain convinced that most, if not all, of Occidental's customers would have gone offshore for their ammonia purchases in the absence of Soviet ammonia from the U.S. market. Other foreign producers would have little trouble meeting the demand of Occidental's customers. The present investigation revealed plans for new plants in Canada and Trinidad.[13] Also, any Soviet ammonia excluded from the United States could be diverted to other markets. There it could directly displace U.S. exports or stimulate other offshore suppliers to fill the void created in the U.S. market by the imposition of quotas on Soviet ammonia.

There is no evidence of price suppression or depression due to the subject imports. Coinciding with the period of greatest expansion of imports from the U.S.S.R., gulf coast spot prices rose by 109 percent, from $78 in July 1978 to $163 in February 1980.[14] This increase far exceeds the rise already noted in the price of natural gas, which accounts for two-thirds of the cost of producing ammonia. The present spot price for ammonia, if it persists, may provide the basis for the rapid return of this industry to historic levels of high profitability in 1980. The industry experienced difficulties prior to the introduction of imports from the U.S.S.R. and has recovered during the period of greatest market penetration by the subject imports. Clearly these imports are not a cause of injury to the domestic producers of ammonia.

Conclusion

We have had a rare opportunity in the present case to reexamine the issues, facts, and predictions of a previous determination in the light of additional data and changed international economic conditions. We have found that the positive trends and predictions we observed in our previous Statement of Reasons continued, and generally exceeded our expectations for the last half of 1979. We have again found that there are no indications whatsoever that imports of Soviet ammonia are a significant cause of material injury or the threat thereof to the domestic industry. The changed international circumstances have not brought about market disruption within the meaning of Section 406 of the Trade Act of 1974.

Opinion of Commissioner Michael Calhoun

On the basis of the record developed in the course of this investigation, I determine that market disruption as defined under Section 406 of the Trade Act of 1974 (hereinafter referred to as the Trade Act) [15] does not exist with respect to imports of anhydrous ammonia from the Union of Soviet Socialist Republics.

Discussion

The Product and the Domestic Industry

The nature of the product and the relevant domestic industry under investigation here were adequately described in the View of Vice Chairman Alberger and Commissioner Stern in the investigation which was the predecessor to this one.[16] I shall treat the matters of the nature of product and the relevant industry in question by way of updating my colleagues' treatment in that investigation.

Anhydrous ammonia is used both as a major end product in its own right and also as an intermediate product in the production of more complex chemicals. Nearly 75 percent of the amonia consumed in the United States is used as fertilizer. As a fertilizier, ammonia can be applied either directly to farmland or upgraded into other types of fertilizer. But ammonia is also used in the production of explosives, livestock feeds, fibers, plastics, resins, and elastomers.

In 1979, ammonia was produced in the United States by 51 companies operating at 79 locations throughout the country. These producers vary in size from small chemical fertilizer producers to large, integrated, multi-national oil and chemical corporations, with farmers' cooperatives being among the largest producers.

Ammonia producing plants may be classified into three general categories, using size and by the nature of the technolgoy employed. The least efficient producers are small plants which utilize reciprocating compressor units and have a capacity of less than 200,000 short tons yearly. The most efficient producers are large plants which utilize the newest centrifugal compressors and have a capacity in excess of 340,000 short tons yearly. The intermediate category includes plants using either type of compressor.

In the last decade, in order to increase efficiency and competitiveness, the domestic industry has built several large plants with the newest technology. During this period, the domestic industry has also been wracked by the escalating cost of natural gas, the major feedstock for the production of anhydrous ammonia.

The domestic producers who were petitioners in the previous ammonia investigation accounted for 48 percent of domestic production in 1979. Two of the

[12] Chase Econometrics, *Fertilizer Model Forecasts*, Feb. 18, 1980, pp. 11–14.

[13] Staff Report, p. A–34.

[14] The announcement of the ILA boycott may have held some effect on January spot prices, but with the success of the court injunction of Feb. 1, 1980, any such effect should have quickly vanished.

[15] 19 U.S.C. § 2436.

[16] *Anhydrous Ammonia From The U.S.S.R.: Report to the President on Investigation No. TA–406–5, . . .*, USITC Publication 1006, October 1979, pp. 13–16. [Hereinafter Ammonia Report]

petitioners, CF Industrices, Incorportated, and W. R. Grace and Company are also major importers by virue of their ownership of foreign facilities.

Imports

A. The Occidental Petroleum Company—U.S.S.R. Global Agreement

Central to this investigation is the basic 1973 Global Agreement between the U.S.S.R. and the Occidental Petroleum Corporation of California (hereinafter referred to as Occidental). Among other things, Occidental agreed to provide the U.S.S.R. with design and equipment technology for the construction of modern ammonia plants. In addition, the Agreement called for the U.S.S.R. to purchase 20 million tons of superphosphoric acid from Occiental.[17] In exchange, Occidental originally committed itself under an exclusive licensing agreeement to purchase and market approximately 2.3 million short tons of U.S.S.R. produced ammonia each year from 1974 through 1987 and 1.6 million short tons yearly between 1988 and 1997.[18] The prices paid by Occidental to the U.S.S.R. for this ammonia have been set for periods of up to three years.

Occidental ships virtually all of its imports of Soviet ammonia for U.S. consumption to ten customers in the United States. These customers have agreed to purchase a fixed amount each year over the length of their contracts which run from one to ten years. The purchases are made on a fixed-price basis with an automatic escalator clause. In most of the existing contracts the escalator is an amount of three to six percent per year applicable to shipments in the second and third years of the contract. Prices for subsequent years are subject to further negotiations.

U.S. imports of ammonia from the U.S.S.R. increased from a quantity of zero in 1977 to 315 thousand short tons in 1978 and to 777 thousand short tons in 1979.[19] Without import restrictions, such imports are expected to increase to about 1.5 million short tons in 1980 and 2 million short time in 1981.

B. Other Foreign Sources

The increasing trend in imports from the U.S.S.R. follows the general trend of increasing imports from some other countries. Imports from Canada increased irregularly from 93 thousand short tons in 1974 to 533 thousand short tons in 1979. Imports from Mexico similarly increased from 2 thousand short tons in 1974 to 309 thousand short tons in 1979. While imports from all countries quadrupled from 1974 to 1979, the ratio of all imports to apparent U.S. consumption was only 10 percent in 1979.

Statutory Framework

This investagtion was conducted at the request of the President under Section 406(c)(of the Trade Act [20] which, in turn, requires an investigation on the same basis as that provided for under Section 406(a).[21] Section 406(a)(1) directs that the Commission:

> [P]romptly make an investigation to determine, with respect to imports of an article which is the product of a communist country, whether market disruption exists with respect to an article produced by a domestic industry.[22]

The term "communist country" is defined under Section 406(e)(7) to mean "any country dominated or controlled by Communism." [23] The term "market disruption" is defined under Section 406(e)(2) as follows:

> Market disruption exists within a domestic industry whenever imports of an article, like or directly competitive with an article produced by such domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat thereof, to such domestic industry.

Section 406(a)(2) directs the Commission to notify directly concerned agencies, to hold public hearings, and also permits the Commission some flexibility in defining domestic industry.[24]

Communist Countries; Like and Directly Competitive Products

With respect to the requirements under Section 406(a)(1) that the imports under investigation must be products of a "communist country" and under Section 406(e)(2) that such imports must be "like or directly competitive with a domestically produced article", I embrace the views of my colleagues Vice Chairman Alberger and Commissioner Stern in their treatment of these two matters in the previous investigation of imports of Soviet ammonia.[25]

Market Disruption

But for the matter of whether an article is "like or directly competitive", reaching a determination on the question of market disruption under Section 406(a)(1) is obstructed by an overwhelming ambiguity as to the meaning of market disruption under Section 406(e)(2). The heart of the problem lies in the fact that the definition of market disruption under present law was not reported by either the House or the Senate nor was it part of the bills passed by either the House Committee on Ways and Means or the Senate Committee on Finance.

The policy underlying what is now Section 406, as expressed by both Houses of Congress, is to fashion an effective remedy for domestic industries which are injured by imports from so-called "communist" countries. The House Report states:

> The purpose of section 405 is to provide more easily satisfied criteria for determining whether injury to domestic industries has resulted from imports from countries which are granted nondiscriminatory treatment under this title.[26]

The Senate Report states:

> The purpose of section 406 is to provide an effective remedy against market disruption caused by imports from communist countries.[27]

But as a practical matter we have little guidance as to the specific standards to apply in making determinations which would achieve this clear policy prescription. The bill, as reported by the House, had the same definition of market disruption as did the bill as introduced.[28] It provided in Section 406(c) that

> [M]arket disruption exists whenever imports of a like or directly competitive article are substantial, are increasing rapidly both absolutely and as a proportion of total domestic consumption, and are offered at prices substantially below those of comparable domestic articles.[29]

The bill as reported out of the Senate provided in Section 406 that

> Market disruption exists within a domestic industry whenever an article is being, or is likely to be, imported into the United States in such increased quantities as to be a

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[17] On February 25, 1980, the President ordered an embargo upon the exportation of U.S. origin phosphates to the U.S.S.R.

[18] The quantity of ammonia to be purchased has been subsequently revised. Appendix G of the Staff Report gives a detailed analysis of the agreements.

[19] Occidental Petroleum figures indicate that 832 thousand tons were imported in 1979.

[20] 19 U.S.C. 2436(c).

[21] 19 U.S.C. 2436(a).

[22] 19 U.S.C. 2436(a)(1).

[23] 19 U.S.C. 2436(e)(1).

[24] 19 U.S.C. 2436(a)(2).

[25] *Anhydrous Ammonia From the U.S.S.R.: Report to the President on Investigation No. TA–406–5, ...*, USITC publication 1006, October 1979, pp. 19–21.

[26] *Trade Reform Act of 1973: Report of the Committee on Ways and Means . . .*, H. Rept. No. 93–571 (93rd Cong., 1st Sess.), 1973, p. 82 [Hereinafter House Report].

[27] *Trade Reform Act of 1974: Report of the Committee on Finance . . .*, S. Rept. 93–1298 (93rd Cong. 2nd Sess.) 1974, p. 210 [Hereinafter Senate Report].

[28] H.R. 10710, 93rd Cong., 1st Sess., 1973, p. 135 (as introduced).

[29] *Ibid.*, p. 135 (as reported by the House).

significant cause of material injury, or the threat thereof, to such domestic industry[30]

Thus, the House established a three criteria test requiring a showing that imports are (a) at "substantial levels", (b) "increasing rapidly" both in an absolute sense and in proportion to domestic consumption, and (c) being offered at prices substantially below those of the domestic articles in question. The Senate bill established a principally two step test requiring a showing that imports are coming in or are likely to come in (a) "in such increased quantities" and (b) so as to be a "significant cause" of "material injury" or "threat thereof".

The test we are required to apply under current law differs from these two preliminary formulations in several important respects. First and most striking, the articulation of the concept of market disruption which is controlling here is without any reference to the price or pricing practices addressed in the House bill. Second, the House requirement that the level of imports must be "substantial" in the first place has disappeared. As well, the open ended and variable Senate concept of the import level at which further inquiry would be triggered has given way to the prescription in the House bill. The House requirement was more rigid and, seemingly, more demanding in requiring that, irrespective of the measure of harm suffered by the domestic industry, imports must first be "increasing rapidly".

Fourth, present law permits measuring "increasing rapidly" either absolute or relatively. In contrast, no such provision was in the Senate bill and the House bill required a finding that increases have been absolute and in relation to domestic consumption.

In addition, the current test incorporates the Senate causality requirement that the import level identified as determinative must "be a significant cause" of the resulting harm. And finally, current law adopts the Senate standard that the import level identified as unacceptable have a significant nexus to a harm that is "material" or to such threatened harm. Consequently, the market disruption standard we are to apply in this and, indeed, all cases arising under Section 406 of the Trade Act, requires a determination from the House bill that imports (a) are "increasing rapidly", absolutely or relatively, and from the Senate bill (b) in so increasing, are a "significant cause" of "material injury" or "threat thereof".

[30] H.R. 10710, 93rd Cong., 2nd Sess., 1974, pp. 277–278 (as reported by Senate).

In view of this amalgamated and patchwork standard, proper and precise application is sorely dependent upon those expressions of legislative intent incorporated in the respective reports of the House Ways and Means Committee and the Senate Committee on Finance, as the Conference Report is not helpful in this regard.[31] Unfortunately, the confusion and ambiguity arising from the inconsistencies between the versions of the bill passed by each House in addition to the inconsistencies between those versions and the language ultimately passed into law, carries, as well, into the effort to understand the legislative history. Caution is, therefore, warranted when looking to the respective Committee prints for purposes of clarification and amplification. Nonetheless, the Committee prints, however, ambiguous, provided the only real direction available to us in applying the market disruption definition.

Increasing Rapidly

Two of the only consistent features in the House and Senate definitions of market disruption are, as observed above, the underlying policy that this section is to afford the domestic industry improved opportunities for remedy in the face of injurious behavior by "communist" imports and that expanded levels of such imports is the action against which remedy could be given. Thus, the threshold question in finding market disruption is to determine that level of importation which is such that imports can be said to be "increasing rapidly", having in mind the underlying policy that this provision is to enhance the ability of a domestic industry to obtain relief.

The requirement in current law that imports from "communist" countries must be increasing rapidly comes from the House bill. But, the report of the Ways and Means Committee is silent as to what it envisioned in using the term. However, in using the criteria "in such increased quantities as to be . . .", the Finance Committee observed that it

> [R]ecognizes that a communist country, through control of the distribution process and the price at which articles are sold, could disrupt the domestic markets of its trading partners and thereby injure producers in those countries. In particular, exports from communist countries could be directed so as *to flood domestic markets within a shorter period of time than could occur under free market conditions. In this regard, the Committee has taken into account the problems which East-West trade poses for certain sectors of the American economy.* (Emphasis added.)[32]

And further, the Committee observed that,

> The increase in imports required by the market disruption criteria must have occurred during a recent period of time, as determined by the Commission taking into account any historical trade levels which may have existed.[33]

While I hasten to reiterate that the Committee is not, here, addressing the language "increasing rapidly", its views are, nevertheless, instructive in attempting to establish a standard for measuring that level of increased imports that may be found to be a significant cause of material injury or threat of material injury.

First, although the language used by each House, in this regard, is plainly different, both sets of language are formulated to achieve nearly identifical objectives.[34] Therefore, in view of the pecular circumstances of the legislative history, the Finance Committee's views on this matter should be read to the maximum reasonable extent to also color the meaning of "increasing rapidly". Second, the House language seems, overall, to be a more difficult test to meet than that in the Senate bill.[35]

Thus, having regard for the compelling reason to read the House language of "increasing rapidly", to be, to the maximum reasonable extent, consistent with the Finance Committee's perspective on its test and having regard for the House definition of market disruption being, overall, more restrictive than the Senate's, the Finance Committee's views well serve as a minimum standard for determining the meaning of "increasing rapidly" as used in Section 406(e).

In circumscribing the exercise of discretion to be used in determining that level of importation at which imports could be a cause of material injury, the Finance Committee observed that the

[31] The Conference Report is largely a technical recordation of the compromises reached in reconciling the differences in the bills reported by each House. There is little in the way of discussion that would shed light on reasons for one House yielding to the other. See Conference Report No. 93–1644 (93rd Cong., 2nd Sess.), 1974, p. 15.

[32] A Senate Report 93–1298, (93rd Cong., 2nd Sess.), 1974, p. 210.

[33] Senate Report, *supra*, p. 212.

[34] See p. 18.

[35] The House definition requires satisfaction of fairly stringent criteria placed on discrete factors: thus, the bill requires that import levels must be "substantial"; that the increase in imports must be "absolute" *and* "as a proportion of . . ."; and that prices must be "substantially below" all in addition to which imports must be rising "rapidly". See, H.R. 10710 (as reported by House), *supra* p. 35. The Senate language, however, calls for a sequential weighing of integrated factors: Imports must be "in such increased quantities as to be a significant cause of material injury or threat thereof." See, H.R. 10710 (as reported by Senate), *Supra* p. 277–278.

circumstance to be addressed is that in which "communist" imports could "flood" the domestic market.[36] Consequently, as a minimum, then, the operative notion under Section 406(e) would seem to be "flood".

In common usage, "flood" is understood to mean "to cover or overwhelm * * * inundate, deluge".[37] Deluge implies "an irresistable rush to something" [38] and inundate suggests "to overwhelm by great numbers of superfluity of something; swamp." [39] By comparison, "rapidly" plainly denotes something entirely different, but its connotation fits well within the Finance Committee's view of the character of the importation in question. "Rapid" is understood to suggest that which is

> [M]arked by a notably high rate of motion, activity, succession, or occurrence: requiring notably little time: not slow or retarded * * * marked by abrupt action or decision without delay or hesitation.[40]

Clearly then, in view of all the various and complex considerations which proper interpretation of Section 406(e) requires, the most reasonable interpretation of increasing rapidly must be strongly colored by imports increasing, in an empirical sense, so as to suggest an inundation, a high rate of motion over a short time, an abrupt action.

There can be little question that Soviet imports of ammonia have been increasing steadily. In 1977 there were no Soviet imports. In 1978, Soviet imports represented 2 percent of domestic consumption. In 1979, they had captured 4 percent of consumption. In absolute terms, in 1978, Soviet imports amounted to some 315 thousand short tons and grew to 777 thousand short tons in 1979. Such a doubling in market share and more than doubling in absolute volume over a two year period is significant. To be sure, this increase is in contrast to the relatively static volume and market penetration of non-Soviet imported ammonia which have remained at approximately 1.1 million short tons over the past two years and at about 6 percent market penetration.

But to find that this increase in the level of imports, however steady or significant, sufficiently touches upon a notion of inundation, abrupt action, or high rate over a short time in the sense of what appears to be a reasonable interpretation of "rapidly increasing" is not so clear. First, it cannot be ignored that Soviet ammonia is a new entrant to this market. Thus, the reference to a historical level of zero will necessarily make a rate of increase appear to be very significant in both absolute as well as relative terms. Successful new entrants into a market will often show marked increases in volume and even in market share from one year to the next in the initial years of the market entry without requiring a conclusion that such an increase is abrupt or inundating.[41]

In addition, since the thrust of what is meant by increasing rapidly reasonably includes a notion of high volume and short time, further note must be taken of the circumstance under which Soviet ammonia arrives into this country. The strategy used to market Soviet imports consists of entering into long-term, forward pricing contracts for a prescribed volume of ammonia. Testimony is on the record that Occidental's imports will never amount to the full 2.3 million short tons per year they have agreed to purchase from the U.S.S.R. Occidental negotiates with potential customers and obtains letters of intent to purchase specific quantities of ammonia at certain prices, then, in turn, agrees on terms with the U.S.S.R. at fixed prices for specific periods of time. The initial contracts under which Occidental is presently selling the bulk of the Soviet ammonia are for periods of up to ten years with fixed prices during the first three years. The prices in the second and third years, 1979 and 1980, are subject in most cases, to escalation clauses agreed to in 1976–1977, which provide for price increases ranging from 3 percent to 6 percent per year.

Thus, in contrast to a circumstance in which there is an inundation of imports or a high rate of ammonia imports over a short time, we are faced here with new imports which have grown from a 2 percent market penetration in the first year of importation to a 4 percent market penetration in the second year. In absolute terms, we are dealing with rather modest levels of imports, 315 thousand short tons in 1978 and 777 thousand short tons in 1979, whose growth cannot be said to be unreasonable in the sense of the increasingly rapidly as discussed above. Furthermore, contracts already secured for 1980 and 1981 do not reveal trends that radically differ from this pattern.[42]

Moreover, these are imports for which contracts were made years in advance, with prescribed volumes and predetermined prices. The contracts are known to the market place and, in most instances, are with domestic purchasers who formerly consumed captive ammonia. I am, therefore, unable to find that either under the guidance of the Senate Finance Committee language, or, indeed, on the very face of the language itself that, with regard to the question of present material injury, Soviet imports of ammonia are increasing rapidly.

Having, thus, disposed of the question of whether Soviet imports are increasing rapidly within the framework of material injury does not, in this case, necessarily resolve this question in the context of a significant cause of threat of material injury. This case presents the unique circumstance in which the importer has every intention, barring some unforeseen circumstance, of importing in the future at a predetermined level. While such an intention, though strongly expressed and strongly pursued, to me seems to be too speculative to have a bearing on a finding of increasing rapidly with respect to present injury, the special nature of the circumstances and procedures of the imports in this case do seem to raise this question as it goes to a finding of threat of material injury. Consequently, if imports were, in fact, to come in as intended by the importer, the question exists as to whether imports are increasing rapidly with a view to threat of material injury.

After two years of importation, after having achieved an importation level of over three quarters of a million short tons, and in view of contracts for future purchases, Soviet imports have well established themselves in this market and have established a sound base period against which to compare growth. By its testimony, Occidental fully expects, absent unforeseen circumstances, that its imports of Soviet ammonia will, indeed, continue to grow. Occidental expects to import approximately 1.5 million short tons in 1980 and 2 million short tons in 1981. If the 1980 level is reached, this would be approximately 7 percent of the projected domestic consumption for 1980, an improvement of over 80 percent above that in 1979. Moreover, the growth from a 4 percent market share to possibly a 7.3 percent share, if achieved, would represent a one year in advance

[36] Senate Report, *supra*, p. 210.

[37] Webster's Third New International Dictionary (Unabridged), 1971, p. 873.

[38] *Ibid.*, p. 598.

[39] *Ibid.*, p. 1188.

[40] Webster, *supra*, p. 1188.

[41] In this connection, nothing in the legislative history suggests that either House intended its formulation of market disruption to deter the establishment of a respectable market share for imports from "communist countries". Indeed, the Senate Finance Committee observed that "a reasonable quantity of such materials could be imported from communist countries without market disruption". Senate Report, *supra*, p. 211.

[42] Information on future imports associated with existing contracts was submitted to the Commission in confidence.

penetration nearly equal to that achieved in the first two years of importation. Such an expansion seems to well reflect the flavor of inundation and abrupt action contemplated under Section 406(e).

To compound this rather dramatic potential relative increase, the potential absolute growth in imports above that of the 1979 level, likewise, touches the concern implicit in the concept of increasing rapidly. Without reaching a conclusion as to the actual health of the domestic industry, 777 thousand short tons of ammonia is a significant order of magnitude. It is a level such that the potential impact on the domestic industry of an additional 700 thousand or so short tons is substantially different than the impact of that amount when there had been no previous imports. Thus, such an expected growth, in one year, from the 777 thousand short tons it took two years to reach to the 1.5 million short tons expected for 1980, if achieved, would be an absolute increase in imports also of an order and character that well falls within the color of abrupt action, high rate of motion requiring notably little time, and inundation.

Therefore, I find that imports of Soviet ammonia are increasing rapidly to the extent this consideration bears on the question of threat of material injury under Section 406(e).

Material Injury. Since I have concluded that Soviet imports of ammonia are not increasing rapidly with respect to present injury, it is not necessary for me to consider the question of whether the domestic industry is suffering material injury. Nevertheless, having reviewed the record on this matter, I join in the treatment and conclusion of my colleagues, Vice Chairman Alberger and Commissioner Stern, on the question of whether the domestic industry is, at all, suffering material injury in this case. However, I disassociate myself with that part of their views on this matter which may incorporate their belief, as expressed in the previous case,[43] that the Trade Agreements Act of 1979 is useful in understanding the meaning of "material injury" as it is used in Section 406(e) of the Trade Act of 1974.

Threat of Material Injury. Since I have found that Soviet ammonia imports are increasing rapidly with regard to considerations as to the presence of threat of material injury, it is necessary for me to reach a conclusion as to whether the domestic industry is, in fact, faced with this threat. In this connection, I, again, join in the treatment and conclusion of my colleagues, Vice Chairman Alberger and Commissioner Stern, on the question of whether the domestic industry is faced with a threat of material injury.

Overdependence. Testimony was offered in this case that the concept of "market disruption" under Section 406(e) incorporates a notion of "overdependence" in addition to that provided for on the face of this section. Support for this interpretation is largely based on language found in the Senate Finance Committee Report.[44] However, the completely confused origin of this provision, as I have discussed, obstructs an easy understanding of its meaning and intent. Thus, caution is warranted when relying on expressions of intent in the respective Committee reports even when such expressions go to language used in present law. But to look to the report of one Committee for support in advancing a theory not expressly provided for on the face of this section, nor in any of its prior forms, seems to go beyond the reasonable limits of statutory interpretation. Consequently, I find that Section 406(e) does not contemplate overdependence as a discrete theory to be considered in reaching a conclusion with regard to the existence of market disruption.[45]

Statement of Reasons for the Affirmative Determination of Chairman Catherine Bedell and Commissioner George M. Moore

This investigation is before the Commission as the result of a request by the President. The President stated that "there are reasonable grounds to believe" that imports of anhydrous ammonia (ammonia) from the U.S.S.R. are causing market disruption within the meaning of section 406 of the Trade Act of 1974. On January 28, 1980, the Commission instituted investigation No. TA–406–6 to determine whether imports of ammonia from the U.S.S.R. are causing such market disruption.

The term "market disruption" is defined in section 406(e)(2) of the Trade Act of 1974 as follows:

> Market disruption exists within a domestic industry whenever imports of an article, like or directly competive with an article produced by such domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat thereof, to such domestic industry.

In accordance with section 406(a)(1), the Commission is to examine the impact of imports of ammonia from the U.S.S.R. on the domestic industry producing a like or directly competitive article. Ammonia is identical in physical characteristics and quality regardless of source; therefore, for the purpose of this investigation, we consider the domestic industry to be the facilities in the United States devoted to the production of ammonia.

In 1979, 51 companies operated ammonia plants at 79 locations with a total operating design capacity of 20.4 million short tons per year. In comparison, in 1978, there were 59 domestic firms at 93 locations with an operating design capacity of 22 million short tons producing ammonia. Domestic producers range in structure from small chemical or fertilizer companies to large integrated multinational oil and chemical corporations. Some of the largest ammonia producers are farmer cooperatives.

In order to make an affirmative determination of market disruption, the Commission must find that imports are "increasing rapidly, either absolutely or relatively." This requirement reflects the concerns of Congress regarding the ability of Communist countries to direct their exports by virtue of their control of distribution and price "so as to flood domestic markets within a shorter time period than could occur under free market condition."[46] Although the term "increasing rapidly" is not statutorily defined, the Senate Finance Committee report on the Trade Act provides further guidance as to its meaning:

> The increase in imports required by the market disruption criteria must have occurred during a recent period of time, as determined by the Commission taking into account any historical trade levels which may have existed.[47]

It is clear that the increase in imports can be either absolute or relative and must have been recent in time. The

[43] Ammonia Report, *supra.*

[44] Senate Report, *supra,* pp. 210–211.

[45] Even if such a theory might be cognizable under Section 406(e), it cannot be ignored that it is the well established practice of this institution, founded both upon law and prudence, that in fulfilling its statutory obligations the Commission relies upon objective rather than subjective factors. The core of the objective factors that have been considered in discharge of the Commission's responsibilities overwhelmingly have to do with economic considerations. Nothing on the face of this section, in any of its prior forms, nor, indeed, in the legislative history, remotely suggests that Congress intended Section 406(e) as mandate for this body to stray from its usual practice. Thus, while from a trade policy or foreign policy perspective, it is worthy of concern that this country could be dependent upon the Soviet Union to satisfy as much as 10 percent of the domestic consumption of ammonia, action based upon such a concern, unsupported by reference to the traditional objective factors looked to by this institution, goes beyond this body's jurisdiction.

[46] U.S. Senate, *Trade Reform Act of 1974: Report of the Committee on Finance . . .,* S. Rept. No. 93–1298 (93d Cong., 2d sess.) 1974, p. 210.

[47] Ibid., p. 212.

increase in imports must also have been rapid and of a magnitude to be a significant cause of material injury within the meaning of the act.[48]

In 1973, Occidental Petroleum Corp. entered into an agreement with the Soviet Union which, among other things, gave Occidental the exclusive right to any specified amount of Soviet ammonia for sale in the United States beginning in 1978. Prior to 1978, there were no imports of ammonia from the U.S.S.R. except a nominal amount in 1976. More than 300,000 short tons was imported in 1978, and imports further increased to 777,000 short tons in 1979. Occidental has advised that without import restrictions imports will total about 1.5 million short tons in 1980 and 2 million short tons in 1981.

Imports of ammonia from the U.S.S.R. Were equal to about 2 percent of domestic production in 1978 and increased to 4 percent in 1979; they will rise to a level almost equal to 12 percent of domestic production in 1981.

Considering historical trade levels nd increases occurring during the most recent period of time it is clear that these imports are increasing rapidly, both absolutely and relatively, within the meaning of section 406.

Section 406 also requires that the rapid increase in imports be a "significant cause of material injury or threat thereof" to a domestic industry. Like the term "increasing rapidly," the statutory terms "significant cause" and "material injury, or threat thereof" are not defined in the statute but are discussed in the legislative history of this section. These terms should not be confused with the causation and injury standards of section 201, which is structured to permit the Commission to address the problems of increased imports from all sources, whereas section 406 is specifically designed to address the unique problems of imports from nonmarket economies. In explaining the difference between the causation standards of section 406 and section 201, the Finance Committee Report states:

> This market disruption definition contained in the Committee bill is formulated along lines similar to the criteria for import relief under section 201 of this bill. However, the market disruption test is intended to be more easily met than the serious injury tests in section 201. While section 201(b) would require that increased imports of the article be a "substantial cause" of the requisite injury, or the threat thereof, to a domestic industry, section 406 would require that the article is being, or is likely to be, imported in such increased quantities as to be a "significant cause" of material injury, or the threat thereof. The term "significant cause" is intended to be an easier standard to satisfy than that of "substantial cause" * * * In addition, the term "material injury" in section 406 is intended to represent a lesser degree of injury than the term "serious injury" standard employed in section 201.[49]

It is clear from these legislative comments that a "significant cause" in section 406 investigations must be an important and factually identifiable cause, but the causation requirement is intended to be more easily satisfied than the requirement in section 201.

The term "material injury, or threat thereof" is not defined in the statute. However, the statutory history indicates that the term as used in section 406 is intended to represent a lesser degree of injury than the "serious injury" standard of section 201.

When imports of ammonia from the U.S.S.R. commenced in 1978, the domestic industry was in a substantially weakened competitive position. The industry's vulnerability was due in part to unused capacity resulting from the expansion of production facilities in the mid-1970's, and the increasing costs of natural gas.

In 1978, U.S. production of ammonia decreased from the 1977 level. In 1979 it increased only 2.7 percent above the level attained in 1977, the last year in which there were no U.S. imports of Soviet ammonia. At the same time, the U.S. producers' share of domestic consumption decreased by 4 percent from the 1977 share, despite a 9-percent increase in consumption.

U.S. ammonia productive capacity rose from 17.2 million short tons in 1974 to 22.0 million short tons in 1978, representing an increase of 28 percent. However, since 1978, when ammonia imports began to enter from the U.S.S.R., U.S. productive capacity has declined by 5.7 percent.

In 1978 and 1979, 31 U.S. ammonia-producing plants with a capacity of 3 million short tons were forced to close because their continued operation was unbprofitable. The closing and idling of these ammonia plants was the single cause of the increase in domestic ammonia capacity utilization from 77 percent in 1978 to 89 percent in 1979. Seven of Occidental's 10 long-term contract customers have closed domestic ammonia-producing plants and replaced the output of these facilities with imported low-cost Soviet ammonia.

The number of production and related works engaged in producing ammonia in the United States increased steadily from 3,828 in 1974 to 4,744 in 1977. In 1978, the first year ammonia was imported by Occidental from the U.S.S.R., the number of such workers decreased to 4,610; the number decreased further, by 10 percent, to 4,137 in 1979. The number of hours such workers were employed followed the same trend, increasing steadily from 8.4 million hours in 1974 to 10.3 million hours in 1977 but subsequently dropping to 9.9 million hours in 1978 and 8.4 million hours in 1979.

Natural gas accounted for 64 percent of the cost of producing ammonia in 1978. The average price paid by U.S. ammonia producers for natural gas increased from $0.48 per 1,000 cubic feet in 1974 to $1.55 per 1,000 cubic feet in 1979. While the rising cost of natural gas contributes to the problems experienced by the domestic industry, low-priced imports from the U.S.S.R. threaten material injury to this industry, which is also faced with a severe cost-price squeeze. While natural gas cost $1.55 per 1,000 cubic feet on the average in 1979, 32 percent of the ammonia produced in the United States in 1979 used gas that cost more than $2.00 per 1,000 cubic feet. The cost of natural gas and, hence, the cost of ammonia production, will continue to increase and exacerbate the threat of material injury to ammonia producers from imports of Soviet ammonia.

Available profit-and-loss data show net operating profit from domestic ammonia operations declining from $316 million in 1976 to $149 million to 1977 and to $10 million in 1978. In 1979, the profit level increased to $68 million, which was 120 percent below the profit level of the domestic industry in 1977.

Occidental has contracted with the U.S.S.R. to purchase annual quantities of ammonia during the 20-year period beginning in 1978. The contract has been modified several times, obligating the Soviet Union to supply increasing quantities of ammonia to Occidental for sale in the United States.

Occidental estimates that approximately 1.5 million tons of ammonia will be imported in 1980 and 2 million tons will be imported in 1981. Even if the Department of Agriculture's estimates of a 1.1-million-ton increase in ammonia consumption this year are accurate, the domestic industry is imminently threatened with the capture of most if not all of this increased consumption by Soviet imports.

[48] Statement of reasons for determination of Commissioners George M. Moore, Catherine Bedell, and Italo H. Ablondi, and views of Chairman Joseph O. Parker, in *Clothespins From the People's Republic of China, the Polish People's Republic, and the Socialist Republic of Romania; Report to the President on Investigations Nos. TA–406–2, TA–406–3, and TA–406–4 . . .*, USITC Publication 902, August 1978.

[49] U.S. Senate, op. cit., p. 212.

The strategy used to market Soviet imports consists of entering into long-term forward-price contracts. Occidental negotiates with potential customers and obtains letters of intent to purchase quantities of ammonia at certain prices and then, in turn, agrees upon prices and quantities with the U.S.S.R., with prices fixed for specific periods of time. The contracts under which Occidental sells to its customers are for periods up to 10 years at prices fixed for periods not exceeding 3 years. The prices in the second and third years are fixed except for nominal increases through escalation clauses ranging in most cases from 3 percent to 6 percent a year. Occidental is thus able to offer ammonia in the U.S. market at firm prices for specified periods of time by virtue of the arrangements it has been able to make with its Soviet supplier. The production and sale of ammonia by the U.S.S.R. is a governmental operation and, therefore, does not have to be responsive to the disciplines of the free-market economy in which the U.S. industry competes.

The prices at which the imported ammonia was sold in the first year of the contracts appear to have been comparable with U.S. market prices at the time these forward-price contracts were entered into. However, in 1980 and 1981, the price at the time of delivery, even with the application of a price-escalation clause, will be below U.S. market prices of domestically produced ammonia.

The forward pricing of Soviet ammonia serves to aggravate the cost-price squeeze with which the domestic industry is faced. U.S. producers which are confronted with rapidly increasing costs of natural gas are unable to compete with the long-term contracts made available by the U.S.S.R. Price of U.S.-produced ammonia have risen since 1979 to cover the escalating costs of ammonia production; the prices of ammonia from the Soviet Union have increased only slightly. Thus, the disparity in prices is greater today than in 1979, and consequently substantial sales will be lost to Soviet imports in 1980.

By reason of Occidental's unique ability to forward price through long-term arrangements with the U.S.S.R., imports from the U.S.S.R. are able to penetrate the U.S. market to an unlimited extent. Apparent domestic consumption increased by approximately 500,000 short tons in 1978, or about 3 percent over that in 1977. In 1979, domestic consumption increased further by 1.2 million short tons, or by 7 percent. Imports from the U.S.S.R. supplies approximately 65 percent and 38 percent of this growth in 1978 and 1979, respectively. But for the declaration of a force majeure by the U.S.S.R. in January 1979, which caused its failure to meet early 1979 delivery commitments, Soviet import penetration would have been substantially higher.

Soviet ammonia production capacity is scheduled to double between 1977 and 1982, increasing from 17 million short tons to 34 million short tons. Soviet ammonia production capacity, which was about 20 percent less than U.S. ammonia production capacity in 1977, will be about 60 percent greater than U.S. ammonia production capacity in 1982. This tremendous growth in Soviet productive capacity over a mere 5-year period does not appear to reflect either Soviet or world market needs and consequently poses a threat to the domestic industry.

In October 1978 a CIA report entitled *Soviet Chemical Equipment Purchases from the West: Impact on Production and Foreign Trade* predicted that Soviet exports of ammonia "will be an important destablizing factor in world ammonia markets in the 1980's." This report further stated that "producers in the developed Western countries almost certainly will be affected * * * with depressed prices and profits in store."

A further significant consequence of these sales could be the potential dependence on the U.S.S.R. for a vital raw material. This was of particular concern to the Senate Finance Committee, which stated in its report that it "expects the Commission and the President to monitor carefully import trends and to view each case with the goal of preventing imprudent dependence on a nonmarket economy for a vital material." [50] Certainly the ability of the United States to maintain our highly efficient agricultural production is vital to our economy and to the free world, which is also the beneficiary of our agricultural efficiency.

Dependence on Soviet-produced and Soviet-supplied ammonia for a significant portion of our nitrogen requirements will place our agricultural and other national requirements in a vulnerable position. Ammonia plants are capital intensive. Capital requirements will be difficult to obtain to meet current and future needs if the market structure is disrupted by Soviet-produced ammonia which is marketed under terms and arrangements with which the U.S. industry cannot compete because of the disciplines of a free-market economy.

[50] U.S. Senate, op cit. p. 211.

Conclusion. Much has been said about the recent recovery of the domestic ammonia industry from the brink of serious injury. Yet this modest recovery, which has occurred only in the last 6 months, has not removed the threat of material injury. Ammonia imports from the U.S.S.R. in 1980 will be 100 percent greater than in 1979, and in 1981 they will be 150 percent greater. In the absence of U.S. Government restrictions, it is almost certain that imports from the U.S.S.R. will continue to increase rapidly in the years beyond 1981.

The 5-percentage-point improvement in the operating profit ratio of the domestic industry in 1979 and the 6-percent increase in production pale into insignificance when examined in the light of the dismal prospects for the future of this industry.

It is utter naivete to suggest that the domestic ammonia industry can compete in a price-sensitive market with the onslaught of Soviet imports whose low prices are guaranteed to drive U.S. purchasers away from domestically produced ammonia. The suggestion that the domestic industry can compete in the U.S. marketplace with Soviet imports which are certain to be offered for sale at prices which do not include the escalating costs of natural gas, labor, capital improvements, financing, environmental protection costs, and the like ignores the basic economic facts of life in the early years of this decade in our Nation.

It is inevitable that unrestricted imports of ammonia from the U.S.S.R. in the future will make the U.S. farmer more dependent on foreign sources for fertilizers. This fact makes more meaningful the admonition of the Senate Finance Committee when it stated that in proceedings of this nature it expected this Commission to prevent "imprudent dependence on a nonmarket economy for a vital material".

Therefore, on the basis of the foregoing, we have determined that the criteria of section 406 of the Trade Act of 1974 have been satisfied for an affirmative determination of market disruption.

Issued: April 11, 1980.

By order of the Commission:

Kenneth R. Mason,

Secretary.

[FR Doc. 80-12482 Filed 4-22-80; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-68]

Certain Surveying Devices; Notice and Order Concerning Procedure for Commission Determination and Action

Notice is hereby given that—

1. The Commission will hold a hearing beginning at 10:00 a.m., e.d.t., Wednesday, May 7, 1980, in the Commission Hearing Room, 701 E Street, NW., Washington, D.C., for the purposes of (1) hearing oral argument on the recommended determination of the presiding officer concerning whether there is a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337); and (2) receiving oral presentations with respect to the subject matter of § 210.14(a) of the Commission's Rules of Practice and Procedure (19 CFR 210.14(a)) concerning relief, bonding, and the public interest factors set forth in subsections (d) and (f) of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), which factors the Commission is to consider in the event it determines that relief should be granted. The latter proceeding is legislative in character, and therefore the hearing on remedy, bonding, and public interest will not be subject to the requirements of 5 U.S.C. 556, 557. Instead, this phase of the hearing will be conducted in accordance with § 201.11 of the Commission's Rules of Practice and Procedure (19 CFR 201.11). These matters are all being heard on the same day in order that this investigation may be completed within the time limits prescribed by the statute and to minimize the burden of this hearing upon the parties.

Parties and agencies wishing to make oral argument with respect to the recommended determination shall be limited in each oral argument to not more than 30 minutes, 10 minutes of which may be reserved for rebuttal by the staff and complainant.

For that part of the hearing devoted to relief, bonding, and the public interest, parties, interested persons, and Government agencies will be limited in their presentations to no more than 15 minutes. Participants will be permitted an additional 5 minutes for closing arguments after all presentations have been concluded. The Commission's investigative staff will be allotted the full time available to a party.

Requests for appearances at the hearing should be filed, in writing, with the Secretary of the Commission at his office in Washington no later than close of business, Friday, May 2, 1980. Requests should indicate the part of the hearing (i.e., with respect to the recommended determination, relief, bonding, the public interest factors, or any combination thereof) in which the requesting person desires to participate.

2. Written submissions from the parties, other interested persons, Government agencies and departments, governments, or the public with respect to the recommended determination and the subject matter of subsections (a)(1), (a)(2), and (a)(3) of § 210.14 of the Commission's Rules of Practice and Procedure (19 CFR 210.14(a) (1), (2), and (3)) concerning remedy, bonding, and the public interest will be considered if received by the Commission by Wednesday, May 21, 1980.

Notice of the Commission's institution of the investigation was published in the **Federal Register** of July 5, 1979 (44 FR 39315).

Issued: April 17, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-12480 Filed 4-22-80; 8:45 am]

BILLING CODE 7020-02-M

[Inv. No. TA-201-42]

Fresh Cut Roses; Report to the President

April 15, 1980.

To the President: On the basis of the information developed in investigation No. TA-201-42, the Commission unanimously determined that fresh cut roses, provided for in item 192.19 [1] of the Tariff Schedules of the United States (TSUS), are not being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the treat thereof, to the domestic industry producing articles like or directly competitive with the imported articles.

In accordance with section 201(d)(1) of the Trade Act of 1974 (19 U.S.C. 2251(d)(1)), the United States International Trade Commission herein reports the results of investigation No. TA-201-42, Fresh Cut Roses. The Commission instituted the investigation on November 29, 1980, under section 201(b) of the Trade Act to determine whether fresh cut roses, provided for in item 192.20 [2] 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 an article like or directly competitive with the imported article.

The investigation was instituted following receipt of a petition filed on November 15, 1979, by Roses, Inc., a trade association representing U.S. rose growers. Notice of the institution of the investigation and the public hearing to be held in connection therewith was given by posting copies of the notice at the Office of the Secretary, U.S. International Trade Commission, Washington, D.C., and at the Commission's office in New York City and by publishing the notice in the **Federal Register** of December 12, 1979 (44 FR 71916). The public hearing was held on February 25-27, 1980. All interested parties were afforded an opportunity to be present, to present evidence, and to be heard at the hearing. A transcript of the hearing and copies of briefs submitted by interested parties in connection with the investigation are attached.[3]

The information in this report was obtained from fieldwork and interviews by members of the Commission's staff, other Federal agencies, responses to the Commission's questionnaries, information presented at the public hearing, briefs submitted by interested parties, the Commission's files, and other sources.

Views of Chairman Catherine Bedell and Commissioners Bill Alberger, George Moore, Paula Stern, and Michael Calhoun

Section 201(b)(1) of the Trade Act of 1974 requires that each of the following conditions be met before an affirmative determination can be made:

(1) There are increased imports (either actual or relative to domestic production) of an article into the United States;

(2) The domestic industry producing an article like or directly competitive with the imported article is being seriously injured, or threatened with serious injury; and

(3) Such increased imports of an article are a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

We find neither the second nor the third condition under this subsection has been met and therefore make a negative determination in this case.

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[1] Presently dutiable under item 192.18. On Mar. 30, 1980, the class of articles provided for in item 192.19 was subdivided into two new items, items 192.18 and 192.21. Fresh cut roses are now provided for in item 192.18.

[2] On Jan. 1, 1980, as a result of trade agreements entered into by the United States in 1979, the class of articles provided for in item 192.20 was subdivided into two new items, items 192.17 and 192.19. Fresh cut roses were provided for in item 192.19.

[3] Attached to the original report sent to the President, and available for inspection at the U.S. International Trade Commission, except for material submitted in confidence.

The Domestic Industry

In considering whether increased imports of fresh cut roses are a substantial cause of serious injury, or the threat thereof, to the domestic industry, it is first necessary to define the relevant domestic industry that may be suffering the requisite injury. The Trade Act does not define the term "domestic industry," but rather provides guidelines and permits the Commission to use its judgment in light of these guidelines and the relevant economic factors in a given case. Section 201(b)(1) provides that the domestic industry must produce "an article like or directly competitive with the imported article." Section 201(b)(3)(C) also provides that the Commission may treat a regional segment of the national industry as the domestic industry if (a) domestic producers are producing the like or directly competitive article in a major geographic area of the United States; (b) their production facilities constitute a substantial proportion of the domestic industry and primarily serve the market in that area; and (c) imports are concerned in that area. Although the petitioner did not base its claim for relief on the existence of a regional market within the meaning of section 201, we have considered whether the criteria are met in this case and have concluded that the domestic industry producing an article "like or directly competitive with" fresh cut roses covered by TSUS item 192.18 cannot appropriately be subdivided into a distinct geographic region. Specifically, although the growers in the eastern two-thirds of the United States may technically meet the above statutory conditions, approximately one-half of consumption in that region is supplied by domestic growers outside the geographic area.[4] The impact of imports, therefore, is not isolated on growers in just the eastern region, since imports also compete with roses grown in the western one-third of the United States.[5] We find, therefore, that the appropriate domestic industry consists of all the facilities in the United States devoted to the production of fresh cut roses.

Increased Imports

The statute requires the Commission to consider increases in imports "either actual or relative to domestic production."[6] In this case, imports of fresh cut roses have increased in both absolute and relative terms. Imports of fresh cut roses increased steadily from 4.2 million blooms in 1975 to 35 million blooms in 1979. The ratio of imports to domestic production of fresh cut roses increased from 0.9 percent in 1975 to 7.5 percent in 1979.

Serious Injury or Threat of Serious Injury

Subsections 201(b)(2) (A) and (B) of the Trade Act of 1974 provide guidelines for determining whether a domestic industry is being seriously injured or is threatened with serious injury. The Commission must consider, among other economic factors, whether there is a significant idling of productive facilities in the industry, the inability of a significant number of firms to operate at a reasonable level of profit, significant unemployment or underemployment within the industry, declining sales, growing inventory,[7] or a downward trend in production or wages. In addition, we have analyzed the possible effect of imports on prices in the U.S. cut rose market and lost sales by domestic producers.

Underutilization of productive capacity.—From our investigation we found that the U.S. fresh cut rose industry has not experienced a significant idling of productive facilities. For the 77 fresh cut rose growers, accounting for 49 percent of U.S. production, which responded to the Commission's questionnaire, the number of rose plants in production increased from 8.5 million in 1975 to 10.2 million in 1979. The area devoted to fresh cut rose production for these growers also increased in 1975–79, from 13.7 million square feet to 16.4 million square feet. The petitioner claimed that a small decline between 1975 and 1979 in the average annual number of blooms per rose plant indicates underutilization of capacity. However, this decline is attributable to the industry's successful attempts to attain peak production in the high-demand Valentine's Day period, when prices are much higher. While this tradeoff of blooms per plant for profit makes economic sense, it does not indicate injury.

Significant unemployment or underemployment in the industry.—The average annual number of production and related workers employed by the 74 growers which supplied employment data in response to the Commission's questionnaire increased by 13 percent from 1,679 in 1975 to 1,903 in 1979. Total man-hours worked also increased during 1975–79, from 3.3 million hours to 3.7 million hours.

Wages.—The hourly wage rate for fresh cut rose workers increased from $4.15 in 1976 to $5.28 in 1979.[8]

U.S. production.—The quantity of U.S. production of fresh cut roses remained relatively stable during 1975–79 at about 464 million blooms annually. However, the estimated value of U.S. production increased steadily from $76 million in 1975 to $98 million in 1979.

Prices.—Average unit values for U.S. growers' shipments of domestic hybrid tea and sweetheart roses trended upward during 1976–79. During the period the average annual increases in unit values for domestic hybrid tea and sweetheart roses were 6.7 percent and 6.0 percent, respectively, compared with an average annual increase of 4.3 percent in crop prices received by farmers. From 1978 to 1979, the average unit value of U.S. wholesalers' purchases of domestic hybrid tea roses increased from 36.1 cents to 39.9 cents, and the average unit value of sweetheart roses increased from 16.2 cents to 17.7 cents. Moreover, during 1976–79, domestic rose prices were higher and rose more rapidly in the Boston market, where imports are concentrated, than in the San Francisco market, where import competition was not a factor.

Sales and profitability.—The evidence regarding profitability of the domestic fresh cut rose industry does not support a finding of serious injury or the threat thereof. Questionnaire responses show that sales increased every year during 1976–79, growing from $46.7 million in 1976 to $60.8 million in 1979. During this period net profit increased from $3.7 million to $4.7 million. In 1979, aggregate profit before

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[4] Billings Group, Inc., pp. 58–66, "The Cut Rose Market in the United States," filed Feb. 25, 1980, at the Commission's public hearing; the *Florists' Review*, Feb. 21, 1980, p. 27.

[5] Commissioner Stern notes that the purpose of geographically segmenting an industry is to achieve an economically meaningful unit of analysis for examining the impact of imports on the domestic industry in question. The concept behind a subnational analysis depends on two aspects of regional isolation: (1) the producer's in question must make most of their sales within the geographic area's market and (2) the market must not be served to any substantial degree by domestic producers from other areas. If on the one hand area producers can effectively market on a national scale, they must protect themselves against injury from imports concentrated in their area by diverting sales to other areas. If on the other hand, as in the present case, domestic producers from outside the area meet a substantial part of the area's demand, then there is no true isolation and these other producers are impacted as well by the subject imports. If either aspect of isolation of the subnational market from the national one is missing, the concept of segmentation loses its value and the only appropriate level of analysis remaining is the national one.

[6] Sec. 201(b)(2)(C).

[7] Because of the perishable nature of fresh cut roses, growers or sellers maintain no appreciable inventories.

[8] Commissioners Alberger and Stern note that wages for rose workers grew more slowly than those for general farm workers during recent years. This difference may, however, reflect the greater effect of unionization on general agricultural labor.

deductions for income taxes and officers' salaries would have been substantially higher if one firm had not suffered an extraordinary loss due to a fire.

The financial data for 34 growers which produced no greenhouse products other than fresh cut roses show that their sales increased by 32 percent, from $13.7 million in 1976 to $18.1 million in 1979. Their aggregate ratio of net operating profit to net sales similarly increased, from 14.5 percent in 1976 to 15.1 percent in 1979.

U.S producers' investment.—Nearly 25 percent of the growers responding to the Commission's questionnaire, representing close to 50 percent of U.S. rose production, reported investment in producing facilities. Such investment (based on original cost) increased by 18 percent, from $32.9 million in 1976 to $38.9 million in 1979. The ratio of net operating profit to original cost for these growers increased from 11.3 percent in 1976 to 12.1 percent in 1979.

Lost sales.—The Commission requested fresh cut rose growers to report any sales lost to imports. The growers' customers were contacted by the Commission in an attempt to verify the allegedly lost sales and the reasons therefor. The majority of the firms that reported that they had started to purchase imported roses said they did so because they found domestic growers unable to meet demand during peak selling periods. Only a small proportion of these firms indicated that lower price was the principal reason for the purchase of imports.

Causation

The Commission's investigation revealed that this industry is not seriously injured or threatened with serious injury. Thus, it is unnecessary to reach the issue of causation. However, our analysis of pricing data strongly suggests that areas affected by imports seem to be doing better (receiving higher and more rapidly increasing prices) than areas not so affected.

Conclusion

On the basis of the information gathered in this investigation and our analysis of the issues discussed above, we have determined that imports of fresh cut roses provided for in item 192.19 [9] of the Tariff Schedules of the United States are not a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

Issued: April 15, 1980.

By order of the Commission:

Kenneth R. Mason,

Secretary.

[FR Doc. 80-12479 Filed 4-22-80; 8:45 am]

BILLING CODE 7020-02-M

[9] Presently dutiable under item 192.18. On Mar. 30, 1980, the class of articles provided for in item 192.19 was subdivided into two new items, items 192.18 and 192.21. Fresh cut roses are now provided for an item 192.18.

[731-TA-15 (Preliminary)]

Pipes and Tubes of Iron or Steel From Japan

Determination [1]

On the basis of the record in this investigation No. 731-TA-15 (Preliminary), the Commission determines—

(1) That there is a reasonable indication that an industry in the United States is materially injured by reason of the importation from Japan of welded pipes of steel, provided for in item 610.3205 of the Tariff Schedules of the United States Annotated (TSUSA), which are allegedly sold or likely to be sold at less than fair value; and

(2) That there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of the importation from Japan of seamless pipes and tubes of steel, of circular cross section, provided for in TSUSA items 610.4920, 610.5210, 610.5215, or 610.5270, which are allegedly sold or likely to be sold at less than fair value.

Background

On February 28, 1980, the U.S. International Trade Commission and the Department of Commerce each received a petition from Babcock and Wilcox Co., Beaver Falls, Pa., alleging that the class or kind of merchandise described in the petition is being or is likely to be sold in the United States at less than fair value. Accordingly, the Commission instituted a preliminary antidumping investigation under section 733(a) of the Tariff Act of 1930, as amended, 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 Japan of welded pipes and tubes of iron or steel provided for in TSUSA item 610.3205 and seamless pipes and tubes of iron or steel, of circular cross section, provided for in TSUSA items 610.4600, 610.4920, 610.5210, 610.5215, or 610.5270.[2] The statute directs that the Commission make its determination within 45 days of its receipt of the petition, or in this case by April 14, 1980.

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was duly given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, D.C., and at the Commission's New York office, and by publishing the notice in the **Federal Register** on March 12, 1980 (45 FR 16051). A public conference was held in Washington, D.C., on March 24, 1980.

In arriving at this preliminary determination, the Commission has given due consideration to the information provided by the administering authority, to all written submissions from interested parties, information adduced at the conference and obtained by the Commission's staff from questionnaires, documented personal interviews, and other sources, all of which have been placed on the administrative record of this preliminary investigation.

Statement of Reasons of Chairman Catherine Bedell and Commissioner George Moore

On the basis of the information available in investigation No. 731-TA-15 (Preliminary), we determine—

(1) That there is a reasonable indication that an industry in the United States is materially injured by reason of the importation from Japan of welded pipes of steel, provided for in item 610.3205 of the Tariff Schedules of the United States Annotated (TSUSA), allegedly sold or likely to be sold at less than fair value; and

[1] Chairman Bedell and Commissioner Moore find in the affirmative with regard to TSUSA item 610.3205 and in the negative with regard to the other items. Vice Chairman Alberger finds in the affirmative with regard to TSUSA items 610.5210 and 610.5215 and in the negative with regard to the other items. Commissioner Stern finds in the negative and Commissioner Calhoun in the affirmative. Consequently, there are three votes in the affirmative with regard to TSUSA item 610.3205. There are four votes in the negative regarding TSUSA items 610.4920 and 610.5270 and three votes in the negative regarding items 610.5210 and 610.5215.

[2] On March 18, 1980, the Department of Commerce issued its notice of institution of investigation with respect to the subject articles. However, Commerce did not initiate an investigation with respect to seamless pipes and tubes of iron or steel, of circular cross section, provided for in TSUSA 610.4600. Thus, such articles are effectively excluded from the scope of the Commission's investigation, since there can be no finding of less than fair value sales on these articles at this time.

(2) That there is no 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 Japan of seamless pipes and tubes of steel, of circular cross section, provided for in TSUSA items 610.4920, 610.5210, 610.5215, or 610.5270, allegedly sold or likely to be sold at less than fair value.

The following findings and conclusions, based on the record in this investigation, support our determination.

The Domestic Industry

On March 19, 1980, the administering authority commenced an investigation under section 731 of the Tariff Act of 1930 with respect to the following classes or kinds of merchandise:

(1) Welded carbon steel boiler tubes 0.375 inch and larger in diameter (TSUSA item 610.3205);

(2) Seamless carbon steel boiler tubes (TSUSA item 610.4920);

(3) Seamless stainless and heat-resisting steel boiler tubes and process pipes (TSUSA items 610.5210 and 610.5215); and

(4) Seamless alloy steel boiler tubes and process pipes (TSUSA item 610.5270).

Following the commencement of an investigation, the Commission is required by section 733 of the Tariff Act of 1930 to determine whether there is a reasonable indication that an industry is the United States is materially injured, or is threatened with material injury,[3] by reason of imports of the merchandise which is the subject of the investigation by the administering authority. Thus, the Commission must initially determine the relevant industry with respect to which it will assess the impact of the imports allegedly sold at LTFV.

The Trade Agreements Act of 1979, which superseded the antidumping provisions of the Antidumping Act, 1921, set forth in section 771(4) the following definition of industry to be applied by the Commission in its antidumping determinations:

> The term "industry" means the domestic producers as awhole of a like product, or those producers whose collective output of the like product constitutes a major proportion of the total production of that product.

Section 771(4) further states that—

> The effect of subsidized or dumped imports shall be assessed in relation to the United States production of a like product if available data permit the separate indentification of a production in terms of such criteria as the production process or the producer's profits * * *.

In the instant investigation, the commission obtained product-line data on U.S. producers' shipments and exports from five firms, accounting for approximately 90 percent of total U.S. production of articles like the imported article.[4] In addition, petitioner Babcock & Wilcox Co. (B&W), which accounts for more than half of total production, supplied the Commission with product-line profit-and-loss data on its operations regarding such articles.[5] While such data are less than complete (employment and capacity data are absent), sufficient data are available for purposes of this preliminary investigation to make certain product-line assessments regarding the effect of the allegedly dumped imports.

One of the four types of pipe and tube subject to this investigation is welded; the others are seamless. Available data permit an anyalysis of the two types individually. The production processes for each type are substantially different—to such an extent that the two types are generally manufactured in different plants.[6] Furthermore, certain firms produce the welded articles subject to this investigation but not the seamless, and vice versa.[7] The three seamless products, however, are all produced by essentially the same production methods, on the same machinery, and by the same workers.[8] For these reasons, we have assessed the effect of the allegedly dumped imports on the U.S. industry in relation to U.S. production of the one welded pipe and tube item, and in relation to the aggregate U.S production of the three seamless pipe and tube items.

The Question of Reasonable Indication of Material Injury

The Tariff Act of 1930 (sec. 703(a)) directs that the Commission "shall make a determination, based upon the best information available to it at the time of the deterrmination * * *." The act further specifies in section 771(7)(A), (B) and (C) that the Commission shall consider, among other factors, (i) the volume of imports of the merchandise which is the subject of this investigation, (ii) the effect of imports of that merchandise on prices in the United States for like products, and (iii) the impact of imports of such merchandise on domestic producers of like products. In light of these directives, we base our decision on the preliminary findings of fact and conclusions of law discussed below.

Reasonable Indication of Material Injury by Reason of Imports of Welded Pipes (TSUSA Item 610.3205)

U.S. imports of welded tubes from Japan almost doubled in 1978 from their 1977 level, and in 1979, they were 68 percent higher than in 1977. The ratio of imports from Japan to apparent U.S. consumption followed a similar trend, registering an overall increase of more then 10 percentage points during 1977–79.[9] Import penetration levels are futher pronounced if B&W's captive shipments are excluded from apparent consumption.[10]

The marked increase in U.S. Imports of welded tubes from Japan occurred during a period in which the imported product was apparently underselling the domestically produced product. While definitive conclusions cannot be drawn from the limited price data obtained by the Commission, importers of the subject product have indicated that their product undersells the domestic product by 5 to 10 percent.[11] Petitioner claims that the margin is approximately 16 percent.[12]

U.S. producers' shipments of welded tubes declined by about 9 percent during 1977–79, resulting in the substantial loss of market share noted above.[13]

Profit-and-loss data on U.S. producers' welded pipe operations relate solely to B&W; however, this firm accounts for the major share of U.S. production of such articles. The data show that profit for this portion of B&W's operations was considerably below levels considered generally acceptable throughout 1977–79. Furthermore, the data indicate that profitability was substantially lower in 1978, the year in which import penetration reached its highest level, than in 1977 or 1979.[14]

*No Reasonable Indication of Material Injury by Reason of Imports of Seamless Pipes and Tubes * * * (TSUSA Items 610.4920, 610.5210, 610.5215, and 610.5270)*

U.S. imports from Japan of seamless tubes and process pipes declined by 11 percent during 1977–79. Because U.S. producers' domestic shipments declined by a similar amount, the ratio of such

[3] Material retardation of the establishment of an industry is not an issue in this investigation and will not be discussed.

[4] See the accompanying report (hereinafter referred to as Report), p. A–8.

[5] Report, pp. A–6 and A–16.

[6] Report, p. A–2.

[7] Report, p. A–6.

[8] Transcript of the conference, pp. 32–34.

[9] Report, table 11, p. A–22.

[10] Report, table 12. p. A–23.

[11] Report, p. A–24.

[12] Petition, p. 64.

[13] Report, table 11, p. A–22.

[14] Report, table 8, p. A–18.

imports to consumption remained relatively constant during the period.[15]

Although imports of seamless boiler tubes and process pipes reportedly undersold the domestic product during 1977–79, there is no evidence of price suppression. In contrast to their welded pipe operations, B&W reported significant increases in profitability on its seamless pipe and tube operations during 1977–79, a period in which it experienced declining sales in terms of quantity. Analyses show that B&W's profit improved primarily as the result of the implementation of substantial price increases.[16]

In summary, it is impossible to conclude that U.S. imports of seamless boiler tubes and process pipes from Japan had an injurious effect on the domestic industry. During 1977–79, the imports did not increase; in fact they declined appreciably. The imports did not increase significantly in terms of market share. Finally, the imports did not result in suppression of domestic prices.

Conclusion

On the basis of the information available to the Commission at this time, we believe that there is a reasonable indication of material injury to a domestic industry by reason of imports from Japan of welded pipes of steel provided for in TSUSA item 610.3205 and, therefore, that this proceeding should continue with respect to such articles.

However, with respect to the seamless pipes and tubes subject to this investigation, as provided for in TSUSA items 610.4920, 610.5210, 610.5215, and 610.5270, we believe that there is no 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. Therefore, we believe that this proceeding should be terminated with respect to these articles.

Views of Commissioner Alberger

Determination and Conclusion of Law. On the basis of the record developed in Investigation No. 731–TA–15 (Preliminary), I determine that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Japan of seamless stainless and heat-resisting boiler tubes and process pipes provided for in item numbers 610.5210 and 610.5215 of the Tariff Schedules of the United States Annotated (TSUSA), which are allegedly being sold at less than fair value (LTFV). In addition, I determine that there is no reasonable indication that an industry in the United States is materially injured, or threatened with material injury, or the establishment of an industry is being materially retarded, by reason of imports from Japan of welded and seamless pipes and tubes provided for in item numbers 610.3205, 610.4920, and 610.5270 of the TSUSA, which are also allegedly being sold at LTFV.

Discussion. The most difficult issue presented in this investigation is whether there exists sufficient data for the Commission to assess the impact of the allegedly dumped imports along separate product lines.

Section 771(4)(D) of the Tariff Act of 1930 provides as follows:

> (D) PRODUCT LINES.—The effect of subsidized or dumped imports shall be assessed in relation to the United States production of a like product if available data permit the separate identification of production in terms of such criteria as the production process or the producers' profits. If the domestic production of the like product has no separate identity in terms of such criteria, then the effect of the subsidized or dumped imports shall be assessed by the examination of the production of the narrowest group or range of products, which includes a like product, for which the necessary information can be provided.

The clear intent of this subsection is to require the Commission to analyze the effect of the subject imports on the narrowest possible group of products. Congress left it to the Commission to determine, on a case-by-case basis, how much information it needs before it can make a responsible analysis on a given product line.

I am uncertain whether it is feasible for a product such as seamless stainless boiler tubes, one of the products alleged to be sold at less than fair value, to be analyzed as a separate "product line" as defined by Section 771(4)(D) of the Trade Agreements Act of 1979. The record contains some information that suggests there may be good reason to make a product line distinction among the three seamless products under investigation. Further investigation would provide a better indication. Specific data are available on shipments, exports, and imports for each of the three categories of seamless pipe and tube and the one welded pipe and tube product under investigation. Only the petitioner was able to provide profit and loss data on each of these four products. Other manufacturers were apparently unable to provide such data, due to difficulty in allocating profits between products made on essentially the same machinery by the same employees. Petitioner has the same problems, but nevertheless was able to make the allocation. It is important to note that petitioner accounts for a very substantial proportion of domestic production of each item.

In a preliminary investigation, it is often difficult to obtain complete data within the short time period allowed. In this case, the definitions of both the relevant industry and the product lines within the industry are most difficult to ascertain, and our problems are compounded by the limitations of the data obtained. Looking ahead to the potential of a final determination (if the Department of Commerce were to issue an affirmative preliminary determination of LTFV sales, the Commission would then begin a final injury investigation), the availability of complete data on various products could be pivotal in deciding what product lines the impact of LTFV imports should be measured against. In looking at all of the varius permutations of product lines, I have concluded that the uncertainty apparent on the record concerning the appropriate product lines dictates the finding I have made.

If all seamless pipes and tubes under investigation were to be examined in the aggregate, I would find no reasonable indication of material injury or threat thereof. Analysis of the welded tubes alone would lead to a similar negative determination. If all four products are combined, the result is the same. In fact, any combination of two or more products yields a negative finding. It is only when I look at seamless stainless pipe and tube alone that I find the following conditions present in the most recent period: increasing imports, declining profits (actually losses becoming more severe) and declining domestic shipments. There are indications of injury, and a causal relationship to alleged LTFV imports sufficient to meet the statutory standard.

Since three of my colleagues found the statutory criteria satisfied with respect to the welded product, and I did not, I want to make it clear why I disagree. While profits are low with respect to this product, they did increase in 1979 along with prices. At the same time, imports declined. Thus, the major relevant indicators that seem to be available for this product show positive trends.

Certain ordinarily significant indicators of injury are irrelevant in this investigation. For example, inventories are not maintained, since products are ordered to specifications. Capacity utilization data seem arbitrary and

[15] Report, table 11, p. A–22.
[16] Report, table 8, p. A–18.

confusing, since many other products are made on the same equipment by the same employees. Likewise, employment is not useful here for the same reason.

Findings of fact. The following findings of fact are relevant to my determination in the investigation. To the extent data is available, these findings contain my analysis of the statutory criteria required by section 771(7) (B) and (C) of the Tariff Act of 1930.

Volume of imports. 1. Imports from Japan for each of the four categories (grouped according to TSUSA item numbers) of steel boiler and process pipes and tubes are presented in detail in Table 4 at page 12 of the Commission Staff's Report ("Report"). Total imports of the combined four products increased by 18 percent from 1977 to 1978, but then declined by 13 percent in 1979. The only product for which imports increased in 1979 was seamless stainless steel boiler tubes and process pipes, which rose by 43 percent from 1978 to 1979. Imports of seamless carbon steel and seamless alloy steel pipes and tubes actually decreased by 21 percent and 16 percent respectively over the three year period 1977–1979. (Report at pages 11 and 12; table 4.)

2. In terms of dollar value, imports of the seamless stainless pipes and tubes rose by 84 percent from 1977 to 1979. In constrast, the other three product lines showed a decrease in dollar value of imports for 1979. (Report table 4.)

3. The ratio of imports of seamless stainless pipes and tubes to apparent U.S. consumption from 1978 to 1979 increased by 10 percentage points. In comparison, this ratio for seamless carbon steel pipes and tubes increased by only one percentage point for the same period. The ratio of imports to consumption for welded carbon and seamless alloy steel products actually declined by eight and seven percentage points, respectively in 1979. (Report at page 20, table 9.)

The effect of imports on prices. 4. Specific pricing data is not available on a comparable basis for the imported and domestic products under investigation, largely because these products are custom-made to order with a variety of options. There is evidence from the two major importers and three utility boiler manufacturers, however, that the price of the Japanese boiler tubes is approximately 5 to 10 percent below the price of the petitioner, Babcock and Wilcox Co. (B & W). (Report at page 24.)

5. There is no evidence to indicate that imports had the effect of suppressing or depressing prices in the U.S. market. While imports were increasing by 3 percent during the period 1977–79 and apparently underselling comparable domestically produced articles, B & W was able to increase the profitability of its boiler tube operations primarily through price increases. (Report at page 16, Table 7.)

Impact on the affected industry. 6. The production process differs for welded pipe and tube products compared to seamless products. In the manufacture of welded articles strip steel is formed into a tube by a gradual rolling or bending process and then welded in a continuous process along the length of the seam. Seamless pipe and tube is manufactured by a process of piercing a hole through a length of round steel bar. With each production process, however, there are other products besides those under investigation which are capable of being manufactured. Thus, a typical product mix at a seamless mill would include all three of the seamless products under investigation, as well as others outside the scope of our inquiry. (Conference transcript, pages 32–34.)

7. For the period 1977–79, shipments of seamless stainless and heat resisting steel pipes and tubes rose by 23 percent. Other product lines' shipments dropped significantly, resulting in an overall drop in apparent U.S. consumption for all boiler tubes and process pipes. This drop in demand was caused primarily by a slowdown in the production of boilers used for commercial power generation. (Report at pages 5, 19; Table 9)

8. Since the steel boiler tubes and process pipes under investigation are only produced to order, there are virtually no end-of-period inventories of these products (except for work-in-progress inventories). The imported products are never warehoused by the importers, but are shipped directly to the U.S. buyer. (Report at page 11)

9. Profit and loss data by specific boiler tube product lines was only available to the Commission from the petitioner B & W. B & W accounts for more than half of total U.S. production of boiler tubes. Of the four product lines, only the seamless, stainless boiler tube line experienced net losses throughout the 1977–79 period. The other two seamless product lines both enjoyed increased profitability from 1977–79 despite declines in net tonnages sold. The fourth line, welded carbon steel boiler tubes, experienced a net loss in 1978, as net sales declined in terms of both quantity and value. B & W's welded carbon steel boiler tube operation rebounded in 1979, however, with increased net sales, which translated into a net profit. (Report at page 16; table 7)

10. The Commission received information on production capacity based on an alterable plant product mix of all steel mechanical and pressure pipes and tubes. This product mix necessarily includes products such as mechanical pipes and tubes that are excluded from the scope of the investigation. With this caveat in mind, the available data reveals an increase in U.S. capacity to produce steel mechanical and pressure pipe and tube from 2.5 billion pounds in 1977 to 2.9 billion pounds in 1979, or by 13 percent. Increased industry capacity largely reflects the opening of new piercing mills by B & W (Ambridge, Pa.) and by the Timken Co. (Canton, Oh.). (Report at page 8; table 2).

11. Capacity utilization for the production of all steel mechanical and pressure pipes and tubes increased from 67 percent in 1977 to 69 percent in 1978, but returned to 67 percent in 1979. (Report at page 8; table 2).

12. Employment data could not be obtained for specific product lines. The average number of production and related workers engaged in the manufacture of mechanical and pressure pipes and tubes increased slightly from 7,970 workers in 1977 to 8,064 workers in 1979. Man-hours worked by such workers increased at a slightly higher rate of 5 percent during the 1977–79 period. (Report at page 13; Table 5)

13. The Commission did not receive meaningful information with respect to the impact of LTFV imports on wages, investment, return on investment and cash flow.

Views of Commissioner Paula Stern

On the basis of the best information available in this investigation, No. 731–TA–15 (Preliminary), I determine, pursuant to Section 735(a) of the Tariff Act of 1930 (19 U.S.C. 1673d(a), that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry is materially retarded with reason of imports of steel pipes and tubes from Japan, which are allegedly sold at less than fair value.[17]

The Domestic Industry. In this investigation, one of the most important issues to be evaluated by the Commission is the scope of the domestic industry allegedly impacted by imports sold at less than fair value.

Both under the previous antidumping act [18] and under the new law, Title VII

[17] The Petition alleges that dumping margins ranged from 2 to 21 percent (see Report of the Commission, p. A–3, for individual margins) and LTFV sales have occurred from 1974 to present.

[18] 19 U.S.C. 160.

of the Tariff Act of 1930,[19] the Commission must rely on its judgment in defining the domestic industry for the purposes of investigating material injury. The House Report states that:

> In general, "industry" as used in this Title [Title VII] preserves present practice, and generally means all the domestic producers, taken as a whole, who produce products like the product subject to the investigation, or if no like product exists, the products most nearly similar, in characteristics and in use, to the imported product.[20]

Imports which are the subject of this investigation and thus the products for which like products must be defined, enter the United States under the following categories:

(1) Welded, carbon steel boiler tubes 0.375 inches and larger in diameter (TSUSA 610.3205);

(2) Seamless, carbon steel boiler tubes (TSUSA 610.4920);

(3) Seamless, stainless and heat-resisting steel boiler tubes and process pipes (TSUSA 610.5210 and 610.5215); and

(4) Seamless, alloy steel boiler tubes and process pipes (TSUSA 610.5270).

Each of these items is produced domestically.

At issue in this investigation is whether these four product lines constitute four separate industries or whether the Commission's evaluation must turn on some broader range of items which includes these four categories of goods. Section 771(4) discusses the relationship between product line assessment and the definition of industry:

> (D) Product Lines—
> The effect of subsidized or dumped imports shall be assessed in relation to the United States production of a like product if available data permit the separate identification of production in terms of such criteria as the production process of the producers' profits. If the domestic production of the like product has no *separate identity* in terms of such criteria, then the effect of the subsidized or dumped imports shall be assessed by the examination of the production of the narrowest group or range of products, which includes a like product, for which the necessary information can be provided. (Emphasis added) [21]

The Commission must determine what the value of the information is for the purpose of its assessment, not merely whether data exists. The Commission is not to make its decision mechanically or in a vacuum. The profit data and production data specified above must be evaluated in the light of all other information obtained in an investigation in order for the Commission to judge whether the impact of allegedly dumped imports can be assessed on the basis of product line with separate identities or whether there is no separate to these product lines.

In this case, the Commission obtained certain discreet information for each of the four product lines, including shipment data from five firms whose collective output is thought to comprise 90 percent of total production of the like articles and separate profit information from the petitioner, by far the major producer, for each product line.[22]

However, the ability of this data to stand on its own is clouded by certain fundamental characteristics of production and of the marketplace. Firstly, the machinery and workers employed in making the four articles under investigation also produce other articles which are not "like products." The ability of producers to vary product mix considerably and with relative ease can cause significant changes in volume of production, capacity utilization, employment and profitability. This same argument holds true even when the four product lines are grouped in only two main categories, seamless and welded pipe and tube. Workers, for example, who perform the piercing operation on the three seamless articles subject to this investigation actually perform this operation for the more comprehensive category of all seamless pipe and tube. Likewise, the production process used in making welded pipe, although different from seamless operations, is used in the manufacture of a number of other "unlike" articles.[23]

Secondly, while Babcox & Wilcox Co. (B&W), the petitioner, supplied discreet profit information for its production of each of these articles, B&W's unique position in the marketplace must be noted: B&W accounts for over half of total domestic production of these articles, but the major portion of its own production is consumed internally, as B&W is vertically integrated and also produces boilers; in addition, no other domestic firm produces as wide a range of boiler tubes as the petitioner.[24] B&W presumably has considerable flexibility in altering product mix and in allocating resources and profits among individual pipe and tube articles.

This assumption seems to be corroborated by employment information on B&W operations and the inability of other producers to separate data by product line. From 1977–79, manhours spent producing boiler tubes and process pipes in B&W's boiler operations declined. However, the fact that total employment and manhours worked in B&W plants where these products are produced remained relatively stable probably reflects the flexibility B&W has to alter its product mix when desirable.[25] Several other producers have stated that it would be exteremely difficult or impossible to supply the necessary profit data on the basis of individual product lines.[26]

Lastly, there is no clear distinction between demand markets for the four items. The bulk of the items under investigation are boiler tubes,[27] and their aggregated consumption is largely a result of the variation in the demand for boilers, rather than distinctly separate demand which varies independently for each tube.

This analysis of the "like product" as four separate items can be contrasted with that of "boiler tubes and process pipes," the next larger product grouping for which the Commission has information. This category of products can be distinguished not only by the unified demand market noted above, but also by the fact that these products are marketed by the same sales personnel and through the same channels of distribution.[28] However, the problem of analyzing indices of production, capacity utilization, employment and profits in the face of production processes which are common to both the "like product" (boiler tubes and process pipe in the aggregate) and articles not subject to this investigation also plagues the Commission's evaluation of available data at this level. It is evident that when defined uniquely in terms of production facilities, The production of boiler tubes and process pipes as a subset of a yet larger category of goods.

Commission questionnaires collected data for "all steel mechanical and pressure pipe and tubes," a still larger product grouping. However, boiler tubes and process pipes constitute only a very small portion of this category, 160 million pounds out of 1.9 billion pounds of annual production in this larger category,[29] reported in responses to Commission questionnaires. Furthermore, producers responding to Commission questionnaires on this basis account for only 14 percent of total U.S.

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[19] 19 U.S.C. Section 1676 *et seq.*

[20] Report of the Committee on Ways and Means, House of Representatives, accompanying H.R. 4537, p. 73.

[21] 19 U.S.C. 1677(4)(D).

[22] Report to the Commission (hereinafter "Report"), pp. A–5, 6, 16, 17.

[23] Report, P. A–2, 13.

[24] *Ibid.*, p. A–6.

[25] Babcock & Wilcox Co. petition, pp. 62–63.

[26] Staff briefing before the Commission, April 8, 1980.

[27] The remainder are process pipe, which account for a very small amount of the import volume.

[28] Report, p. A–11.

[29] Report, pp. A–19.

production of all steel mechnical and pressure pipe and tubes.[30]

In this case, where there is no absolutely clear answer to the question of scope of the domestic industry impacted by imports, it is my judgment that the information on the record in this investigation does not permit assessment by separate and identifiable product lines. Therefore, guided by the law's directive to make my findings on the basis of the best information available to the Commission at this time,[31] I have determined that reasonable indication of injury to the domestic industry must be assessed with respect to boiler tubes and process pipes.

So defined, the industry consists of five major U.S. producers, which together account for approximately 90 percent of total U.S. production of boiler tubes. As noted above, the petitioner, B&W, manufactures over half of total domestic production and supplier nearly half of the commercial market for these products. B&W captively consumes over half of its own production.

No Reasonable Indication. Section 771(7)(A)(B) and (C) direct the Commission to consider, among other factors, (i) the volume of imports; (ii) the effect of these imports on prices of like products in the United States; and (iii) the impact of the imports on domestic producers of like products.

The increase in imports of boiler tubes and process pipes over the period from 1977–79 was slight, three percent in quantity terms. From 1978 to 1979, imports actually declined by thirteen percent.[32] As a share of consumption, imports rose only a few percentage points during these three years. That portion of the commercial market captured by imports from Japan increased from six percentage points from 1977 to 1979. When B&W's captive shipments are included in consumption figures, the increase in import penetration is even more insignificant, rising only four percentage points during 1977–79.[33]

The Commission was able to draw only limited conclusions from price comparisons made for standard or comparable products during this investigation, since virtually each tube is ordered to individual specifications. However, even if the petitioner's allegations of price undercutting ranging from about ten to sixteen percent were accepted as valid, it is evident that underselling did not result in price suppression. The record shows that B&W was able to implement sizeable price increases over the course of the entire period for each of the three specific products examined by the Commission.[34] Similarly, average unit values for B&W boiler tubes sales increased each year. There increases occurred in the face of slight declines in the costs of goods sold as a share of net sales on B&W's boiler tubes operations.[35]

Most significant are the indications of the contributions that these price increases made to B&W's profitability. Although consumption of boiler tubes declined by 8 percent [36] (largely due to reduced production of utility boilers in the United States), shipments fell by 17 percent (only 14 percent in the commercial market) during 1977–79,[37] and sales declined in terms of value, B&W was continually able to achieve substantial increases in net profits as a share of net sales.[38] Profit data were obtained only for B&W operations, but, as noted above, B&W's production account for a major and significant share of the industry's production.

Finally, the Commission was unable to confirm any of the several allegations of specific sales lost to the subject imports.[39]

Most of the date gathered in this investigation, pertaining to employment, capacity and capacity utilization, and production do not lead to any meaningful conclusions for the reasons discussed above. Inventories of these products are not maintained because each boiler tube is ordered to certain variable specifications. No information was obtained on return on investments, cash flow, wages, growth, ability to raise capital or investment.

Conclusion. The law gives the Commission discretion in interpreting the information it obtains. The role of the Commission is, therefore, to apply its judgment on a case-by-case basis in light of the statutes themselves and the corresponding legislative comment.

For the purposes of this preliminary investigation, I find that the best information available to me at this time substantiates that there is no reasonable indication of injury to a domestic industry producing boiler tube and process pipes. The record indicates that this industry has experienced increasing profitability in a declining market, that the increase in import penetration has not been significant and that lost sales could not be confirmed.

Based on these conclusions and on information also drawn from the record, I have, therefore, determined in the negative.

Opinion of Commissioner Michael Calhoun

On the basis of the information on the record in this investigation, No. 731–TA–15 (Preliminary), I determine that there is a reasonable indication that an industry in the United States is materially injured, by reason of the importation from Japan of steel pipes and tubes which are allegedly sold at less than fair value.

Under Section 733 of the Trade Agreements Act of 1979,[40] the Commission must "make a preliminary determination, based upon the best information available to it at the time of the determination, of whether there is a reasonable indication that" an *industry* in the United States is materially injured, threatened with material injury, or the establishment of an industry is materially retarded by reason of allegedly dumped imports. Furthermore, the statute requires this preliminary investigation be completed within 45 days of either receipt of a petition or receipt of notice from the Department of Commerce that a petition has been filed.

"Industry" is defined under Section 771(4)(A)[41] as,

> The term 'industry' means the domestic producers as a whole of a like product, or those producers whose collective output of the like product constitutes a major proportion of the total domestic production of that product.

And Section 771(4)(D),[42] regarding product lines, requires that,

> The effect of subsidized or dumped imports shall be assessed in relation to the United States production of a like product if available data permit the separate identification of production in terms of such criteria as the production process or the producer's profits. If the domestic production of the like product has no separate identity in terms of such criteria, then the effect of the subsidized or dumped imports shall be assessed by the range of products, which includes a like product, for which the necessary information can be provided.

In requiring preliminary determinations within 45 days, Congress realized that such a strict time frame necessarily limits the ability of the Commission to conduct a complete investigation in reaching its

[30] *Ibid.*, p. A–14.
[31] 19 U.S.C. 167b.
[32] Report, pp. A–11, 12.
[33] *Ibid.*, pp. A–20, 21.
[34] *Ibid.*, pp. A–24, 26.
[35] Report, p. A–17.
[36] Consumption of boiler tubes and process pipes declined from 272 million pounds in 1977 to 250 million pounds in 1979.
[37] Report, pp. A–20, 21.
[38] *Ibid.*, p. A–19.
[39] *Ibid.*, p. A–24.
[40] 19 U.S.C. § 1673(b) (1979).
[41] 19 U.S.C. § 1677 (1979).
[42] *Ibid.*

determination. The House Ways and Means Committee observed that,

[T]he time limit provided in the bill for an ITC preliminary determination, although longer than that under present law, is still quite brief. It is therefore intended that the ITC will investigate the allegations in the petition in as thorough a manner as possible using the information available within that time period * * *[43]

The Senate Finance Committee stated that,

While the committee recognizes that the ITC cannot conduct a full-scale investigation in 45 days, it expects the Commission to make every effort to conduct a thorough inquiry during that period. The nature of the inquiry may vary from case to case depending on the nature of the information available and the complexity of the issues.[44]

This case is just such an instance in which the shortness of time has limited our ability to conduct as complete an investigation as we would like. In turn, such a limited investigation in this case creates some difficulty in undertaking an appropriate application of Section 771(4)(D).

While section 773(a) requires that preliminary determinations be made with regard to an industry, section 771(4)(D) requires that "the effect of subsidized or dumped imports shall be assessed in relation to the production of a like product" or "the narrowest group or range of products, which includes a like product * * *" [45] Read together, the provisions seem to require that the measure of whether an industry is materially injured, either as a preliminary or final matter, is the effect of the LTFV imports on domestic "like products" or "the narrowest group" of domestic products including the like product.

In applying such a reading to this case, a problem exists as to sufficiency of data relating to the identification of production process and producer's profits under section 771(4)(D). The discussion in the Commission Report of injury to the domestic industry is based on responses to questionnaires by domestic producers of pressure and mechanical steel pipe and tube, accounting for an estimated 90 percent of domestic boiler tube and process pipe shipments. The responses provided data regarding capacity, production, capacity utilization, employment, and profit and loss experience of these domestic producers. In responding to the questionnaire, the petitioner, Babcock and Wilcox, was able to submit data based on the separate consideration of four distinct categories of steel pipe and tube. That the petitioner was able to supply data on four separate products implies the possibility of four distinct product lines against which the Commission must apply section 771(4)(D). In the time available, however, none of the other domestic producers was able to provide similar disaggregated data. This inability of the other domestic producers to provide similar disaggregated data results in confusion as to the precise character of the industry.

As an additional matter, petitioner has testified at Conference [46] that the facilities used in production of the products in question can also be used for other purposes. However, the ease with which production is, in fact, interchangeable, remains a question. Thus, where the fact of interchangeability is established on the Record, evidence is limited going to the practical extent to which it is actually interchangeable.

Thus, not only is it difficult to identify the appropriate product against which to apply section 771(4)(D), it is also difficult to evaluate production process and producer's profits in this regard. So, because of the particular problem of incomplete and confusing information on the record thus far established in this case, taking into account the Senate view that the petitioner bears the burden of proof in section 773(a) cases,[47] and considering that a negative determination will close to the petitioner an opportunity for a more detailed inquiry as well as an opportunity for relief, the most prudent application of the relevant provisions is to undertake a best case analysis to reach a finding on reasonable indication of material injury to a domestic industry. In such an approach, we should apply the information on the record to find a reasonable division of appropriate product lines, then apply the relevant information as prescribed under section 771(4)(D).

My colleagues Chairman Bedell and Commissioner Moore as well as Vice Chairman Alberger have undertaken just such an analysis. [48] I differ from my colleague's findings, however, in one important respect. Their conclusions as to a reasonable indication of material injury to the industry are limited to the products they have isolated. My view is that where the data is as confusing and as incomplete as it is in this case, I prefer to take an affirmative finding, based upon the analysis described above, as a reasonable indication of material injury to an industry without regard to specific products.

The upshot of such an approach is to permit a full investigation to go forward with regard to all products where the affirmative section 771(4)(D) assessment was only with respect to one product. While this is not a desirable procedure in most cases, where the brevity of the preliminary investigation particularly ill-affords sufficient evidence to apply section 771(4)(D) [49] with adequate precision, and where there is a reasonable indication of material injury the public interest seems better served by going forward with fact finding on all matters. Such procedure reserves findings on the close questions of product lines and impact on specific products for a complete development of the facts.

Consequently, while I am not able, at this time, to reach a finding on the basis of specific TSUSA items, I do, for the reasons stated by my colleagues, the Chairman, Commissioner Moore, and the Vice Chairman, find that there is a reasonable indication of material injury to the domestic industry.

Issued: April 14, 1980.
By Order of the Commission
Kenneth R. Mason,
Secretary.

[FR Doc. 80-12481 Filed 4-22-80; 8:45 am]
BILLING CODE 7020-02-M

[43] *Trade Agreements Act of 1979: Report of the Committee on Ways and Means . . .*, H. Rept. No. 96-317 (96th Cong. 1st Sess.) 1979, p. 61 [Hereinafter House Report].

[44] *Trade Agreements Act of 1979: Report of the Committee on Finance . . .*, S. Rept. No. 96-249 (96th Cong. 1st Sess.) 1979, p. 66 [Hereinafter Senate Report].

[45] 19 U.S.C. § 1677 (1979).

[46] Conference Transcript, pp. 33-34.

[47] Senate Report, *supra*, p. 66.

[48] The way in which my colleagues, including Commissioner Stern, differ on findings regarding the products in question is evidence of the insufficiency of the record and permits reasonable minds to significantly differ as to the appropriate application of section 771(4)(D).

[49] 19 U.S.C. § 1677 (1979).

DEPARTMENT OF JUSTICE

Proposed Consent Decree in Action To Enjoin Violations of an NPDES Permit by Appleton Papers, Inc., at Its Paper Mill in Roaring Springs, Pa.

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on April 9, 1980, a proposed consent decree in *United States* v. *NCR Corporation, Appleton Papers, Inc., and Appleton Papers Inc.* (W.D. Pa. No. 77-1408), was lodged with the United States District Court for the Western District of Pennsylvania. The proposed consent decree covers a paper mill in Roaring Springs, Pennsylvania, and it requires the corporation to bring its paper mill into compliance with its

permit and the requirements of the Clean Water Act by improvement of its waste water treatment plant and other pollution control measures, and provides for payment of a civil penalty to the United States in the amount of $150,000.

The proposed consent decree may be examined at the Clerk's office, 8th Floor, U.S. Post Office and Courthouse, Grant Street, Pittsburgh, Pennsylvania 15219 and at the Pollution Control Section, Land and Natural Resources Division of the Department of Justice, Room 2644, Ninth and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed decree may be obtained in person or by mail from the Pollution Control Section, Land and Natural Resources Division, Department of Justice.

The Department of Justice will receive written comments relating to the proposed consent decree for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Deputy Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *NCR Corporation, Appleton Papers, Inc., and Appleton Papers Inc.* (W.D. Pa. No. 77–1408), D.J. Ref. 90–5–1–1–858.

Angus Macbeth,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 80–12437 Filed 4–22–80; 8:45 am]

BILLING CODE 4410–01–M

Office of Justice Assistance, Research and Statistics

Law Enforcement Assistance Administration

Bureau of Justice Statistics

National Priority Program and Discretionary Progam Announcements; Change

In FR Doc. 80–5007 appearing on page 10713 in the issue of Friday, February 15, 1980, in the third column, under *Number and Dollar Range of Grants*, change lines eight (8), nine (9) and ten (10) "* * * the National Institute of Victimology, Victim/Witness Resource Center." to "* * * a qualified organization to provide technical assistance."

Dated: April 17, 1980.

Henry S. Dogin,

Acting Director, OJARS Acting Director, NIJ.

Dated: April 17, 1980.

J. Price Foster,

Acting Administrator, LEAA Acting Director, BJS.

[FR Doc. 80–12393 Filed 4–22–80; 8:45 am]

BILLING CODE 4410–18–M

LIBRARY OF CONGRESS

Copyright Office

[Docket LPR 80–3]

Report of the Register of Coyprights on the Rights of Creators and the Needs of Users of Works Reproduced by Certain Libraries and Archives; Public Hearing

AGENCY: Library of Congress, Copyright Office.

ACTION: Notice of public hearing.

SUMMARY: The Copyright Office of the Library of Congress is preparing a report for Congress in accordance with 17 U.S.C. 108(i). The subject of the report is the extent to which 17 U.S.C. 108 has achieved the intended balance between the rights of creators and the needs of users of copyrighted works which are reproduced by certain libraries and archives. This notice announces and invites participation in the second of a series of regional public hearings designed to elicit views, comments, and information from all interested persons, including copyright proprietors, librarians, and users of all types of libraries. The Copyright Office actively seeks the participation not only of organizational representatives, but also of any individual whose informed opinion may contribute to the preparation of the report and the possible recommendation of changes in the copyright law.

DATES: The hearings will be held on June 11, 1980 and June 20, 1980 at the Washington Hilton Hotel, 1919 Connecticut Avenue, NW, Washington, DC, beginning at 9:30 a.m. The June 11, 1980 hearing will take place in the Conservatory of the Hilton during the same week as the annual meeting of the Special Libraries Association. The June 20, 1980 hearing will take place in the Georgetown Ballroom, West of the Hilton at the end of the annual meeting of the Medical Libraries Association.

Anyone desiring to testify should submit a written request to present testimony by June 4, 1980, to the address set forth below. Ten copies of written statements must be received by the Copyright Office by 4:00 p.m. on June 4, 1980.

Supplemental statements will be entered into the record until July 20, 1980. Ten copies of such statements should be submitted.

ADDRESSES: Written requests to present testimony and ten copies of written statements or of supplementary statements should be submitted as follows:

If sent by mail: Office of the General Counsel, U.S. Copyright Office, Library of Congress, Caller No. 2999, Arlington, Virginia 22202

If delivered by hand, the copies should be brought to: Office of the General Counsel, Room 519, Crystal Mall, Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia

All requests to testify should clearly identify the individual or group desiring to testify and the amount of time desired. The Copyright Office will try to contact all witnesses to confirm the times of their appearances.

FOR FURTHER INFORMATION CONTACT: Dorothy Schrader, General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559. Telephone: (703) 557–8731.

SUPPLEMENTAL INFORMATION:

1. Background and Purpose of the Report.

The Copyright Act of 1976, 17 U.S.C. 101 et seq., was a product of many years of intense effort by Congress to replace what many felt was a copyright law which was ill-suited to such technological developments of the twentieth century as cable television, computers, and photocopying machines. One of the most difficult problems to resolve concerned the photomechanical reproduction, in whole or in part, of copyrighted works by libraries and archives. In addition to codifying the doctrine of fair use for the first time (17 U.S.C. 107), the Copyright Act of 1976 contains provisions authorizing certain acts of reproduction and distribution by qualifying libraries (17 U.S.C. 108).

These provisions represent a rather delicate balance between the positions forcefully advocated by the proprietor and user communities in testimony before Congress during the legislative effort that resulted in the current Act. Because of the uncertainty about their effect, at present and in the future, Congress provided that the Register of Copyrights should prepare at five-year intervals, reports concerning the effectiveness of the balance created by the Copyright Act. The first such report, the subject of the hearing here announced, is due January 1, 1983. An advisory committee composed of ten

representatives of concerned interests meet regularly with the Copyright Office to plan the preparation of the report.

In addition to public hearings, the Copyright Office has under consideration the possibility of conduting an empirical survey to provide objective data on the effects of section 108.

The purpose of this section is to examine practices under section 108 as they have developed since January 1, 1978, when the Copyright Act of 1976 became effective. It would therefore be most helpful if witnesses not simply reiterate positions previously taken with respect to library copying, but amplify their remarks with a discussion of ways in which the Act has or, of equal importance, has not affected their practices.

2. Summary of section 108

Under section 106 of the Copyright Act of 1976, authors and other owners of copyright are given the exclusive rights, among others, to reproduce the copyrighted work in copies or phonorecords and to distribute copies or phonorecords of the copyrighted work to the public. These exclusive rights are subject to serveral exemptions, including those contained in section 107 ("fair use") and section 108 (reproduction by libraries and archives").

Section 108 deals with a variety of situations involving photocopying and other forms of reproduction by libraries and archives. Subsection (a) provides that "* * * it is not an infringement of copyright for a library or archives , or any of its employees acting within the scope of their employment, to reproduce no more than one copy or phonorecord of a work, or to distribute such a copy or phonorecord, under the conditions specified by this section if—

(1) The reproduction or distribution is made without any purpose of direct or indirect commerical advantage;

(2) The collections of the library or archives are open to the public or specialized researchers; and

(3) The reproduced or distributed material includes a notice of copyright.

Thus, paragraph (a) of section 108 establishes the basic conditions under which a library or archives may claim an exemption from the exclusive rights of copyright proprietors. In addition, for the library activity to be exempt under section 108, one of the other conditions set forth in paragraphs (b) through (f) must be satisfied. Moreover, under paragraph (h), the exemptions for nonprint copyrighted works are modified substantially. Very generally, with the exception of facsimile duplication for preservation purposes and to replace damaged, deteriorating, or lost copies, the exemptions of section 108 apply primarily to books and periodicals.

Archival preservation [section 108(b)]. This exemption applies only to unpublished works in the current collection of a library or archives. It allows reproduction only in facismile form, and only for "purposes of preservation or security or for deposit for research use in another library or archives."

Replacement [section 108(c)]. Libraries or archives are authorized to duplicate a published work in facsimile form solely for the purpose of replacement of a copy or phonorecord that is damaged, deteriortating, lost or stolen *but* only if they find that an unused replacement copy cannot be obtained at a fair price. The legislative reports offer some guidance as to what is meant—they indicate that a reasonable investigation will always require recourse to commonly known trade sources in the United States, and in the normal situation also to the publisher or copyright owner or an authorized reproducing service.

Journal articles, small excerpts, etc. [section 108(d)]. This paragraph applies to "no more than one articles or other contribution to a copyrighted collection or periodical issue, or to * * * a small part of any other copyrighted work." The only conditions for supplying a reproduction are that: "the copy becomes the property of the user"' there is no reason to suppose that it "would be used for any purposes other than private study, scholarship, or research"; and the library or archives must display prominently, at the place where orders are accepted, and include on the order form, a warning of copyright in language prescribed by a Copyright Office regulation.

Entire works or substantial parts [section 108(e)]. With one addition, the conditions applicable under paragraph (d), as discussed above, apply under paragraph (e) to the "entire work," or "a substantial part of it." The added condition is that " the library or archives has first determined, on the basis of a reasonable investigation, that a copy or phonorecord of a copyrighted work cannot be obtained at a fair price." This paragraph applies essentially to out-of-print works.

General exemptions [section 108(f)]. In addition to the specific exemptions described above, paragraph (f) makes clear that no copyright liability attaches to a library or its employees for copying done on unsupervised copying machines provided the machines bear a warning that certain copying activity may represent an infringement of the copyright law. Also, nothing in section 108 "in any way affects the right of fair use as provided by section 107," and a small number of copies of an audiovisual news program may be made and distributed by lending.

Multiple and systematic copying [section 108(g)]. Section 108 does not permit copying when the library or archives, or its employee—

(1) Is aware or has substantial reason to believe that it is making or distributing multiple copies of the same material, whether on one or several occasions, or

(2) Engages in the systematic reproduction or distribution of copies of periodical articles or excerpts from other copyrighted works; however, certain copying for interlibrary loan purposes is permissible, even if it might otherwise appear "systematic."

Copying for interlibrary loan purposes is authorized to the extent that libraries receiving copies so made do not do so "in such aggregate quantities as to substitute for a subscription to or purchase of such work." Guidelines for interpretation of the language "such aggregate quantities * * * " were adopted by Congress during its enactment of the Copyright Act, and their effectiveness is a subject of this hearing. They, as the Act, represent a comprise between proprietary and user interests. Because they were drafted by the interested parties with the administrative support of the National Commission on New Technological Uses of Copyrighted Works (CONTU), they have come to be known as the "CONTU Guidelines." (CONTU was a temporary commission which examined certain copyright issues related to computers and photocopying in order to permit Congress to proceed with it revision of the copyright law in general.)

The guidelines which were adopted provide, essentially, that copying for interlibrary loans is permissible—

(1) If no more than five requests for copies of periodical articles from any given periodical are filled for a requesting library during a calendar year, with respect to articles less than five years old. (There is no provision covering the copying of older articles);

(2) If no more than five requests for copies of excerpts of any given work are filled for a requesting library within a calendar year; and

(3) If requesting libraries state that their requests comply with the Act and keep records of their requests for three years.

3. Copyright Clearance Center

In an attempt to establish a centralized mechanism to facilitate payment of royalty fees for copying activities not exempt under the Copyright Act, publishers, with planning assistance by authors and librarians, established the Copyright Clearance Center, Inc. The Center, which is a not-for-profit organization, does not provide copies or grant permission to copy. Each publisher sets its own article copying fees and, to the extent feasible, publishes an article-fee code on the first page of articles to inform users of the appropriate charges for copying.

Participating libraries register with the Center and obtain a user-registration number for use in reporting copying. They submit periodic reports of copying activities and pay the applicable royalty fes on the basis of their chosen payment method, including deposit accounts, billing, and possible prepayment through a stamping meter or stamp.

Presently, this clearance system operates with respect to work in journals, magazines, newsletters, proceedings, symposia, and similar works. Its operating costs are borne by participating publishers.

4. Specific questions

The Copyright Office is interested in receiving comments and testimony about any issues relevant to section 108 which concern copyright owners, librarians, and their patrons. Of particular interest are answers to the following questions:

1. To what extent has section 108 changed library procedures? Has there been any significant effect on users' and librarians' access to information?

2. To what extent has section 108 affected established patterns in the publishing industry and the relationship between authors, libraries, and library users?

3. Depending upon the type of library involved, described the effect, if any, of section 108 upon the type and amount of copying performed by the library on its own behalf or on behalf of users. To what extent have publishers and authors experienced a change in the number of requests from libraries to reproduce works since the present law went into effect?

4. In what manner has the establishment of the Copyright Clearance Center affected your experience under section 108? Would the creation of a National Periodical Center affect your operations? (The intent of these questions is to elicit responses from publishers and authors on the one hand and libraries and library users on the other.)

5. Describe the impact, if any, that section 108 has had upon the replication of nonprint materials, including the ability of libraries to reproduce phonorecords and audio visual works dealing with news. In response to this question describe any problems which have been encountered as the result of the narrower exemptions for nonprint materials under section 108.

6. How has the CONTU "rule of five" worked in practice? How should periodicals more than five years old be treated?

7. What is your opinion of the relationship between section 107 ("fair use") and sections 108 ("reproduction by libraries and archives")?

8. How should foreign copyrighted works and requests from foreign libraries be treated under section 108 and, in practice, how are they treated now?

9. If problems do exist, can they be resolved without resort to legislative amendment? If so, what are the problems, and how could they best be resolved? If not, what changes should be made in the law?

(17 U.S.C. 108)

Dated: April 14, 1980.

Barbara Ringer,

Register of Copyrights.

Approved:

Daniel J. Boorstin,

The Librarian of Congress.

[FR Doc. 80-12337 Filed 4-22-80; 8:45 am]

BILLING CODE 1410-03-M

NUCLEAR REGULATORY COMMISSION

[Dockets Nos. 50-237 and 50-249]

Commonwealth Edison Co.; Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 42 to Facility Operating License No. DPR-25 issued to Commonwealth Edison Company, which revised the license and Technical Specifications for operation of the Dresden Nuclear Power Station, Unit No. 3, located in Grundy County, Illinois. The amendment is effective as of the date of issuance.

The amendment (1) authorizes changes to the Technical Specifications to support review of future reloads for Dresden Unit 3 under provisions of 50.59 and (2) modifies license condition 3.E to assure a conservative MCPR operating limit during coastdown operation.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR Section 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

For further details with respect to this action, see (1) the application for amendment dated December 10, 1979 as supplemented February 6 and March 24, 1980, (2) Amendment No. 42 to License No. DPR-25 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 Morris Public Library, 604 Liberty Street, Morris, Illinois. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 16th day of April 1980.

For the Nuclear Regulatory Commission.

Vernon L. Rooney,

Acting Chief Operating Reactors Branch #3 Division of Operating Reactors.

[FR Doc. 80-12414 Filed 4-22-80; 8:45 am]

BILLING CODE: 7590-01-M

In the Matter of Whether the Accident at the Three Mile Island Nuclear Station, Unit 2, on March 28, 1979, Constitutes an Extraordinary Nuclear Occurrence as Defined by Section 11(j) of the Atomic Energy Act and 10 CFR Part 140 of the Commission's Regulations

Determination

The Commission today determines that the accident at Three Mile Island did not constitute an "extraordinary nuclear occurrence" (ENO) as that term is defined by the Price-Anderson Act and the Commission's regulations. Specifically, we find that Criterion I for an ENO, contained in 10 CFR 140.85, has

not been met. For reasons explained below, we make no explicit finding as to Criterion II.

In the event of a nuclear accident (or nuclear "incident" as the term is used in the Atomic Energy Act), claims for injuries or damages can be brought by any injured person against the plant licensee (in this case Metropolitan Edison Company) and any other party considered responsible for the accident. Congress has established a system of private insurance, funds from electric utilities and government indemnity totalling $560 million to pay such claims. One of the principal obstacles to a claimant's recovery for injuries or damages could be the necessity of proving in a court proceeding that the defendants were negligent and that their negligence caused or contributed to the accident. However, when the Commission determines that a nuclear incident was an "extraordinary nuclear occurrence," the Price-Anderson Act provides for a system which is similar in some respects to a "no-fault" recovery scheme.

When the Commission determines that an ENO has occurred, persons with claims for injuries or damages need not prove that the licensee or other responsible parties were negligent. Furthermore, the defendants in legal proceedings cannot argue that the person making the claim somehow contributed to the injury. In addition, an ENO determination would extend the time within which a legal action could be commenced. Whether or not an ENO is declared, a claimant must still prove an injury or damage, the monetary amount of the loss and how the loss was caused by the accident. When, as here, an incident is not found to be an ENO, all court proceedings are conducted under applicable state and federal law.

We note at the outset that, in ordinary parlance, the accident at Three Mile Island was "extraordinary". It resulted in heavy damage to the reactor itself, caused evacuation of some persons from the surrounding area, and generated concern and anxiety throughout the country. In our decision today we do not in any respect intend to downplay the seriousness of this accident or its consequences.

However, the Price-Anderson Act sets down clear statutory responsibilities for the Commission to perform when such an event has occurred. The term "extraordinary nuclear occurrence" has a specific legal meaning which is quantified by Commission regulations that have been in effect since 1968. Our decision today is limited to the application of those regulations to the accident at Three Mile Island. It is only in that sense that we find this accident not to be an "extraordinary nuclear occurrence".

We believe that the accident at Three Mile Island demonstrates that these regulations should be reexamined. Indeed, we have some reservations about the criteria and the statutory definition of an ENO in light of the Three Mile Island experience.[1] As we note below, a rulemaking is now under way which will examine the need to modify the current criteria and, if necessary, the statute itself.

I. Background

The events which transpired at the Three Mile Island Nuclear Station (TMI) on March 28, 1979, and the days to follow are by now well known to the public. It will not be our purpose here to review the accident itself, which has been described in detail in recent reports by the President's Commission on the Accident at Three Mile Island and by the NRC Special Inquiry Group. For present purposes it is sufficient to note that during the course of the accident, radioactive material was released into the environment at detectable levels offsite and some persons were advised by the Governor of Pennsylvania to evacuate a five-mile zone near the plant. These facts alone were sufficient to suggest an "extraordinary nuclear occurrence".

On July 2, 1979, the Commission received a paper from its staff which set out in detail the operation of the ENO provisions in the Price-Anderson Act and NRC regulations, and recommended that the Commission proceed to determine whether the accident at TMI constituted an ENO. The Commission accepted this recommendation, and announced on July 20, 1979, that it was initiating procedures to make the determination. Public comment on this announcement was officially requested in the **Federal Register** notice published July 23, 1979, 44 FR 43128. Two days later, on July 25, a petition requesting an ENO determination was received from persons residing in the vicinity of TMI.

Pursuant to its regulations, the Commission ordered on August 17, 1979, that a staff panel be formed to review available data and to present findings to the Commission on whether the accident at TMI met the criteria for an ENO contained in 10 CFR Part 140. The Executive Director for Operations, chairman of the panel, reported back to the Commission on August 23 that the panel had been formed and would begin work immediately. A week later, on August 30, the Executive Director reported to the Commission the procedures the staff panel would follow in analyzing data and reaching its recommendations. These procedures were published in the **Federal Register** on September 7, 1979, 44 FR 52391. The panel continued its work throughout the fall of 1979.

On August 29, 1979, the Commission received a request for a public hearing on the ENO determination from attorneys representing plaintiffs in class action suits alleging damages resulting from the accident. The Commission granted this request, and ordered the staff panel to conduct an informal hearing in Harrisburg, Pennsylvania, at which members of the public could address the panel and submit statements for the record. This hearing was announced in the **Federal Register** on November 6, 1979, 44 FR 64133, and efforts were made to inform the public in the Harrisburg area.

The hearing was held on November 21, 1979, before several members of the staff panel and members of the working group assisting the panel in the review of accident data. Seven persons addressed the panel, and statements were submitted for the record by several speakers and others unable to attend the hearing. A transcript of the hearing was kept as part of the ENO determination record.

On December 31, 1979, the staff panel submitted its report to the Commission. Announcement was made in the **Federal Register** on January 4, 1980, that the report was available for public comment for a thirty-day period. 45 FR 1180. This public comment period ended on February 4, 1980, thus closing the record for this determination.

II. Summary of the Record Before the Commission

The record in this proceeding is in four parts, all of which are available for public inspection in the NRC Public Document Room in Washington, D.C. and in Middletown, Pennsylvania: (1) Report of the Staff Panel, December 31, 1980, (2) Public comments following the announcement of the ENO determination, (3) Transcripts of the November 21 hearing in Harrisburg, and statements submitted for the record, and (4) Public comments on the Report of the Staff Panel.

A total of 58 public comments have been received which generally address the ENO question. These comments are summarized and broken down by category in Appendix C to the Report of the Staff Panel. The Staff Report also

[1] Commissioner Gilinsky believes that the criteria presently used to determine the occurrence of an ENO reflect an outdated and overly relaxed view of the level of acceptable radiation dosages.

responds to each category of comments. Four public comments were received by the Commission which specifically address the staff's report, of which one analyzes the staff's findings in some detail.

In reaching this determination, the Commission has considered all parts of the record. Although we accept the findings of the Staff Report and thus conclude that the accident was not an ENO, we do so having weighed carefully the contrary views expressed in public comments and at the Harrisburg hearing.

III. Statutory and Regulatory Framework

The term "extraordinary nuclear occurrence" is defined by Section 11(j) of the Atomic Energy Act as follows:

> The term "extraordinary nuclear occurrence" means any event causing a discharge or dispersal of source, special nuclear, or byproduct material from its intended place of confinement in amounts offsite, or causing radiation levels offsite, which the Commission determines to be substantial, and which the Commission determines has resulted or probably will result in substantial damages to persons offsite or property offsite.

The definition thus provides a two-pronged test: (1) substantial offsite release or substantial offsite radiation, and (2) acutal or likely substantial offsite damages. This section also requires the Commission to "establish criteria in writing" for application of these tests to specific events.

The Commission's criteria are found in 10 CFR 140.84 and 140.85, and are set out fully in the Staff Report at pp. 8–11. Appendix B to the Staff Report may be referred to for a more detailed description of the ENO and waivers of defenses provisions of the Price-Anderson Act and of the Commissions ENO criteria. It will suffice to note here that in making this determination we have applied Criterion I and Criterion II to the facts of the Three Mile Island accident. As described below we find that the radiological releases associated with the accident do not rise to the levels specified in Criterion I, and thus are not "substantial" for statutory purposes. We reach no explicit finding on whether damages resulting from the accident meet Criterion II, and hence make no determination as to whether the damages are "substantial" within the meaning of the statute. Because the statutory definition requires that both tests be satisfied, we reach a negative conclusion.

IV. Review of Staff Panel Findings and Recommendations

A. Standards for Review—

The ENO determination envisioned by Congress and the Commission's rules is an objective decision, depending upon the application of specific criteria to the facts of a particular accident. This is especially true of Criterion I, where the question is whether measured releases or radiation levels (or the best estimates of releases or radiation levels for which direct measurements are not available) meet the levels specified in the criterion. Criterion II is somewhat more subjective, at least as to certain of the damage categories. Assessment of dollar amounts of damages that "probably will result" from the accident, prior to any court judgments reducing claims to exact figures, is by nature more difficult than comparison of measured or estimated releases or radiation levels with established levels. The purpose of having objective tests, of course, is to permit their application soon after an accident has occurred in order to speed recoveries in appropriate cases.

While the final determination in this case is our responsibility, we necessarily must rely upon the work of the staff in analyzing the mass of data relevant to the criteria. Our review of the staff's findings first focuses on whether the staff has taken a sufficiently conservative approach to application of the criteria. Also appropriate for close Commission scrutiny are any major legal or policy questions presented, for example, whether a particular category of damages should be included under Criterion II.

Finally, we must examine the record as a whole to determine whether all available data have been assembled and considered and whether adequate opportunity for public input has been provided.

If the staff's findings are acceptable in the above respects, the remaining questions are quantitative, i.e., whether, based on the record that has been compiled, radiological releases or radiation met the levels specified in Criterion I, and whether damages met the levels specified in Criterion II. In approaching these questions the Commission has not redone the various calculations of doses and radiation levels prepared by the staff. Rather, the Commission's review has focused on whether there is anything apparent in the record as a whole indicating that the staff made any significant errors requiring reanalysis.

B. Criterion I

1. Conservatism. Section VIII(A) of the Staff Report discusses the assumptions made by the staff panel in evaluating exposure levels relevant to Criterion I. As to duration of the accident, the staff assumes that it began on March 28 and ended on May 9, when "all discharges from the reactor were within the dose levels and concentrations specified in Appendix I to 10 CFR Part 50 . . . and 10 CFR Part 20 of the Commission's regulations". While the staff acknowledges that further releases above these levels are possible at TMI, the Report concludes that such releases would be separate "nuclear incidents" within the meaning of the Price-Anderson Act.

For a definition of "offsite", the staff concluded that while the possible choices were separated by less than 100 feet at points nearest to the plant, the definition adopted "include[d] all areas, whether or not owned by the licensee, outside of the owner-controlled area enclosed by the permanent fence on Three Mile Island". (See Staff Report at 14–16). This definition would include some area owned by Metropolitan Edison outside the permanent station fence.

The staff panel considered four possibilities in applying the language of Criterion I referring to "persons offsite [who] were, or could have been, or might be exposed . . .". The panel decided to carry out calculations for three of these possibilities, all of which pertain to the "could have been" category:

> Under one assumption, individuals were assumed to be located at points corresponding to the highest recorded doses where, in fact, no individuals are known to have been * * * The Panel also considered a hypothetical person exposed outdoors for the periods of releases of noble gas and iodine from the accident and placed just offsite at spots that the Panel concluded would have seen the highest exposure. Finally, in order to obtain an upper limit for possible exposure to compare against the values in Criterion I, a person was hypothesized to have the ability and knowledge to be transported so as to be in the area of highest radiation exposure during the course of the accident. (Report at 17–18)

The staff added a statistical measurement error to recorded doses corresponding to a 99.9 percent confidence level, and did not include a reduction factor of 1.2 to 2.2 for the demonstrated over-response of thermoluminescent dosimeter to radiation emitted during the accident. These calculational methods would naturally result in projected doses far in excess of the maximum actual dose received by real persons, which was probably on the order of 75 millirem. (See Document 6 to Appendix A of the Staff Report).

We are satisfied that, as to each of the three assumptions, the staff has taken a

suitably conservative approach. The period chosen to delimit the accident encompasses all releases fairly attributable to the March 28 accident itself. We agree that it is appropriate to regard any further elevated releases from the reactor site as separate incidents once the plant has been brought to cold shutdown and release levels have declined to within normal operating range. Similarly, the staff has chosen the most conservative definition of "offsite" for purposes of measuring possible exposure levels.

Finally, it would be difficult to conceive of a more conservative method of calculating possible dose levels than assuming a person constantly moving into the area of highest possible exposure throughout the duration of the accident. In fact, this category probably goes beyond any fair reading of "could have been" exposed. Nevertheless, it does establish, as the Staff Report states, an upper bound of projected doses. If calculations based on this unrealistic scenario did not meet the levels of Criterion I, it is clear that the Criterion has not been met.

2. Legal or Policy Issues. As we have noted above, the application of Criterion I is largely quantitative. When making the comparison of actual or projected doses (or contamination levels) with the levels in the Criterion, however, the question arises, how close must calculated or measured levels be to those in the Criterion in order for it to be met?

There will always be a significant margin of error in measurements of radiation offsite and in calculations which estimate offsite exposures or contamination levels. With this in mind, it is appropriate to regard the thresholds of Criterion I as a guide for the meaning of "substantial" rather than as rigid levels with no allowance for uncertainties. If it appears that calculations based on reasonable scenarios (or actual measurements, if available and sufficiently accurate) enter the basic range of the criterion, e.g. tens of rems for person exposures, we would conclude that the criterion had been met. On the other hand, if this range can only be reached by extreme upper-limit bounding calculations, or when actual measurements and reasonable calculations do not enter this range, we must conclude that the criterion has not been met. We view the range of discretion in applying Criterion I wide, but not to the extent of making the judgment subjective. The purpose of having prospective criteria is to permit the resolution of individual cases on an objective basis. The exercise of unlimited discretion would frustrate this purpose and would leave our determination subject to criticism for failure to follow our own regulations.

3. Record Supporting the Staff Finding. Appendices E and F to the Staff Report collect the technical data and calculations supporting the finding that Criterion I has not been met. Appendix E approaches the problem from the "source term" perspective, while Appendix F analyzes measurement data.

In compiling Appendices E and F, the staff panel drew upon work performed by the NRC staff, other Federal agencies, the State of Pennsylvania, Metropolitan Edison, and industry consultants. Furthermore, the staff had before it the public comments and transcript of the Harrisburg hearing (and statements for the record), some of which addressed the question of radiological releases and offsite exposures.

In reviewing Appendices E and F, we find them to be a detailed and complete analysis of available data. Furthermore, we are unaware of any significant source of data which has been overlooked or inadequately considered. Our conclusion is that the record before us is complete and that adequate provision has been made throughout this proceeding for public comment.

4. Application of Criterion I. Table 16 of Appendix E to the Staff Report summarizes the upper-bound estimates of doses relevant to Criterion I, and compares those doses with the levels in the criterion. These "total" doses are themselves somewhat unrealistic since, as the Report explains, obtaining the total dose listed would require a person to be in two places at once. Table 17 summarizes results for ground contamination.

The upper-bound dose rates are generally an order of magnitude lower than Criterion I levels, ranging from about a factor of four to a factor of 25. (The best estimate of maximum exposure based on a realistic scenario is at least an order of magnitude smaller. See Table 4 to Appendix E). Ground contamination dose rates range from a factor of several hundred (for gamma) to about six (for beta). Again, realistic estimates would be much lower.

Measurements summarized in Appendix F generally support this analysis. Projected upper-bound doses based on actual measurements range from a factor of 14 below Criterion I (for whole body) to a factor of 6.6 (for skin exposure). Upper bounds on surface contamination were two to three orders of magnitude below the levels of Criterion I (See Appendix F to Staff Report at 63–65).

Based on these calculations and measurements, we must conclude that the radiological consequences of this accident, as to both exposures and surface contamination, did not enter the range of Criterion I in any respect. We accept the conclussion of the Staff Report that Criterion I has not been met.

C. Criterion II

The Staff Panel experienced considerable difficulty in applying Criterion II to this accident. In part, this difficulty was due to the unusual nature of this accident, i.e., severe onsite consequences resulting in relatively small offsite rleases of radiation. As the Staff Report points out (note at 25), the assumption that an accident could not meet Criterion II without—almost automatically—meeting Criterion I is not necessarily true. One can envision an accident even more severe than TMI in terms of onsite damage, resulting in widespread evacuation and losses related thereto, yet minor in terms of actual radiological consequences.

The dual nature of the criteria, however, reflect the dual nature of the statutory definition noted above: one must have both "substantial" offsite releases or radiation and "substantial" offsite damages for an ENO to be found. In this case, it is clear that Criterion I has not been met, and thus the Staff Panel did not find it necessary to go beyond pointing out the difficulties in applying Criterion II to an accident of this kind.

The legislative history of the ENO concept, and the backgound for the criteria, seem to address an accident where rather sudden offsite releases cause personal exposures and contamination to property meeting Criterion I, rather than an accident for long duration causing anxiety—and some evacuation—but not "substantial" effects in radiological terms. In the former case, the estimate of immediate losses—which generate the need for quick recoveries—can be made and the waivers activated if the Criterion II levels are met. In the case of TMI, however, "damages" other than those directly associated with the evacauation (which have, for the most part, already been compensated) can only be ascertained after extended litigation. The actions filed in Harrisburg claim losses for mental suffering, diminution in property values, business losses, and so on—all extremely difficult to estimate numerically. Further, it is by no means clear that Congress intended such indirect damages (that is, not caused by a substantial release of radiation) to be considered as part of the ENO determination.

We find ourselves in agreement with the Staff Panel that application of Criterion II in this case presents difficulties which make an explicit finding almost impossible to reach. Since the Staff Panel found conclusively that Criterion I had not been met, and both Criterion I and Criterion II must be met for there to be an ENO, it decided not to explore the matter further.

This accident demonstrates that Criterion II needs to be addressed by rulemaking to resolve the problems pointed up by the facts of TMI. Such a rulemaking is now under way, in which Criterion I will also be reexamined. Full opportunity for public participation will be provided. It should be noted, however, that while the criteria can be revised by the Commission as appropriate, the basic definition of Section 11(j)—and the Congressional intent behind the ENO concept—must be followed.

D. Public Comments on the Staff Report

Four public comments were received following transmittal of the Staff Report. Of these, only the comment from attorneys representing TMI class action plaintiffs subjects the Staff Report to careful analysis. Four major points are made by this comment: (1) The Commission should use upper-bound dose figures and find that the thresholds of Criterion I have been met, (2) the "Heidelberg Report" should be considered in assessing doses, (3) Damages far exceed the Criterion II thresholds, and (4) A negative ENO determination at this time would be premature. We address these points in order.

We have above accepted the use of upper-bound calculations based upon unrealistic exposure scenarios as a basis for finding that Criterion I is not met. The comment takes issue, however, with the refusal of the Staff Report to consider thyroid exposure of a child at the site boundary, moving in such a way as to be downwind of the plant during the entire release period. The Staff Panel found it "inconceivable that an infant was anywhere near the exclusion boundary". The Staff Panel also found it unrealistic to imagine continuous movement over the entire 43-day period of iodine releases in order to maximize the dose. (Report at 21). The comment claims that using this extreme scenario—a moving child at the site boundary—one could obtain a thyroid dose level meeting that aspect of Criterion I.

As we have indicated above, Criterion I cannot be regarded as met when one of its levels can only be met or approached by an extreme upper-bound calculation based on an unrealistic scenario. We must agree with the conclusion of the Staff Panel that thyroid exposure of a child held downwind of the plant at the site boundary during the entire 43-day period of iodine release may not be considered a realistic scenario, nor is it even useful as a bounding calculation. While we have accepted the Staff Panel's upper-bound approach as a demonstration that no real persons could have been exposed to substantial amounts of radiation, we cannot go so far as to rest a determination upon total departures from realistically estimated exposures.

The "Heidelberg Report" is not part of the record in this proceeding, nor is it specifically addressed in the Report of the Staff Panel. The comment requests that the "Commission give due weight to the findings of that Report which have great relevance to exposures from plants in the United States". The comment then quotes portions of this report alleged to cast doubt on TMI dose calculations. The comment asks that TMI radiation data be supplied to the University of Heidelberg for analysis based on this report and the results compared with those already reached.

The report (also known as the "Wyhl Report") has been the subject of several recent staff papers. In the first, dated December 10, 1979, the staff informed us that it had performed a preliminary review of this report and had concluded that its dose estimates were unrealistically high when compared to dose estimates based on models used by the NRC. As recently as January 30, 1980, the staff transmitted to us a complete draft review of the"Heidelberg Report". The basic conclusion of this review was unchanged from the earlier staff paper: the "Heidelberg Report" used input parameters which were not supported by environmental monitoring data near nuclear plants in the United States, and hence its dose estimates were from 10 to 10,000 times too high when compared with NRC values or measured environmental radioactivity levels near power reactors. The staff concluded that "the Whyl Report's estimated dose from vegetation, meat, and milk ingestion is not a realistic dose for the hyprothetical maximum individual living near nuclear power plants in the U.S.".

It is also important to recognize that the "Heidelberg Report" focuses upon food chain pathways, i.e., estimated doses from vegetation, meat and milk ingestion. The principal exposure pathways at Three Mile Island were external radiation and radioiodine inhalation. Exposures related to the food chain would be, at most, small fractions of the calculated or estimated exposures used in the Staff Report.

We are therefore satisfied that the staff was well aware of the "Heidelberg Report" during its preparation of the ENO findings, and based upon it analysis of the Report declined to use its dose estimates. The comment here considered provides several brief quotes from the Report, but supplies no basis for concluding that the staff's review is in error. For purposes of this ENO determination, we regard it as sound to use dose calculational models which use environmental monitoring data taken from operating nuclear power plants in the United States, and thus decine to further consider the "Heidelberg Report" in this proceeding.[2]

The comment next presents facts which, it is alleged, show that Criterion II has been met in this case. These facts only serve to emphasize the problems we have already acknowledged in applying Criterion II to this accident. They are academic in this case, however, since we find that Criterion I has not been met.

Finally, the comment argues that a negative determination should not be made "until the possibility of future releases is foreclosed". On this point we strongly disagree. We have above agreed with the conclusion of the Staff Panel that any future releases exceeding Commission regulations must be considered a separate incident. It was the intent of Congress in providing the ENO concept (and the waivers of defenses) that it should be expeditiously applied. This is, in fact, a major reason for precluding judicial review of the Commission's determination. It may well be several more years before Unit 2 has been decontaminated. Our determination should not await the possibility of further releases during that period which could result from clean-up operations. A determination at this time, whether negative or positive, informs the Federal court in Harrisburg of whether the waivers of defenses are to be applied. A negative determination leaves the Court free to apply state tort law to the pending cases without application of any waivers of defenses, the result intended by Congress where an ENO was not found.

Determination

The Commission finds that Criterion I, 10 CFR 140.84, has not been met by the March 28, 1979, accident at Three Mile

[2] Commissioners Gilinsky and Bradford do not believe that the "Heidelberg Report" is relevant to this ENO determination. Consequently they donot think it is necessary to reach a conclusion as to the merits of the Report.

Island Nuclear Station, Unit 2. The Commission therefore determines that this accident does not constitute an "extraordinary nuclear occurrence" within the meaning of Section 11(j) of the Atomic Energy Act and 10 CFR Part 140 of the Commission's regulations.

Dated at Washington, D.C. this 16th day of April 1980.

For the Commission.

John F. Ahearne,

Chairman.

[FR Doc. 80-12447 Filed 4-22-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 40-8727]

Kerr-McGee Nuclear Corp., Negative Declaration Regarding Issuance of a Source Material License No. SUA-1378 for the South Powder River Basin Ion-Exchange Facility in Converse County, Wyo.

AGENCY: U.S. NUCLEAR REGULATORY COMMISSION.

ACTION: Notice of issuance of the negative declaration and source material license SUA-1378 to Kerr-McGee Nuclear Corporation (40-8727).

SUMMARY: The U.S. Nuclear Regulatory Commission (the Commission) is issuing a source material license for the recovery of uranium by an ion-exchange process on minewater at the Kerr-McGee Nuclear Corporation's South Powder River Basin site in Converse County, Wyoming. The Division of Waste Management staff has prepared an environmental impact appraisal/safety analysis report stating the environmental and safety effects of incorporating a uranium recovery operation at the uranium mine, utilizing the minewater discharge stream as feed, is not significant.

The environmental impact appraisal/safety analysis report is available for public inspection and copying at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555.

Dated at Silver Spring, Maryland, this 9th day of April, 1980

Ross A. Scarano,

Chief Uranium Recovery Licensing Branch, Division of Waste Management.

[FR Doc. 80-12415 Filed 4-22-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-320 (10 CFR 2.206)]

Metropolitan Edison Co., (Three Mile Island Nuclear Station, Unit 2); Issuance of Director's Decision Under 10 CFR 2.206

Notice has been previously published in the **Federal Register**, 44 FR 40986 (1979), that petitions on April 27 and May 16, 1979, by Chauncey Kepford on behalf of the Environmental Coalition on Nuclear Power (ECNP) were being considered by the Director of Nuclear Reactor Regulation under 10 CFR 2.206 of the Commission's regulations. Upon consideration of the petitions, I have determined that the Commission has essentially satisfied some of the concerns behind ECNP's petitions. With respect to other matters, the petitions are denied. the reasons for this denial are fully stated in a "Director's Decision under 10 CFR 2.206".

Copies of this decision are available for public inspection in the Commission's public document room at 1717 H Street, N.W., Washington, D.C. 20555, and the local public document rooms for the Three Mile Island Nuclear Station at the York College of Pennsylvania, Country Club Road, York, Pennsylvania 17405 and at the State Library of Pennsylvania, Government Publications Section, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126. A copy of this decision will also be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c).

Dated at Bethesda, Maryland this 16th day of April, 1980.

For the Nuclear Regulatory Commission.

Harold R. Denton,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 80-12408 Filed 4-22-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-282, 50-306]

Northern States Power Co.; Establishment of Atomic Safety and Licensing Board To Preside in Proceeding

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register** (37 FR 28710) and Sections 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.

Northern States Power Co.

(Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2)

Facility Operating Licenses Nos. DPR-42 and DPR-60.

This action is in reference to a notice published by the Commission on March 12, 1980, in the **Federal Register** (45 FR 16056) entitled, "Northern States Power Co.; Proposed Issuance of Amendment to Facility Operating License".

The Chairman of this Board and his address is as follows: Robert M. Lazo, Esq., Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

The other members of the Board and their addresses are as follows: Dr. David L. Hetrick, Professor of Nuclear Engineering, University of Arizona, Tucson, Arizona 85721; Dr. Quentin J. Stober, Fisheries Research Institute, University of Washington, Seattle, Washington 98195.

Dated at Bethesda, Maryland, this 16th day of April, 1980.

Robert M. Lazo,

Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc. 80-12412 Filed 4-22-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 70-2909]

Westinghouse Electric Corp.; Establishment of Atomic Safety and Licensing Board To Preside in Proceeding

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register** (37 FR 28710) and Sections 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.

Westinghouse Electric Corp.

[Alabama Nuclear Fuel Fabrication Plant (ANFFP)]

Application for a Special Nuclear Material License.

This action is in reference to a notice published by the Commission on March 6, 1980, in the **Federal Register** (45 FR 14724) entitled, "Availability of Environmental Report, and Intent to Prepare a Draft Environmental Impact Statement Concerning Issuance of a

Special Nuclear Material License for the Alabama Nuclear Fuel Fabrication Plant (ANFFP), Westinghouse Electric Corp., To Be Located Near Prattville, Ala." and to another notice published by the Commission on April 7, 1980, in the **Federal Register** (45 FR 23553) entitled, "Alabama Nuclear Fuel Fabrication Plant (ANFFP), Westinghouse Electric Corp.; Issuance of Special Nuclear Material License; Extension of Opportunity to Request for Hearing".

The Chairman of this Board and his address is as follows: John F. Wolf, Esq., 3409 Shepherd Street, Chevy Chase, Maryland 20015.

The other members of the Board and their addresses are as follows:

Dr. Harry Foreman, Box 395, Mayo, University of Minnesota, Minneapolis, Minnesota 55455.

Dr. Martin J. Steindler, Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Illinois 60439.

Dated at Bethesda, Maryland, this 16th day of April, 1980.

Robert M. Lazo,

Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc. 80-12413 Filed 4-22-80; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

President's Commission for a National Agenda for the Eighties; Meeting

April 17, 1980.

AGENCY: Office of Management and Budget.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Pub. L. 92-463, notice is hereby given for a Meeting of Panel IV (Social Justice) of the President's Commission for a National Agenda for the Eighties, scheduled May 9, 1980 at 10:00 a.m., John F. Kennedy Library in Boston, Massachusetts.

The purpose is a seminar on the history of social welfare programs and its implications in the Eighties.

Available seats will be assigned on a first-come basis.

The meeting will be open to the public.

FOR FURTHER INFORMATION CONTACT: President's Commission for a National Agenda for the Eighties, Office of Administration, 744 Jackson Place, Northwest, Washington, D.C. 20020 (202) 275-0616.

David R. Leuthold,

Budget and Management Officer.

[FR Doc. 80-12401 Filed 4-22-80; 8:45 am]

BILLING CODE 3110-01-M

President's Commission for a National Agenda for the Eighties; meeting

April 17, 1980.

AGENCY: Office of Management and Budget.

ACTION: Notice of Meeting.

SUMMARY: Pursuant to Pub. L. 92-463, notice is hereby given for a meeting of Panel VII (Electoral and Democratic Process) of the President's Commission for a National Agenda for the Eighties, scheduled May 9, 1980 at 1:30 p.m., in the New Executive Office Building, room 7008.

The purpose is a seminar on the Presidency.

Because of limited space, those interested in attending are asked to call beforehand. Available seats will be assigned on a first-come basis.

The meeting will be open to the public.

FOR FURTHER INFORMATION CONTACT: President's Commission for a National Agenda for the Eighties, Office of Administration, 744 Jackson Place, Northwest, Washington, D.C. 20006 (202) 275-0616.

David R. Leuthold,

Budget and Management Officer.

[FR Doc. 80-12402 Filed 4-22-80; 8:45 am]

BILLING CODE 3110-01-M

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

Public Meeting

Notice is hereby given, pursuant to Section 10(a)(2) of the Fedeal Advisory Committee Act, that the second meeting of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research will be held in Room 2010 of the New Executive Office Building, 1726 Jackson Place, N.W., Washington, D.C. from 9:00 a.m. to 5:00 p.m. on Friday, May 16, 1980, and from 9:00 a.m. to 3:00 p.m. on Saturday, May 17, 1980.

The meeting will be open to the public. The agenda of this Commission meeting will include, among other things, discussion of (1) the definition of death; (2) compensation of injured subjects of research; (3) governmental use and regulation of human subjects in biomedical and behavioral research; and (4) a discussion of federal review of research in the area of *in vitro* fertilization.

At the beginning of the afternoon session on the second day, one half-hour will be devoted to comments from the floor, limited to three minutes per comment. Written suggestions and comments will be accepted from those who are unable to speak because of time constraints, or those unable to attend the meeting.

Records shall be kept of all Commission proceedings and will be available for public inspection at the Commission's Office, located in Suite 555, 2000 K Street, N.W., Washington, D.C. 20006.

For further information contact: Mary Ann Orlando, Suite 555, 2000 K Street, N.W., Washington, D.C. phone: 202/653-8051.

Mary Ann Orlando,

Deputy Director/Management.

[FR Doc. 80-12390 Filed 4-22-80; 8:45 am]

BILLING CODE 6820-AV-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-16746; April 16, 1980; File No. SR-DTC-80-1]

Depository Trust Co.; Proposed Rule Change; Self-Regulatory Organizations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on April 8, 1980, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change makes the cost of using The Depository Trust Company's ("DTC") services more equitable by adjusting the method of refunding DTC's excess net income to Participants to pass through, on a monthly basis and proportionately to the source of the income, certain investment income earned by the depository directly identifiable with Participants. The refund method is set out in detail in Exhibits 2 and 3 to DTC's filing on Form 19b-4A, File No. SR-DTC-80-1.

Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule change are as follows:

The purpose of the proposed rule change is to match refunds to Participants more precisely to the source of the excess net income by providing for a monthly refund to Participants of depository income from the overnight investment of cash dividend, interest, and reorganization payments to DTC (reorganization payments concern

tender offers, cash mergers, corporate liquidations, called securities, and redemptions of Treasury bills, Federal Agency securities, corporate bonds and preferred stock). Refunds to a Participant will be based on the amount of such payments credited to that Participant to prior month in proportion to the amount of all such payments to Participants. Refunds to Participants based on reorganization payments will be calculated separately from refunds based on cash dividend and interest payments. In calculating all dividends refunds, payments will be weighted for investments over weekends and holidays.

This new refund policy will be effective June 1, which means the first refund will be paid in July, as a credit to the depository's billings to Participants for June activity. DTC's present refund policy—based on service fees paid by users—will continue to apply to all other investment income and operating income.

The proposed rule change relates to an equitable allocation of reasonable dues, fees and other charges among DTC's Participants because of its impact on each Participant's monthly cost of using DTC.

Comments were solicited by DTC's Important Notice to all Participants B6170, February 15, 1980. See Exhibit 3 to DTC's filing on Form 19b–4A, File No. SR–DTC–80–1. Written comments were received from five Participants and none opposed the proposal. See Exhibit 4 to DTC's filing on Form 19b–4A, File No. SR–DTC–80–1. Oral comments were negligible.

DTC perceives no burden on competition by reason of the proposed rule change.

The foregoing rule change has become effective, pursuant to section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549.

Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 21 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

April 16, 1980.

[FR Doc. 80–12394 Filed 4–22–80; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 16754; SR–OCC–80–1]

Options Cleaning Corp. ("OCC"); Order Approving Proposed Rule Change

April 17, 1980.

On January 3, 1980, OCC, 5950 Sears Tower, 233 South Wacker Drive, Chicago, Illinois 60606, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act") and Rule 19b–4 thereunder, copies of a proposed rule change deleting obsolete provisions from OCC rules that deal with the assignment and allocation of exercise notices and adding a provision that exempts from the assignment of exercise notices short positions for which closing transactions have been executed.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 34–16512, January 17, 1980) and by publication in the **Federal Register** (45 FR 5869, January 24, 1980). No written comments were received by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to clearing agencies and, in particular, the requirements of Section 17A and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above mentioned rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–12395 Filed 4–22–80; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 21527; 70–6446]

Public Service Co. of Oklahoma; Proposal To Issue and Sell Non-Negotiable Notes to Banks

April 17, 1980.

Notice is hereby given that Public Service Company of Oklahoma ("PSO"), 212 E. 6th Street, Tulsa, Oklahoma 74119, an electric utility subsidiary company of Central and South West Corporation ("CSW"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

PSO proposes to issue ten year non-negotiable notes ("Notes") in the amount of up to $90,000,000 to up to six banks: Chase Manhatten (up to $50,000,000), California First Bank (up to $10,000,000), Chemical Bank (up to $10,000,000), Irving Trust (up to $8,000,000), American Security Bank, NA (up to $7,000,000), and Marine Midland (up to $5,000,000). The principal amount of the Notes will be payable exactly ten years from the date of issuance. The interest rate for the years one through three will be equal to the higher of (i) 100% of the prime rate of interest as published by the Chase Manhattan Bank from time to time or (ii) the interest rate on certificates of deposits (resale, 90 days) plus 1%. In the years four through ten the interest rate will be equal to the higher of (i) 125% of such prime rate or (ii) such secondary certificate of deposit rate plus 1% multiplied by 125%. The interest rate on the Notes will be adjusted whenever the foregoing interest rates require a change. Pursuant to a loan agreement, PSO will be obligated to pay either an annual fee equal to the amount of outstanding Notes multiplied by the prime interest rate multiplied by five or to maintain compensating balances with the banks equal to five percent of the outstanding Notes. Assuming that the prime interest rate is 20% and the amount of the outstanding Notes is $75,000,000, this would result in an annual fee of $750,000 or a compensating balance requirement of

$3,750,000. Based on a 20% prime rate this would result in an effective interest expense of 21.05%. Interest and fees are payable to the banks quarterly. PSO will be obligated to pay a commitment fee equal to one-half of 1% of the principal amount committed by the banks beginning on the 36th day after the commitment date, estimated to be approximately April 16, 1980. The Notes may be prepaid at any time by PSO without penalty.

PSO is entering into the proposed transaction because of its inability to issue sufficient amounts of first mortgage bonds because of earning restrictions under its first mortgage indenture and because it is approaching the $90,000,000 limit on its short-term borrowing required by its charter. In addition, PSO has sought authorization from the Corporation Commission of Oklahoma to issue and sell $75,000,000 of its first mortgage bonds (File No. 70–6415). By Final Order dated April 3, 1980, said authorization was denied.

The amount of Notes and short-term borrowing PSO can issue is a total of 20% of its total capitalization, approximately $180,000,000. PSO will not issue ten year Notes in excess of 10% of its capitalization, $90,000,000. The issuance of the Notes will not effect the amount or availability of PSO's short-term borrowing.

It is stated that the proceeds from the sale of the Notes (exclusive of accrued interest and after deducting expenses of issue) will be used by PSO to repay in full short-term borrowings incurred or expected to be incurred to finance construction expenditures, approximately $90,000,000 of which are expected to be outstanding as of the date of issuance of the Notes. No funds retired thereby have been or will be utilized to pay the cost of facilities which would not be needed to provide service to customers of PSO if it were not part of the CSW System. No expenditures will be made by PSO for the construction or acquisition of any facility not so needed prior to the time all funds covered by this Declaration have been expended. For the purposes of the foregoing representation, it is assumed that none of the facilities construction or acquisition of which would be part of any proposal forming the subject of the proceedings in *Central and South West Corporation, et al.* (Admin. Proc. File No. 3–4951) would be needed to provide service to customers of PSO if it were not part of the CSW System.

Estimated construction and fuel exploration and development expenditures of PSO (inclusive of allowance for funds used during construction) total $225,000,000 for 1980 and $311,000,000 for 1981.

The fees and expenses to be incurred in connection with this transaction are estimated at $19,000. No state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than May 12, 1980, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–12396 Filed 4–22–80; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #1817]

Alaska; Declaration of Disaster Loan Area

The area of Municipality of Anchorage and Matanuska-Susitna Borough of the State of Alaska, constitutes a disaster area because of damage caused by hurricane force windstorm which occurred on March 31, 1980 and April 1, 1980. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 16, 1980, and for economic injury until the close of business on January 15, 1981, at: Small Business Administration, District Office, Suite 200, Anchorage Legal Center, 1016 West Sixth Avenue, Anchorage, Alaska 99501, or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: April 5, 1980.

A. Vernon Weaver,

Administrator.

[FR Doc. 80–12462 Filed 4–22–80; 8:45 am]

BILLING CODE 8025–01–M

[Proposed License No. 02/02–5394]

Dime Investment Co., Inc.; Application for License To Operate as a Small Business Investment Company

An application for a license to operate as a small businesss investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C 661 *et seq.*), has been filed by Dime Investment Co., Inc. (applicant), with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1979).

The officers, directors and stockholders are as follows:

Hsiow–I Liaw, 56 Buffalo Run, East Brunswick, New Jersey 08816; President, Director, 20% Stockholder

Chen-Chi Mao, 25 Angela Drive, Woodcliff Lake, New Jersey 07675; Chairman of the Board, 20% Stockholder

Feng-Chi Hsieh, 10 Navaho Road, East Brunswick, New Jersey, 08816; Secretary, Director, 20% Stockholder

Sheng Jong Liang, 58–12 264th Street, Little Neck, New York 11362; Treasurer, Director, 20% Stockholder

Jonh-Huai Wang, 2205 Hubbard, Apt. 2, Ann Arbor, Michigan 48109; Director, 20% Stockholder

The applicant, a New Jersey Corporation, with its principal place of business at 158 Tices Lane, East Brunswick, New Jersey 08816, will begin operations with $505,000 of paid-in capital and paid-in surplus derived from the sale of 500 shares of common stock.

The applicant will conduct its activities principally in the States of New Jersey and New York.

Applicant intends to provide assistance to all qualified socially or economically disadvantaged small business concerns as the opportunity to profitably assist such concerns is presented.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the

Small Business Investment Act of 1958, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-blanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA Rules, and Regulations.

Notice is hereby given that any person may, on or before May 8, 1980, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in East Brunswick, New Jersey.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 16, 1980.

Peter F. McNeish,

Deputy Associate Administrator for Finance and Investment

[FR Doc. 80-12473 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1818]

Massachusetts; Declaration of Disaster Loan Area

Hampden County and adjacent counties within the State of Massachusetts constitute a disaster area as a result of damage caused by heavy rains and flash flooding which occurred on March 21, 1980 through March 22, 1980. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 16, 1980, and for economic injury until the close business on January 16, 1981, at: Small Business Administration District Office, 150 Causeway Street, 10th floor, Boston, Massachusetts 02114, Or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: April 16, 1980.

H. A. Theiste,

Acting Administrator.

[FR Doc. 80-12463 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1819]

New York; Declaration of Disaster Loan Area

Westchester County and adjacent counties within the State of New York constitute a disaster area as a result of damage caused by heavy rains and flooding which occurred on April 9–10, 1980. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 16, 1980, and for economic injury until the close of business on January 16, 1981, at: Small Business Administration District Office, 26 Federal Plaza, Room 3100, New York, New York 10007 or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: April 16, 1980.

H. A. Theiste,

Acting Administrator.

[FR Doc. 80-12461 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

Region VIII Advisory Council; Public Meeting

The Small Business Administration Region VIII Advisory Council, located in the geographical area of Helena, Montana, public meeting scheduled at 9:30 a.m., Thursday, May 8, 1980, at the offices of the Small Business Administration located in the Federal Office Building, 301 S. Park, Room 528, Helena, Montana has been cancelled.

For further information, write or call Frank D. Ray, District Director, U.S. Small Business Administration, Federal Building, 301 S. Park, Drawer 10054, Helena, Montana (406) 449–5381.

Dated: April 17, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-12477 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

Region IX Advisory Council; Public Meeting

The Small Business Administration Region IX Advisory Council, located in the geographical area of San Francisco, California, will hold a public meeting at 9:30 a.m., Wednesday, May 21, 1980, Officers' Club at the Presidio of San Francisco, California, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and other attending.

For further information, write or call Donald J. Marvin, District Director, U.S. Small Business Administration, 211 Main Street, 4th Floor, San Francisco, California 94105—(415) 556–7490.

Dated: April 17, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-12475 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

Region IX Advisory Council; Public Meeting

The Small Business Administration Region IX Advisory Council, located in the geographical area of Los Angeles, California, will hold a public meeting at 12:00 noon, Thursday, May 15, 1980, at the Taix Les Freres French Resturant, 1911 West Sunset Boulevard, Los Angeles, California, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For luncheon reservations and further information, write or call Manny Berkowitz, Acting District Director, U.S. Small Business Administration, 350 South Figueroa Street, Suite 600, Los Angeles, California 90071—(213) 688–2977.

Dated: April 17, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-12476 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 02/02-5384]

Venture Capital P.R., Inc.; Application for a License To Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*), has been filed by Venture Capital P.R., Inc. (Applicant) with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1980).

The officers, directors and stockholders of the Applicant are as follows:

Manuel L. Prats (President and Director) Vermont #415, San Gerardo Dev., Rio Piedras, PR 00926.

Issac Sanchez (Vice President and Director) Calle 15 #1260, Urb. Ext. San Agustin, Rio Piedras, PR 00925.

F. J. Ramos Acosta (Secretary) Executive Building, Suite 1204, Ponce de Lion Ave. #623, Hato Rey, PR 00918.

Ramon Pacheco (Director) Suchville #11, Bayamon, PR 00925.

Jose L. Palou (Treasurer) Maximo Gomez 556, Hato Rey, PR 00917

The Applicant, a Puerto Rican corporation, with its principal place of business at Executive Building, Suite 1204, Ponce de Lion Ave. #623, Hato Rey, Puerto Rico 00918, will begin operations with $500,000 of paid-in capital and paid-in surplus derived from the sale of common stock to approximately 25 investors.

The Applicant will conduct its activities principally in the Commonwealth of Puerto Rico and other areas approved by SBA. The Applicant intends to provide assistance to qualified socially or economically disadvantaged small business concerns.

As a small business investment company under Section 301(d) of the Act, the Applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Act of 1958 (the Act), as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the Applicant under their management, including adequate profitability and financial soundness, in accordance with the Act and the SBA Rules and Regulations.

Notice is hereby given that any person may, on or before May 8, 1980, submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Hato Rey, Puerto Rico.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 15, 1980.

Peter F. McNeish,

Deputy Associate Administrator for Finance and Investment.

[FR Doc. 80-12474 Filed 4-22-80; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice 712]

Iran; Restriction on the Travel of Permanent Resident Aliens to, in, or Through Iran

Pursuant to the authority conferred on me by Executive Order 12211, travel from the United States of permanent resident aliens to, in, or through Iran is prohibited unless an exception to this prohibition is granted under the authority of the Secretary of State.

The Assistant Secretary of State for Consular Affairs is authorized to grant exceptions to this prohibition. Applications for exceptions will be considered on the basis of whether the proposed travel is in the national interest or is justified by compelling humanitarian considerations.

This Public Notice shall become effective upon publication in the **Federal Register** (April 23, 1980) and shall expire at the end of one year unless extended or sooner revoked by Public Notice.

Dated: April 20, 1980.

Cyrus R. Vance,

Secretary of State.

[FR Doc. 80-12586 Filed 4-22-80; 8:45 am]

BILLING CODE 4710-08-M

[Public Notice 711]

Iran; Restriction on the Use of U.S. Passports for Travel to, in, or Through Iran

Pursuant to the authority conferred on by Executive Order 11295 and Executive Order 12211, and in accordance with 22 CFR 51,72(a)(3), the use of United States passports for travel to, in, or through Iran in hereby restricted.

This action is required by the increasingly unstable situation in Iran and the concomitant increase in the threat of hostile act against Americans. The governing authorities in Iran have repeatedly demonstrated their unwillingness to maintain public order and to protect United States nationals from hostile and uncontrolled mob action. The Government of Iran has approved the holding in unlawful captivity of 51 United States diplomatic and consular personnel and two additional United States nationals who are not employees of the United States Government; both the governmental authorities and militant groups express extreme hostility to the United States in their public statements.

In these circumstances, where the governing authorities have approved attacks upon United States nationals and where protection against such attacks is unavailable, there is an imminent danger to the physical safety of United States nationals in Iran.

Accordingly, United States passports shall cease to be valid for travel to, in, or through Iran unless specifically validated for such travel under the authority of the Secretary of State.

This Public Notice shall be effective upon publication in the **Federal Register** (April 23, 1980) and shall expire at the end of one year unless extended or sooner revoked by Public Notice.

Dated: April 20, 1980.

Cyrus R. Vance,

Secretary of State.

[FR Doc. 80-12585 Filed 4-22-80; 8:45 am]

BILLING CODE 4710-08-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 80
Wednesday, April 23, 1980

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 9:30 a.m., Thursday, April 24, 1980.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Commission meeting following the open meeting which commences at 9:30 a.m.

MATTERS TO BE CONSIDERED:

Agenda, Item Number, and Subject

Assignment and Transfer—1—Application for voluntary transfer of control of Friendly Frost, Inc. parent of the licensee of WTFM(FM), Lake Success, New York, from Stephen Smith and Frank Perloff to Abbey J. Butler and Neil S. Leist.

Hearing—1—Motion to consolidate the renewal applications of Booth American Company for Stations WJLB and WMZK-FM, Detroit, Michigan, with the pending revocation hearing concerning these same stations (BC Docket No. 79-173).

Hearing—2—Petition for reconsideration of an Order designating for hearing the application of KBMR Radio, Inc., licensee of Station KBMR, Bismarck, North Dakota, for authority to modify its facilities to serve Lincoln, North Dakota, as its community of license (BC Docket No. 79-253).

Hearing—3—Draft decision in the Panama City Beach, Florida, WGNE and WGNE-FM license renewal proceeding (Docket Nos. 20952 and 20853).

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: April 18, 1980.

[S-799-80 Filed 4-21-80; 9:52 am]

BILLING CODE 6712-01-M

2

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 9:30 a.m., Thursday, April 24, 1980.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Open Commission meeting.

MATTERS TO BE CONSIDERED:

Agenda, Item Number, and Subject

General—1—*Title:* Amendment of Parts 2, 22, and 90 of the Commission's Rules to Allocate Spectrum in the 928-941 MHz Band and to Establish Other Rules, Policies, and Procedures for One-Way Paging Stations in the Domestic Public Land Mobile Radio Service and the Private Land Mobile Radio Services. *Summary:* The Commission will consider what action to take in response to petitions for rulemaking filed by the Ad Hoc Private Paging Committee (RM-3047), Telocator Network of America (RM-3068), Arthur K. Peters (RM-2750), and Digital Paging Systems, Inc. (RM-2365). AHPPC and Telocator have asked for an allocation of frequencies from the 900 MHz reserve band for private and common carrier paging. Peters and Digital have asked that the Commission designate specific frequencies (459.675 MHz and 35.34 MHz respectively) for nationwide paging systems operated by common carriers. The issues to be considered by the Commission in connection with this item are: whether to allocate spectrum in the band 928-941 MHz for private and common carrier paging; whether to reserve certain frequencies for paging systems using advanced technology; whether to set aside channels for nation wide or regional paging networks operated by common carriers whether to make a generalized finding of need for common carrier paging service; what regulatory framework to adopt for common carrier paging stations; what procedures to follow for assignment of 900 MHz private paging channels; and whether to set aside specific private paging channels for tone/voice and tone-only paging stations.

General—2—*Title:* Reallocation of 1980 Policy Research Budget. *Summary:* The Commission will consider whether to withdraw funding from previously approved policy research projects in order to support propagation studies along the US-Mexico border.

General—3—*Title:* Further Notice of Inquiry and Notice of Proposed Rule Making in Docket 20817, An Inquiry Relating to the Commission's Radio Operator Licensing Program. *Summary:* This action proposes to eliminate the requirement that all installation, maintenance and repair of transmitting equipment in the AM, FM, and TV broadcast services be accomplished only by the holder of a First Class Radiotelephone Operator License. Many persons believe that as station licensees are ultimately responsible for the technical performance of their stations, they should not be required to employ technicians who have been examined and licensed by the Commission, but should be able to employ any qualified person.

General—4—*Title:* Initiation of a Notice of Inquiry Proceeding Looking Toward U.S. Participation in an Anticipated Mobile Services WARC. *Summary:* The FCC will consider a Notice of Inquiry which will alert the public that a World Administrative Radio Conference to consider the Mobile Services may be held in the next few years. The Notice will also ask a number of questions that we feel the public should address in their comments, which the FCC could use in development of U.S. proposals to the Mobile WARC.

Common Carrier—1—*Title:* United Telephone Company of Florida, Trans. No. 1; United Telephone Company of Indiana, Inc., Trans. No. 2; United Inter-Mountain Telephone Co., Trans. No. 4; Carolina Telephone and Telegraph Co., Trans. No. 5; United Telephone Company of Ohio, Trans. No. 5; United Telephone Company of Pennsylvania, Trans. No. 4. *Summary:* The Commission will consider several petitions seeking rejection or suspension and investigation of tariffs filed by six United companies covering a new service that would allow an OCC to interconnect with the local United company in order to provide MTS/WATS-like services in the United companies' territories.

Common Carrier—2—*Title:* Applications of Baker Protective Services, Inc. for consent to transfrer of control and renewal of station licanses KIA956 and KSD 312 operating in the Domestic Public Land Mobile Radio Service at Miami, Florida, and Chicago, Illinois. *Summary:* The Miami renewal application of Maker Protective Services, Inc. is electrically mutually exclusive with applications filed by Tel-Car Corporation and Air Beep of Florida, Inc. The transfer application was filed after DWA Corporation, a subsidiary of Borg-Warner Corp., had already acquired Baker Protective Services, Inc., the licensee of KIA956 and KSD312, by an unauthorized transfer of control. *Issues:* Among the issues to be considered is the determination of whether BWA Corporation and/or its parent, Borg-Warner Corporation, possesses the requisite qualifications to control a Commission licensee.

Common Carrier—3—*Title:* Unsolicited Telephone Call Inquiry (CC Docket No. 78-200). *Summary:* The Commission will

consider the constitutional jurisdictional and policy questions involved in regulation of unsolicited telephone calls and automatic dialer recorded message player (ADRMP) equipment.

Common Carrier—4—*Title:* One-way signaling on the 35 MHz frequency band in the Domestic Public Land Mobile Radio Service. *Summary:* Commission will consider whether to propose to amend section 22.501(a) of the Rules to allow the 325 MHz frequency band to be used for one-way signaling on an exclusive basis in the Domestic Public Land Mobile Radio Service.

Common Carrier—5—*Title:* Concord Telephone Exchange, Inc. waiver and authorization application for its affiliate Concord Cable Communications Company, to construct and operate a coaxial cable television system within Concord Telephone's service area in Concord, Tennessee. *Summary:* The Commission will consider in this matter whether to waive its rules which generally prohibit a telephone company from providing CATV service within its telephone exchange area.

Common Carrier—6—*Title:* RCA American Communications, Inc. (Americom) and Alascom, Inc. applications for authority to jointly construct and operate domestic satellite space stations and earth stations in connection with the provision of Alaskan communications services. *Summary:* The Commission will consider a Petition for Limited Reconsideration and a Petition for Partial Reconsideration and Clarification, filed by American and the State of Alaska, respectively, of a November 30, 1979 *Memorandum Opinion, Order, and Authorization*, FCC 79-760, in the Alaska Facilities proceeding.

Common Carrier—7—*Title:* Satellite Business Systems applications for authority to construct three domestic communications satellites and applications for modification of construction permit. *Summary:* The Commission will consider the issue of whether Satellite Business Systems should be directed to redesign its proposed satellites to have the capability of providing service directly to Alaska, Puerto Rico and Hawaii.

Common Carrier—8—*Title:* Application for Review of Common Carrier Bureau's authorization of Added Attractions, Inc. to construct and operate a domestic satellite receive-only earth station at Hartselle, Alabama. *Summary:* The Commission will consider whether the application for review, filed by Hartselle Cable TV Company, presents issues not properly considered by the Bureau. Among the questions raised is whether the applicant's sister corporation's, TV Cable Company of Alabama, alleged misrepresentations when obtaining its certificate of compliance required denial of the application and whether the shared use of Added Attractions and TV Cable constitutes a resale common carrier activity.

Common Carrier—9—*Title:* Monitoring Compliance with Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet. *Summary:* The Commission approved the merger of GTE and Telenet subject to 10 conditions. During February, the staff conducted an audit of GTE's and Telenet's compliance with these conditions. In particular, the staff reviewed Telenet's accounting system, and Telenet's interactions with GTE and AT&T. Based on information obtained during the audit, the staff reevaluated the conditions imposed on GTE and Telenet. The Staff's findings and recommendations are contained in the *Bureau Audit Report and Reevaluation of Conditions.*

Common Carrier—10—*Title:* Processing of pending domestic satellite space station applications. *Summary:* The Commission will consider an item dealing with the processing of pending applications for domestic satellite space stations.

Cable Television—1—*Title:* (1) Petition for rulemaking filed by Blonder-Tongue Laboratories (RM-3223). (2) Petition for declaratory ruling (CSR-1657) by Suburban Broadcasting Corporation. *Summary:* The petition for rulemaking (RM-3223) asks for the adoption of a rule to require cable television system operators to carry the subscription (pay) programming of local subscription television stations. The declaratory ruling petition (CSR-1567) asks the Commission to rule that such carriage is already required by the Commission's rules.

Assignment and Transfer—1—*Title:* In re (a) Applications (BAL-791030GO and BALH-791030GP) for the voluntary assignment of the licenses for Stations WHYN AM and FM, Springfield, Massachusetts, from The WHYN Stations Corporation to Affiliated Broadcasting, Inc. and (b) a request for the issuance of a tax certificate to The WHYN Stations Corporation for the breakup of a TV-aural broadcast combination in the Springfield, Massachusetts market. *Summary:* The applications present a question of the applicability of the "one-to-a-market" provisions of the Commission's multiple ownership rules to the transaction.

Renewal—1—*Title:* Mutually exclusive applications filed by: United Broadcasting Company, Inc. for renewal of license for station WOOK(FM), Washington, D.C.; District Broadcasting Company for a construction perfmit on WOOK's frequency; and Hispanic Broadcasting Company for a construction permit on WOOK's frequency; and petitions to deny United's renewal application filed by Hispanic Broadcasting Company and by the Metropolitan Washington Coalition for Latino Radio. *Summary:* Petitioners contend that United is not qualified as an applicant for the station by virtue of the misconduct which has resulted in the loss of some of its other broadcast licenses. They also allege that the procedures utilized by United in its format switch are further evidence of its disqualifying lack of character, and that the format switch, which ultimately resulted in the elimination of the market's only Spanish-language station, should not have been permitted by the Commission.

Various issues are raised as to the acceptability of the other applications, and whether the Commission should consider at this stage of the proceedings Hispanic's claim for a preference based on its Spanish-language programming proposal, and what that resolution should be.

Renewal—2—*Title:* License Renewal Applications of KQED, Inc., for the Noncommercial Stations KQED-FM, KQED-TV and KQEC-TV, in San Francisco, Ca. *Summary:* On November 1, 1977 a coalition of groups filed a petition to deny the renewal applications of KQED, Inc. The petition challenged renewal on grounds including: the failure to meet community programming needs; the operation of a noncommercial station for a profit; and the mismanagement of the licensee's assets to the detriment of the stations. Also, the Community Coalition for Media Change, as well as joining in the above petition, challenges the renewal of KQEC-TV, separately, arguing that the station was being programmed in such a way as to not serve the public interest. The Commission considers whether renewals can be granted in light of the above allegations.

Renewal—3—*Title:* By Direction letters imposing appropriate EEO sanctions on certain broadcast stations and requiring them to submit periodic progress reports. *Summary:* After routinely evaluating the EEO programs submitted by various stations with their applications for renewal of licenses, the Bureau is recommending that the Commission impose various sanctions on the following stations largely because of insufficient EEO effort: KELD/KAYZ(FM), KMCW, KWKH/KROK(FM), KXAR, WHMB-TV, WIBV, WJQS, WJRB, WJW, WMNI/WRMZ(FM), WSUM, WUBE/WUBE-FM, and WYDE.

Aural—1—*Title:* Memorandum Opinion and Order in re application of Radio Station WJRO (File No. BP-20,748) for a construction permit to increase the power of AM Station WJRO, Glen Burnie, Maryland. *Summary:* The Commission considers a petition to deny the application, filed by the licensee of AM Station WINX, Rockville, Maryland.

Broadcast—1—*Title:* Notice of Proposed Rule Making to Revise the Broadcast Financial Requirements and to Address a Petition by the National Association of Broadcasters Regarding Broadcast Financial Reports. *Summary:* The FCC is proposing to revise its broadcast financial reporting requirements as embodied in FCC Form 324 and its associated instructions. Among the issues to be considered in this proceeding are: (1) the specific reporting requirements necessary to meet the Commission's needs for financial data and (2) the potential costs to broadcast licensees of providing that data.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from

Edward Dooley, FCC Public Affairs Office, telephone number (202) 254–7674.

Issued: April 18, 1980.

[S–800–80 Filed 4–21–80; 8:45 am]

BILLING CODE 6712–01–M

3

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 2 p.m., Monday, April 28, 1980.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Special open Commission meeting.

MATTERS TO BE CONSIDERED:

Agenda, Item Number, and Subject

Assignment and Transfer—1—The merger of Cox Broadcasting Corporation with the General Electric Company. *Summary:* Applications of Cox Broadcasting Corporation (Cox) and its subsidiaries for the voluntary transfer of control or assignment of licenses of certain Cox stations to the General Electric Company (GE) or a wholly owned subsidiary of GE (GESUB of Delaware, Inc.); Spinoff applications for the voluntary assignment of certain stations now licensed to Cox or GE, to third parties. Applications for license renewal of Cox stations WSB-AM-FM-TV, Atlanta, Georgia. The Commission will also consider allegations contained in petitions to deny and informal objections filed against the applications.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Affairs Office, telephone number (202) 254–7674.

Issued: April 21, 1980.

[S–804–80 Filed 4–21–80; 3:45 pm]

BILLING CODE 6712–01–M

4

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 26877, April 21, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., April 23, 1980.

CHANGE IN THE MEETING: The following items have been added:

Item Number, Docket Number, and Company

ER–6.—EL79–26 and ER79–600, Central Power & Light Co.

ER–7.—E–9563, U.S. Department of the Interior, Bonneville Power Administration.

M–2.—RM79–29, Amendments to Part 35 of the Regulations under the Federal Power Act; Proposed Limitations on Adders for all Electric Rates.

Kenneth F. Plumb,

Secretary.

[S–803–80 Filed 4–21–80; 2:41 pm]

BILLING CODE 6450–85–M

5

FEDERAL RESERVE SYSTEM (Board of Governors).

TIME AND DATE: 10 a.m., Monday, April 28, 1980.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed revision to the Federal Reserve Bank salary structure adjustment policies.
2. Proposed adjustments to benefits for Federal Reserve Bank officers.
3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
4. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: April 18, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[S–801–80 Filed 4–21–80; 10:30 am]

BILLING CODE 6210–01–M

6

NATIONAL RAILROAD PASSENGER CORPORATION. Board of Directors Meeting.

In accordance with Rule 4a. of Appendix A of the Bylaws of the National Railroad Passenger Corporation notice is given that the Board of Directors will meet on April 30, 1980.

A. The meeting will be held on Wednesday, April 30, 1980, in the National Guard Association Building, 3rd Floor, One Massachusetts Avenue, Northwest, Washington, D.C., beginning at 9:30 a.m.

B. The meeting will be open to the public at 10:30 a.m. beginning with agenda item No. 3, as described below.

C. The agenda items to be discussed at the meeting follow.

Agenda

National Railroad Passenger Corporation—Meeting of the Board of Directors—April 30, 1980

(9:30) *Closed Session:*

1. *Internal Personnel Matters*
2. *Litigation Matters*

(10:30) *Open Session:*

3. *Approval of Minutes of Regular Meeting of March 26, 1980*
4. *Commitment Approval Requests*

80–28–S1: Supplemental Funding for Prototype Automatic Ticketing System

80–41: Procurement of Wheelchair Lifts

80–88–S1: Communications and Signal Improvements—Springfield Main Line

80–128: Construction of New Station—Albany/Rensselaer

80–132: Modular Office Systems

5. *Resolution Approving LRC Financing*
6. *Report on the Employee Compensation & Incentive Commission*
7. *Board Committee Reports:* Equipment; Finance; Legal Affairs; Northeast Corridor Improvement Project; Organization and Compensation.
8. *President's Report*
9. *New Business*
10. *Adjournment*

D. Inquiries regarding the information required to be made available pursuant to Appendix A of the Corporation's Bylaws should be directed to the Corporate Secretary at (202) 383–3991.

Dated: April 21, 1980.

Barbara J. Willman,

Assistant Corporate Secretary.

[S–802–80 Filed 4–21–80; 12:04 pm]

BILLING CODE ?

7

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Week of April 21, 1980.

PLACE: Commissioners' Conference Room, 1717 H St., N.W., Washington, D.C.

STATUS: Open/Closed.

MATTERS TO BE CONSIDERED:

Monday, April 21

2:00 p.m.

1. Affirmation Session (Approx 5 min) (Public Meeting)
   a. Order in Diablo Canyon
   b. Subpoena Authority for Director, IE
2. Briefing on B&W Reactor Response and Vulnerability Task Force (Approx 2 hrs) (Public Meeting)
3. Discussion of Amend. to U.S.-Canada Agreement (T)(Approx 1 hr) (Closed—Exemption 1)

Tuesday, April 22

2:00 p.m.

1. Affirmation Session (Approx 10 min) (Public Meeting) (Items are Tentative)
   a. Physical Protection of Irradiated Fuel in Transit
   b. Fire Protection Actions
   c. UCS Petition on Fire Protection & Elec. Connectors
   d. Technical Criteria for Disposal of Wastes

2. Time Reserved for Discussion & Vote on Affirmation Items (if required) (15 min) (Public Meeting)

3. Time Reserved for Discussion of Management-Organization & Internal Personnel Matters (Approx 1-1/2 hrs) (Closed-Ex 2 & 6)

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634–1410.

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR DAILY UPDATE: (202) 634–1498.

Those planning to attend a meeting should reverify the status whenever possible.

ADDITIONAL INFORMATION: The Briefings on the Philippine Applications, and Routing Information were CANCELLED.

Roger M. Tweed,

Office of the Secretary.

April 18, 1980.

[S–806–80 Filed 4–22–80; 8:45 am]

BILLING CODE 7590-01-M

federal register

Wednesday
April 23, 1980

Part II

Office of Management and Budget

Budget Rescission and Deferrals

OFFICE OF MANAGEMENT AND BUDGET

Budget Rescissions and Deferrals

To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith report 53 proposals to rescind a total of $1,472.7 million in budget authority previously provided by the Congress. In addition, I am reporting 21 new deferrals totalling $6,916.4 million.

These rescission proposals and deferrals are an integral part of my recently announced anti-inflation program, and will help achieve a balanced Federal budget in 1981.

The details of each rescission proposal and deferral are contained in the attached reports.

Jimmy Carter

The White House,
April 16, 1980.

BILLING CODE 3110-01-M

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Rescission#	Item	Budget Authority
	Department of Agriculture:	
	Science and Education Administration	
R80- 5	Cooperative research	2,500
R80- 6	Extension activities	1,500
	Farmers Home Administration	
R80- 7	Rural water and waste disposal grants	75,000
R80- 8	Rural development planning grants	2,000
	Soil Conservation Service	
R80- 9	Watershed and flood prevention operations	20,000
R80-10	Resource conservation and development	4,000
	Department of Commerce:	
	National Oceanic and Atmospheric Administration	
R80-11	Coastal energy impact fund	50,000
	Department of Energy:	
	Atomic Energy Defense Activities	
R80-12	Atomic energy defense activities-operating expenses	3,400
	Energy Programs	
R80-13	Energy supply, research and development-operating expenses	5,350
R80-14	Energy supply, research and development-plant and capital equipment	6,150
R80-15	Uranium enrichment - operating expenses	1,000
R80-16	Fossil energy research and development	22,000
R80-17	Energy conservation	4,000
R80-18	Economic regulation	1,000
R80-19	Departmental administration	3,000
	Department of Health, Education, and Welfare:	
	Health Services Administration	
R80-20	Health services	34,900
R80-21	Indian health facilities	18,000
	National Institutes of Health	
R80-22	National Cancer Institute	17,000
R80-23	National Heart, Lung, and Blood Institute	7,000
R80-24	National Institute of Dental Research	300
R80-25	National Institute of Arthritis, Metabolism, and Digestive Diseases	2,500
R80-26	National Institute of Neurological and Communicative Disorders and Stroke	2,000
R80-27	National Institute of Allergy and Infectious Diseases	1,500
R80-28	National Institute of General Medical Sciences	500
R80-29	National Institute of Child Health and Human Development	1,000
R80-30	National Eye Institute	3,200
R80-31	National Institute of Environmental Health Sciences	500
R80-32	National Institute of Aging	500
R80-33	Research resources	5,000
R80-34	National Library of Medicine	500
	Alcohol, Drug Abuse, and Mental Health Administration	
R80-35	Alcohol, drug abuse, and mental health	4,000
	Health Resources Administration	
R80-36	Health resources	149,953
	Office of Assistant Secretary for Health	
R80-37	Salaries and expenses	12,800
	Office of Education	
R80-38	Elementary and secondary education	135,750
R80-39	Emergency school aid	25,123
R80-40	Occupational, vocational, and adult education	87,500
R80-41	Student assistance	108,000
R80-42	Higher and continuing education	44,275
R80-43	Library resources	18,000
R80-44	Special projects and training	11,000
	Department of Housing and Urban Development:	
	Community Planning and Development	
R80-45	Community development grants	153,200
R80-46	Rehabilitation loan fund	38,000
	Department of the Interior:	
	Heritage Conservation and Recreation Service	
R80-47	Urban park and recreation grants	85,000
R80-48	Land and water conservation fund	251,000
R80-49	Historic preservation fund	16,500
	Department of the Treasury:	
	Bureau of Government Financial Operations	
R30-50	Salaries and expenses	322
	Other Independent Agencies:	
	Arms Control and Disarmament Agency	
R80-51	Arms control and disarmament activities	720
	Federal Mine Safety and Health Review Commission	
R80-52	Salaries and expenses	188
	Merit Systems Protection Board	
R80-53	Office of the special counsel	1,000
	National Science Foundation	
R80-54	Science education activities	5,000
	Occupational Safety and Health Review Commission	
R80-55	Salaries and expenses	100
	Small Business Administration	
R80-56	Business loan and investment fund	19,000
	Water Resources Council	
R80-57	Water resources planning	11,000
	Subtotal, rescission proposals	1,472,731

Deferral #	Item	Budget Authority
	Funds Appropriated to the President:	
	Appalachian Regional Development Programs	
D80-48	Appalachian regional development programs	14,300
	Department of Commerce:	
	National Oceanic and Atmospheric Administration	
D80-49	Coastal energy impact fund	54,922
	Department of Defense - Military:	
D80-50	Various accounts	801,700
	Department of Energy:	
	Atomic Energy Defense Activities	
D80-51	Atomic energy defense activities - operating expenses	1,000
	Energy Programs	
D80-52	Energy supply, research and development, operating expenses	2,500
	Departmental Administration	
D80-53	Departmental administration	1,000
	Department of Health, Education, and Welfare:	
	Office of Education	
D80-54	Student assistance	140,000
	Department of Housing and Urban Development:	
	Housing Programs	
D80-55	Troubled projects operating subsidy	10,000
	Department of the Interior:	
	National Park Service	
D80-56	Construction	15,500
	Department of Labor:	
	Employment and Training Administration	
D80-57	Employment and training assistance	190,760
D80-58	Temporary employment assistance	203,000
	Department of Transportation:	
	Coast Guard	
D80-59	Acquistion, construction, and improvements	33,800
	Federal Aviation Administration	
D80-60	Construction, Metropolitan Washington Airports	4,000
	Federal Highway Administration	
D80-61	Federal-aid highways	1,659,000
	Federal Railroad Administration	
D80-62	Railroad research and development	3,800
D80-63	Northeast corridor improvement program	75,000
	Urban Mass Transportation Administration	
D80-64	Urban Mass Transportation fund	7,875
	Environmental Protection Agency:	
D80-65	Construction grants	3,636,254
	Other Independent Agencies:	
	General Services Administration	
D80-66	Federal Buildings Fund	25,000
	National Science Foundation	
D80-67	Research and related activities	18,000
	Smithsonian Institution	
D80-68	Construction	19,000
	Subtotal, deferrals	6,916,411
	TOTAL, rescission proposals and deferrals	8,389,142

SUMMARY OF SPECIAL MESSAGES
FOR FY 1980
(in thousands of dollars)

	Rescissions	Deferrals
Seventh special message:		
New items	1,472,731	6,916,411
Effect of seventh special message	1,472,731	6,916,411
Previous special messages	132,882	3,253,260 1/
Total amount proposed in special messages	1,605,613	10,169,671

1/ This amount represents budget authority except for $16,585 thousand in a general revenue sharing deferral of outlays only (D80-23A).

Rescission Proposal No: R 80- 5

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Agriculture
Bureau: Science and Education Administration

Appropriation title & symbol
Cooperative Research
1201500

OMB identification code: 12-1500-0-1-352

Grant program: [x] Yes [ ] No

Type of account or fund:
[x] Annual
[ ] Multiple-year _____ (expiration date)
[ ] No-year

New budget authority (P.L. 96-108) $ 189,045,000
Other budgetary resources 2,000,000
Total budgetary resources 191,045,000

Amount proposed for rescission $ 2,500,000

Legal authority (in addition to sec. 1012):
[ ] Antideficiency Act
[ ] Other _____

Type of budget authority:
[x] Appropriation
[ ] Contract authority
[ ] Other _____

Justification:

In FY 1980, Congress provided $2,500,000 to fund high priority, but unspecified, agricultural research projects. The research grants proposed for rescission would be for regional, multi-State research in selected areas of agricultural research. Intramural, as well as formula funds, are available for this purpose.

The general agricultural research grants item will be eliminated in FY 1981. The Special Research Grants normally provide an initial thrust to a specific problem area requiring additional research effort. For FY 1981 it is proposed that the general agricultural research grant item be deleted and replaced with $4.3 M in specific Special Research Grants for such subjects as aquaculture, anti-desertification, and germ plasm resources.

This proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy and to provide for a balanced budget in FY 1981. While it is recognized that this program could provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs. The benefits provided must be foregone in order to combat the high rate of inflation existing today.

Attachment

Estimated Effects:

While a number of contacts with institutions have been made regarding possible grant proposals, no grants have been awarded. Accordingly, the effects of rescinding these funds should be minimal. The various institutions submitting proposals realize that these grants are awarded on a competitive basis and would not make extensive preparations in anticipation of receiving funding. There would be no effects on personnel levels if these funds were rescinded.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate					
Without Rescission	With Rescission	Outlay Savings 1980	1981	1982	1983
$176.5	$174.0	$2.5	--	--	--

R 80-5

DEPARTMENT OF AGRICULTURE

Science and Education Administration

Cooperative Research

Of the funds appropriated under this head in P.L. 96-108, making appropriations for special research grants for fiscal year 1980, $2,500,000 are rescinded.

Rescission Proposal No: R 80- 6

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority (P.L. 96-108) $285,537,000
Bureau Science and Education Administration	Other budgetary resources 3,590,000
Appropriation title & symbol: Extension Activities 1200502	Total budgetary resources 289,127,000
	Amount proposed for rescission $ 1,500,000
OMB identification code: 12-0502-0-1-352	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The urban gardening program was initiated in 1977, on a pilot basis, to demonstrate the benefits of home gardening in our urban areas. Gardening information is readily available to all farm, rural, and urban residents through the county extension offices upon request as well as through such sources as local adult education programs, public libraries, and newspapers. Specific funding for this program is proposed for elimination in the 1981 budget and it is felt that this program's funds can be rescinded for the remainder of FY 1980 as well. The State Extension Services will still be able to allocate their formula funds into urban gardening programs if they so decide. The Federal Government has provided $200 M to the States for support of State Cooperative Extension Services in FY 1980.

This proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy. While it is recognized that this program does provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs. The possible benefits that these funds could provide must be forgone in order to combat the high rate of inflation existing today.

Estimated Effects:

$1.5 M of the $3 M 1980 level have already been sent to the 16 U.S. cities participating in the program. These participants have made plans to utilize the entire $3 M for the whole fiscal year. Rescission will require the participants either to terminate the program for the remainder of the year or to reallocate their resources to maintain the program. The adverse effects could be kept to a minimum by the State extension office because they have the authority to use a major portion of the funds available to them to address programs as they see fit.

Outlay Effects: (In Millions and Tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$261.7	$260.2	$1.5	--	--	--

DEPARTMENT OF AGRICULTURE

Science and Education Administration

Extension Activities

Of the funds appropriated under this head in P.L. 96-108, making appropriations for urban gardening for fiscal year 1980, $1,500,000 are rescinded.

Rescission Proposal No: RAO-7

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Agency Department of Agriculture	New budget authority (P.L. 96-108) $ 300,000,000
Bureau Farmers Home Administration	Other budgetary resources 10,673,991
Appropriation title & symbol Rural Water and Waste Disposal Grants 12X2066	Total budgetary resources 310,673,991
	Amount proposed for rescission $ 75,000,000
OMB identification code: 12-2066-0-1-452	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	**Type of budget authority:** ☒ Appropriation ☐ Contract authority ☐ Other

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$300.5	$296.5	$4.0	$37.0	$25.0	$5.0

Justification:

Under this program, grants are made to associations, including non-profit corporations, public and quasi-public agencies, and certain Indian tribes to finance specific projects for the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas. The grant may not exceed 75% of the project cost.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy and to provide for a balanced budget in fiscal year 1981. While it is recognized that this program does provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs and that the benefits provided must be forgone in order to combat the high rate of inflation existing today.

Construction costs have continued to rise at a rapid rate. Therefore reductions in direct construction and related loan and grant programs are important parts of our efforts to control this problem.

Estimated Effects:

The proposed rescission would reduce the number of grants estimated to be made in 1980 to 769 or 256 less than indicated in the January budget.

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Rural Water and Waste Disposal Grants

Of the funds appropriated under this head in P.L. 96-108, making appropriations for fiscal year 1980, $75,000,000 are rescinded.

Rescission Proposal No: R80-8

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority (P.L. 96-108) $ 7,000,000
Bureau Farmers Home Administration	Other budgetary resources -
Appropriation title & symbol Rural Development Planning Grants 1202068	Total budgetary resources 7,000,000 Amount proposed for rescission $ 2,000,000
OMB identification code: 12-2068-0-1-452	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year _____ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Under this program, grants are made to public bodies or such other agencies as the Secretary may select to prepare comprehensive plans for rural development.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy and to provide for a balanced budget in fiscal year 1981. While it is recognized that this program does provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs and that the benefits provided must be forgone in order to combat the high rate of inflation existing today.

Estimated Effects:

The proposed rescission would reduce the number of grants estimated to be made in 1980 to 154, or 61 less than indicated in the January Budget.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 7.1	$5.1	$2.0			

R80-8

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Rural Development Planning Grants

Of the funds appropriated under this head in P.L. 96-108, making appropriations for fiscal year 1980, $2,000,000 are rescinded.

Rescission Proposal No: R 80-9

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Agriculture	New budget authority (P.L. 96-108): $167,524,000
Bureau: Soil Conservation Service	Other budgetary resources: 41,922,399
Appropriation title & symbol: Watershed and Flood Prevention Operations; 12 X 1072	Total budgetary resources: 209,446,399
	Amount proposed for rescission: $20,000,000
OMB identification code: 12-1072-0-1-301	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act; ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual; ☐ Multiple-year ____ (expiration date); ☒ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification:

Small watershed operations activities authorized by Public Law 566 include providing technical and financial assistance to local organizations to install measures for watershed protection, flood prevention, agricultural water management, recreation and fish and wildlife enhancement. Watershed work plans are prepared by sponsoring local organizations with Departmental, State or local assistance and are approved by USDA or Congress (for projects where the estimated Federal contribution will exceed $1 million). Technical assistance, such as land treatment, surveys and engineering cost estimates, and financial assistance are furnished to accelerate planning and installation of the approved measures. Local sponsoring organizations must bear the total or a share of the costs necessary to install structural measures, and they must operate and maintain completed work.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy and to provide for a balanced budget in fiscal year 1981. While it is recognized that this program does provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs and that the benefits provided must be forgone in order to combat the high rate of inflation existing today. A major factor influencing this action is that construction costs have continued to rise at a rapid rate. Therefore reductions in direct construction and related loan and grant programs are important parts of our efforts to control this problem.

Estimated Effects:

The proposed rescission would reduce the inflationary impact of the program on the economy by removing $20 million available for construction in 1980. This action is consistent with other proposals to limit loan and grant funds for construction. The rate of construction would be about 75 percent of the 1979 rate.

Soil Conservation Service -- Watershed and Flood Prevention Operations 2.

Outlay Effects:

(in millions and tenths)

1980 Outlay Estimate

Without Rescission	With Rescission	Outlay Savings 1980	1981	1982	1983
$199.7	$194.7	$5.0	$14.0	$1.0	--

R 80-9

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Watershed and Flood Prevention Operations

Of the funds appropriated under this head in P.L. 96-108, making appropriations available for fiscal year 1980, $20,000,000 are rescinded.

Rescission Proposal No: R80-10

R80-10

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority (P.L. 96-108) $ 32,000,000
Bureau Soil Conservation Service	Other budgetary resources 2,121,235
Appropriation title & symbol Resource Conservation and Development 12X1010	Total budgetary resources 34,121,235
	Amount proposed for rescission $ 4,000,000
OMB identification code: 12-1010-0-1-302	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other _____
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

This program provides technical and financial assistance to States, local units of government, groups and individuals for resource conservation and economic improvement. The assistance helps States and local units of government to prepare resource conservation and development (RC&D) plans and to install community-type conservation projects or measures. The RC&D program and other Federal assistance programs in USDA and other Departments provide financial contributions, loans and other assistance to carry out the measures specified in the RC&D area plans.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy and to provide for a balanced budget in fiscal year 1981. While it is recognized that this program does provide useful benefits to our society, it has been determined that reductions can be made without adversely affecting human health and safety or other critical needs and that the benefits provided must be forgone in order to combat the high rate of inflation existing today. Construction costs have risen at at rapid rate, and reductions in direct construction related loan and grant programs are important parts of our efforts to control this problem.

Estimated Effects:

The proposed rescission would reduce funds available for construction by $4 million and would bring the program more in balance with loans and grants that will be available from other Federal and nonfederal sources to assist the sponsors with their share of RC&D program costs. The funds available for construction in 1980 will be almost the same that were obligated in 1979 ($12.2 million and $11.8 million respectively) and there would be six new RC&D area authorizations as mandated in the FY 1980 Appropriations Act (P.L. 96-108). An equivalent amount of budget authority to accomplish the planned phase-out of the RC&D program is planned for addition to the FY 1982 Budget.

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Outlay Effects:

(in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$25.3	$24.3	$1.0	$ 2.0	$1.0	--

R80- 10

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Resource Conservation and Development

Of the funds appropriated under this head in P.L. 96-108, making appropriations available for fiscal year 1980, $4,000,000 are rescinded.

Rescission Proposal No: R80- 11

R80-11

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority (P.L. _____) $ _____
Bureau National Oceanic and Atmospheric Administration	Other budgetary resources 133,089,657
Appropriation title & symbol: Coastal Energy Impact Fund 13X4315 1/	Total budgetary resources 133,089,657
	Amount proposed for rescission $ 50,000,000
OMB identification code: 13-4315-0-3-452	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other _____
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

The Coastal Energy Impact Fund (CEIF) appropriation provides Federal financial assistance to meet the needs of coastal States and local communities impacted by Outer Continental Shelf (OCS) and coastal energy development activities. This proposed rescission specifically impacts the CEIF Loan and Loan Guarantee Program which was instituted in 1977 to meet the needs of many coastal States and communities whose public structures and services were anticipated to become severely taxed from dramatic and new energy related population growths. This rescission is proposed as part of the Administration's effort to reduce the inflationary impact of Federal spending on the general economy and to provide for a balanced budget in fiscal year 1981.

While it is recognized that this program does provide useful benefits to selected coastal States and communities, it has been determined that the subject reduction can be made without adversely affecting the economic, social and environmental status of the impacted areas. The benefits provided by the Loan and Loan Guarantee Program must be forgone to combat the national inflationary problem. Construction costs and consequent costs of procuring goods and services have risen at a rapid rate. Therefore, this proposed reduction in the Loan and Loan Guarantee Program for construction and associated activities is important to the effort to control inflation.

1/ This account is also the subject of a similar deferral in FY 1980 (D80-49).

Estimated Effects:

The impact of this rescission in conjunction with the deferral for this account would be to postpone any additional awards in FY 1980 by the CEIF Loan and Loan Guarantee Program. Offshore energy exploration activities have proceeded slowly and have been largely self-contained, thereby placing little additional burden on coastal governments. Instead, impacts from coastal and offshore energy development activities have been restricted to only certain areas, most notably the Gulf region and Alaska, where a large portion of the impacts were attributable to prior year energy activities. From the inception of the program to the present, approximately $109.6 million of loans have been awarded, all of which have supported projects in the Gulf region and in Alaska. These awards have, in the main, addressed the principal impact requirements for the two areas. In the case of frontier areas experiencing new development actions, it is anticipated that any impacts will be minimal and, if necessary, can be absorbed within existing local governmental resources, or through private commercial means and other coastal related energy impact assistance programs.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$34.0	$31.0	$3.0	$18.0	$20.0	$9.0

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Coastal Energy Impact Fund

Of the funds appropriated under this head in P.L. 95-86 making appropriations for the Department of Commerce for fiscal year 1978, $50,000,000 are rescinded.

Rescission Proposal No: R80-12

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 96-69): $2,371,147,000
Bureau: Atomic Energy Defense Activities	Other budgetary resources: 432,245,235
Appropriation title & symbol: Atomic Energy Defense Activities 1/ Operating Expenses (Defense Nuclear Waste Management) 89X0220	Total budgetary resources: 2,803,392,235
	Amount proposed for rescission: $3,400,000
OMB identification code: 89-0220-0-1-053	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: This rescission proposal of $3,400,000 in budget authority would allow for a consistent transition from FY 1980 to the amended FY 1981 program as currently proposed. The proposal includes $1,400,000 from the Interim Waste Operations program and $2,000,000 from the Long-term Waste Management Technology program. This rescission proposal is part of the Administration's effort to combat inflation by reducing lower-priority Federal spending in 1980 and complements similar efforts directed toward reaching a balanced budget in FY 1981.

Estimated Effects: Efforts to transfer high level waste from old waste tanks to new tanks at the Savannah River nuclear waste disposal site would be reduced and isolation and stabilization of old singleshell tanks at the Hanford facility in the State of Washington will be rescheduled. Some research and development efforts for long-term management of defense high-level wastes will be delayed. The overall safe handling and storage of DOE radioactive wastes would continue unaffected.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$2,328.2	$2,324.8	$3.4	---	---	---

1/ This account is the subject of a similar deferral in FY 1980 (D80-51).

R80-12

DEPARTMENT OF ENERGY

Operating Expenses

Atomic Energy Defense Activities

Of the funds appropriated under this head in P.L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, $3,400,000 are rescinded.

Rescission Proposal No: R80-13

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-69) $ 2,220,923,000
Bureau Energy Programs	Other budgetary resources 467,382,100
Appropriation title & symbol: Energy Supply Research and Development, Operating Expenses 89X0224 1/	Total budgetary resources 2,688,305,100
	Amount proposed for rescission $ 5,350,000
OMB identification code: 89-0224-0-1-271	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The funds proposed for rescission were provided to investigate and develop the potential of the Gas-Cooled Fast Reactor as a viable and long term nuclear power option in concert with evaluating alternative breeder reactor concepts. Current information indicates that the potential for this application of nuclear power is low relative to other applications. Therefore, further expenditures do not seem to be justified in the current climate of budget stringency. The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the general economy and to provide for a balanced budget in FY 1981.

Estimated Effects:

Because the program was originally slated for closeout in FY 1981, the effect of this rescission proposal will be to accelerate and complete most of the program closeout activities in FY 1980 in lieu of carrying certain ones over into FY 1981.

Outlay Effects: (in millions and tenths)

FY 1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$20.8	$20.8	---	$5.4	---	---

1/ This account is the subject of a similar deferral in FY 1980 (D80-52).

R80-13

DEPARTMENT OF ENERGY

Operating Expenses

Energy Supply, Research and Development Activities

Of the funds appropriated under this head in P.L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, $5,350,000 are rescinded.

Rescission Proposal No: R80-14

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-69) $ 448,478,000
Bureau Energy Programs	Other budgetary resources 98,667,993
Appropriation title & symbol	Total budgetary resources 547,145,993
Energy Supply Research and Development Plant and Capital Equipment 1/ 89X0225	Amount proposed for rescission $ 6,150,000
OMB identification code: 89-0225-0-1-271	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Solar Technology. This portion of this account provides funds for the construction of a permanent facility for the Solar Energy Research Institute (SERI) to provide an office building and laboratory space. Of the funds provided in 1980 for this purpose, it is proposed that $3.5 million be rescinded. Expenditures for construction of this facility can, and should, be constrained in the current climate of fiscal restraint.

Nuclear Fission. The $2.6 million proposed for rescission was provided to investigate and develop the potential of the Gas-Cooled Fast Reactor as a viable and long term nuclear power option in concert with evaluating alternative breeder reactor concepts. Current information indicates that the potential for this application of nuclear power is low relative to other applications. Therefore, further expenditures do not seem to be justified in the current climate of budget stringency.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the general economy and to provide for a balanced budget in FY 1981.

Estimated Effects:

Solar Technology. This action will constrain FY 1980 activities in the design of the facility to include only the partial completion of the preliminary design and initiation of limited detailed design activities. No funds will be available for site improvements (grading, utilities, roads, etc.) in 1980. The project completion date (late in FY 1984) may also be affected.

Nuclear Fission. Because the program was originally slated for closeout in FY 1981, the effect of this rescission proposal will be to accelerate and complete most of the program closeout activities in FY 1980 in lieu of carrying certain ones over into FY 1981. All equipment procurements will be withdrawn and construction of the core flow test facility will be closed out.

Outlay Effect : (in millions and tenths)

	1980 Outlay Estimate		Outlay Savings		
	Without Rescission	With Rescission	1980	1981	1982
Solar Technology (SERI Facility)	$6.9	$3.4	$3.5	--	--
Nuclear Fission (Gas-Cooled Fast Reactor)	5.2	5.2	0	2.6	0

1/ The nuclear fission portion of this account is the subject of a similar 1980 rescission proposal (R80-13).

DEPARTMENT OF ENERGY

Plant and Capital Equipment

Energy Supply, Research and Development Activities

Of the funds appropriated under this head in P.L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, $6,150,000 are rescinded.

Rescission Proposal No: R80-15

R80-15

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-69) $ 60,523,000
Bureau Energy Programs	Other budgetary resources 829,462,749
Appropriation title & symbol Uranium Enrichment - Operating Expenses 89X0226 1/	Total budgetary resources 889,985,749 Amount proposed for rescission $ 1,000,000
OMB identification code: 89-0226-0-1-271	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The Advanced Isotope Separation (AIS) program involves research and development activities on the atomic vapor, molecular, and plasma processes for uranium separation. This rescission proposal can be accomplished without affecting the development schedule for the three mainline processes. This rescission proposal is part of the Administration's effort to combat inflation by reducing Federal expenditures for 1980 wherever feasible and providing for a balanced budget in FY 1981.

Estimated Effects: The planned basic research programs at universities related to the application of advanced isotope separation technology to the solution of other energy related problems would be reduced by about two percent.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$49.2	$48.2	$1.0	0	0	0

1/ This account was the subject of a deferral in FY 1979 (D79-48).

DEPARTMENT OF ENERGY
Operating Expenses
Uranium Supply and Enrichment Activities

Of the funds appropriated under this head in P.L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, $1,000,000 are rescinded.

Rescission Proposal No: R80-16

R80-16

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 96-126): $746,627,000
Bureau: Energy Programs	Other budgetary resources: 35,815,117
Appropriation title & symbol: Fossil Energy Research and Development 89 x 0213	Total budgetary resources: 782,442,117
	Amount proposed for rescission: $22,000,000
OMB identification code: 89-0213-0-1-271	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The overall objective of the Fossil Energy Research and Development program is to accelerate the development of economic and environmentally acceptable energy technologies for increasing domestic energy supplies and reducing reliance on imported oil. The rescission proposals will not prevent the achievement of this objective. The programs involved are as follows:

- Coal Liquefaction - Third generation processes and support study work can be reduced and stretched out given the reduced need for some process work (two stage liquefaction) and the lesser priority of some ongoing studies. This proposed rescission involves $1.4 million for this program.

- In-Situ Coal Gasification - A solicitation issued in November 1979 was not well received and the Department's reassessment of the program indicates it is not needed. This proposal involves rescinding $1.6 million for this program.

- Enhanced Gas Recovery - Given new incentives in natural gas pricing, a 6 to 12 month program stretch out will provide time for program reassessment. Funds totalling $5 million are proposed for rescission in this program.

- Mining R&D - To ensure that this program is responsive to national needs, the program has sought the views of industry and trade-unions which has delayed placing new mining R&D contracts. This proposed rescission involves $14 million for this program.

This rescission proposal is part of the Administration's effort to combat inflation and provide for a balanced budget in FY 1981.

Estimated Effects:

Coal Liquefaction - The rescission will affect projects under third generation processes and support studies. While this will reduce some studies and require modification in schedules for some advanced technology development, it will not affect existing demonstrations or prevent development of future coal liquids technologies.

In-Situ Coal Gasification - The proposed rescission will limit the program to a technology base support activity.

Enhanced Gas Recovery - The impact of the proposed rescission will be to extend the completion of planned field technology testing and verification experiments in the Eastern Gas Shales and the Western Tight Gas Sands projects by 6-12 months. This impact reflects a relatively minimal disruption of the remaining 8-10 year planned effort.

Mining R&D - The proposed rescission will not hamper progress on the major thrust of the program. It will be accommodated by: (1) slowing of technology development efforts in both underground and surface mining and (2) deleting less critical research efforts in physical and chemical coal preparation areas. Anthracite and Peat research and development will be continued at reduced levels.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$751.6	$743.6	$8.0	$12.0	$2.0	--

DEPARTMENT OF ENERGY

Fossil Energy Research and Development

Of the funds appropriated under this head in P.L. 96-126, making appropriations for the Department of the Interior and related agencies for fiscal year 1980, $22,000,000 are rescinded.

Rescission Proposal No: R80-17

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-126) $ 787,452,000
Bureau Energy Programs	Other budgetary resources 137,848,492
Appropriation title & symbol	Total budgetary resources 925,300,492
Energy Conservation 89X0215	Amount proposed for rescission $ 4,000,000
OMB identification code: 89-0215-0-1-999	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☐ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year _____ (expiration date)	☐ Contract authority
☒ No-year	☐ Other _____

Justification: The Electric/Hybrid Vehicle Program is designed to conduct R&D and foster commercialization on electric vehicles and hybrid vehicles. This rescission proposal is part of the Administration's effort to combat inflation and provide a balanced budget in 1981. It has been determined that this reduction can be made without adversely affecting human health and safety or other critical needs.

Estimated Effects: Longer range research and development projects will be postponed until more progress on near-term programs is achieved.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$589.4	$589.4	0	$4.0	0	0

R80-17

DEPARTMENT OF ENERGY

Energy Conservation

Of the funds appropriated under this head in P.L. 96-126, making appropriations for the Department of the Interior and related agencies for fiscal year 1980, $4,000,000 are rescinded.

Rescission Proposal No: R80-18

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy Bureau Energy Programs Appropriation title & symbol Economic Regulation 8900217	New budget authority (P.L. 96-126) $ 152,879,000 Other budgetary resources --- Total budgetary resources 152,879,000 Amount proposed for rescission $ 1,000,000
OMB identification code: 89-0217-0-1-276 Grant program ☐ Yes ☒ No	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: This rescission proposal affects the fuels conversion program of the Economic Regulatory Administration. The program is directed at reducing consumption of oil and natural gas through the use of alternative fuels. If this rescission proposal is enacted, unfilled positions which were budgeted for this activity would remain unfilled.

This proposal is part of the Administration's effort to combat inflation by reducing Federal expenditures in 1980 wherever feasible and providing a balanced Budget in 1981.

Estimated Effects: This proposal will result in a $1 million reduction and in a reduced staff-year effort in FY 1980.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$146.9	$145.9	$1.0	0	0	0

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Of the funds appropriated under this head in P.L. 96-126, making appropriations for the Department of the Interior and related agencies for fiscal year 1980, $1,000,000 are rescinded.

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 96-69): $228,279,000
Bureau: Departmental Administration	Other budgetary resources: 168,094,955
Appropriation title & symbol: Departmental Administration 89X0228 1/	Total budgetary resources: 396,373,955
	Amount proposed for rescission: $3,000,000
OMB identification code: 89-0228-0-1-999	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The Management and Support program consists of the administrative costs for positions included in headquarters staff organizations, regional organizations, multi-purpose operations offices and the immediate staffs of the Assistant Secretaries and Directors supporting the Department's diverse programs. Reductions totalling $3.0 million can be made in this area without seriously affecting these programs. This rescission proposal is part of the Administration's effort to combat inflation by reducing Federal expenditures in 1980 wherever feasible and providing for a balanced budget in 1981.

Estimated Effects: This rescission proposal would reduce planned personnel levels somewhat but would not markedly affect program operations.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$282.5	$279.5	$3.0	--	--	--

1/ This account is the subject of a similar deferral in FY 1980 (D80-53).

R80-19

DEPARTMENT OF ENERGY

Operating Expenses

Departmental Administration

Of the funds appropriated under this head in P. L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, $3,000,000 is rescinded.

Rescission Proposal No: R80-20

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $1,364,903,000
Bureau: Health Services Administration	Other budgetary resources: 75,379,000
Appropriation title & symbol: Health Services 7500350	Total budgetary resources: 1,440,282,000
	Amount proposed for rescission: $34,900,000
OMB identification code: 75-0350-0-1-551	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other _____
Type of account or fund: ☒ Annual ☐ Multiple-year _____ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification: The programs included within the Health Services appropriation have as their primary purpose the development of a health services delivery capacity for inner-city and rural populations, and the provision of direct delivery of health care services to Federal beneficiaries. A rescission of $34.9 million is proposed in 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Community Health Services -- Community Health Centers (Black Lung Services). A rescission of $3.0 million is proposed in the Black Lung Services program. The program funds project grants and contracts to operate fixed site and mobile clincial facilities for the analysis, examination, and treatment of respiratory or pulmonary impairments in both active and inactive coal miners. The revised funding request will maintain current capacity to serve 45,000 patients in the currently existing 75 Black Lung centers rather than the initially proposed expanded level of 69,000 patients and 132 centers.

Community Health Services -- Maternal and Child Health (CHM Research and Training). A rescission of $6.0 million is proposed ;$1.0 million for Research and $5.0 million in Training. The revised funding level will support 44 research grants (a decrease of 11 grants). Health professionals trained will be reduced by 1,894 below the current level of 5,994.

Community Health Services -- Family Planning. A rescission of $10.0 million is proposed in Family Planning Services. Project grants are awarded to public and non-profit categories, i.e., poor women and teenagers. Funds are also awarded to provide training to family planning clinic staff, to develop and disseminate information and education materials to clients and potential clients, and to conduct demonstrations and studies concerning improvement of service delivery. The revised level will enable services to be provided to 4.1 million individuals, the same level as in 1980. The initial request would have added 125,000 individuals to this level.

Health Care Services and Systems -- Emergency Medical Services (EMS). A rescission of $15.9 million is proposed in EMS. The purpose of the EMS program is to assist communities in the organization and establishment of EMS systems. Grants and contract awards are made for conducting feasibility studies and planning establishment and initial operations, and expansion and improvements.

The revised 1980 level maintains the proposed phase-out schedule of the EMS program rather than continuing to fund section 1204, Advanced Life Support grants. The last year of funding for this program is planned for 1982. Until then only Basic Life Support activities would be funded.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$1,227.7	$1,220.5	$7.2	$16.3	$11.4	---

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Health Services Administration

Health Services

Of the funds provided for "Health Services" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $34,900,000 are rescinded.

Recission Proposal No: R80-21

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-126): $ 74,302,000
Bureau: Health Services Administration	Other budgetary resources: 46,493,013
Appropriation title & symbol: Indian Health Facilities - 75X0391	Total budgetary resources: 120,795,013
	Amount proposed for rescission: $ 18,000,000
OMB identification code: 75-0391-0-1-551	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The programs funded by this account have as their primary purpose the construction of new facilities, maintenance and repair of existing facilities, and provision of sanitary facilities to serve Indian homes. A rescission of $18.0 million is proposed in 1980 for environmental health activities which involve the construction and/or provision of sanitation facilities, domestic water supplies, waste disposal facilities and other sanitation facilities for Indian homes, communities and lands. This rescission is necessary to reduce outlays to combat today's high inflation rate and to help achieve a balanced Federal budget in 1981.

Estimated Effects:

As a result of this rescission, 2555 previously planned projects will not be funded. This represents a reduction from 7130 to 4575 projects.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$76.7	$74.5	$2.2	$7.4	$8.4	—

R80-21

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services Administration

Indian Health Facilities

Of the funds appropriated under this head in P.L. 96-126, making appropriations for "Indian Health Facilities" for fiscal year 1980, $18,000,000 are rescinded.

Rescission Proposal No: R80-22

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $1,000,000,000
Bureau National Institutes of Health	Other budgetary resources 500,000
Appropriation title & symbol National Cancer Institute 7500849	Total budgetary resources 1,000,500,000
	Amount proposed for rescission $ 17,000,000
OMB identification code: 75-0849-0-1-550	**Legal authority** *(in addition to sec. 1012)*: ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	**Type of budget authority:** ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The programs included within the National Cancer Institute appropriation have as their primary purpose the development of the means to reduce the incidence, morbidity, and mortality of cancer. A rescission of $17,000,000 is proposed in 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Grants. Reductions include decreases in the Research Career Program, Cancer Task Forces, and Clinical Education Program, totaling $1,000,000. The Research Career Program, which provides salary support for advanced research trainees, will be reduced by five awards. The Clinical Education Program, which disseminates information on newly developed diagnostic and therapeutic procedures, will be reduced by three competing awards. The Cancer Task Forces, which fund the organ site program, will be reduced by five awards.

Research and Development Contracts. Contracts will be reduced by $8,000,000, or 25 contracts. This reduction includes a $1,000,000 decrease in the National Toxicology Program which will affect the number of new bioassays which can be started.

Direct Operations. Direct operations, which provides for the management, scientific direction, and administrative and technical support of the extramural grants and contracts programs, will be reduced by $500,000 through reduced purchases of equipment.

Intramural Research. The intramural research program, which gives research scientists the opportunity for basic and applied research and clinical investigation to solve major health problems, will be reduced by $500,000 through reduced purchases of equipment and biological and chemical resources for research.

Cancer Control. The Cancer Control program will be reduced by $5,000,000, precluding new project starts and reducing some ongoing projects.

Construction. Funds for construction will be reduced by $2,000,000, which will entail some delay in completion of modernization and upgrading of existing facilities.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 892.4	$884.4	$8.0	$ 6.6	$2.4	-0-

R80-22

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

National Cancer Institute

Of the funds provided for "National Cancer Institute" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $17,000,000 are rescinded.

Recission Proposal No: R80-23

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123 ___) $527,544,000
Bureau National Institutes of Health	Other budgetary resources 75,000
Appropriation title & symbol National Heart, Lung, and Blood Institute 7500872	Total budgetary resources 527,619,000
	Amount proposed for rescission $ 7,000,000
OMB identification code: 75-0872-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year ___ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The programs included within the National Heart, Lung, and Blood Institute appropriation have as their primary purpose the support of research in heart, blood vessel, lung, and blood diseases and management of American blood resources. A rescission of $7,000,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Centers. Research centers will be reduced by $1,250,000. Centers conduct basic research, promote a multidisciplinary approach, and serve as a resource for consultation, public education, and training. The result of the reduction will be a downward negotiation of 2 percent in existing commitments in specialized and comprehensive research centers.

Research Career Programs. Reductions of $200,000 in research career programs will result in five fewer new awards.

Research Grants. A $300,000 reduction in research grants will be accomplished by a downward negotiation of noncompeting grants, amounting to approximately two percent.

Training Programs. A total of $3,214,000 will be cut from training programs. Individual training awards will be reduced by $800,000, or 40 fewer new awards; and a $2,414,000 reduction in institutional training programs will result in 13 fewer new and 14 fewer renewal awards.

Research and Development Contracts. Contract programs will be reduced by $2,036,000 which will result in elimination of a proposed program on non-invasive assessment of cardiovascular disease. Programs such as the development of left ventricular assist devices and testing of the risk index for chronic obstructive lung disease would be curtailed.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$475.8	$473.1	$2.7	$ 2.9	$1.4	-0-

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

National Heart, Lung, and Blood Institute

Of the funds provided for "National Heart, Lung, and Blood Institute" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $7,000,000 are rescinded.

Recission Proposal No: R80-24

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123 ___): $68,318,000
Bureau: National Institutes of Health	Other budgetary resources: 77,000
Appropriation title & symbol: National Institute of Dental Research 7500873	Total budgetary resources: 68,395,000
	Amount proposed for rescission: $ 300,000
OMB identification code: 75-0873-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year ___ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The programs included within the National Institute of Dental Research appropriation have as their primary purpose research to achieve an understanding of the causes and control of oral-facial diseases. A rescission of $300,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Training Program. A reduction of $300,000 in the National Research Service Awards program will result in the decrease of three competing institutional awards.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate Without Rescission	1980 Outlay Estimate With Rescission	Outlay Savings 1980	1981	1982	1983
$68.3	$68.1	$.2	$.1	-0-	-0-

R80-24

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

National Institute of Dental Research

Of the funds provided for "National Institute of Dental Research" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $300,000 are rescinded.

Recission Proposal No: R80-25

R80-25

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $341,246,000
Bureau National Institutes of Health	Other budgetary resources 60,000
Appropriation title & symbol	Total budgetary resources 341,306,000
National Institute of Arthritis, Metabolism, and Digestive Diseases 7500884	Amount proposed for rescission $ 2,500,000
OMB identification code: 75-0884-0-1-550	Legal authority (in addition to sec. 1012). ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification: The programs included within the National Institute of Arthritis, Metabolism, and Digestive Diseases appropriation have as their primary purpose research concerned with prevention, diagnosis, treatment, and control of a variety of diseases, including arthritis, diabetes, digestive diseases, urinary and kidney diseases, and psoriasis. A rescission of $2,500,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Centers. Research centers, including specialized or comprehensive centers, multipurpose centers, and diabetes research and training centers, will be reduced by a total of $1,500,000. This reduction will eliminate five new research center awards in the areas of diabetes, arthritis, and clinical nutrition.

Research and Development Contracts. A $1,000,000 reduction will delay the initiation of two new contracts on the development of artificial devices to administer insulin automatically, of a clinical trial focused on juvenile diabetes, and of two contracts relating to kidney disease.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate Without Rescission	1980 Outlay Estimate With Rescission	Outlay Savings 1980	1981	1982	1983
$322.9	$ 321.8	$1.1	$ 1.2	$.2	-0-

R80-25

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Arthritis, Metabolism, and Digestive Disease

Of the funds provided for "National Institute of Arthritis, Metabolism, and Diseases" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $2,500,000 are rescinded.

Recission Proposal No: R80-26

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123 ___): $242,000,000
Bureau: National Institutes of Health	Other budgetary resources: 90,000
Appropriation title & symbol: National Institute of Neurological and Communicative Disorders and Stroke 7500886	Total budgetary resources: 242,090,000
	Amount proposed for rescission: $2,000,000
OMB identification code: 75-0886-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other ____
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year ____ (expiration date)	☐ Contract authority
☐ No-year	☐ Other ____

Justification: The programs included within the National Institute of Neurological and Communicative Disorders and Stroke appropriation have as their primary purpose the support and conduct of research to further understanding of the functioning and disorders of the nervous system. A rescission of $ 2.000,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research and Development Contracts. The reduction of $2,000,000 in contracts will necessitate a reduction in neuroprosthesis development and the clinical evaluation of possible damage to tissue by long-term implantation of electrodes. Expansion of the Comprehensive Stroke Program and a survey on chronic headache will be deferred. Initiatives on tinnitis (ringing or buzzing in the ear) and the effects of fluorides on otosclerosis will be reduced.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 218.9	$217.9	$ 1.0	$.9	$ .1	-0-

R80-26

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

National Institute of Neurological and Communicative Disorders and Stroke

Of the funds provided for "National Institute of Neurological and Communicative Disorders and Stroke" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $2,000,000 are rescinded.

Recission Proposal No: R80-27

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123)	$215,102,000
Bureau National Institutes of Health	Other budgetary resources	424,000
Appropriation title & symbol	Total budgetary resources	215,826,000
National Institute of Allergy and Infectious Diseases - 7500885	Amount proposed for rescission	$ 1,500,000
OMB identification code: 75-0885-0-1-550	Legal authority (in addition to sec. 1012). ☐ Antideficiency Act	
Grant program ☒ Yes ☐ No	☐ Other	
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation	
☐ Multiple-year (expiration date)	☐ Contract authority	
☐ No-year	☐ Other	

Justification: The programs included within the National Institute of Allergy and Infectious Diseases appropriation have as their primary purpose the conduct and support of research on all infectious diseases and on diseases caused by malfunctioning of the body's immune system. A rescission of $1,500,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Grants. Research grants will be reduced by $210,000 by decreasing the number of new awards by six.

Training Programs. A reduction of $160,000 in training programs will result in five fewer new individual and three fewer new institutional awards being granted.

Research and Development Contracts. A cut of $800,000 will delay targeted research in areas such as clinical testing of influenza vaccines, of diagnostic materials for food allergies, and of immunologic donor pre-treatment in cadaveric renal transplantation.

Intramural Research. A $230,000 reduction will be absorbed through reductions in travel and supplies, material, and laboratory equipment purchases.

Direct Operations. The $75,000 cut will result in reduct in travel and in supplies and material purchases.

Program Management. Program management, which provides fo the overall direction, coordination, and management of the Institute, will be reduced by $25,000. These funds will be saved from reductions in travel and in supplies and material purchases.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 193.6	$192.9	$ .7	$.7	$ .1	-0-

R80-27

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Allergy and Infectious Diseases

Of the funds provided for "National Institute of Allergy and Infectious Diseases" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $1,500,000 are rescinded.

Recission Proposal No: R80-28

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $312,478,000
Bureau: National Institutes of Health	Other budgetary resources: 150,000
Appropriation title & symbol: National Institute of General Medical Sciences - 7500851	Total budgetary resources: 312,628,000
	Amount proposed for rescission: $ 500,000
OMB identification code: 75-0851-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification: The programs included within the National Institute of General Medical Sciences appropriation have as their primary purpose the conduct of research on the basic underlying questions of cell biology, genetics, and pharmacology, the answers to which are needed to design productive disease-targeted studies. A rescission of $500,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Centers. The research centers program will be reduced by $500,000, which will result in the elimination of one Trauma and Burn Center award.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$261.7	$ 261.6	$ .1	$ .3	$ .1	-0-

R80-28

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of General Medical Sciences

Of the funds provided for "National Institute of General Medical Sciences" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $500,000 are rescinded.

Recission Proposal No: R80-29

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $208,981,000
Bureau: National Institutes of Health	Other budgetary resources: 15,000
Appropriation title & symbol: National Institute of Child Health and Human Development - 7500844	Total budgetary resources: 208,996,000
	Amount proposed for rescission: $ 1,000,000
OMB identification code: 75-0844-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification: The programs included within the National Institute of Child Health and Human Development appropriation have as their primary purpose the support and conduct of research to improve the health of mothers and children and to prevent conditions in childhood that result in disease and disability. A rescission of $1,000,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Centers. A reduction of $1,000,000 in research centers will decrease the level of support for several centers. Included in the reduction is a decrease of $600,000 in research for mothers and children and a decrease of $400,000 in population research.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$185.4	$185.1	$.3	$.5	$.2	-0-

R80-29

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Child Health and Human Development

Of the funds provided for "National Institute of Child Health and Human Development" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $1,000,000 are rescinded.

Recission Proposal No: R80-30

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $113,000,000
Bureau: National Institutes of Health	Other budgetary resources: 1,000
Appropriation title & symbol: National Eye Institute - 7500887 75X0887	Total budgetary resources: 113,001,000
	Amount proposed for rescission: $ 3,200,000
OMB identification code: 75-0887-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The programs included within the National Eye Institute appropriation have as their primary purpose the support and conduct of research to improve the prevention, diagnosis, and treatment of visual disorders. A rescission of $3,200,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Training Programs. A rescission of $200,000 in training programs will result in a reduction of 2 institutional training awards.

Construction. A $3,000,000 rescission in construction funds will cancel funding for a new construction program intended to provide support grants for public and non-profit private vision research facilities.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$116.5	$ 115.3	$ 1.2	$ 1.7	$.3	-0-

R80-30

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Eye Institute

Of the funds provided for "National Eye Institute" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $3,200,000 are rescinded.

Recission Proposal No: R80-31

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $83,912,000
Bureau: National Institutes of Health	Other budgetary resources: 4,000,000
Appropriation title & symbol: National Institute of Environmental Health Sciences - 7500862	Total budgetary resources: 87,912,000
	Amount proposed for recission: $500,000
OMB identification code: 75-0862-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification: The programs included within the National Institute of Environmental Health Sciences appropriation have as their primary purpose the support of research on the effects of chemical, physical, and biological environmental agents on human health. A rescission of $500,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced budget in 1981.

Estimated Effects:

Research Grants. Research grants are reduced by a total of $400,000, with a $300,000 reduction from support of ongoing Environmental Health Sciences Centers and a $100,000 decrease from other research which would eliminate the awarding of five conference grants.

Intramural Research. A decrease of $100,000 in the intramural program would be accomplished by reductions in purchases of equipment and supplies.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 78.3	$78.1	$ .2	$.3	-0-	-0-

R80-31

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Environmental Health Sciences

Of the funds provided for "National Institute of Environmental Health Sciences" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $500,000 are rescinded.

Recission Proposal No: R80-32

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $70,000,000
Bureau: National Institutes of Health	Other budgetary resources: 50,000
Appropriation title & symbol: National Institute of Aging 7500843	Total budgetary resources: 70,050,000
	Amount proposed for rescission: $500,000
OMB identification code: 75-0843-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification: The programs included within the National Institute on Aging appropriation have as their primary purpose the support of research efforts to develop a better understanding of biomedical, behavioral, and social aging processes. A rescission of $500,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Centers. Support for one research center will be cut by $218,000.

Intramural Research. The intramural program will be reduced by $200,000. This reduction will be achieved through the reduction of purchases of materials and supplies.

Direct Operations. The $82,000 decrease in direct operations will be achieved through deferral of equipment purchases.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 58.4	$58.2	$.2	$.2	$ .1	-0-

R80-32

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Aging

Of the funds provided for "National Institute on Aging" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $500,000 are rescinded.

Recission Proposal No: R80-33

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $169,199,000
Bureau: National Institutes of Health	Other budgetary resources: 5,590,000
Appropriation title & symbol: Research Resources 7500848	Total budgetary resources: 174,789,000
	Amount proposed for rescission: $ 5,000,000
OMB identification code: 75-0848-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification: The programs included within the Research Resources appropriation have as their primary purpose the development and support of resources which provide the technologies, tools, research animals, environments, and investigators essential to biomedical research. A rescission of $5,000,000 is proposed for 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Research Grants. Research grants programs are reduced by $4,686,000. Included in that reduction is a decrease of $724,000 for research centers, which will result in funding two fewer Biotechnology Research Centers than anticipated. Also included is a $3,962,000 decrease which will be taken from Biomedical Research Support and Biomedical Research Development Grants and from a proposed expansion in Minority Biomedical Support Grants.

Research and Development Contracts. A $73,000 Biotechnology Research Contract, which would expand user capability of a biology data base, will not be awarded.

Direct Operations. A reduction of $206,000 will be accomplished by the delay of funding for the Research Resources Information Center.

Program Management. Program management will be reduced by $35,000 through savings from personnel attrition and decreases in travel and supplies purchases.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$160.8	$158.8	$2.0	$2.0	$1.0	-0-

R80-33

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Research Resources

Of the funds provided for "Research Resources" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $5,000,000 are rescinded.

Recission Proposal No: R80-34

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $44,000,000
Bureau National Institutes of Health	Other budgetary resources 2,000,000
Appropriation title & symbol	Total budgetary resources 46,000,000
National Library of Medicine 7500807	Amount proposed for rescission $ 500,000
OMB identification code: 75-0807-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification: The programs included within the National Library of Medicine appropriation have as their primary purpose the support of programs to assist the advancement of medical and related sciences through the collection, dissemination, and exchange of information in these fields. A rescission of $500,000 is proposed for 1980 as part of the Administration's effort to reduce inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Intramural Program. A reduction of $500,000 in the intramural program will result in a decrease in funds available for the Toxicology Information Program, delaying further development of the Chemical Data Bases Directory and the Chemical Structure and Nomenclature System.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$40.7	$40.4	$ .3	$ .2	-0-	-0-

R80-34

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Library of Medicine

Of the funds provided for "National Library of Medicine" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $500,000 are rescinded.

Rescission Proposal No: R80-35

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $1,027,72[illegible]
Bureau Alcohol, Drug Abuse, and Mental Health Administration	Other budgetary resources 2,471,00[illegible]
Appropriation title & symbol Alcohol, Drug Abuse, and Mental Health 7501361	Total budgetary resources 1,030,192,000 Amount proposed for rescission $ 4,000,000
OMB identification code: 75-1361-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program ☒ Yes ☐ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The programs included within the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) have as their primary purpose the prevention, control and treatment of alcoholism, drug abuse and mental illness primarily through research, training and service programs. A rescission of $4.0 million is proposed in 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Drug Abuse -- Community Programs (Formula Grants). A reduction of $2.0 million from the $40.0 million that was provided in 1980 is proposed for this program. These grants assist States in planning, administering, and monitoring projects in order to develop effective drug abuse prevention functions.

Alcoholism -- Community Programs (Formula Grants). A reduction of $2.0 million from the $56.8 million that was provided in 1980 is proposed for this program. These grants are awarded to States to assist them in developing more effective prevention, treatment and rehabilitation programs to deal with alcohol abuse and alcoholism.

Estimated Effects:

Drug Abuse--community programs (formula grants)

This revised 1980 funding represents approximately a 5 percent reduction in funding for each State program. Each State will determine whether to reduce supported activities by 5 percent or to provide additional State funds for planning, providing, and monitoring drug abuse prevention and treatment activities.

Alcoholism--community programs (formula grants)

This revised 1980 funding level represents approximately a 4 percent reduction in grants to States. Each State will determine whether to reduce supported activities or to provide additional State funds for planning, providing, and monitoring alcohol abuse prevention and treatment activities.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$950.8	$950.3	$0.5	$3.5	--	--

DEPARTMENT of HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health

Of the funds provided for "Alcohol, Drug Abuse, and Mental Health" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $4,000,000 are rescinded.

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $683,952,000
Bureau Health Resources Administration	Other budgetary resources 4,095,000
Appropriation title & symbol	Total budgetary resources 687,997,000
Health Resources* 7500712	Amount proposed for rescission $ 149,953,000
OMB identification code: 75-0712-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification:

The programs funded by this appropriation seek to maintain and strengthen the distribution, supply, utilization and cost effectiveness of resources to improve the health care system and the health status of individuals.

During the 1960's and early 1970's, the supply of health professionals increased dramatically, primarily as a result of increased Federal subsidies to expanded numbers of health professions students and training programs. The current supply of health professionals is adequate and a potential oversupply may exist by 1990. In recognition of these trends, a rescission of $150 million is proposed in 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

* This account was the subject of a rescission proposal in FY 1979 (R79-4) and 1980 (R80-2A).

Estimated Effects:

Health Professions Education--Health Professions Capitation and Student Loans. A rescission of $97.8 million is proposed for institutional assistance capitation grants ($81.3 million) and Health Professions Student Loans ($16.5 million). This rescission was proposed in January in the President's 1981 Budget, but was not approved by the Congress. Accordingly, funds have been made available for obligation under normal spending patterns. As part of the President's effort to achieve a balanced federal budget, this rescission is being reproposed as part of the President's March budget revisions. Because these funds would not normally be obligated until the fourth quarter of fiscal year 1980, Congressional approval of this proposal would still result in the 1980 and 1981 outlay savings projected in the initial rescission proposal. The reasons for requesting reconsideration of this rescission are detailed below.

The capitation grants provide Federal financial support to health professions schools to assist them in meeting the costs of their educational programs. As noted above, indicators point to an oversupply of physicians and other health professionals by 1990. Consequently, Federal concern has shifted from the problems of achieving aggregate numercial adequacy of manpower nationally to problems of improving geographic and specialty distribution, as well as increasing the efficiency of the delivery of services, and stabilizing the costs of services provided. Capitation grants are not an efficient means for correcting either specialty or geographic maldistribution problems.

The loan funds are given to schools that in turn make awards to students. This program is of lower priority since it requires no service commitment on the part of recipients. The Health Education Assistance Loan program, administered by Health Resources Administration, and the National Direct Student Loan program, to be administered by the Department of Education, will be replacement sources of financial support for these students. In addition, loan funds estimated to support 13,333 students will continue to be available from the revolving funds previously established in the schools. The National Health Service Corps scholarship program is an additional source of student assistance.

Health Professions Education--Health Professions National Health Service Corps (NHSC) Scholarships. A rescission of $1.8 million is proposed for the NHSC scholarship program. The program influences the distribution of physicians, dentists, and certain other health professions personnel practicing in rural or inner city shortage areas by requiring one year of full-time clinical practice in a health manpower shortage area in return for each year of scholarship support received.

The revised funding will provide for 1,483 new awardees (a reduction of 141) and continued support for the 5,033 students currently receiving support.

Health Professions Education -- Dental Health Education (Expanded Function Dental Auxiliary)

A rescission of $2.0 million is proposed in the dental extender program. The purpose of this program is to provide, through grants and contracts, additional training to dental assistants to qualify them to perform functions formerly performed by dentists.

This rescission would require institutions to seek financial support from sources other than the federal government. Support of 19 continuation awards and five new/renewal awards would not be provided.

Health Profession Education -- Dental Health Education (General Dentistry Residencies)

A rescission of $4.1 million is proposed in the General Dentistry Residencies program. This program is a grant activity which supports the planning, development and implementaton of didactic and clinical experience that provide dental residents advanced skills in the general practice of dentisty.

This rescission would discontinue support of all 45 continuation awards.

Allied Health -- Special Projects Grants and Contracts.

A rescission of $5.5 million is proposed in the new grants and credentialing contracts categories of this program. Grants and contracts assist eligible entities in meeting costs of projects which: establish new rates and functions; develop methods for increasing efficiency; and, establish new or improved methods of credentialing.

The revised funding would support 135 continuation awards at a reduced rate, 12 cooperative agreements and five credentialing contracts. This represents a reduction of one credentialing contract and a deletion of all new grant awards.

Allied Health -- Advanced Traineeships

A rescission of $1.1 million is proposed in training grants for allied health professionals. The program provides grants to public or nonprofit institutions, organizations, or agencies for the support of individuals in both long and short-term advanced traineeship programs at the post professional level.

The revised funding will support five less (26 to 21) continuation grants. Specialized Federal aid has been only marginally significant in this area. As careers in allied health have become increasingly attractive, local community colleges and State universities have responded in developing additional training opportunities to meet local and regional needs for skilled personnel.

Special Educational Programs -- Health Professions Educational Improvements and Development Projects.

A rescission of $6.0 million from a currently available $8.5 million is proposed. The program provides funds for the planning, development, demonstration, and evaluation of more targeted health manpower activities.

The revised funding will support selected continuation projects, such as those emphasizing humanistic medicine, environmental and occupational health, health manpower development, special problems of aging, human nutrition, and development of regional systems of continuing education and preventive medicine. Lower priority activities will be discontinued.

Special Educational Programs -- Emergency Medical Training.

A total rescission totalling $3.0 million is proposed for this program. The program provides grants and contracts for the training of physicians and other health professionals in life-saving techniques under emergency situations.

The revised funding will require State, local and private funds to finance the training of emergency medical personnel. The training is of short duration and is provided essentially to meet local needs.

Health Professions Education -- Nursing (Capitation Grants)

A rescission of $24.0 million is proposed for capitation grants for nursing. The capitation grant program authorizes basic institutional support grants on a formula basis to eligible nursing educational programs.

Nursing supply problems, which exist in certain geographic and specialty areas, are not related to the existing capacity of nursing schools, which are more than adequate to meet total needs. Consequently, these funds are not necessary for addressing Federal priorities with respect to nursing. This reduction will result in 990 awards not being supported (366 Baccalaureate, 508 Associate Degree and 116 Diploma). This rescission may require schools to seek alternative funding sources, such as State and local governments or raise tuition.

Health Professions Education - Nursing (Research Grants)

A rescission of $4.7 million is proposed in the research grant program. The program provides grants to support research projects in areas related to nursing practice, education, manpower and administration.

The revised funding will provide for a total of three new nursing research projects. Funding for 20 continuation and 26 new nursing research projects will not be provided.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$577.9	$560.1	$17.8	$51.8	$80.4	---

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources

Of the funds provided for "Health Resources" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $149,953,000 are rescinded, provided that the funds appropriated under this head in P.L. 96-123 for carrying out Title VII of the Public Health Service Act shall be available notwithstanding the limitations of Section 786(c),

Rescission Proposal No: R80-37

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $ 191,195,000
Bureau Office of the Assistant Secretary for Health	Other budgetary resources 18,073,000
Appropriation title & symbol: Salaries and expenses 7501101	Total budgetary resources 209,268,000
	Amount proposed for rescission $ 12,800,000
OMB identification code: 5-1101-0-1-550	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification:

The programs included within the Assistant Secretary for Health appropriation have as their primary purpose the leadership and direction of the Public Health Service activities. In addition, this office administers selected health program activities such as Health Maintenance Organizations and the National Center for Health Statistics. A rescission of $12.8 million--including $4.0 million provided for Health Maintenance Organizations and $8.8 million provided for the adolescenthealth service program--is proposed in 1980 as part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981.

Estimated Effects:

Health Maintenance Organizations
A rescission of $4.0 million is proposed in the developmer and expansion grant categories. Development grants financ the start-up costs of HMOs through three progressive phas feasibility, planning and initial development. Expansion grants allow operational organizations that have become federally qualified to expand both services and membership.

This revised funding will result in a decrease of three initial development grants (32 to 29) which have average costs of $800,000 and a corresponding increase in the number of the less costly (average $200,000) planning grants (39 to 42). In addition, the funding of two expansion grants at the initial development level will be deferred until 1981.

Health Initiatives -- Adolescent Health Services.

A rescission of $8.8 million is proposed for the Adolescent Health Service program. This program provides coordination, integration and linkage to community efforts directed toward reducing the incidence of unwanted adolescent pregnancies and providing comprehensive service to the already pregnant adolescent.

The revised funding request will permit grants to 17 projects, a reduction of 35 projects. The first full year of program operations is 1980 and the funding reductions will not affect any ongoing projects. Efforts will continue to provide for the extension and strengthening of programs in communities where services exist but are fragmented.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate Without Rescission	1980 Outlay Estimate With Rescission	Outlay Savings 1980	1981	1982	1983
$126.2	$119.3	$6.9	$2.9	$1.3	$ .8

R80-37

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of the Assistant Secretary for Health

Salaries and Expenses

Of the funds provided for "Salaries and Expenses" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $12,800,000 are rescinded.

Rescission Proposal No: R80-38

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $ 3,813,956,000
Bureau: Office of Education	Other budgetary resources: 1,000,000
Appropriation title & symbol: Elementary and Secondary Education 7500279 750/10279 75X0279	Total budgetary resources: 3,814,956,000
	Amount proposed for rescission: $ 135,750,000
OMB identification code: 91-0100-0-1-501 91-0502-0-1-501 1/	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☒ Annual $285,963,000 ☒ Multiple-year $3,527,993,000 September 30, 1981 (expiration date) ☒ No-year $1,000,000	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Grants for Disadvantaged-Elementary and Secondary Education Act (ESEA) (Title I) provide grants to State and local educational agencies (LEA's) for compensatory education for disadvantaged children. Concentration grants are targeted towards counties with high concentrations of children from low income families. State incentive grants provide a Federal match of State expenditures for compensatory education to States with qualifying programs.

The proposed rescission of $15,000,000 requested for State incentive grants will allow time for additional States to establish qualifying programs, and for the Administration to propose legislative amendments to clarify and rationalize the eligibility criteria. The proposed rescission of $50,000,000 of the funds proposed for concentration grants would represent a delay in full implementation of this initiative begun in fiscal year 1979.

Support and Innovation Grants provide funds to State agencies to support projects for the development and implementation of innovative solutions to problems in elementary and secondary education and to improve their management and coordination of educational programs.

Rescission of $50,000,000 of the funds for improving local educational practice (ESEA Title IV-C) and $5,000,000 of the funds available for strengthening state educational agency management (ESEA Title V-B) is proposed because neither is, in a time of fiscal restraint, a high priority activity. The projects supported by Title IV-C are not necessarily targeted to national needs or national priority populations; Title V-B provides States with funds for administration.

1/ The appropriations covered by this rescission will be transferred into two budget accounts when the reorganization creating the Department of Education takes effect fully.

R80-38

Telecommunication Demonstrations provide grants to demonstrate the potential value of non-broadcast communication technology (cable, satellite, microwave, etc.) in dissemination of health, education and social service information to special populations and the public. A rescission of $1,000,000 is proposed for this program.

Follow Through is a program designed to improve the quality of education and related services for economically disadvantaged children in kindergarten and elementary grades. The nature of follow through has changed since its inception, and the cost per pupil will be higher than other compensatory education programs in 1980. In a year of budget restraints, the rescission of $14,750,000 for follow through will reduce costs to the level of ESEA (Title I), a comparable compensatory program.

The proposed rescissions are part of the Administration's effort to combat inflation and achieve a balanced Federal budget in 1981. While it is recognized that these programs do provide social benefits, it has been determined that these are not high priority programs. Therefore, these reductions can be made without adversely affecting the nation's critical needs.

Estimated Effects:

Grants for Disadvantaged ESEA (Title I) - Rescinding $65,000,000 of the funds appropriated for Title I will reduce the number of children local educational agencies are able to serve in Title I programs in school year 1980-81 by between 126,900 and 138,000.

Support and Innovation Grants - The rescission of $50,000,000 in funds available for Title IV-C purposes will eliminate 2,500 new projects. Funding will remain for 5,000 projects initiated in earlier years. A reduction of $5,000,000 in the funds available for Title V-B purposes will reduce the number of projects supported by roughly 50 and the number of State agency personnel supported by 170.

Telecommunication Demonstrations - Rescission of $1 million will eliminate funding for five grants and one contract. The funds proposed for rescission were appropriated in 1979 and not used. There is an additional $1 million appropriated for fiscal year 1980 in another account which has been used to fund 7 telecommunication continuation grants in 1980.

Follow Through - Rescinding $14,750,000 of the funds appropriated for follow through will decrease the average award for LEA service projects from $346,405 to $250,000 and the average per pupil expenditure from $680 to $564. While the number of LEA service projects (153) will not decrease, they will receive about 72% of the funding projected for them. Funding for demonstration projects that disseminate information on validated practices and for pilot projects that test new approaches will not be decreased as a result of the rescission.

Outlay Effects:

(in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$3,260.9	$3,249.8	$11.1	$90.7	$20.1	$3.2

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Elementary and Secondary Education

Of the funds provided for "Elementary and Secondary Education" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for fiscal year 1980, $134,750,000 are rescinded.

Of the funds appropriated under this head in P.L. 95-482 for fiscal year 1979, $1,000,000 appropriated for the purposes of the Communications Act of 1934, as amended, are rescinded.

Rescission Proposal No: R-80-39

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $ 315,298,000
Bureau: Office of Education	Other budgetary resources:
Appropriation title & symbol: Emergency School Aid 7500275	Total budgetary resources: 315,298,000
	Amount proposed for rescission: $ 25,123,000
OMB identification code: 91-0103-0-1-501	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☒ Annual ☐ Multiple-year _____ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Special Programs and Projects -- Funds are provided for awards to State and local educational agencies and nonprofit organizations for a variety of special activities designed to make progress toward eliminating or preventing minority group isolation and improving the quality of education.

The proposed reduction of $12.5 million for special programs and projects would be applied against the special discretionary and emergency special projects categories. With the development of several categories of funding that allow for the awarding of grants thoughout the year, the necessity for maintaining the special discretionary program (created primarily for this purpose), has diminished. The emergency special projects category, by funding districts having "severe unmet need", supplements the funds already available to Local Education Agencies (LEAs) through basic grants.

Magnet Schools, Pairing, Neutral Site Schools -- Funds are provided to facilitate voluntary desegregation and enhance the quality of educational programs through: (1) the planning for and conduct of educational programs in magnet schools (i.e., schools providing specialized curricular to attract a racially integrated student body); (2) the pairing of schools with businesses and universities; and (3) the development of plans for neutral site schools. Funding for this program has increased dramatically since 1978, rising from $20.0 million that year to $42.6 million in 1980.

A recent evaluation of the program found that magnet schools are not effective as a sole or primary means of achieving desegregation, but can be effective when used as a component of a comprehensive desegregation effort. The study recommended that appropriations for the program be stabilized to ensure that funds are concentrated in those districts implementing a comprehensive desegregation plan.

A rescission of $12.6 million is proposed for these activities as part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy.

Estimated Effects:

Special Programs and Projects -- The rescission of $12.5 million in fiscal year 1980 would eliminate funding for the special discretionary program funded at $5 million in 1980. To date, only one application has been submitted for funding under this category. Additionally, emergency special projects funding would be reduced by $7.5 million, resulting in a decrease in the number of awards to school districts having severe unmet need.
Funds available for late court orders would not be reduced.

Magnet Schools, Pairing, and Neutral Site Schools -- A reduction of $12.6 million would decrease the total number of awards from 65 to approximately 56, of which 10 awards would support pairing and neutral site planning and the remaining 46 awards would support magnet schools.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate

Without Rescission	With Rescission	Outlay Savings 1980	1981	1982	1983
$294.0	$292.3	$1.7	$16.4	$7.0	---

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Emergency School Aid

Of the funds provided for "Emergency school aid" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $25,123,000 are rescinded.

Rescission Proposal No: R80-40

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $ 87[illegible],880,00[illegible]
Bureau Office of Education	Other budgetary resources [illegible],161,455
Appropriation title & symbol: Occupational, Vocational, and Adult Education 750/10273	Total budgetary resources 879,041,455
	Amount proposed for rescission $ 87,500,000
OMB identification code: 91-0400-0-1-501	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☒ Multiple-year 9/31/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The vocational education basic grants program provides funds to States and outlying areas on a formula basis for the operation of State and local vocational education and training programs. This rescission action is proposed as part of the President's effort to combat high rates of inflation. Since States currently overmatch Federal funds in this program by 12 to 1, this proposed rescission is not expected to adversely affect program operations.

Estimated Effects:

-- Basic grants fundings will be $474,766,000 (1979 level), rather than $562,266,000.

-- Enrollment directly tied to Federal funding is estimated to be 13 million, the same level as in 1979, and 500,000 less than estimated for the expanded current 1980 level.

-- Total Federal/State/local funding of vocational education is estimated to be $6,000,000,000. The rescission is 1.5% of total program funding.

Outlay Effects:

Without Rescission	With Rescission	Outlay Savings 1980	1981	1982	1983
$828.2	$821.2	$7.0	$60.6	$19.9	---

R80-40

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Occupational, Vocational, and Adult Education

Of the funds provided for "Occupational, vocational, and adult education" for fiscal year 1980 in Public Law 96-123, making further continuing appropriations for the fiscal year 1980, $87,500,000 are rescinded.

Rescission Proposal No: R80-41

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $ 3,015,550,
Bureau: Office of Education	Other budgetary resources: ---
Appropriation title & symbol: Student Assistance 750/10260 1/	Total budgetary resources: 3,015,550,000
	Amount proposed for rescission: $ 108,000,000
OMB identification code: 91-0200-0-1-502	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year 9/30/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The direct loan program of student assistance provides low cost loans to students attending postsecondary institutions who qualify for financial assistance. Administered by institutions of higher education, direct loan funds are distributed to institutions within the limits of a State formula which determines the amount of funds available within the State.

While the rescission would reduce the total funding available in 1980, the revolving funds at institutions would still be available as a source of loans to the most needy students, in addition to $178 million in new capital contributions. Students not receiving direct loans would be eligible for guaranteed student loans. A total of approximately $608 million would be available, including the $178 million in new capital contributions, $18 million in institutional matching funds, and $412 million in collections.

This rescission proposal is part of the Administration's effort to balance the Federal budget in 1981.

Estimated Effects:

The proposed rescission of $108 million for direct loans would reduce the amount provided in 1980 from $286 million to $178 million with a resultant reduction of 152,000 loans in 1980-81.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$ 3,412.7	$ 3,401.7	$ 11.0	$ 83.0	$ 14.0	---

1/ This account is the subject of a deferral (D80- 54).

R80-41

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Student Assistance

Of the funds provided for "Student Assistance" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $108,000,000 are rescinded.

Rescission Proposal No: R80- 42

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Health, Education and Welfare	New budget authority (P.L. 96-123): $ 399,730,000
Bureau: Office of Education	Other budgetary resources: 2,700,000
Appropriation title & symbol: Higher and Continuing Education 7500293	(Permanent appropriation) Total budgetary resources: 402,430,000
	Amount proposed for rescission: $ 44,275,000
OMB identification code: 91-0502-0-1-501	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Program	Amount Proposed for Rescission
Educational Information Centers provide information, guidance, and referral services concerning postsecondary educational opportunities. Funds are proposed for rescission to eliminate a duplication of similar services provided by other Federal education programs, such as Talent Search, Educational Opportunity Centers, the National Occupational Information Coordinating Committee (NOICC), the State Occupational Information Coordinating Committees (SOICCs) and payments per student assistance recipient for information dissemination.	$ 3,000,000
The University Community Services and Continuing Education program supports grants to strengthen the community service programs and to expand the continuing education programs of colleges and universities. Funds for discretionary special experimental and demonstration projects are proposed for rescission. The practice of institutions of higher education providing assistance in community problem solving has been established by 15 years of Federal funding. The States and institutions can now be expected to support these efforts.	1,000,000
State Postsecondary Education Commissions encourage the development of comprehensive statewide planning for postsecondary education and support State administration of certain Federal programs. Funds for comprehensive planning are proposed for rescission. States have made progress in developing planning capabilities and should assume support of such activities. In addition there are no Federal funds in any of the programs for which the Commissions are responsible for administering.	$ 2,875,000
The Public Service Grants and Fellowships program supports grants to expand the number of persons training for public service careers and to improve such training at institutions of higher education. Funds are proposed for rescission because many institutions already offer high quality graduate programs in the public service field. In addition, there exists, at this time, a substantial supply of qualified persons to fill public service jobs.	3,900,000
Mining Fellowships are awarded to assist graduate students to undertake advanced study in domestic mining and mineral fuel conservation. Funds are proposed for rescission because the availability of a large number of jobs in mining-related fields combined with the very attractive financial awards associated with these jobs has served as a significant incentive in encouraging many students to enter mining-related fields of study.	4,500,000
The Architectural Barrier Removal program assists institutions of higher education with reconstruction or renovation of academic facilities for the purpose of removing architectural barriers to the physically handicapped. Funds are proposed for rescission because institutions are moving ahead on their own to remove architectural barriers in order to meet the requirements of Section 504 of the Rehabilitation Act of 1973. In addition, estimates indicate that the capital outlay needed to achieve program accessibility for the mobility impaired student at the 3,000 institutions of higher education are relatively small for most of them.	25,000,000
The Law School Clinical Experience program supports demonstrations of training programs providing clinical legal experience. Funds are proposed for rescission because the Federal objective of demonstrating the value of clinical experience in the education and training of law students has been met.	4,000,000
Total proposed for rescission	44,275,000

While it is recognized that these activities provide useful benefits in the field of education, it has been determined that these reductions can be made without imposing undue hardships. These rescission actions are proposed as part of the President's efforts to combat inflation and achieve a balanced budget in FY 1981.

Estimated Effects: These funds were provided in Fiscal 1980 for use during the 1980-81 school year.

The rescission of $3,000,000 provided for Educational Information Centers will eliminate awards of slightly more than $50,000 for centers in the 50 States and seven territories.

The rescission of $1,000,000 provided for University Community Services and Continuing Education will eliminate three or four new and 12 continuing discretionary special experimental and demonstration projects.

The rescission of $2,875,000 provided for State Postsecondary Education Commissions will eliminate grants to the 50 States and seven territories for comprehensive planning in postsecondary education.

The rescission of $3,900,000 provided for Public Service Grants and Fellowships will eliminate 311 fellowships, 175 of which are continuations, and 12 institutional grants.

The rescission of $4,500,000 provided for Mining Fellowships will eliminate 321 fellowships, 80 of which are continuations.

The rescission of $25,000,000 provided for Architectural Barrier Removal will eliminate grants to approximately 300 institutions of higher education to assist in the removal of architectural barriers pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973.

The rescission of $4,000,000 provided for Law School Clinical Experience will eliminate approximately 80 demonstration projects, some of which involve schools that already received an award in 1978, 1979, or both.

Outlay Effects: (in millions and tenths)

Program	1980 Outlay Estimate Without Rescission	1980 Outlay Estimate With Rescission	Outlay Savings 1980	1981	1982	1983
Educational Information Centers	$ 2.8	$ 2.8	---	$3.0	---	---
University Community Services and Continuing Education	10.8	10.8	---	1.0	---	---
State Postsecondary Education Commissions	3.4	3.4	---	2.9	---	---
Public Service Grants and Fellowships	4.0	4.0	---	3.6	.3	---
Mining Fellowships	4.5	4.5	---	4.2	.3	---
Architectural Barrier Removal	---	---	---	2.0	10.0	10.0
Law School Clinical Experience	2.0	2.0	---	4.0	---	---
Total	27.5	27.5	---	20.7	10.6	10.0

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Higher and Continuing Education

Of the funds provided for "Higher and continuing education" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for FY 1980, $44,275,000 are rescinded.

Rescission Proposal No: R80-43

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $ 189,000,000
Bureau Office of Education	Other budgetary resources ---
Appropriation title & symbol	Total budgetary resources 189,000,000
Library Resources 750/10212	Amount proposed for rescission $ 18,000,000
OMB identification code: 91-0100-0-1-501	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual	Type of budget authority: ☒ Appropriation
☒ Multiple-year September 30,1981 (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification: Funds for guidance, counseling, and testing were provided under the Elementary and Secondary Education Act, Title IV-D (ESEA) for the first time in FY 1980. The program was formerly consolidated as a part of ESEA IV-B but is now proposed for termination. This rescission action is proposed as part of the President's effort to combat high rates of inflation, by terminating, where feasible, lower priority Federal programs in order to reduce the 1980 budget and achieve a balanced budget in 1981.

Estimated Effects: The following uses had been planned for the funds proposed for rescission: $17,275,000 would have been used for grants to States that would in turn make subgrants to local education agencies (LEAs) for local projects; and the remaining $725,000 would have been used for discretionary projects administered by the Department of Education, primarily for model projects for the inservice training of counselors to improve service to special populations.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$1.0	---	$1.0	$12.0	$5.0	---

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Library Resources

Of the funds provided for "Library resources" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $18,000,000 are rescinded.

Rescission Proposal No: R80-44

R80- 44

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 96-123) $ 118,223,000
Bureau Office of Education	Other budgetary resources ---
Appropriation title & symbol Special Projects and Training 1/ 2/ 7500270	Total budgetary resources 118,223,000 Amount proposed for rescission $ 11,000,000
OMB identification code: 75-0270-0-1-503 91-0201-0-1-502	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program ☒ Yes ☐ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Career education incentives - This portion of the special projects and training account provides funds to States and outlying areas on a formula basis for the development and operation of local career education and career awareness programs. The proposed rescission would reduce the funds available for this program from $20 million to $10 million. It is expected that activities can be continued with State and local funds. Since career education is a concept to be incorporated across curricula areas, services to students are expected to continue.

Law-related education - This part of the special projects and training account provides competitive grants to (1) strengthen law-related education in grades K-12, (2) provide technical assistance to help establish such programs, and (3) support innovative activities and information dissemination in law-related education at any level. State education agencies, higher education institutions and other public and private non-profit organizations are eligible to participate in a national competition which awards two-year grants, with grantees assuming an increasing proportion of the project cost. The goal is to develop effective programs for educating students about their rights and responsibilities as citizens. The proposed rescission would cause this $1 million program not to be initiated in fiscal year 1980. Private funds have initiated some activities in this area.

1/ The appropriations covered by this rescission will be transferred into two budget accounts when the reorganization creating the Department of Education takes effect fully.

2/ This account was the subject of a similar rescission proposal in FY 1979 (R79-5).

Estimated Effects:

Career Education Incentives

-- Grants to States and outlying areas will total $9,350,000 while special national projects will be funded at a total of $650,000, both approximately half the formerly planned level.

Law-related Education

-- Program implementation will be postponed for one year.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$49.1	$47.6	$1.5	$9.1	$0.4	---

R-80-44

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Special Projects and Training

Of the funds provided for "Special projects and training" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for the fiscal year 1980, $11,000,000 are rescinded.

Rescission Proposal No: R80-45

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Housing and Urban Development	New budget authority (P.L. 96-103): $3,900,000,000
Bureau: Community Planning and Development	Other budgetary resources: 218,146,352
Appropriation title & symbol: Community Development Grants 868/00162 869/10162 860/20162	Total budgetary resources: 4,118,146,352 Amount proposed for rescission: $153,200,000
OMB identification code: 86-0162-0-1-451	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual — September 30, 1980 1/ / September 30, 1981 ☒ Multiple-year — September 30, 1982 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

JUSTIFICATION:

It is proposed to rescind $153,200,000 from the Community Development Block Grant program, as authorized by title I of the Housing and Community Development Act of 1974, as amended. This rescission would be comprised of a $88,000,000 reduction in the Categorical Program Financial Settlement Fund, which provides grants to units of general local government to assist in the financial settlement of urban renewal projects; a $25,200,000 reduction in the Secretary's Discretionary Fund, which provides grants to Territories, Indian Tribes, units of general local government, and States for the funding of local community development projects, innovative projects, areawide projects, technical assistance, and disaster relief; and a $40,000,000 reduction in the Entitlement program, which provides grants to large cities and urban counties for locally designed programs of community development and revitalization.

While it is recognized that these programs provide useful benefits, these reductions are necessary in order to achieve the overriding goal of alleviating the inflationary pressures of Federal spending.

ESTIMATED EFFECTS:

For the Categorical Program Financial Settlement Fund, the estimated effect of reducing the current budgetary resources of $127,739,624 by $88,000,000 will be to provide fewer funds to units of general local

1/ None of these funds are deferred.

government for the financial settlement of urban renewal projects. However, this reduction should have no major effect on communities since they may use their grants from the basic Community Development Block Grant program to assist them in financially settling these projects.

For the Secretary's Discretionary Fund, the estimated effect of reducing current budgetary resources of $178,503,000 by $25,200,000 will be to reduce funding for innovative projects by $14,500,000 and to reduce funding for disaster assistance by $10,700,000.

For the Entitlement program, the estimated effect of reducing current budgetary resources of $2,815,545,000 by $40,000,000 (the amount available for reallocation in 1980 from 1979 and 1980 funding) will be that entitlement communities will not be permitted to apply for additional grants. However, this reduction should have no major effect on communities since they will continue to receive their normal entitlement grants based upon 1980 appropriations.

Outlay Effects: (in millions and tenths)

	1980 Outlay Estimate		Outlay Savings			
	Without Rescission	With Rescission	1980	1981	1982	1983
Settlement Fund	$100.0	$79.0	$21.0	$67.0	---	---
Community Development Block Grant Program	3,700.0	3,700.0	---	25.0	31.0	9.2
	$3,800.0	$3,779.0	$ 21.0	$92.0	$31.0	$ 9.2

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community Planning and Development

Community Development Grants

Of the funds appropriated under this head as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1978, $213,152 appropriated pursuant to section 103(a) of the 1974 Act and available for commitment under section 107(a) of the 1974 Act are rescinded.

Of the funds appropriated under this head as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1979, $28,480,303 are rescinded, of which $11,303,122 shall be from funds appropriated pursuant to section 103(a) of the 1974 Act and available for reallocation pursuant to section 106(e) of the 1974 Act, $14,286,848 shall be from funds appropriated pursuant to section 103(a) of the 1974 Act and available for commitment under section 107(a) of the 1974 Act and $2,890,333 shall be from funds appropriated pursuant to section 103(b) of the 1974 Act.

Of the funds appropriated under this head as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1980, $95,809,667 are rescinded, of which $10,700,000 shall be from funds appropriated pursuant to section 103(a) of the 1974 Act and available for commitment under section 107(a) of the 1974 Act and $85,109,667 shall be from funds appropriated pursuant to section 103(b) of the 1974 Act. In addition, all funds up to $28,696,878 appropriated pursuant to section 103(a) of the 1974 Act, and available for reallocation pursuant to section 106(e) of the 1974 Act prior to October 1, 1980, are rescinded.

R80-46

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Housing and Urban Development	New budget authority (P.L. 96-103): $135,000,000
Bureau: Community Planning and Development	Other budgetary resources: 95,999,605
Appropriation title & symbol: Rehabilitation Loan Fund 86X4036	Total budgetary resources: 230,999,605
	Amount proposed for rescission: $38,000,000
OMB identification code: 86-4036-0-3-451	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

JUSTIFICATION:

Section 312 of the Housing Act of 1964, as amended, authorizes the Secretary of Housing and Urban Development to make loans for the rehabilitation of single family and multifamily residential properties and nonresidential properties. Loans currently bear an interest rate of three percent for terms not exceeding 20 years, or three-fourths of the remaining life of the structure after rehabilitation, whichever is less. This program complements the larger rehabilitation effort under the Community Development Block Grant program.

A reduction is proposed in this ongoing program in support of the President's anti-inflation program. While it is recognized that this program provides useful benefits, this reduction is necessary in order to achieve the overriding goal of alleviating the inflationary pressures of Federal spending.

ESTIMATED EFFECTS:

Rescission of the $38 million would reduce the estimated loan reservations (net) from $215 million to $177 million and the estimated total number of loans from 9,905 to 9,275 in 1980. A corresponding decrease in the number of dwelling units to be rehabilitated in 1980 from 18,500 to 14,830 would also occur.

OUTLAY EFFECTS: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$170.0	$156.0	$14.0	$24.0	-$2.0	-$2.0

R80-46

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community Planning and Development

Rehabilitation Loan Fund

Of the funds appropriated under this head in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1980, $38,000,000 are rescinded.

Rescission Proposal No: R80-47

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of the Interior	New budget authority (P.L. 96-126): $125,000,000
Bureau: Heritage Conservation and Recreation Service	Other budgetary resources: ---
Appropriation title & symbol: Urban Park and Recreation Grants 14X0720	Total budgetary resources: 125,000,000
	Amount proposed for rescission: $85,000,000
OMB identification code: 14-0720-0-1-303	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The 1980 rescission proposed for this program is part of the budgetary reductions proposed to aid in balancing the 1981 Budget as part of the President's anti-inflation program. The Urban park and recreation fund is a relatively new Federal activity which provides grants to aid in the rehabilitation of local park areas. The Administration believes that the proposed rescission will have relatively small adverse consequences.

Estimated Effects:

The effect of this rescission would be to limit obligations under the 1980 appropriation to $40.0 million. This amount would be sufficient to fund $35.6 million in rehabilitation and innovation grant offers already announced under the FY 1980 appropriation and an estimated $4.4 million for administrative costs and recovery action program development (planning) grants. The proposed rescission would eliminate any further rehabilitation or innovation grant awards. Final approval of grant agreements for awards already announced would be completed and funds obligated, some additional planning grants might be made to honor commitments, and supervision of approved grants would be continued.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$16.6	$16.6	---	$29.0	$34.0	$22.0

R80-47

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Urban Park and Recreation Fund

Of the funds appropriated under this head in Public Law 96-126, making appropriations for the Department of the Interior and related agencies for fiscal year 1980, $85,000,000 are rescinded.

Rescission Proposal No: R80-48

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of the Interior	New budget authority (P.L. 96-126): $509,194,000
Bureau: Heritage Conservation and Recreation Service	Other budgetary resources: 247,856,878
Appropriation title & symbol: Land and Water Conservation Fund 14X5005 1/	Total budgetary resources: 757,050,878
	Amount proposed for rescission: $251,000,000
OMB identification code: 14-5005-0-2-303	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program 2/ ☒ Yes ☐ No	
Type of account or fund: ☒ Annual 3/ ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☒ Contract authority ($30,000,000) ☐ Other

Justification: This rescission proposal is part of the budgetary reduction proposed to aid in balancing the 1981 Budget as part of the President's anti-inflation program. These grants to States supplement State funds for their own programs of land acquisition and development of recreation facilities. While these activities are worthwhile, in light of the overriding need to reduce Federal expenditures, they must be reconsidered. Those of highest priority will be proposed in the future when economic conditions permit.

Estimated Effects: The rescission will reduce the 1980 appropriation by 50 percent each for:

(a) recreation grants to States; and

(b) Federal purchases of lands for parks, recreation, trails, wild and scenic rivers, and other purposes.

The rescission will have an uneven effect on States because a few States have obligated nearly all of their FY 1980 allocation while other States have not yet obligated any of their 1980 allocation. Since it is not possible to deobligate those funds already obligated by the States in FY 1980, States that have obligated a substantial portion of their FY 1980 apportionment will have received a disproportionately higher amount than those States which have had low obligations as of the second quarter in FY 1980. Rescission

1/ This account is also the subject of a deferral (D80-14).
2/ These funds support both grant and non-grant programs.
3/ Administrative Expenses of the Heritage Conservation and Recreation Fund and contract authority, which are not affected by the proposed rescission, are annual.

of $150 million of FY 1980 appropriations available for payment to the States will require a redistribution of the unobligated balances of the FY 1980 appropriation in a manner which will result in total payments differing from the formula established by section 6 of the Land and Water Conservation Fund Act, as amended (16 U.S.C. 4601). Therefore, it is proposed that the Secretary be given the discretion to allocate the funds in a manner which will assure that the purposes of the Land and Water Conservation Fund Act are achieved. An amount up to the $9 million maximum for the Secretary's Contingency Fund for grants will be kept available for obligation to fund the highest priority projects, including those where there is the greatest threat to resources.

Outlay Effect: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$450.8	$389.8	61.0	74.6	62.0	23.0

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Land and Water Conservation Fund

Of the funds appropriated under this head, $251,000,000 are rescinded in the following amounts: $150,000,000 provided in Public Law 96-126 for payments to the States; $23,200,000 to the Forest Service; $13,775,000 to the United States Fish and Wildlife Service; $58,025,000 to the National Park Service; and $6,000,000 for land acquisition at Pinelands National Reserve. Provided, that notwithstanding the provisions of section 6 of the Land and Water Conservation Fund Act, as amended, the unobligated balance of the contingency reserve and of funds appropriated and apportioned for FY 1980 for the various States and unobligated upon the date of this Act shall be made available to the States in the most equitable means practicable, in the judgment of the Secretary, consistent with the general purposes of the Land and Water Conservation Fund Act.

Rescission Proposal No: R80-49

R80-49

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of the Interior	New budget authority (P.L. 96-126): $55,000,000
Bureau: Heritage Conservation and Recreation Service	Other budgetary resources: -208,000
Appropriation title & symbol: Historic Preservation Fund 140/15140	Total budgetary resources: 54,792,000
	Amount proposed for rescission: $16,500,000
OMB identification code: 14-5140-0-2-303	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☒ Multiple-year September 30, 1981 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This appropriation provides 50% matching grants-in-aid to the States and the National Trust for Historic Preservation for planning, inventions, and individual historic projects. The rescission proposal applies to programs and activities which can be conducted with less funding or delayed with the least adverse consequences. While it is recognized that this program does provide useful benefits, this reduction is necessary to help achieve the overriding goal of reducing Federal outlays and contributing to a balanced budget in 1981.

Estimated Effects:

The effect of this rescission would be to halt approval of any further new project or planning grants for preservation of historic properties under the 1980 appropriation for the balance of the fiscal year. Supervision of grants already awarded will be continued.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$30.0	$24.0	$6.0	$6.0	$4.5	---

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Historic Preservation Fund

Of the funds appropriated under this head in Public Law 96-126, making appropriations for the Department of the Interior and related agencies, $16,500,000 are rescinded.

Rescission Proposal No: R80-50

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Treasury	New budget authority (P.L. 96-74) $ 190,361,000
Bureau Bureau of Government Financial Operations	Other budgetary resources 3,607,000
Appropriation title & symbol	Total budgetary resources 193,968,000
Salaries and expenses 2001801	Amount proposed for rescission $ 322,000
OMB identification code: 20-1801-0-1-999	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program ☐ Yes ☒ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This rescission proposal reflects savings generated by the limitation on the hiring of Federal civilian employees as directed by the President on March 14, 1980. The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the general economy and to provide for a balanced budget in fiscal year 1981.

Estimated Effects:

It is estimated that this reduction can be made without significantly affecting program activities.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$188.5	$188.1	$.3	---	---	---

R80-50

DEPARTMENT OF THE TREASURY

Bureau of Government Financial Operations

Salaries and Expenses

Of the funds appropriated under this head in P.L. 96-74, making appropriations for the Treasury Department for fiscal year 1980, $322,000 are rescinded.

Rescission Proposal No: R80-51

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Arms Control and Disarmament Agency	New budget authority (P.L. 96-68): $ 18,270,000
Bureau:	Other budgetary resources: 277,000
Appropriation title & symbol: Arms Control and Disarmament Activities 9400100	Total budgetary resources: 18,547,000
	Amount proposed for rescission: $ 720,000
OMB identification code: 94-0100-0-1-153	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Reduced activity for SALT will allow a savings in operating expenses of $640,000. In addition, the 1980 hiring ceiling will allow a savings in pay costs of $80,000. Rather than program these funds, a rescission is proposed to help reduce Federal spending in accordance with the President's anti-inflation program.

Estimated Effects:

This rescission will reduce the agency's operating margin, whose excess would have been reprogrammed to the external research program. The agency will be able to conduct all essential activities, assuming that SALT activity continues at a reduced level.

Outlay Effect: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$16.7	$16.0	$.6	$.1	---	---

R80-51

ARMS CONTROL AND DISARMAMENT AGENCY

Arms Control and Disarmament Activities

Of the funds appropriated under this head in P.L. 96-68, making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for fiscal year 1980, $720,000 are rescinded.

Rescission Proposal No: R80-52

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Federal Mine Safety and Health Review Commission	New budget authority (P.L. 96-123): $ 4,770,000
Bureau:	Other budgetary resources: ---
Appropriation title & symbol: Salaries and Expenses 9502800	Total budgetary resources: 4,770,000
	Amount proposed for rescission: $ 188,000
OMB identification code: 95-2800-0-1-554	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☒ Annual ☐ Multiple-year _____ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

This appropriation provides for adjudication of contested Labor Department enforcement actions under the Federal Mine Safety and Health Amendments Act of 1977. This rescission proposal reflects a slower hiring rate by the Commission than was anticipated in the 1980 Budget. Although it is still possible to obligate these funds in FY 1980, it has been determined that this reduction would not adversely affect program requirements. Therefore, this rescission is being proposed in support of the President's anti-inflation program.

Estimated Effects:

As noted above no significant programmatic effects would result from rescission of these funds.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$4.8	$4.6	$.2	---	---	---

R80-52

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Salaries and Expenses

Of the amount provided for "Federal Mine Safety and Health Review Commission, Salaries and Expenses" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for fiscal year 1980, $188,000 are rescinded.

Rescission Proposal No: R80-53

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Merit Systems Protection Board	New budget authority (P.L. 96-74): $4,516,000
Bureau: Office of the Special Counsel	Other budgetary resources: ---
Appropriation title & symbol: Salaries and Expenses 4100101	Total budgetary resources: 4,516,000
	Amount proposed for rescission: $1,000,000
OMB identification code: 41-0101-0-1-805	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This appropriation provides for receipt and investigation to allegations of prohibited personnel practices. This rescission proposal reflects a slower hiring rate by the Commission than was anticipated in the 1980 Budget. Although it is still possible to obligate these funds in FY 1980, it has been determined that this reduction would not adversely affect program requirements. Therefore, this rescission is being proposed in support of the President's anti-inflation program.

Estimated Effects:

As noted above no significant programmatic effects would result from rescission of these funds.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$4.5	$3.5	$1.0	---	---	---

MERIT SYSTEMS PROTECTION BOARD

Office of the Special Counsel

Salaries and Expenses

Of the funds appropriated under this head in P.L. 96-74, the Treasury, Postal Service, and General Government Appropriations Act, 1980, $1,000,000 are rescinded.

Rescission Proposal No: R80-54

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: National Science Foundation	New budget authority (P.L. 96-103): $84,700,000
Bureau:	Other budgetary resources: 2,000,000
Appropriation title & symbol: Science Education Activities 4900106	Total budgetary resources: 86,700,000
	Amount proposed for rescission: $5,000,000
OMB identification code: 49-0106-0-1-251	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This appropriation finances the National Science Foundation's programs to strengthen science education at all levels. Programs include scientific personnel improvement, science education resources improvements, science education development and research, and science and society. In support of the Administration's anti-inflation program, funds totalling $5.0 million are proposed for rescission in lower priority NSF programs.

Estimated Effects:

This rescission would eliminate the $3.4 million instructional scientific equipment program. Development and research programs in science education would be cut back by about 8%. Finally, the ethics and human values in science and technology program would be reduced by about 24%. These programs are of lower priority compared to other NSF programs.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$75.3	$75.3	---	$4.5	$0.5	---

NATIONAL SCIENCE FOUNDATION

Science Education Activities

Of the funds appropriated under this head in P.L. 96-103, the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1980, $5,000,000 are rescinded.

Rescission Proposal No: R80-55

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Occupational Safety and Health Review Commission	New budget authority (P.L. 96-123): $ 7,550,000
Bureau:	Other budgetary resources: ---
Appropriation title & symbol: Salaries and Expenses 9502100	Total budgetary resources: 7,550,000
	Amount proposed for rescission: $ 100,000
OMB identification code: 95-2100-0-1-554	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☒ Annual ☐ Multiple-year _____ (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

This appropriation provides for adjudication of contested Labor Department enforcement actions under the Occupational Safety and Health Act of 1970.

This rescission proposal reflects a slower hiring rate by the Commission than was anticipated in the 1980 Budget. Although it is still possible to obligate these funds in FY 1980, it has been determined that this reduction would not adversely affect program requirements. This rescission is being proposed in support of the President's anti-inflation program.

Estimated Effects:

As noted above, no significant programmatic effects would result from rescission of these funds.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$7.6	$7.4	$.1	---	---	---

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Salaries and Expenses

Of the amount provided for "Occupational Safety and Health Review Commission, Salaries and Expenses" for fiscal year 1980 in P.L. 96-123, making further continuing appropriations for fiscal year 1980, $100,000 are rescinded.

Rescission Proposal No: R80-56

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Small Business Administration	New budget authority (P.L. 96-68) $ 565,000,000
Bureau	Other budgetary resources 451,780,790
Appropriation title & symbol: Business Loan and Investment Fund 73X4154	Total budgetary resources 1,016,780,790
	Amount proposed for rescission $ 19,000,000
OMB identification code: 73-4154-0-3-376	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: The Departments of State, Justice, Commerce, the Judiciary, and Related Agencies Appropriation Act 1980 (P.L. 96-68) provided $565,000,000 as a capital appropriation for the Business Loan and Investment Fund. This amount was $19,000,000 in excess of the President's request of $546,000,000. This increment to the President's budget request is not needed to provide an adequate funding level for this program. Therefore, the President is requesting that it be rescinded in order to help achieve the overriding goal of reducing Federal outlays and contributing toward achievement of a balanced budget in 1981.

Estimated Effects: The impact of this reduction will be to reduce SBA's direct business loan activity under its section 7(a) program by slightly less than 10%.

Outlay Effect: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$484.0	$469.0	$15.0	$4.0	---	---

R80-56

TITLE V - RELATED AGENCIES

Small Business Administration

Business Loan and Investment Fund

Of the funds appropriated under this head in the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1980, $19,000,000 are rescinded.

Rescission Proposal No: R80-57

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Water Resources Council	New budget authority (P.L. 96-69): $ 34,614,000
Bureau:	Other budgetary resources: 3,658,000
Appropriation title & symbol: Water Resources Planning 8500100	Total budgetary resources: 38,272,000
	Amount proposed for rescission: $ 11,000,000
OMB identification code: 85-0100-0-1-301	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: This rescission proposal for water resources planning grants to States is a part of the President's anti-inflation program. This proposal is intended to stretch out expansion of this program, a major Presidential water policy initiative, in order to reduce 1980 outlays. The program would return to the FY 1980 appropriation level in FY 1981. Enactment of this rescission will still permit a program level significantly greater than the FY 1979 level of $3 million.

Estimated Effects: The rescission would reduce FY 1980 outlays, but would have no effect on existing program activities of State recipients. There would, however, be an adverse effect on expectations, in that many States are planning expanded programs to take advantage of the expansion of these grants.

Outlay Effects: (in millions and tenths)

1980 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1980	1981	1982	1983
$31.4	$25.8	$5.6	$5.4	---	---

WATER RESOURCES COUNCIL

Water Resources Planning

Of the funds appropriated under this head in P.L. 96-69, making appropriations for Energy and Water Development for fiscal year 1980, for grants to States under Title III of the Act (42 U.S.C. 1962c(a)), $11,000,000 are rescinded.

Deferral No: D80-48

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Funds Appropriated to the President	New budget authority (P.L. 96-69) $ 356,500,000
Bureau Appalachian Regional Development Programs	Other budgetary resources 35,354,776
Appropriation title & symbol: Appalachian Regional Development Programs 11X0090	Total budgetary resources 391,854,776
	Amount to be deferred: Part of year $ ---
	Entire year 14,300,000
OMB identification code: 11-0090-0-1-452	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Deferral of approximately 6.2 percent of previously-planned obligations for the Appalachian highway program is a part of the President's anti-inflation plan. This action defers $14.3 million of the $229 million appropriated for the highway program in 1980 for the remainder of this fiscal year.

Estimated Effects:

In FY 1980, $14.3 million of the $229 million provided for Appalachian highways was designated for use on a new corridor in Alabama and Mississippi. Recent information from these two States indicates that they will be able to utilize only about one-half of these funds in FY 1980. Also, we have received information that States will not be able to utilize about $7 million of the $25 million estimated for obligation in 1980 for the Commission's access road program. Under Commission policy these funds would normally be made available to other States for obligation in their Appalachian highway programs. Instead, this deferral action will delay obligation of these funds until FY 1981.

Outlay Effect:

This deferral action, in conjunction with a FY 1981 budget amendment, will save no outlays in 1980, but will decrease outlays in future years as follows:

1981, $6.0 million; 1982, $5.0 million;
1983, $3.0 million; 1984, $0.3 million.

Deferral No: D80-49

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Commerce	New budget authority (P.L.) $
Bureau National Oceanic and Atmospheric Administration	Other budgetary resources 133,089,657
Appropriation title & symbol: Coastal Energy Impact Fund 13X4315 1/	Total budgetary resources 133,089,657
	Amount to be deferred: Part of year $
	Entire year 54,921,855
OMB identification code: 13-4315-0-3-452	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The Coastal Energy Impact Fund (CEIF) appropriation provides Federal financial assistance, through a program of grants and loans, to meet the needs of coastal States and local communities impacted by Outer Continental Shelf (OCS) and coastal energy development activities.

This deferral is proposed in conjunction with the Administration's effort to reduce the inflationary impact of Federal spending on the general economy.

While it is recognized that the CEIF programs do provide useful benefits to coastal States and communities, it has been determined that this deferral can be made without adversely affecting the economic, social and environmental status of the impacted areas.

Estimated Effects:

This deferral reflects the reservation of $54.9 million in resources of the fund that were previously unapportioned. The deferral--in conjunction with the related rescission proposal affecting $50.0 million of previously apportioned fund balances--is being reported to assure (a) that CEIF loan and grant awards will be limited to the level of $28.2 million in FY 1980, and (b) that no additional CEIF loans or grants to coastal States be made for the remainder of this fiscal year to assure the outlay savings from the rescission proposal. These actions also will provide the Administration with an opportunity to evaluate the past record of the CEIF and to propose recommendations regarding effective use of the Fund. The funds are planned for use in FY 1981.

1/This account is also the subject of a rescission proposal (R80-11)

Outlay Effects:

In conjunction with the rescission proposal associated with this account this deferral merely assures the preservation of previously unapportioned funds intended for use in 1981. Hence, there is no direct outlay effect from this deferral action. If the Congress approves the rescission proposal, maintaining this reserve will assure that the outlay savings attributed to the rescission will be achieved.

Deferral No: D80-50.1 thru 50.34

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Defense - Military	New budget authority (P.L. 96-154): $37,102,390,000
Bureau:	Other budgetary resources: 10,773,971,127
Appropriation title & symbol: See Coverage Section Below	Total budgetary resources: 47,876,361,127
	Amount to be deferred: Part of year: $548,300,000
	Entire year: 253,400,000
OMB identification code: See Coverage Section Below	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual ☒ Multiple-year Sept. 30, 1980/1981/1982/1984 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Coverage

Appropriation Title	Symbol	OMB Identification Code	Amount to be Deferred: Part of Year	Amount to be Deferred: Entire Year
.1) Operation and Maintenance, Navy Reserve	1701806	17-1806-0-1-051	$30,000,000	
.2) Aircraft Procurement, Army	218/02031	21-2031-0-1-051	849,000	
.3) Aircraft Procurement, Army	219/12031	21-2031-0-1-051	497,000	
.4) Missile Procurement, Army	218/02032	21-2032-0-1-051	357,000	
.5) Missile Procurement, Army	219/12032	21-2032-0-1-051	91,000	
.6) Missile Procurement, Army	210/22032	21-2032-0-1-051	20,000,000	$4,700,000
.7) Procurement of Weapons and Tracked Combat Vehicles, Army	218/02033	21-2033-0-1-051	1,161,000	
.8) Procurement of Weapons and Tracked Combat Vehicles, Army	219/12033	21-2033-0-1-051	655,000	
.9) Procurement of Weapons and Tracked Combat Vehicles, Army	210/22033	21-2033-0-1-051	16,400,000	
.10) Procurement of Ammunition, Army	218/02034	21-2034-0-1-051	15,104,000	
.11) Procurement of Ammunition, Army	219/12034	21-2034-0-1-051	1,964,000	
.12) Other Procurement, Army	218/02035	21-2035-0-1-051	10,048,000	
.13) Aircraft Procurement, Navy	178/01506	17-1506-0-1-051	8,000,000	
.14) Aircraft Procurement, Navy	179/11506	17-1506-0-1-051	12,000,000	
.15) Aircraft Procurement, Navy	170/21506	17-1506-0-1-051	40,000,000	13,700,000
.16) Weapons Procurement, Navy	178/01507	17-1507-0-1-051	35,000,000	
.17) Weapons Procurement, Navy	179/11507	17-1507-0-1-051	19,000,000	

Appropriation Title	Symbol	OMB Identification Code	Amount to be Deferred Part of Year	Amount to be Deferred Entire Year
.18) Shipbuilding and Conversion, Navy*	170/41611	17-1611-0-1-051	95,800,000	86,400,000
.19) Other Procurement, Navy	178/01810	17-1810-0-1-051	5,900,000	
.20) Other Procurement, Navy	179/11810	17-1810-0-1-051	5,200,000	
.21) Other Procurement, Navy	170/21810	17-1810-0-1-051		21,500,000
.22) Procurement, Marine Corps	170/21109	17-1109-0-1-051		8,700,000
.23) Aircraft Procurement, Air Force	578/03010	57-3010-0-1-051	122,600,000	
.24) Aircraft Procurement, Air Force	579/13010	57-3010-0-1-051	6,700,000	
.25) Aircraft Procurement, Air Force	570/23010	57-3010-0-1-051	7,117,000	71,900,000
.26) Missile Procurement, Air Force	578/03020	57-3020-0-1-051	11,600,000	
.27) Missile Procurement, Air Force	579/13020	57-3020-0-1-051	14,600,000	
.28) Missile Procurement, Air Force	570/23020	57-3020-0-1-051	2,600,000	
.29) Other Procurement, Air Force	578/03080	57-3080-0-1-051	34,900,000	
.30) Other Procurement, Air Force	579/13080	57-3080-0-1-051	20,000,000	
.31) Research, Development, Test, and Evaluation, Army	219/02040	21-2040-0-1-051	2,000,000	
.32) Research, Development, Test, and Evaluation, Navy	179/01319	17-1319-0-1-051	8,167,000	
.33) Research, Development, Test, and Evaluation, Navy	170/11319	17-1319-0-1-051		6,900,000
.34) Research, Development, Test, and Evaluation, Air Force	570/13600	57-3600-0-1-051		39,600,000
			$548,300,000	$253,400,000

Justification:

The Department of Defense has identified these amounts to partially offset the requirement for additional funds because of increased operations in the Persian Gulf/Indian Ocean area, higher fuel and transportation costs, and inflation. Amendments to the pending 1980 supplemental and 1981 budget requests are being proposed to meet these additional requirements. The requests include language transfers of $914.6 million: $661.2 million in 1980 and $253.4 million in 1981. With the exception of $112.9 million in Aircraft Procurement, Air Force, 1980/1982, all amounts proposed for transfer are being deferred pending Congressional action on the 1980 supplemental and 1981 amended requests.

Estimated Effects:

This action would preserve these funds so that transfers can be effected upon completion of Congressional action.

Outlay Effects:

Pending completion of Congressional action on the transfer proposals, no outlay effects are recognized.

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* This account is the subject of another deferral -- D80-41.

Deferral No: D80-51

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 96-69): $2,371,147,000
Bureau: Atomic Energy Defense Activities	Other budgetary resources: 432,245,235
Appropriation title & symbol: Atomic Energy Defense Activities Operating Expenses (Defense Nuclear Waste Management) 89X0220 1/	Total budgetary resources: 2,803,392,235
	Amount to be deferred: Part of year: $; Entire year: 1,000,000
OMB identification code: 89-0220-0-1-053	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: This deferral of $1,000,000 would allow for the consistent transition from FY 1980 to the amended FY 1981 program as currently proposed. This deferral applies to the Interim Waste Operations program, and is part of the Administration's effort to combat inflation by reducing--where feasible--lower priority programs in 1980 and is complementary to the effort to balance the 1981 Budget.

Estimated Effects: Efforts to transfer high level waste from old waste tanks to new tanks at the Savannah River nuclear waste disposal site will be reduced and isolation and stabilization of old single-shelled tanks at the Hanford site in Washington State will be rescheduled. The overall safe handling and storage of DOE radioactive wastes will continue unaffected by this action.

Outlay Effects: This deferral will shift an estimated $1.0 million in outlays from FY 1980 into FY 1981.

1/ This account is the subject of a similar rescission proposal in FY 1980 (R80-12).

Deferral No: D80- 52

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-69) $ 2,220,923,000
Bureau Energy Programs	Other budgetary resources 467,382,100
Appropriation title & symbol: Energy Supply Research and Development Operating Expenses 1/ 89X0224	Total budgetary resources 2,688,305,100
	Amount to be deferred: Part of year $; Entire year 2,500,000
OMB identification code: 89-0224-0-1-271	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

Commercial Waste (remedial action). Delays in preparing and submitting required legislation to Congress to authorize DOE to undertake decontamination and decommissioning remedial action at selected(formerly utilized)government facility sites (i.e., the Manhattan Engineering District/Atomic Energy Commission) have resulted in reduced funding requirements in FY 1980 for this program.

Advanced Nuclear Systems. The space power systems program conducts broad and detailed assessments of conventional, advanced, and specialized nuclear system options and applications which support planning for future space programs.

These deferrals are part of the Administration's effort to reduce the inflationary impact of federal spending on the general economy by reducing, where feasible, lower-priority Federal spending in 1980.

Estimated Effects:

Commercial Waste (remedial action). Because of the delay in obtaining the required authorizing legislation, remedial actions will not begin as early in FY 1980 as originally expected. On sites where DOE has clear authority to proceed, work will continue as scheduled.

Advanced Nuclear Systems. This action will preclude the Savannah River Plant from instituting a planned four-shift schedule. It will cause a four month delay in Plutonium-238 production and cause the International Solar Polar mission final design schedule to be delayed from July 1980 to late in FY 1980. The revised program schedule will allow the progam to continue within acceptable risks.

Outlay Effects:

Commercial Waste (remedial action). This deferral action will shift an estimated $2.0 million in outlays from FY 1980 into FY 1981.

Advanced Nuclear Systems. This deferral action will shift an estimated $0.5 million in outlays from FY 1980 into FY 1981.

1/ This account is the subject of a rescission proposal in FY 1980 (R80-13).

Deferral No: D80-53

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 96-69 ___): $228,279,000
Bureau: Departmental Administration	Other budgetary resources: 168,094,955
Appropriation title & symbol: Departmental Administration 89X0228 1/	Total budgetary resources: 396,373,955
	Amount to be deferred: Part of year: $ ___ Entire year: 1,000,000
OMB identification code: 89-0228-0-1-999	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ___
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ___ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ___

Justification: This deferral affects the In-house energy management program which funds energy conservation surveys of existing facilities to determine conservation investment opportunities and central plant fuel conversion studies to develop fuel conversion requirements. This program also funds energy conservation retrofit projects selected in order to achieve the 20% reduction in DOE energy consumption by 1985 mandated by Executive Order No. 12003, and fuel conversion projects to eliminate the use of scarce oil or natural gas and substitute coal and renewable energy resources. While it is recognized that these projects provide desirable benefits, this deferral can be made without affecting critical needs. This action is part of the Administration's effort to combat the high rate of inflation existing today.

Estimated Effects: This deferral will delay the accomplishment of certain retrofit projects. While a delay will be experienced, project cancellation is not anticipated and annual savings and increases in energy efficiency will merely occur at a later date.

Outlay Effect: This deferral action will shift an estimated $1.0 million in outlays from FY 1980 into 1981.

1/ This account is the subject of a rescission proposal in FY 1980 (R80-19).

Deferral No: D80-54

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 96-123): $3,015,550,000
Bureau: Office of Education	Other budgetary resources: ___
Appropriation title & symbol: Student Assistance 750/10260 1/	Total budgetary resources: 3,015,550,000
	Amount to be deferred: Part of year: $ ___ Entire year: $ 140,000,000
OMB identification code: 75-0200-0-1-502	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ___
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year 9/30/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ___

Justification:

The Basic Grant program provides financial assistance in the form of entitlement grants to students with demonstrated financial needs. Designed to provide a foundation of financial assistance independent of the institution attended, Basic Grants are limited to one half of the cost of education. Students qualify under a national needs analysis system which factors in the student's and student's family's ability to contribute to the educational costs.

The deferral of $140 million in obligational authority from 1980 to 1981 would allow for continued support of the most-needy students, while reducing the award level of each 1980 Basic Grant award by $50 below the amount that would otherwise be provided. Legislation will be proposed providing for this reduction.

This action is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy. Reductions in levels of student assistance can be made--without affecting critical needs--to combat existing high rates of inflation.

Estimated Effects:

The impact of this deferral of $140 million in Basic Grants 1980 budget authority will be to reduce each 1980 Basic Grant award by $50 below the entitlement amount.

Outlay Effects:

This deferral action will shift outlays estimated at $10 million from 1980 and $114 million from 1981 to future years as follows: 1982, $128 million; 1983, $12 million.

1/ This account is the subject of a rescission (R80-41).

Deferral No: D80-55

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Housing and Urban Development	New budget authority (P.L. 96-103) $ 79,500,000
Bureau Housing Programs	Other budgetary resources 103,998,561
Appropriation title & symbol: Troubled Projects Operating Subsidy 86010172	Total budgetary resources 183,498,561
	Amount to be deferred: Part of year $ ____ Entire year 10,000,000
OMB identification code: 86-0172-0-1-604	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year 9/30/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification:

Flexible subsidies assistance is provided to financially troubled subsidized projects. The subsidies are intended to prevent potential losses to the FHA fund and to preserve projects as a viable source of housing for low and moderate-income tenants.

This deferral action is taken in support of the Administration's anti-inflation program.

Estimated Effects:

This deferral would reduce the number or projects assisted from 3,818 to 3,118. Since resources will be concentrated on those projects in immediate danger of default, the effect of this reduction on the FHA fund is expected to be minimal.

Outlay Effects:

This deferral action will shift an estimated $3.0 million in outlays from 1980 to 1981, and $7.0 million from 1981 to 1982.

Deferral No: D80-56

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of the Interior	New budget authority (P.L. ____) $ ____
Bureau National Park Service	Other budgetary resources 15,500,000
Appropriation title & symbol: Construction (Trust fund) 14X8215	Total budgetary resources 15,500,000
	Amount to be deferred: Part of year $ ____ Entire year 15,500,000
OMB identification code: 14-8215-0-7-401	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☐ Appropriation ☒ Contract authority ☐ Other ____

Justification: In accordance with the President's effort to reduce the fiscal 1981 budget, construction of the Cumberland Gap Tunnel Project will be deferred for the remainder of fiscal 1980. In addition, the Administration intends to propose that this amount be deferred again through 1981. The project would then be continued in fiscal 1982.

Estimated Effects:

This deferral action and a new deferral action in fiscal 1981 will have the effect of delaying construction of the tunnel and related activities until FY 1982.

Outlay Effect:

Delaying construction until 1982 will shift an estimated $7.5 million in outlays from 1980 to 1982, and $8.0 million from 1981 to 1983.

Deferral No: D80-57

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Labor	New budget authority (P.L. 96-123): $6,500,626,000
Bureau: Employment and Training Administration	Other budgetary resources: 313,799,664
Appropriation title & symbol: Employment and Training Assistance 160/10174 1/	Total budgetary resources: 6,814,425,664
	Amount to be deferred: Part of year: $; Entire year: 190,760,000
OMB identification code: 16-0174-0-1-504	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year 9/30/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This appropriation provides for a system of Federal, State, and local programs of training and other services for economically disadvantaged, unemployed, and underemployed persons, designed to lead to permanent gains in employment and earnings and enhanced self-sufficiency. Deferrals are proposed for the Young Adult Conservation Corps, which provides unemployed youth with employment and training assistance in outdoor work activities, for Welfare Reform Demonstration Projects, which were begun in 1979 to develop better information on special issues involved in employment and training programs for low-income individuals who might otherwise be in need of public assistance, and for public service employment under Title II-D of the Comprehensive Employment and Training Act. This deferral will reduce the need for new budget authority for this account in 1981.

Reduction of the Young Adult Conservation Corps program and phase-down of the Welfare Reform Demonstration Projects are being carried out as part of the Administration's efforts to reduce 1980 outlays and to achieve a balanced 1981 budget in order to help reduce the rate of inflation. The YACC was selected for reduction because, although it produces output of some value, it is less targeted toward those in need than other programs for unemployed youth. The Welfare Reform Demonstration will continue to provide useful information at the reduced level. The deferral of public service employment availability recognizes the difficulty prime sponsors are having in filling authorized jobs.

1/ This account was the subject of a deferral in FY1979 (D79-50).

Estimated Effects:

This deferral reduces the FY 1980 availability for Employment and Training Assistance by $190,760,000 and includes $41,260,000 from the Young Adult Conservation Corps, $121,500,000 from Welfare Reform Demonstration Projects and $28,000,000 from Title II-D public service employment. The Young Adult Conservation Corps deferral reduces the program from the estimated service year level of 21,896 to 19,805 service years resulting in an end of year enrollment level of 13,530. The Welfare Reform Demonstration Projects deferral represents the phase-down of the program to about 40 % of the January budget estimate. The public service employment deferral will reduce budgeted service years by about 3000.

Outlay Effects:

The deferral action will reduce net outlays in 1980 an estimated $167 million and 1981 outlays an estimated $24 million.

Deferral No: D80- 58

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Labor	New budget authority $1,627,000,000 (P.L. 96-123)
Bureau Employment & Training Administration	Other budgetary resources 87,256,527
Appropriation title & symbol Temporary Employment Assistance 160/10173	Total budgetary resources 1,714,256,527
	Amount to be deferred: Part of year $ ____ Entire year 203,000,000
OMB identification code: 16-0173-0-1-504	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year 9/30/81 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: This program provides funding under Title VI of the Comprehensive Employment and Training Act for temporary public service jobs to State and local prime sponsors and Indian Tribes. The deferral--totalling $203,000,000--is part of the Administration's effort to reduce 1980 outlays and achieve a balanced budget in 1981 in order to help reduce the rate of inflation. Though Title VI does provide jobs for the unemployed, the program is less targeted on those most in need than CETA programs and does not emphasize training for private sector employment. This deferral will reduce the need for new budget authority for this account in 1981.

Estimated Effects: The deferral reduces the amount available for FY 1980 for Temporary Employment Assistance by $203,000,000. This reduces the service year level from an estimated 206,500 to 187,000 and the end of year enrollment goal from 200,000 to 149,000.

Outlay Effects:

This deferral action will reduce outlays in 1980 by an estimated $182,000,000. By reducing enrollment at the beginning of 1981, it will also reduce estimated 1981 outlays by $21,000,000.

Deferral No: D80-59

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Transportation	New budget authority $286,011,000 (P.L. 96-131)
Bureau Coast Guard	Other budgetary resources 154,396,586
Appropriation title & symbol Acquisition, Construction and Improvements 689/00240 699/10240 690/20240 69X0240	Total budgetary resources 440,407,586
	Amount to be deferred: Part of year $ ____ Entire year 33,800,000
OMB identification code: 69-0240-0-1-403	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual September 30, 1980 1/ September 30, 1981 ☒ Multiple-year September 30, 1982 (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: The funds being deferred were provided by the Department of Transportation and Related Agencies Appropriation Act, 1980 (P.L. 96-131). Deferral of $33.8 million will be accomplished by reducing the number of Coast Guard vessels to be procured in 1980 under Project 1201 from five to four. The fifth vessel would be contracted for in 1981. The purpose of this deferral is to reduce 1981 outlays by postponing procurement of this vessel by one year. This is one of many actions being taken by the Administration to aid in balancing the 1981 Budget.

Estimated effects: While eventual construction of this vessel is needed to help the Coast Guard continue to fulfill its mission, postponing its construction for one year can be accomplished without undue consequences.

Outlay effect: This deferral action will shift an estimated $25 million in 1981 outlays into FY 1982.

1/ None of these funds are deferred.

Deferral No: D80-60

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Transportation	New budget authority (P.L. 96-131): $6,785,000
Bureau: Federal Aviation Administration	Other budgetary resources: 7,913,871
Appropriation title & symbol: Construction, Metropolitan Washington Airports 69X1333, 698/01333, 699/11333, 690/21333	Total budgetary resources: 14,698,871
	Amount to be deferred: Part of year: $-0-; Entire year: 4,000,000
OMB identification code: 69-1333-0-1-402	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act; ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual; ☒ Multiple-year Sept. 30, 1980 1/, Sept. 30, 1981, Sept. 30, 1982 (expiration date); ☒ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

Justification: This appropriation finances construction of major improvements and expansion of facilities at Washington National and Dulles International Airports. Projects are undertaken to insure the capability of these airports to meet adequately, safely, and efficiently, the air travel needs of the public. These funds were appropriated in the Department of Transportation and Related Agencies Appropriation Act of 1980. The Department plans to delay until 1981 the obligation of $4.0 million appropriated in FY 1980 for initial funding of Section 5 of the Dulles access highway, which will link that highway with Route 66. It is intended that the deferred funds be used together with funds to be appropriated in 1981 in a single contracting action during the latter months of FY 1981.

This delaying action is being taken as part of a coordinated effort to reduce Federal outlays in 1981 in order to balance the Federal Budget. Completion of construction of Section 5 is one of many actions the Executive Branch is taking that involves postponing worthwhile projects in order to achieve the overriding goal of balancing the 1981 Budget.

Estimate Effects: Both the environmental impact statement and highway design work for Section 5 of the Dulles access highway are being accomplished by the Federal Highway Administration during FY 1980. Awarding of the construction contract will be delayed until late in FY 1981 with the result that completion of Section 5 will occur in the fall of 1983, rather than the spring of that year as recently planned.

Outlay Effects: This deferral action will not affect outlays in FY 1980 but will shift $4 million in estimated outlays from FY 1981 to Fy 1983.

1/ None of these funds are deferred.

Deferral No: D80-61

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Transportation	New budget authority (P.L. 95-599 and 96-131): $8,601,540,000
Bureau: Federal Highway Administration	Other budgetary resources: 5,094,406,890
Appropriation title & symbol: Federal-aid Highways 1/ 20X8102	Portion not available by law (P.L. 96-131): -4,784,327,955
	Total Budgetary resources: 8,911,618,935
	Amount to be deferred: Part of year: (until 8-1-80) $509,000,000; Entire year: 1,150,000,000
OMB identification code: 20-8102-0-7-401	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act; ☐ Other
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual; ☒ Multiple-year Sept. 30, 1980 2/, Sept. 30, 1981 (expiration date); ☒ No-year Sept. 30, 1982, Sept. 30, 1983	Type of budget authority: ☒ Appropriation; ☒ Contract authority; ☐ Other

Justification: The Federal-aid highways program provides financial and technical assistance to the States for the planning, designing and constructing of highway and nighway safety projects.

Budgetary resources available for Federal-aid highways in FY 1980 total $13.7 billion. This amount consists of $8.6 billion in new budget authority and contract authority for FY 1980 plus $5.1 billion in unobligated balances carried over from prior years and reimbursable authority. The Department of Transportation and Related Agencies Appropriations Act, 1980 (P.L. 96-131), contains an obligation limitation of $8.75 billion excluding emergency relief. This $8.75 billion plus $55 million in reimbursable authority and $107 million available for emergency relief would permit obligations of $8.9 billion. Thus, the effect of the limitation in P.L. 96-131 is to make $4.8 billion in budgetary resources unavailable for obligation.

This action defers $1,150 million for the remainder of FY 1980 effective March 14, 1980 thus limiting obligations to $7.6 billion plus $106.7 million for emergency relief. In addition, $55 million in reimbursements will be available.

This deferral action is an integral part of the President's anti-inflation program announced on March 14, 1980. In addition, a budget amendment is being submitted which will reduce the FY 1981 obligation limitation to $8.4 billion, excluding emergency relief. Under current law, $100 million in emergency relief funding will be available for FY 1981. The deferral action together with the budget amendment will result in FY 1981 outlay savings of $400 million below the President's January request and will thus contribute significantly to the President's goal of balancing the Federal budget in 1981.

1/ This account was the subject of a previous deferral in FY 1980 (D80-33).

2/ None of these funds are deferred.

After setting aside sufficent funding to provide for administration and emergency relief and after adjusting for actual obligations through the close out as of March 14, it is expected that approximately $2.0 billion in obligational authority will be available for distribution to the States. Seventy-five percent or $1,528 million will be released after actual March obligations are known and a distribution can be made. The remaining twenty-five percent or $509 million will be released on August 1, 1980. The States will be required to submit a plan of obligations for the remainder of FY 1980. This plan will be approved by the Federal Highway Administration and be taken into consideration when the twenty-five percent retainage is released for obligation. FY 1981 obligational authority will be released through a process similar to the one being utilized this fiscal year. Use of discretionary funds during FY 1981 will be scheduled as appropriate to achieve the outlay savings.

To assure equitable distribution among the States, each release will be made available to the States in proportion to the published formula apportionments of FY 1981 Interstate funds and FY 1980 non-Interstate funds together with administrative allocations such as pavement marking. Special adjustments will be made to assure that the full $7.6 billion in non-emergency relief funds is used; that no State is allocated more than its unobligated balance; and that the lapse of funds is avoided whenever possible.

Remaining funds for the Forest Highways program will be made available within the $2.0 billion of obligational authority.

Under the terms of this deferral, obligations in FY 1980 are estimated to be as follows:

	(in millions of dollars)
Actual obligations through March 14, 1980.....	5,551.4
Remaining obligations: for emergency relief.....	25.4
for administrative expenses	93.0
among states.....	2,036.8
Total FY 1980 obligations.....	7,706.6

Obligations in FY 1981 are expected to be approximately as follows:

Obligations: for emergency relief.....	100.0
for administrative expenses.....	180.0
by states.....	8,220.0
Total FY 1981 obligations.....	8,500.0

Estimated Effects: As described above, $1,150 million will be deferred for all of 1980 and $509 million will be deferred until August 1, 1980. States will have to delay, cancel, and/or fund from State and local resources some highway projects originally planned to be accomplished with Federal assistance.

Outlay Effects: This deferral action, together with a budget amendment proposing a revised obligation limitation in FY 1981, will result in outlay savings as follows:

	(in millions of dollars) FY 1980	FY 1981
Outlay estimates in amended '81 President's Budget.....	$8,747	$7,860
Reduction in outlays due to deferral and budget amendment...	-20	-400
Revised outlay estimates.....	8,727	7,460

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Transportation	New budget authority (P.L. 96-131) $ 54,750,000
Bureau Federal Railroad Administration	Other budgetary resources 12,511,874
Appropriation title & symbol Railroad Research and Development 69X0745	Total budgetary resources 67,261,874
	Amount to be deferred: Part of year $ ____ Entire year 3,800,000
OMB identification code: 69-0745-0-1-401	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other ____
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: This appropriation is devoted to four basic railroad research and development objectives: (1) improvements in the safety of train operations; (2) improvements in the area of freight operations; (3) improvements in rail passenger systems; and (4) development of policies that assist railroads, labor, and shippers in identifying and overcoming various problems. A research and development facility, the Transportation Test Center in Pueblo, Colorado, is operated in support of the Department of Transportation and other Government agencies.

Total obligations of $3,800,000 will be deferred for the remainder of FY 1980. The deferral has two elements. A delay in construction of the Safety Acceptance Facility for Equipment (SAFE) at the Transportation Test Center is planned until FY 1982 ($2.3 million was appropriated for this project in FY 1980). The second element is a delay in the use of $1.5 million appropriated in prior fiscal years for intermodal passenger terminals and intermodal demonstration projects.

Estimated Effects: This deferral action will result in the postponement of a series of tests on railroad rolling stock under varying track conditions. The number of potential intermodal passenger terminal projects and intermodal freight demonstration projects will be reduced from 11 to 9.

Outlay Effects: This deferral action has no effect on outlays in FY 1980, but will reduce 1981 outlays by an estimated $3.8 million. Subsequent actions are anticipated to shift these outlays into 1983.

Deferral No: D80-63

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Transportation	New budget authority (P.L. 96-131) $ 381,000,000
Bureau Federal Railroad Administration	Other budgetary resources 146,315,788
Appropriation title & symbol Northeast Corridor Improvement Program 69X0123	Total budgetary resources 527,315,788
	Amount to be deferred: Part of year $ ____ Entire year 75,000,000
OMB identification code: 69-0123-0-1-401	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: This appropriation provides for the upgrading of rail passenger service between Boston, MA, and Washington, D.C. Improvements to the Northeast corridor include improvements to the right-of-way, associated facilities, and installation of the necessary equipment for improved operations. Major rehabilitation efforts in 1980 include route realinement, track structure, bridges, electrification, signaling, service facilities, and stations.

This deferral action is part of the Administration's effort to reduce the inflationary impact of federal spending on the general economy by postponing lower priority activities wherever feasible. Obligation of $25 million of these funds is planned for 1981. The remainder would be deferred in 1981 for use in 1982. Activities being deferred include bridge and electrification overhaul, and signaling.

Estimated Effects: This deferral action will not materially affect the achievement of trip time goals mandated by statute, but it will affect the scheduling of the upgrading project and result in the delay of these lower priority items.

Outlay Effects: This deferral action has no effect on outlays in FY 1980, but will shift an estimated $50.0 million in outlays from 1981 to future years as follows: 1982, $25.0 million; 1983, $25.0 million.

Deferral No: D80-64

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Transportation	New budget authority (P.L. 96-131) $ 2,883,635,000
Bureau Urban Mass Transportation Administration	Other budgetary resources 1,813,175,764
Appropriation title & symbol Urban Mass Transportation Fund 1/ (Research, Development, and Demonstrations and University Research and Training) 69X1119	Total budgetary resources 4,696,810,764
	Amount to be deferred: Part of year $ ____ Entire year 7,875,000
OMB identification code: 69-1119-0-1-401	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: The research, development, and demonstrations program was authorized by the Urban Mass Transportation Act of 1964, as amended by Title III of the Surface Transportation Assistance Act of 1978. It provides for grants and contracts in all phases of urban mass transportation (including development, testing, and demonstration of new facilities, equipment, techniques, and methods) that will assist in the reduction of urban transportation needs, the improvement of mass transportation services, or the contribution of such service toward meeting total urban transportation needs at a minimum cost. The deferral affects the advanced group rapid transit element of this $70.3 million program which would provide for initial research and development on automated group rapid transit technology for the 1990's.

This deferral is part of the Administration's effort to reduce the inflationary impact of federal spending on the general economy by reducing or eliminating lower priority programs and providing for a balanced budget in FY 1981.

Estimated Effect: Initial research and development for the advanced group rapid transit element will be delayed by this action until 1981.

Outlay Effect: This deferral action will reduce estimated outlays by $2.0 million in 1980 and--coupled with a proposed 1981 budget amendment--will reduce estimated 1981 outlays by $5.9 million.

1/ This account was the subject of another deferral in FY 1979 (D79-51) and in FY 1980 (D80-21).

Deferral No: D80-65

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Environmental Protection Agency	New budget authority (P.L. 96-103): $3,400,000,000
Bureau:	Other budgetary resources: 4,149,836,971
Appropriation title & symbol: Construction Grants 68X0103	Total budgetary resources: 7,549,836,971
	Amount to be deferred: Part of year (until 9/80): $400,000,000
	Entire year: 3,236,254,355
OMB identification code: 68-0103-0-1-304	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This deferral is part of the President's program to balance the budget in FY 1981. Coupled with restrictions on the level of obligations in the first three quarters of FY 1981, this deferral will help reduce Construction Grant outlays by $95 million in FY 1981.

This deferral applies to the remaining FY 1980 new obligational authority available for Section 201 grants in the amount of $3,210,409,574 and $145,846,986 of recoveries of prior year obligations that are not subject to reallotment in FY 1980. This does not include the $70,234,034 in FY 1980 new obligational authority available for State program management under Section 205(g) of the Clean Water Act. The deferral also applies to all remaining funds appropriated in P.L. 94-447 in the amount of $279,997,795. All funds under this deferral will remain deferred for the entire year, with the exception of $400,000,000 in FY 1980 funds which are to be made available in September 1980.

Estimated Effect:

The estimated effect of this deferral is to reduce obligations of FY 1980 budget authority in FY 1980 by approximately $450 million, from $1,000 million to $550 million. Of the obligations to be made this year from FY 1980 funds, $400 million will be delayed until September 1980. States will not be affected until they exhaust their FY 1979 allotment, at which time construction commitments for new wastewater treatment facilities dependent on deferred funds will be postponed. New projects in up to thirty-five States will be impacted to some extent. Seven States have virtually exhausted their FY 1979 allotment as of this time. Appropriations in the amount of $3,723,992,190 for FY 1979 and prior years remain available for obligation in FY 1980.

A less restrictive deferral of funds will also be necessary in FY 1981 in order to meet the outlay reduction target. The Administration is submitting a related proposal to extend the reallotment periods by one year.

It is the intent of the Environmental Protection Agency to make available, subject to the requirements of Title II of the Clean Water Act, the funds apportioned in September 1980 in the following priority: (1) projects as to which a consent decree has been signed by the parties or court order entered on or before March 31, 1980, as a result of a Title III enforcement action or other action under Federal law, or projects which were before a Federal court on or before March 31, 1980, where court action has resulted in a court order or settlement on the issue of grant award or amount; and (2) projects as to which a consent decree has been signed by the parties or court order entered after March 31, 1980, as a result of a Title III enforcement action. Any remaining funds will be made available to the States based on the FY 1980 allotment formula and subject to the FY 1980 allotment totals for each State and taking into consideration the availability of prior year funding for individual States.

Outlay Effect:

The effect of this deferral is to lower FY 1980 outlays by $6 million and in conjunction with obligation controls in FY 1981 to reduce FY 1981 outlays by $95 million.

Deferral No: D80-66

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: General Services Administration	New budget authority (P.L. ____): $ ---
Bureau: Public Buildings Service	Other budgetary resources: 1,987,573,428
Appropriation title & symbol: Federal Buildings Fund 47X4542	Total budgetary resources: 1,987,573,428
	Amount to be deferred: Part of year: $ ____ Entire year: 25,000,000
OMB identification code: 47-4542-0-4-804	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification:

In accordance with the President's effort to reduce Federal spending, $10,000,000 intended for repairs and alterations, and $15,000,000 intended for rental of space will be deferred for the remainder of fiscal 1980. In addition, the Administration plans to propose a similar deferral for these programs through 1981.

Estimated Effects:

The deferral of funds intended for the rental of space can be achieved with a minimal programmatic impact because of a lower than anticipated demand for space requirements for U.S. Courts. These funds are deferred to help reduce outlays rather than reallocating the funds for other uses.

The deferral for repairs and alterations involves rescheduling several lower priority projects until 1982.

Outlay Effects:

In conjunction with the planned 1981 deferral, this deferral action will shift an estimated $25 million in outlays from 1980 to 1982.

Deferral No: D80-67

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: National Science Foundation	New budget authority (P.L. 96-103): $ 906,050,000
Bureau:	Other budgetary resources: 20,000,000
Appropriation title & symbol: Research and Related Activities 490 /10100	Total budgetary resources: 926,050,000
	Amount to be deferred: Part of year: $ ____ Entire year: 18,000,000
OMB identification code: 49-0100-0-1-251	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program: ☒ Yes ☐ No	
Type of account or fund: ☐ Annual ☒ Multiple-year September 30, 1981 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: This appropriation finances the National Scientific Foundation's programs of basic research, applied research and other related activities. This deferral affects applied research across all Directorates at the Foundation. This action is taken to help reduce federal expenditures in support of the President's anti-inflation program.

Outlay savings will be achieved by deferring $9.5 million in program activities planned for the applied science area of Engineering and Applied Science including $3.9 million for problem focused research (excluding earthquake hazards and mitigation) and $3.4 million for applied research. In addition, deferral of other program activities totalling $8.5 million are spread over all budget activities except Scientific, Technological, and International Affairs.

Estimated Effects: The programmatic impact of deferring these funds for the remainder of this fiscal year is expected to be minimal. The deferral involves about two percent of the planned 1980 obligation level for research and related activities.

Outlay Effects: This deferral will shift an estimated $8.0 million in outlays from 1980 to 1981, and $10 million from 1981 to 1982.

Deferral No: D80-68

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency Smithsonian Institution	New budget authority $20,600,000
Bureau	(P.L. 96-36; 96-126) Other budgetary resources 1,260,000
Appropriation title & symbol Construction 33X0133	Total budgetary resources 21,860,000
	Amount to be deferred: Part of year $ _____ Entire year 19,000,000
OMB identification code: 33-0133-0-1-503	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

This appropriation funds major construction projects of the Smithsonian Institution. These include construction of the National Air and Space Museum completed in July 1976, Museum Support Facilities planned to be completed in 1983-84, and planning for construction in the area south of the Smithsonian Institution building for public exhibition, library, and visitor services. To help reduce Federal spending in support of the President's anti-inflation program, contract awards planned for the Museum support facilities for this fiscal year will be delayed until FY 1981.

Estimated Effects:

This deferral action will have the effect of delaying the rate at which contracts and subcontracts may be awarded, however, it is not expected to significantly affect the completion of construction or the operation of facilities.

Outlay Effects:

This deferral action will shift an estimated $2.0 million in outlays from 1980 to 1981, and $10.4 million from 1981 to 1982.

[FR Doc. 80-12383 Filed 4-22-80; 8:45 am]

BILLING CODE 3110-01-C

federal register

Wednesday
April 23, 1980

Part III

Department of the Interior

Fish and Wildlife Service

Bonytail Chub; Determination as an Endangered Species

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Determination That the Bonytail Chub (Gila elegans) Is an Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines that the bonytail chub (*Gila elegans*) is an Endangered species. This fish has been extirpated from most of its range in the Colorado River Basin due to habitat alteration. Historically, the bonytail chub was found in large rivers of the Colorado River Basin in Wyoming, Utah, Colorado, Arizona, Nevada and California. Recent evidence indicates that there are no viable populations in the upper Colorado River Basin and in the lower Colorado River it occurs only in an impoundment, Lake Mohave, on the Arizona-Nevada state boundary. The population of bonytail chubs in this reservoir is comprised of elderly adults with no evidence of reproduction. These fishes have been observed spawning in the shallow areas but apparently without success. No Critical Habitat is being proposed since no known area in the Colorado River presently fulfills all the requirements for successful reproduction. The present action will afford this species the conservation and protective measures provided by the Endangered Species Act.

DATE: This rule takes effect on May 23, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240, 703/235–2771.

SUPPLEMENTARY INFORMATION:

Background

The bonytail chub was once found throughout the Colorado River basin in the larger turbid rivers. In the past it was collected from the Green River in Wyoming and Utah, Yampa and Gunnison Rivers in Colorado, Colorado River in Arizona, Nevada and California and the Gila and Salt Rivers in Arizona. In these rivers it was most frequently associated with eddies adjacent to swift water. The most recent surveys of streams and reservoirs in the Colorado River basin indicate that it is presently found only in Lake Mohave along the Arizona and Nevada border. The populations within this reservoir consist of old individuals with no signs of reproduction. In the past a few individuals have been taken in some of the other reservoirs in the lower Colorado River Basin but none have been found in fishery surveys in recent years. Decline in the population of bonytail chubs in the upper Colorado River Basin was noticed during the 1960's and continued through the 1970's. There is no evidence of bonytail chub reproduction anywhere in the Colorado River basin in recent years. Biologists working with the bonytail chub and other Endangered fishes of the Colorado River Basin, believe the physical and chemical alteration of their habitat and introduction of exotic fishes are the major factors that prevent successful reproduction and threaten their existence. The Colorado River Fishes Recovery Team at its December 1979 meeting noted that "very few bonytails have been observed recently and *no* reproduction has been documented *anywhere* in its range." Biologists working with endangered fishes in the Colorado River believe the bonytail is in immediate danger of extinction.

The taxonomic status of the bonytail chub has been confused by various workers in recent years. It has been treated as a full species by some, while others have considered it a subspecies of the roundtail chub (*Gila robusta*). A recent publication by Drs. Gerald R. Smith, Robert R. Miller and Daniel Sable on the "Species relationships among fishes of the genus *Gila* in the Upper Colorado River Drainage" in Volume I, Scientific Research in the National Parks (1979) examine the *Gila robusta* complex. Their findings indicate that the roundtail chub (*Gila robusta*), bonytail chub (*Gila elegans*) and humpback chub (*Gila cypha*) are all distinct species.

The bonytail chub was proposed as Endangered in the **Federal Register** (43 FR 17375–17377) on April 24, 1978. That proposed rule presented evidence indicating that the bonytail chub was an Endangered Species pursuant to the Endangered Species Act of 1973 as amended (16 USC 1531 et seq.). The proposal summarized the factors thought to be contributing to the Endangered status, specified the prohibitions which would be applicable if such a determination were made, and solicited comments and factual information from interested persons. A letter was sent to the Governors of the States of the Colorado River Basin where the bonytail chub had been reported in recent years notifying them of the proposed rulemaking. Comments from the States, Federal Agencies and other interested parties are summarized below.

Summary of Comments and Recommendations

Section 4(b)(1)(c) of the Act requires that a summary of all comments and recommendations received be published in the **Federal Register** prior to adding any species to the List of Endangered and Threatened Wildlife. The April 24, 1978, **Federal Register** proposed rule (43 FR 17375–17377) to list this species as Endangered invited all interested parties to submit factual reports or information which might contribute to the formulation of a final rule. All public comments submitted between April 24, 1978 and April 15, 1980, were considered.

A total of sixteen written responses were received by the Service relating to this proposal. Two of these responses were from Federal Agencies, seven were from State agencies and seven were from other interested organizations. Of the comments six were in support of the proposed rulemaking, five were opposed, two asked that the proposal be held in abeyance and the remaining three expressed no position with regard to the proposed action.

Those who favored the proposed action did so on the basis of their understanding of the impact of alterations to the environment and former range of the bonytail chub with concomitant reductions in population numbers. Those who opposed the proposed action expressed two basic points of concern: foremost was their concern that the proposed action would adversely affect their present and future opportunities to develop and use water for hydroelectric generation, industrial processing with particular reference to shale oil development, export for consumptive uses outside the Basin, and for agriculture. The second concern dealt with their perception of the Service's evaluation of the biological data and the Service's prior role in manipulating the Basin's aquatic biota. Several respondents were concerned about the adequacy of the data in terms of quantity and in terms of quality with regard to the taxonomic status of the bonytail chub. As discussed above recent studies have validated the specific status of the bonytail chub. All suggested that competition with exotic species (species not native to the Basin) was a major factor in the bonytail chub decline and questioned the Service's role in major rough fish eradication efforts in the upper Basin prior to the closure of Flaming Gorge Reservoir. Long-term Service efforts to establish and maintain exotic species in the Basin for recreational fishing was also questioned.

No new quantitative data was submitted by any of the respondents; however, several qualitative statements were included.

In discussing the proposed rulemaking, the Bureau of Reclamation (now called Water and Power Resources Service) acknowledged that long-term physical changes in the Green River had been maintained by Flaming Gorge Reservoir, although the Bureau disagreed with the Service statement that minor changes in water quality would cause a decline in the bonytail chub population. The Bureau noted that some physical factors, such as temperature, can and will be changed in the future. The U.S. Forest Service commented that in Ashley National Forest, the Green River temperatures had been reduced since the construction of Flaming Gorge Dam levels that were unsuitable for bonytail chub. The Forest Service referred to penstock modification at Flaming Gorge Dam, which would allow the release of warmer water.

New Mexico Department of Fish and Game indicated that the historical distribution of bonytail chub in New Mexico was based on the incorrect identification of roundtail chubs by earlier collectors. The Service agrees that there are no verified records of bonytail chubs in New Mexico. Arizona Game and Fish Department records indicated that recent observations or collections have occurred only in Lake Mohave and the riverine habitat below Davis Dam (which forms Lake Mohave) to upper Havasu. A survey report (1979) from the Arizona Cooperative Fishery Unit on the "Effects of Water Development on the lower Colorado River" indicated that no chubs were present in Lake Havasu. All specimens reported or observed by Arizona were large size class individuals inferring a senile population with no successful reproduction. However, Arizona expressed strong reservations against any proposal which might adversely affect the recreational fishery of the Colorado River and its reservoirs. California Department of Fish and Game reported that the bonytail chub has not been encountered during any department biological surveys over the past several years. Nevada Department of Fish and Game reported that the State felt there was justification to add the bonytail chub to the list as they (bonytail chub) are very seldom seen in Lake Mohave and to Nevada's knowledge, have not been seen in Lake Mead for many years. The State concluded that the status of bonytail chub in Nevada is not likely to improve, due to extensive habitat alteration. The State of Utah, responding through the Utah Environmental Coordinating Committee, opposed the proposed rulemaking on the basis that the data was insufficient to justify listing. The report urged that section 7 of the Act be amended to "allow some balance in the absolute requirement to protect unknown and/or less-beneficial species against the needs of people to store and conserve water for their own beneficial use which existing water compacts and treaties already allow."

Tosco Corporation of Vernal, Utah compared U.S. Geological Survey water quality data taken at Jensen, Utah, during the period of 1946–1958 to data collected at the same location between 1967–1974. The company reported "no significant differences" for sixteen water quality parameters when post-Flaming Gorge Dam water was compared to pre-dam water. No analysis of the data was provided.

White River Shale Project of Vernal, Utah conducted an extensive two-year fishery evaluation program on the White River, Utah. No bonytail chubs were among the 1,600 specimens collected.

The Dolores Water Conservancy District of Cortez, Colorado indicated that the Dolores River is now dry for a large part of the growing season. The Dolores Project would, among other things, establish minimum guaranteed flows below the McPhee Dam. These flows would increase the water flowing into the Colorado River system during the summer and early fall.

The Salt River Project of Phoenix, Arizona responded with a list of areas it felt should not be considered as Critical Habitat:

1. "The Salt River below Granite Reef Dam once supported large populations of these fish, but is now normally dry.

2. The lower portions of the Salt River above Granite Reef Dam has been dammed by SRP/Bureau of Reclamation to the extent that the native populations of these fish probably ceased reproduction and appear extinct there.

3. The upper portion of the Salt River (above Roosevelt Dam), the White River, the Black River, and their tributaries, are probably too cold for reproduction of these fishes, and apparently never were found there in numbers.

4. The Verde River once had populations of these fishes, but they appear to be extinct there now. The above items demonstrate that due to manmade structures and natural conditions, no portions of the Salt and Verde Rivers are suitable for designation as "Critical Habitat" for these species as provided by regulation.

The Colorado River Water Conservation District stated its assumption that any designation of the species status or Critical Habitat would not apply to Colorado since the Governor of Colorado was not requested to comment or make recommendations. Based on that assumption the District stated that the table on page 17377 of the referenced **Federal Register** should be corrected to show as to bonytail chub under "Portion of Range Endangered"—"Entire—except Colorado." The District summarizes its discussion by stating that it seems clear that inadequate evidence exists at present to justify the listing of any of the four endemic Colorado species (Colorado River squawfish, *Ptychocheilus lucius;* humpback chub, *Gila cypha;* razorback sucker, *Xyrauchen texanus;* and bonytail chub, *Gila elegans*) especially in view of the consequences of such listing. No quantitative or distributional data were provided.

After a thorough review and consideration of all the information available, the Director has determined that *Gila elegans* is endangered with becoming extinct throughout all of its range due to one or more factors described in Section 4(a) of the Act, as outlined in the proposed rulemaking:

These factors and their application to *Gila elegans* are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Historically, the bonytail chub (*Gila elegans*) was found throughout the large turbid mainstream rivers of the Colorado River basin. This habitat alternated between swift water canyons characterized by torrential rapids and slow, meandering, sand-bottomed stretches. Within the large turbid mainstream rivers, the chub's habitat preference appears to be eddies adjacent to fairly swift current.

The Colorado River has been greatly altered by impoundments and diversions, both mainstream and tributary, eliminating much of the bonytail's original habitat. The lower Colorado River basin is presently an alternating series of reservoirs and cold tailwaters. In the past large adult bonytails have been found in Lakes Mead, Mohave, and Havasau and spawning has been observed, but no young have been found. At present Lake Mohave is the only reservoir known to support a population of adult bonytails. Therefore, present populations in this reservoir will probably disappear as the fish senesce and die. Cold tailwaters do not offer the warm (approximately 65° F) temperature needed for the bonytails to spawn, thus utilization of this artificial habitat appears non-existent. Portions of the lower Colorado basin, primarily the Gila River system, have been dewatered by irrigation projects. Hence bonytail habitat was lost and populations

extirpated by loss of in-stream flows. Decline in chubs due to inter-specific competition with introduced species of fish is another probable factor in the decline of the bonytail. Exotic species now outnumber native species in the Colorado basin.

The most dramatic decline has occurred in the Green River of Dinosaur National Monument during the 1960's. This portion of the river was drastically altered by the 1962 closure of the Flaming Gorge Dam. The decline in bonytails apparently started after 1966 when the reservoir became stabilized near its planned capacity. No reproduction has been noted in the last ten years for the bonytail, although biologists have looked specifically for young bonytails. The most recent (1974) collection of adult bonytails is from Desolation Canyon of the Green River, Utah. However, fish collections taken during the past 2 years from this area, as well as other sections of upper Colorado River basin streams which formerly supported populations did not yield any evidence of a viable population of bonytail chubs. At present the only known bonytail chub population is in Lake Mohave along the Arizona-Nevada border.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* Not applicable.

3. *Disease or predation.* Predation by introduced species is likely to have been an important factor in the decline of the bonytail chub. Loss of young fish to introduced predators such as bass, sunfish, and catfish is probable, although these species are not abundant in the upper basin. Predation on larval chubs by the red shiner (*Notropis lutrensis*) and redside shiner (*Richardsonius balteatus*) has been suggested by several authorities as probable. The extent of the problem is not known, but it may be considerable in some areas.

4. *The inadequacy of existing regulatory mechanisms.* Not applicable.

5. *Other natural or manmade factors affecting its continued existence.* Not applicable.

Effect of the Rulemaking

Section 7(a) of the Act, as amended, provides:

(1) The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act.

(2) Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency (hereinafter in this section referred to as an "agency action") is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical, unless such agency has been granted an exemption for such action by the Committee pursuant to subsection (h) of this section.* * *

Provisions for Interagency Cooperation were published on January 4, 1978, in the **Federal Register** (43 FR 870–876) and codified at 50 CFR Part 402. These regulations are intended to assist Federal agencies in complying with Section 7(a) of this Act. This rulemaking requires Federal agencies to satisfy these statutory and regulatory obligations with respect to this species. There are no federal actions known at present which would be affected by this rule. Endangered Species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all Endangered species. All of those prohibitions and exceptions also apply to any Threatened species, unless a special rule pertaining to that Threatened species has been published and indicates otherwise. The regulations referred to above, which pertain to Endangered and Threatened species, are found at Sections 17.21 and 17.31 of Title 50, and are summarized below.

With respect to the bonytail chub (*Gila elegans*), all prohibitions of Section 9(a)(1) of the Act, as implemented by 50 CFR 17.21, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to take, import or export or ship in interstate commerce in the course of a commercial activity; or sell or offer for sale in interstate or foreign commerce this species. It will also be illegal to possess, sell, deliver, carry, transport, or ship any specimen of *Gila elegans* which has been illegally taken. Certain exceptions apply to agents of the Service and State conservation agencies. Regulations published in the **Federal Register** of September 26, 1975 (40 CFR 44412), codified at 50 CFR 17.22 and 17.23, provided for the issuance of permits to carry out otherwise prohibited activities involving Endangered or Threatened species under certain circumstances. Such permits involving Endangered species are available for scientific purposes or to enhance the propagation or survival of the species. In some instances, permits may be issued during a specified period of time to relieve undue economic hardship which would be suffered if such relief were not available.

Effect Internationally

In addition to the protection provided by the Act, the Service will review the bonytail chub to determine whether it should be proposed to the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for placement upon an appropriate Appendix to that Convention or whether it should be considered under other appropriate international agreements.

National Environmental Policy Act

An environmental assessment has been prepared and is on file in the Service's Washington Office of Endangered Species. It addresses this Action as it involves the bonytail chub. The assessment is the basis for a decision that this determination would not significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969.

Critical Habitat

The Endangered Species Act Amendments of 1978 added the following provision to subsection 4(a)(1) of the Endangered Species Act of 1973:

"At the time any such regulation [to determine a species to be an Endangered or Threatened species] is proposed, the Secretary shall by regulation, to the maximum extent prudent specify any habitat of such species which is then considered to be critical habitat."

The Service has determined that there are no known areas which have the necessary requirements to be determined Critical Habitat, as defined in 50 CFR 402.02, for the bonytail chub. This determination is based on the fact that there are no known habitat sites for breeding, reproduction and rearing of offspring.

The primary author of this rule is Dr. James D. Williams, Office of Endangered Species, 703/235–1975.

Note.—The Department has determined that this is not a significant rule and does not require the preparation of a regulatory analysis under Executive Order 12044 and 43 CFR 14.

The Service now proceeds with this final rulemaking to determine this species as Endangered under the authority contained in the Endangered Species Act of 1973, as amended.

Regulations Promulgation

Accordingly, Part 17 Subparts B and I, Title 50 of the Code of Federal Regulations are amended as set forth below:

§ 17.11 Endangered and threatened wildlife.

1. Section 17.11 is amended by adding, in alphabetical order, the following to the List of Endangered and Threatened Wildlife.

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Chub, bonytail	*Gila elegans*	Arizona, California, Colorado, Nevada, Utah, and Wyoming.	Entire	E		NA	NA

Dated: April 18, 1980.

Lynn A. Greenwalt,

Director, Fish and Wildlife Service.

[FR Doc. 80–12416 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–55–M

federal register

Wednesday
April 23, 1980

Part IV

Department of Justice

Law Enforcement Assistance Administration

Delinquency Prevention Research and Development; Response to Public Comment and Notice of Issuance of Program Announcement

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

Response to Public Comment and Notice of Issuance of LEAA Program Announcement Delinquency Prevention Research and Development

AGENCY: Law Enforcement Assistance Administration (LEAA).

ACTION: Response to public comment and notice of issuance.

SUMMARY: This guideline is an addition to the National Priority Program and Discretionary Program Announcement, published in the **Federal Register** on February 15, 1980. It does not in any way impact upon the programs or regulations presently set out in that announcement or affect the eligibility of those individuals applying for previously announced programs.

SUPPLEMENTARY INFORMATION: The Office of Juvenile Justice and Delinquency Prevention (OJJDP), Law Enforcement Assistance Administration (LEAA), published in the **Federal Register** on March 12, 1980, a draft Program Announcement of competitive action grants for a Delinquency Prevention Research and Development initiative. This notice summarizes the public comments received pertaining to the draft announcement, responds to the issues raised, details the changes made and sets forth the final program guideline.

FOR FURTHER INFORMATION CONTACT: Ms. Kathie Costin, Office of Juvenile Justice and Delinquency Prevention, LEAA, 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724–7776

Ira M. Schwartz,

Administrator, Office of Juvenile Justice and Delinquency Prevention.

Nature of Comments and LEAA's Response

The Office of Juvenile Justice and Delinquency Prevention has received two (2) responses to the Delinquency Prevention Research and Development (R&D) draft program announcement, which was published in the **Federal Register** on March 12, 1980.

Both respondents represented private non-profit human service organizations and both indicated general concurrence with the type of research and development program proposed. The respondents offered the following suggestions for substantive changes in the program announcement:

1. *Target Population*

Comment—Selection of a target population of elementary and middle school children would reduce resistence to the changes intended. Such a population would hold more promise for the initial testing of this research effort.

OJJDP Response—OJJDP agrees with the respondent that secondary school systems appear to have the greatest percentage of school discipline problems and that students in secondary grades are likely to be victims of unequal treatment. Secondary school systems are bound by complex and traditional procedures that are not easily modified. They often evidence student violence, discontent and inadequate delivery of educational assistance. It is precisely for this reason that OJJDP has chosen secondary schools as the most appropriate target for a research and development effort involving organizational change strategies. Primary and elementary school systems, which the respondent cites as holding promise for delinquency prevention testing, will be included among the target populations of the first part of the Prevention R&D program, a test of a comprehensive model of delinquency prevention.

2. *Desired Project Forms*

Comment—Care should be taken to ensure that funds awarded through this program do not substitute mandated or normal educational activities, but are used to facilitate the improvement, change or expansion of educational developmental programs for youth.

OJJDP Response—OJJDP shares the respondent's concern. Since OJJDP is not requesting applicants to develop detailed program designs or implementation procedures in their applications, this concern is not discussed in the program announcement. The development of each grantee's program will be joint effort undertaken by the grantee and OJJDP. The implementation process will be carefully controlled and monitored.

3. *Strategies for Attracting School System Participation*

Comment—Applicants will need the bargaining power which direct services and financial flexibility can offer, in order to attract the participation of school systems.

OJJDP Response—The applicants will be the school systems themselves. There will be flexibility within the program budgets so that school districts will have bargaining power to introduce change concepts. However, OJJDP believes that the availability of large sums of money to be used for this purpose may encourage the development of programs which are not easily supported by local schools or school systems, which would limit potential transferability.

4. *Limiting the Program to Primary Prevention Strategies*

Comment—The definition of secondary delinquency prevention is not consistent with the structural theoretical perspectives we propose to test. Programs which address populations of youth at risk place the cause of delinquency in the individual rather than the social structure (i.e., the concept of pre-delinquency).

OJJDP Response—Delinquency research has identified factors (social and individual) which are related to involvement in delinquent behavior. Thus, secondary prevention interventions are aimed at *groups* of youth who manifest conditions likely to make them more vulnerable for involvement in delinquent activities. These types of interventions *do not* rely on previous behavior patterns as selection criteria for participation. Rather it is recognized that specialized efforts must be made to involve vulnerable youth in the context of developing school-based programs for all youth.

Office of Juvenile Justice and Delinquency Prevention Program Announcement Delinquency Prevention Research and Development

Pursuant to Section 243 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) is sponsoring a program of research in delinquency prevention. The sole aim of this program is to obtain rigorous evaluation research results on the particular delinquency prevention approaches described within this announcement.

A. *Background.* In response to the legislative mandate to develop effective approaches for preventing delinquency, OJJDP commissioned the preparation of two major sets of materials on the state-of-the-art of delinquency prevention. One set was prepared to guide states in using Federal funds to develop statewide prevention strategies. It consists of a review of academic, professional and popular views about causes of delinquency, and identifies directions that appear promising for preventing delinquency. This material is contained in a volume entitled *Delinquency Prevention: Theories and Strategies.*

The OJJDP Assessment Center on Delinquent Behavior and its Prevention was also commissioned to review and analyze the theoretical and empirical literature on causes of delinquent behavior, and to review studies of the effectiveness of various approaches to

preventing delinquency. The Center also undertook a nationwide survey of existing prevention programs. The results of the review and survey efforts were utilized to develop a design for a comprehensive model of delinquency prevention which is outlined in a paper entitled "The Social Development Model: An Integrated Approach to Delinquency Prevention."

The Prevention Research and Development Program consists of two parts. The first is a test in one community of the comprehensive model designed by the Assessment Center, which focuses on the family, school, peer groups and employment. The second part involves a test of school-based prevention strategies in selected communities, based upon the most promising strategies identified in *Delinquency Prevention: Theories and Strategies*, which are compatible with the school-based components of the comprehensive model. *This solicitation invites applications to test the second part of the Delinquency Prevention Program.*

OJJDP has available a limited supply of the referenced background material. Copies will be mailed to persons interested in applying for this program upon written request as long as the supply lasts.

B. *Program Objective.* 1. To implement in four (4) to six (6) sites, a chosen set of primary and secondary prevention programs which deliberately and systematically apply certain contemporary delinquency theories and research findings.

2. To apply rigorous experimental and quasi-experimental evaluation research designs to the programs implemented in order to:

a. Assess the impact of the programs on delinquent behavior and some closely related variables;

b. Assess the effectiveness of the various program elements; and

c. Add to the understanding of processes which generate delinquent behavior and how such behavior can be reduced.

C. *Programs to be Tested.* The approaches to be tested under this program have already been selected. Applications to develop and test these approaches, not departures from them, are invited. Potential applicants should bear in mind that OJJDP considers the production of high quality evaluation research findings to be the sole purpose of this program. For certain potential applicants this program will present a rare opportunity for rigorous program development and testing. Agencies or organizations primarily interested in augmenting services may find this program to be a troublesome and awkward source of support, given the rigorous research and evaluation requirements.

D. *Program Description.* Through this program, OJJDP will test selected primary and secondary delinquency prevention strategies. For purposes of this announcement, primary prevention includes programs which alter fundamental conditions or institutional arrangements *or* which address all youth in a target school or school system in order to preclude delinquent behavior and to forestall processes by which youth may come to assume delinquent roles and lifestyles. Secondary delinquency prevention includes programs which address populations of youth which may, on adequate evidence, be regarded as being at greater than normal risk of engaging in delinquent behavior or of assuming delinquent roles and lifestyles.

1. *Central Characteristics of Selected Programs.* The desired primary and secondary prevention programs share some central characteristics intended to make them attempt to reduce the original incidence of delinquent behavior rather than to react to troublesome behavior which is already visible.

a. Both the primary and secondary prevention programs employ contemporary delinquency theory to interpret organizational and group arrangements and processes conducive to delinquent behavior and to the assumption of delinquent roles by youth. Both employ this interpretation selectively to alter or counteract these arrangements or processes.

b. Neither the primary nor secondary programs to be tested employ individual diagnosis, screening or treatment to any significant degree. Rather, the aim is to intervene in arrangements and processes affecting classes of youth. In the secondary prevention programs, limited use may be made of individual assessments and treatments but only as supplements to the central activities.

c. Neither the primary nor the secondary prevention programs should address youth who are, at the time, engaged in proceedings with, or in the custody of, juvenile justice agencies. In general, programs which operate primarily as responses to individual youths' histories of delinquent behavior are not desired, and will not be regarded as responsive to this announcement.

2. *Theoretical Orientation.* In order to provide a distinctive focus for these programs and to attain desirable depth and rigor in the program design and evaluation, the desired delinquency prevention programs will apply a few selected theoretical arguments about delinquent behavior. Both the validity of the theoretical arguments and the programmatic application of the arguments will be addressed in the evaluation component of this program.

Social control (Reiss, 1951; Nye, 1958; Matza, 1964; Hirschi, 1969) is the major theory to be tested through this program. Control theory postulates that delinquency occurs because it is not prevented by development of a strong bond to the social order. This bond is characterized by attachment to parents and school, commitment to educational and occupational success and belief in the legitimacy and moral validity of the law. Youngsters who do not become bonded to the social order in these ways because of inadequate or incomplete socialization are likely to engage in delinquent behavior. Thus, efforts to increase the effectiveness of schools in the process of socialization and social bonding of youths are consistent with control theory. The control theoretical perspective will be augmented selectively by social learning theory (Akers, 1974), cultural deviance theory (Miller, 1957; Sutherland and Cressy, 1966); strain or opportunity theory (Merton, 1937; Cohen, 1955; Cloward and Ohlin, 1960) and labeling theory (Becker, 1963; Lemert, 1972). Discussions of each of these theories can be found in the background materials for this announcement.

E. *General Program Approach.* The basic method of these delinquency prevention programs is to employ specific theory and research findings to identify and interpret organizational and group processes contributing to delinquent behavior, and then to move selectively to remove, reduce or counteract those contributors, or to create new opportunities for better social bonding. Programs will establish organizational or group routines in which socialization and social bonding are increased and systematic supports for law-abiding behavior are strengthened so that delinquent behavior is prevented.

The approach outlined here will be tested in schools. The target population will be youth in grades 6 through 10, although the program forms may be implemented on a school-wide basis for junior high and high schools.

F. *Program Strategy.* This program announcement is designed to provide potential applicants with general information on the approach to the Delinquency Prevention Research and Development program, and to initiate a program development process. Applicants are asked to assess their capability to participate in the effort,

and to assess the feasibility of applying the approach outlined above in their jurisdiction.

Simultaneously, OJJDP will be undertaking development activities to give more specific direction to the program. OJJDP will be convening a small working group to review the materials discussed in the background section of this announcement, to specify the theoretical framework and the hypotheses to tested, and to identify the range of specific school-based program components to be implemented in local school systems.

The results of this process will be shared with successful applicants through the technical assistance efforts sponsored by OJJDP in support of this initiative. The OJJDP technical assistance contractor and the evaluation grantee will assist grantees in incorporating selected components into their first-year plans.

G. *Desired Project Forms.* The desired strategies can be implemented in either of two main forms: direct efforts toward organizational change *or* more conventional programs of direct services to selected youth populations. Organizational change strategies are preferred.

1. Direct efforts toward selective organizational change (see *Delinquency Prevention: Theories and Strategies,* Chapter 3).

In this form, the applicant selects for attention a school or a group of schools. The theoretical framework will be applied to identify and interpret organizational and group arrangements in schools which inhibit social bonding to school, teachers and law-abiding peers, and which thereby limit the school's effectiveness in controlling delinquent behavior. Then, programs to modify the subject organizational and group arrangements are designed and implemented, employing the selected prevention strategies. Organizational change is the direct product. Such change is likely to be complementary to broader aims of improving schooling. The central aim is to affect delinquent behavior by augmenting the school's role in the social bonding process and hence its effectiveness in preventing delinquency.

2. Programs of direct service to selected youth populations (see *Delinquency Prevention: Theories and Strategies,* Chapter 4).

The design and implementation of selective school organizational changes of the type described above may not be feasible in some jurisdictions. Therefore a second and less preferred form may be attempted either as a primary or a secondary prevention program. This second form is accomplished by identifying legitimate activities in the school which apply the theoretical framework and strategies of this research and development program and which can therefore be expected to enhance the grounds for bonding.

These selected activities are to be made available to some population of youth. If primary prevention is selected, the activity would include a cross-section of all youth. If secondary prevention is selected, it would include a mix of *all* youth, although particular efforts should be made to recruit groups of youth which stand a greater than normal risk of engaging in delinquent behavior.

In this form, the basic or on-going activities of the program would be supported by the school as a normal part of its operations.

Program elements which are consistent with the theoretical approaches of interest and with *both* of the forms described above include "performance-based education" (sometimes referred to as "mastery learning"), school-based opportunities for work and community service including experience-based career education, increased student participation in school governance and in the planning and development of school activities, and joint family and school efforts in socialization and education. Applicants should assess their capability to implement these types of components in their applications.

Applicants who select the direct service form should bear in mind that even this form should contribute to long-term organizational development. (See *Delinquency Prevention: Theories and Strategies,* Chapter/Section 4.10.)

As a support for, but not as a replacement for, the two program types described, limited, remedial components relying primarily on individual assessment may be including within secondary prevention programs.

Applicants will be expected to demonstrate their capability to implement one of these two programs' forms. Applications should indicate which of the two forms of programs is likely to be implemented, but should not develop the program design or implementation design in detail.

H. *Duration of Grants and Funding Levels.* Awards will be made under the Juvenile Justice and Delinquency Prevention Act of 1974 as amended. Grantees will not be required to provide matching funds. Projects will receive funds for a period of two years, with the intention of providing a third year for all projects initially approved and making satisfactory progress, providing that funds are available.

Since programs of the type desired cannot be adequately designed and proposed in the period available for proposal preparation, applications will be used primarily by OJJDP to assess applicant capability and the feasibility of implementing the program in the local jurisdiction.

Applications should address a three-year time period which allows for the following:

1. *Year One.* The first year following grant award will be devoted to systematic and detailed planning, negotiation, design and development of the intended program and to planning for and collection of baseline data for the evaluation program. First year budgets may not exceed $75,000. These funds may be used to defray design and development costs, including program coordination, negotiation of detailed agreements with necessary organizations, time for staff to participate in training, program design, development anmd testing of materials and methods, training of relevant staff in the theoretical underpinnings of the program and specialized consultation and assistance. Travel funds should be designated for quarterly trips to Washington, DC, to confer with other program grantees, the government project monitor, technical assistance contractor and the program evaluator.

OJJDP anticipates that the grantee will wish to appoint project directors to lead the development activities of the first year and manage implementation in the second and third years. The Project Director should be an experienced, knowledgeable and influential member of the applicant's staff who is in a favorable organizational position to apply these methods. If the applicant proposed to hire a Project Director not presently a member of the staff, sufficient justification must be submitted as part of the application. At a mimimum, the Project Director must have organizational change skills and an orientation to innovation. The core staff must include research expertise.

The products for the first year should be:

a. A complete, detailed, well-developed and rehearsed strategy and program design which is ready to be implemented in the second year and which is well integrated with the evaluation design. The design will be prepared by the grantee with the assistance of OJJDP to insure its consistency with the theoretical framework and its evaluability.

b. A thorough narrative report of the development activities.

c. Thorough documentation of relevant variables needed for the evaluation developed in conjunction with the evaluator.

Continued participation during Year Two will be contingent on OJJDP approval of the strategy and program design developed during Year One. The design must identify the hypotheses to be tested, the specific activities to be undertaken, how these relate to the hypotheses, and the theoretical framework, the administrative and organizational arrangements for carrying out the project activities, and a detailed workplan for the implementation of project activities. Evaluation required must be built into the design and implementation of the project. Projects which are unable to develop an acceptable strategy and design will be terminated at the end of the first year.

2. *Year Two.* The programs designed and rehearsed in the first year will be implemented in the second year. OJJDP expects second year budgets not to exceed 150,000. Given the intent to base these projects within existing organizations, OJJDP expects that the bulk of operational costs will be borne locally. Because this is a testing program, there will be a continuing need for the grantees to address design, program development and organizational development throughout the second year. Therefore, a substantial portion of the second year budget must be devoted to activities such as staff training, consultation, progress review, necessary revision of materials, review of the theoretical framework, data collection for collection purposes, etc.

OJJDP is aware that there may be exceptions to the principle that operational costs must be borne locally. Use of some portion of the second year funds to defray operational costs will be reviewed and approved by OJJDP based upon the following considerations:

a. In the first year, the project staff made serious, systematic attempts to base the program in local resources.

b. The operational expense is necessary to obtain evaluative information regarding project impact on delinquent behavor and intervening variables included in the program model.

c. Costs are one-time costs of change or, if the costs are on-going, there is assurance that they will be assumed by the local organization in a short period of time.

The products for the second year should be:

a. A through, descriptive report of the second year's experience.

b. A report developed in conjunction with the evaluator of the evaluation of program intervention and effects on school practices and youth after one year of intervention.

3. *Year Three.* Based upon the availability of funds and demonstration of satisfactory progress during the initial funding period, grantees may be awarded third year funding.

During this final funding period, grantees will continue to refine and improve the existing program in light of the second year's experience and in response to the preliminary evaluation results. Particular consideration must be given to the consolidation and permanent establishment of the program if the evaluation results are favorable.

Once again, the grantee must give substantial attention and resources to the problems of organizational development and program development, refinement, research and evaluation, and renewal. If operational costs have been covered with grant funds during the second year, the third year allocation for this purpose should be eliminated or greatly reduced. The grantee should begin during the third year to assume the costs for project.

In summary, OJJDP intends to provide an opportunity for a theory-based, systemmatic Research and Development Program. OJJDP expects that this program will result in:

1. Careful, well-supported implementation of specific program components.

2. Thorough evaluation of the entire process and its outcomes.

3. Institutionalization of programs which are determined to be effective.

I. *Evaluation.* Since this is a research and development program, the evaluation will be a major, intergral component. Each project will be expected to adhere strictly to the requirements of the design to be developed by an independent evaluator. These requirements are likely to include random selection porocedures follow-up of youth involved in the programs, access to school, police and court records, and detailed documentation of the project activities. The evaluation design will be developoed in conjunction with the program development process explained in Paragraph F, *Program Strategy.* The technical assistance contractor will work with the evaluator to assist the projects in implementing procedures which meet evaluation requirements.

J. *Technical Assistance.* Technical assistance will be provided to successful applicants at each stage of program development, including application refinement, implementation and evaluation. The technical assistance provider will work with OJJDP in prioritizing the technical assistance needs, and the provider will be required to provide a timely, planned response to those technical assistance requests which can be accommodated. The provider will also submit written reports of technical assistance to the project staff, to OJJDP and to the evaluator.

K. *Eligibility.* Eligibility for this program is limited to schools and school districts or other organizations which, by virtue of extraordinary circumstances, relationships or competencies, are in a position to implement the described programs in the manner set out in this announcement.

L. *Civil Rights Compliance Requirements.* 1. All recipients of LEAA assistance must comply with:

a. Section 815(c) of the Justice System Improvements Act (JSIA), and its implementing regulations, found at 28 C.F.R. 42.201, *et seq.*

b. Title VI of the Civil Rights Act of 1964, and its implementing regulation, found at 28 C.F.R. 42.101, *et seq.*

c. Section 504 of the Rehabilitation act of 1973, as amended, and its implementing regulations.

d. The Age Discrimination Act of 1975, as amended, and its implementing regulations.

e. Executive Order 12138, 44 F.R. 29637 (May 22, 1979), requiring recipients of Federal financial assistance to take appropriate affirmative action in support of women's business enterprise.

2. Each recipient of LEAA assistance within the criminal justice system which has 50 or more employees and which has received grants or subgrants totaling $25,000 or more since the enactment of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and which has a service population with a minority representation of 3% or more is required to formulate, implement and maintain an Equal Employment Opportunity Program (EEOP). Where a recipient has 50 or more employees, and has received grants of subgrants of $25,000 or more, and has a service population with a minority representation of less than 3%, such recipient is required to formulate, implement and maintain an EEOP relating to employment practices affecting women. This requirement shall be satisfied prior to the award. An applicant for LEAA assistance for $500,000 or more must submit its EEOP with the application. *The EEOP must be approved by OJARS' Office of Civil Rights Compliance prior to award.* Failure to address this requirement will result in rejection of the proposal.

3. Applicants that do not meet any of the criteria in paragraph 2, above, educational institutions and private not-for-profit organizations shall maintain such records and submit to the OJJDP upon request timely, complete and accurate data establishing the fact that no person or persons will be or have been denied or prohibited from participation in, benefits of, or denied or prohibited from obtaining employment in connection with any program activity funded in whole or in part with funds made available under this program because of their race, national origin, sex, religion, handicap or age. In the case of any program under which a primary recipient of Federal funds extends financial assistance to any other recipient of contracts with any other person(s) or group(s), such other recipient, person(s) or group(s) shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to assure its civil right compliance obligations under any grant award.

M. *Application Procedures.* Applicants are referred to LEAA Guideline Manuals M 7100.1 and M 4500.1, effective editions, for a full discussion of application requirements. All applications must be submitted on Standard Form 424.

In addition to these requirements, applicants must:

1. Demonstrate an understanding of the delinquency prevention theories referred to in Paragraph D2 of this announcement and how they relate to problems in the applicant's school district. (20 points)

2. Indicate how the forms and strategies to be tested address problems in the applicant's school district. (10 points)

3. Demonstrate that the historical developments and present political and organizational circumstances in the applicant organizations make the organizational change and/or direct service forms described in this announcement feasible and that it is feasible to implement elements of the type described in Section G. (15 points)

4. Demonstrate that evaluation of the required rigor will be supported. Description of the applicant's prior evaluation experience should be included. (20 points)

5. Discuss the difference between the research and development approach required for this program, and program development primarily for the purpose of service provision. (10 points)

6. Demonstrate prior experience in implementing programs involving organizational changes in schools and/or direct services to particular populations of youth. Describe evaluations of these programs, if applicable. (15 points)

7. Describe the proposed staff's expertise in prevention programming, organizational change, educational program development and research or program evaluation. (Resumes of key staff should be included.) (10 points)

Applications will be rated on the above criteria and will receive scores based upon the weights which have been assigned to each criterion.

Each application must contain a description of the proposed budget for the first two project years. Applicants must describe the extent to which the major operational costs of the project can be borne locally.

Prospective applicants for this program must deliver one (1) original and two (2) copies of the application to the Office of Juvenile Justice and Delinquency Prevention, LEAA, Room 442, 633 Indiana Avenue, NW, Washington, DC, 20531, by June 23, 1980. Applications sent by mail will be considered to be received on time if sent by registered mail or certified mail no later than June 17, 1980, as evidenced by the U.S. Postal Service postmark or the original receipt from the U.S. Postal Service.

N. *Selection Process.* All applications will be reviewed by OJJDP staff. If more than 20 applications are received, OJJDP will compose a panel to read the applications and score them on the criteria listed in Paragraph M of this announcement. The applications receiving the highest overall ratings will be selected as finalists. Site visits may be made to each of the finalist organizations for further funding consideration, to clarify information submitted in the application, and to provide the applicant with more detailed information on the hypothesis to be tested and the specific program components to be implemented. Key project staff and school personnel must be available to discuss their application between July 4 and August 8, 1980. Based on the applications and the site visits, four (4) to six (6) applicants will be recommended for funding.

O. *Contacts.* For further information regarding this announcement, contact Kathie Costin, Office of Juvenile Justice and Delinquency Prevention (202–724–7776).

[FR Doc. 80–12438 Filed 4–22–80; 8:45 am]

BILLING CODE 4410–18–M

federal register

Wednesday
April 23, 1980

Part V

Department of the Interior

Fish and Wildlife Service

Review of the Status of the Bliss Rapids Snail and the Snake River Physa Snail

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Review of the Status of the Bliss Rapids Snail and the Snake River Physa Snail.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Review of the status of the Bliss Rapids snail and the Snake River physa snail, both from the Snake River, Idaho.

SUMMARY: The Service will review the status of the Bliss Rapids snail (Family Hydrobiidae) and the Snake River physa snail (*Physa* sp.). Both are found only in the Snake River, Idaho.

This action is being taken in response to a petition from Dr. Peter A. Bowler of Laguna Beach, California which presents evidence that these species may be Endangered or Threatened. Further data on the present status, possible Critical Habitats, and impacts of Critical Habitat designations are required before the Service can propose listing this species in accordance with section 4 of the Endangered Species Act of 1973, as amended.

DATES: Information regarding the status of these species should be submitted on or before July 22, 1980.

ADDRESSES: Interested persons or organizations are requested to submit comments to Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species (703/235–2771).

SUPPLEMENTARY INFORMATION: On February 7, 1980, Dr. Peter A. Bowler petitioned the Fish and Wildlife Service to list the Bliss Rapids snail (Family Hydrobiidae) and the Snake River physa snail (*Physa* sp.) as Threatened. Dr. Bowler reports that these species are being described by Dr. D. W. Taylor, who intends to publish descriptions and scientific names in the near future.

Section 4(a) of the Act (16 U.S.C. 1531 et seq.) state:

"General—(1) The Secretary shall by regulation determine whether any species is an Endangered species or a Threatened species because of any of the following factors:

(1) The present or threatened destruction, modification, or curtailment of its habitat or range;

(2) Overutilization for commercial, sporting, scientific, or educational purposes;

(3) Disease or predation;

(4) The inadequacy of existing regulatory mechanism; or

(5) Other natural or manmade factors affecting its continued existence."

This authority has been delegated to the Director.

The Service has determined that the Bliss Rapids snail and the Snake River physa snail may be Endangered or Threatened because of factors (1) and (4). These findings are based on information in Dr. Bowler's petition, which is summarized below.

The Bliss Rapids snail is restricted to shallow water riffle habitat in the A. J. Wiley Reach of the Snake River in Gooding and Twin Falls Counties, Idaho. The Snake River physa snail has been found in the same habitat and localities as the Bliss Rapids snail, as well as in the Snake River near Homedale, Owyhee County, Idaho.

The habitat of both species in the A. J. Wiley Reach is threatened by impoundment that would result from the A. J. Wiley Project.

These unique species are remnants of the extensive late Pleistocene freshwater fauna of southern Idaho.

The Service is soliciting any additional information on these species, including data on their taxonomic status, distribution, habitat requirements recommended Critical Habitats, and possible economic and other impacts of designating such areas as Critical Habitat. This information will be evaluated to determine if these species should be proposed for listing as Endangered or Threatened, and whether Critical Habitat should be designated.

This notice of review was prepared by Dr. Steven M. Chambers, Office of Endangered species (703/235–1975).

Dated: April 17, 1980.

Robert S. Cook,

Acting Director, Fish and Wildlife Service.

[FR Doc. 80–12417 Filed 4–22–80; 8:45 am]

BILLING CODE 4310–55–M

federal register

Wednesday
April 23, 1980

Part VI

Department of Health, Education, and Welfare

Office of Human Development Services

Research and Training Centers; Announcement of Availability of Grant Funds

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development Services

[Program Announcment No. 13654-801]

Research and Training Centers; Availability of Grant Funds

AGENCY: National Institute of Handicapped Research, (NIHR) Office of Human Development Services, (OHDS) Department of Health, Education, and Welfare, (DHEW).

ACTION: Announcement of availability of grant funds for rehabilitation research and training center program in the rehabilitation of persons with deafness.

SUMMARY: The National Institute of Handicapped Research (NIHR) announces that applications are being accepted for a grant under Title II of the Rehabilitation Act of 1973, as amended by Pub. L. 94-602 (Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978) to establish a Rehabilitation Research and Training Center in the area of deafness. Regulations applicable to this program were published in the **Federal Register**, Subpart A and Subpart D of Part 1362, Chapter VIII of Title 45 of the Code of Federal Regulations (45 CFR Part 1362) of November 25, 1975. However, these regulations are currently undergoing revision and will appear as Notice of Proposed Rule-making early in May 1980. These revised regulations will be applicable to all grants and continuation awards funded subsequent to the date of final issuance. Institutions of higher education, states and public and private organizations associated with institutions of higher education may apply.

DATES: Closing date for receipt of application is June 13, 1980. Applicants are encouraged to respond at an earlier date if possible.

Scope of This Announcement

This Program Announcement covers one funding priority of the Rehabilitation Research and Training Center Program for Fiscal Year 1980. This funding priority is in the area of deafness. Deafness means both those individuals who have no hearing for speech reception and those in that borderline population who may hear some spoken words, with or without amplification, but not connected discourse.

Program Purpose

Title II of the Rehabilitation Act of 1973, as amended by Pub. L. 95-602 (Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978), authorizes the establishment of Rehabilitation Research and Training Centers for conducting rehabilitation research and training. The Centers, discrete organizational and physical entities, are integrated or affiliated with institutions of higher education having expertise and well-developed resources for conducting multidisciplinary research and training, and are associated with service programs considered essential for carrying out comprehensive programs of patient/client care and rehabilitation. The three major activities—research, training, and services—are expected to be mutually supportive. Specifically, this concept calls for research ideas to derive from service delivery problems; for research results to be applied in service delivery settings; and for research results to be disseminated through training.

Program Goal and Objectives

The major goal of a Rehabilitation Research and Training Center in Deafness is to develop and conduct a well-organized program of rehabilitation research which focuses on the physical, psychological, social, vocational and personal adjustment problems resulting from deafness and to disseminate and promote the utilization of research findings through training. NIHR defines a probram of research as that in which the entire research program is planned so as to contribute in a sequential or complementary way to a centralized body of knowledge of manageable scope. Each separate study or investigation must have some reasonable relationship to the central topic or research core area and must be undertaken on the basis of a predetermined plan developed upon the basis of a review of what is already known about the topic. The research should focus on a limited number of higher priority areas. The research findings should have relevance and application to the rehabilitation process of deaf persons. The Centers' training objectives are to develop materials and to conduct teaching and training programs to disseminate and promote the utilization of research findings thereby reducing the delay between the discovery of new knowledge and its application in practice.

Applicants for a Research and Training Center in Deafness must demonstrate their capabilities for achieving the Research and Training Center program goal and objectives. Applicants should identify and develop a minimum of two research core areas they consider priority areas, ranked in order of importance, to be developed during the first year and within the constraint of available federal funds and list in priority order other research core ares they may wish to undetake in later years. Problem areas that may be addressed but not limited to are:

a. Improved methods for assessing rehabilitation potential and for measuring rehabilitation outcomes of persons disabled by deafness.

b. Education on the prevention of deafness.

c. Integration of rehabilitation methods and technologies that might be applicable to multi-handicapped deaf persons particularly those who are mentally retarded or have other developmental disabilities.

d. Improved methods for the vocational evaluation of deaf persons.

e. Job identification, development, adaptation, modification and placement and follow through techniques for the increased employment of deaf people in education, engineering, computer science, industry, commerce, banking, the arts, and government.

f. Self employment and small business opportunities for persons disabled by deafness.

g. The most effective use of sheltered workshops and home industries programs for those deaf persons who cannot enter the competitive labor market.

h. Rehabilitation, including the acquisition and maintenance of independent living skills of deaf aged persons to enable them to live in their residence or home communities as an alternative to traditional nursing home and other institutional placements—accessing Senior Citizen and other centers and programs.

i. Measurement of residual hearing and maximization of its functional use.

j. Development of improved methods for promoting peer support and improving self image to enhance rehabilitation.

k. Methods of providing rehabilitation and other community support services to persons disabled by deafness who live in rural areas.

l. Innovative methods for identifying and providing training services to preschool age children who are disabled by deafness and appropriate services to their families.

m. Advanced communication procedures, methods and techniques.

n. Speech conservation, auditory training and or retraining.

o. Development of models to enable the deaf to have access to the services of community agencies and to enable community agencies to improve extension of their services to deaf persons.

p. Biases in standard educational, audiological and vocational test and measures and modification of these tests and measures for application to deaf persons.

q. Methods for changing societal attitudes toward deaf persons and the attitudes of deaf persons toward themselves that interfere with or prevent deaf people from assuming their full roles in the mainstream of American society.

r. Demographic and other related studies pertaining to people disabled by deafness.

s. The use of consumer groups in improving the design, funding and administration of service delivery; research and training programs pertaining to deaf people; and in bringing about the removal of attitudinal, communication, transportation, and architectural barriers.

t. Environmental barriers that affect full visual participation.

u. Utilization of advanced Telcommunication and Media methodology and technology in training of people disabled by deafness.

Eligible Applicants

Institutions of higher education and public and private organizations having well-recognized programs of research and affiliated with institutions of higher education may apply for the Center grant, provided the Center program has a separate organizational identity.

Available Funds

An application may be up to a five year duration. Applications proposing multi-year activities must be accompanied by an explanation of the need for the multi-year support; a review of the objective and activities proposed; and budget estimates to obtain the objectives in any proposed subsequent year.

Approximately $300,000 is available for the new Research and Training Center in Deafness. This initial grant substains the Federal share of the budget for the first year of the project. Applications for continuation awards will be reviewed annually on a non-competitive basis and approved only if:

(a) Funds are available to continue the Center.

(b) Satisfactory progress has been made in implementing the approved work plan and in achieving the Center goals and objectives as indicated by site visits, progress reports and other relevant data.

(c) The need continues to exist for the activities conducted by the Center.

Grantee Share of the Project

While no specific percentage of grantee sharing is required, grantees are expected to commit their resources to the support of activities of the Center. The administrative overhead costs (indirect) in the Research and Training Center program is limited to 15 percent of the total allowable direct costs.

The Application Process

—*Availability of Forms:* Application for a Research and Training Center grant must be submitted on standard forms provided for this purpose. Application kits which include the forms and other information may be obtained by writing to: National Institute of Handicapped Research, Room 3418, Mary E. Switzer Building, 330 C Streets, SW., Washington, DC. 20201. Attention: 13654–801—Telephone: 202/245–0870.

—*Application Submission:* One signed original and two copies of the grant application, including all attachments, must be submitted to the address indicated in the application instructions. Additionally, a copy of the application is to be submitted concurrently to the appropriate Regional Office and appropriate State Vocational Rehabilitation Agency for review and comment.

—*A–95 Notification Process:* This grant program is exempt from A–95 State and Area Wide Clearinghouses.

Special Consideration for Funding

To insure an equitable geographic distribution of the Research and Training Centers applications from other than the geographic areas in which an RTC in the same area of study is already located will be given priority. Thus any such application judged acceptable will be funded before other applications.

Application Consideration

The Director of the National Institute of Handicapped Research determines the final action to be taken with respect to each grant application for this program.

All applications are subjected to a competitive review and evaluation conducted by qualified persons including those outside the Federal Government. The results of the competitive review supplement and assist the Director's consideration of the competing applications. The Director's consideration also takes into account comments of the RSA Regional Office, State Vocational Rehabilitation Agencies and the NIHR program staff. Comments on the application may also be requested from appropriate specialists and consultants inside and outside the Federal Government.

After the Director has reached a decision either to disapprove or not to fund a grant application, unsuccessful applicants are notified in writing of this decision. The successful applicant is notified through the issuance of a notice of financial assistance awarded which sets forth the amount of funds granted, the terms and conditions of the grant, the budget period for which support is given, the total grantee share expected, and the total period for which project support is contemplated.

Selection Criteria

Grant applications will be reviewed and evaluated against the following criteria:

a. *National Need.* 1. The extent to which the applicant reflects knowledge of and has analyzed rehabilitation needs with specific references to persons or agencies to be served or benefited.

b. *Plan of Operation.* 1. The extent to which the applicant exhibits thorough knowledge of pertinent previous research and relates the proposed research to it.

2. The soundness of the proposed plan of operation including considerations of the extent to which the objectives are clearly described; are capable of being attained; and are measurable.

3. Evidence of a sound administrative structure and organizational mechanism for implementing and operating a center.

4. Evidence of support from rehabilitation agencies, from public and voluntary organizations serving the disabled, and from consumer organizations, and specific measures are described for achieving a high level of interaction between the center and these resources in implementing and operating the center.

5. A description of an Advisory Council used in the development and operation of the center; the types of constituents to be represented; and names and titles of members.

6. The extent to which the applicant demonstrates that the center research will be effectively utilized and will directly improve affiliated services.

7. The extent to which the research conducted by the center is likely to be effectively utilized in other programs for similar purposes.

8. The extent of provisions made for research dissemination and for making materials, techniques and other outputs available to those concerned with

rehabilitation with which the center itself is concerned.

9. The applicant demonstrates evidence of programmatic research within the research core areas.

10. The methodological soundness of individual research & training project.

11. The extent of the relationship between the research and training projects and the identified research core areas.

12. Evidence that the training projects are in consonance with and capable of achieving training objectives.

c. *Evaluation Plan.* 1. Provisions are made for adequate evaluation of the effectiveness of the center program and for determining the extent to which objectives are accomplished.

d. *Adequacy of Resources.* 1. The university with which the center is affiliated has multidisciplinary rehabilitation resources available that will insure a sound and substantial growth of a significant Research and Training Center.

2. The center demonstrates an affiliation arrangement with the university and the affiliated clinical services, but is a distinct organizational unit and sufficiently independent in its administration within the affiliated arrangement.

3. The degree to which the center can draw upon and coordinate the resources and staff efforts of the university and the clinical component to accomplish its objectives.

4. The adequacy of the facilities and resources available to the center to conduct the proposed work.

e. *Budget and Cost Effectiveness.* 1. The extent to which the budget reflects the activities and the reasonableness of the allocation of the resources among the activities.

2. The costs of the program are reasonable to the government in relation to expected benefits.

3. The extent of outside support and services.

f. *Quality of Key Personnel.* 1. Project personnel, actual or proposed, are highly qualified and appointments of core staff are appropriate.

Closing Date for Receipt of Applications

The closing date for receipt of applications under this Program Announcement is June 13, 1980. Applicants are encouraged to respond at an earlier date if possible. Applications may be mailed or hand delivered. Hand delivered applications will be accepted during regular working hours at 8:30 a.m. to 5:00 p.m.

An application will be considered to have arrived bay the closing date if:

1. The application was sent by registered or certified mail no later than June 13, 1980 as evidenced by the U.S. Postal Service postmark or the original receipt from the U.S. Postal Service unless the application arrives too late to be considered by the independent review panel.

2. The application is hand delivered to the office designated to receive the application in the application instructions. Hand delivered applications will be accepted no later than close of business, June 13, 1980, in any case.

Late applications are not acceptable and applicants will be notified accordingly.

In view of the limited time remaining in the fiscal year for applicants to prepare and submit their applications and for selection of the grantee, and because of the need to begin operations under the grant as soon as possible, the Director has determined under 5 U.S.C. 533 that public comment on the standards in this notice would be impracticable and contrary to the public interest.

(Catalog of Federal Domestic Assistance Program, Number: 13654, Research and Demonstrations)

Dated: April 9, 1980.

Margaret J. Giannini,

Director of the National Institute of Handicapped Research.

Approved: April 17, 1980.

Cesar A. Perales,

Acting Assistant Secretary for Human Development Services.

[FR Doc. 80-12427 Filed 4-22-80; 8:45 am]

BILLING CODE 4110-92-M

federal register

Wednesday
April 23, 1980

Part VII

Department of Health, Education, and Welfare

Office of Human Development Services

International Research, Training, and Dissemination Program; Announcement of Availability of Grant Funds

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development Services

[Program Announcement No. 13654-802]

International Research, Training, and Dissemination Program; Availability of Grant Funds

AGENCY: Office of Human Development Services, Department of Health, Education, and Welfare (DHEW).

SUBJECT: Announcement of Availability of Grant Funds for an International Rehabilitation Research, Information and Training Center.

SUMMARY: The National Institute of Handicapped Research announces that applications are being accepted from organizations wishing to compete for an International Rehabilitation Research, Information and Training Center grant authorized by Title II, Section 204(b)(5) of the Rehabilitation Act of 1973, as amended. Regulations applicable to this program were published in the **Federal Register**, Subpart A and Subpart D of Part 1362, Chapter XIII of Title 45 of the Code of Federal Regulations (45 CFR Part 1362) on November 25, 1975. However, these regulations are currently undergoing revision and will appear as Notice of Proposed Rulemaking early in May 1980. These revised regulations will be applicable to all grants and continuation awards funded subsequent to the date of final issuance.

DATES: Closing date for receipt of applications is June 15, 1980.

Program Purpose

The general purpose of the Center is to fill gaps in U.S. rehabilitation knowledge through the dissemination of information that has been retrieved from other countries to appropriate sectors of the domestic and international rehabilitation communities. The Center is intended to (1) advance rehabilitation research on handicapping conditions, (2) improve rehabilitation methods, management and service delivery, and (3) benefit handicapped individuals around the world.

Program Goals and Objectives

The goal of this rehabilitation program priority is to establish an international research, information and training center which will facilitate the development and useful exchange of new methods and technology between the rehabilitation communities of the United States and other countries. Specific objectives of the program are:

1. The conduct of a program of rehabilitation research aimed at:

a. Developing new knowledge or adapting current knowledge to improve rehabilitation methods and service delivery systems in the U.S. and overseas;

b. Studying the unique problems associated with the transfer of advanced rehabilitation information, methods and technology across national boundaries; and

c. Developing models for achieving active participation of researchers, consumers, trainees and information specialists in the development and exchange of rehabilitation technology and information between nations.

2. The conduct of a program of rehabilitation training aimed at:

a. Training foreign nationals in rehabilitation related fields at American universities, including fellowship, degree and doctoral programs; and

b. Training U.S. rehabilitation personnel in methods and techniques developed overseas.

3. The conduct of a program of rehabilitation information dissemination and utilization aimed at:

a. Serving as an international rehabilitation information source to existing information centers and as a user-oriented system to respond to requests for international rehabilitation information;

b. Developing a retrieval system to retrieve rehabilitation information available world-wide;

c. Preparing and disseminating reports on high priority, significant international research completed overseas; and

d. Providing dissemination services that promote utilization of international research among specific U.S. and international audiences, including exchange of experts, visiting scholar and work-study exchange programs.

Eligible Applicants

Institutions of higher education with well-established programs of research and training in the pertinent rehabilitation disciplines, especially rehabilitation counseling and special education, and with prior experience in international rehabilitation may apply for this grant provided that the international center program has a separate organizational entity.

Available Funds

The National Institute of Handicapped Research expects to award approximately $450,000 from funds appropriated by Congress for Fiscal Year 1980.

Project Duration

The project will be supported for a period of one to five years. The initial grant sustains the Federal share of the budget for the first year of the project. Support for any additional time remaining in a project period depends on funds available and the grantee's satisfactory performance of the project for which the grant was awarded.

Grantee Share of the Project

Some cost-sharing will be required on the project. The actual percentage of cost sharing will be determined at the time of the award.

Grantees will be reimbursed for Indirect Costs at a maximum rate of 15% of total allowable direct costs.

The Application Process

Application for a grant under the Research and Demonstration Program must be submitted on standard forms provided for this purpose. Application kits which include the forms and other information may be obtained by writing to: National Institute of Handicapped Research, Room 3418, Mary E. Switzer Building, 330 C Street, SW, Washington, DC 20201, Attention: 13654-802, Telephone: (202) 245-0797.

Application Submission

The application shall be executed by an individual authorized to act for the applicant agency and to assume for the institution the obligations imposed by the terms and conditions of the grant award, including the regulations for projects on Rehabilitation Research and Demonstrations.

One signed original and three copies of the grant application, including all attachments, are required. The original and two copies are to be submitted to the address provided in the application kit. The other copy is to be submitted concurrently to the cognizant State Vocational Rehabilitation Agency. This agency reviews the application and forwards its comments to the Director.

Application Consideration

The Director, NIHR determines the final action to be taken with respect to each grant application for this program.

Applications which are complete and conform to the requirements of this program announcement are subjected to a competitive review and evaluation by qualified peer reviewers outside of Federal employment. The results of the competitive review supplement and assist the Director's consideration of the competing application. The Director's consideration also takes into account the comments of the State agencies of vocational rehabilitation, the HEW Regional Offices, and the headquarters program office. Comments on the applications may also be requested from appropriate specialists and consultants inside and outside the Government.

After the Director has reached a decision to disapprove or not fund a competing application, unsuccessful

applicants are notified in writing of action taken on their application. The successful applicant is notified through the issuance of a Notice of Financial Assistance Awarded which sets forth the amount of funds granted, the terms and conditions of the grant, the budget period for which support is given, the total grantee share expected, and the total period for which project support is contemplated.

Criteria for Review and Evaluation of Applications

The following criteria will be used in reviewing applications submitted under this Announcement.

1. *Plan of Operation.* (45 Points). a. High quality in the design of the project.

b. An effective plan of management that insures proper and efficient administration of the project.

c. A clear description of how the objectives of the project relate to the purpose of the program; and

d. The way the applicant plans to use its resources and personnel to achieve each objective.

2. *Quality of Key Personnel.* (10 Points). a. The qualifications of the project director;

b. The qualifications of each of the other key personnel used in the project;

c. The time that each person referred to in (a) and (b) of this section plans to commit to the project; and

d. The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, handicapped persons, and the elderly.

3. *Budget and Cost Effectiveness.* (5 Points). a. The budget for the project is adequate to support the project activities; and

b. Costs are reasonable in relation to the objectives of the project.

4. *Evaluation Plan.* (5 Points). The plan includes valid and reliable instruments and procedures for assessing and documenting the project results and end products or outcomes in terms of the achievement of project goals and objectives.

5. *Adequacy of Resources.* (5 Points). a. The facilities that the applicant plans to use are adequate; and

b. The equipment and supplies that the applicant plans to use are adequate.

6. *Literature Review.* (3 Points). The literature review is sufficiently comprehensive to:

a. Establish the basis for the problem;

b. Describe the problem in contrast to the symptoms of the problem;

c. Provide a strong conceptual framework for the proposed objectives and proposed plan, including the general design and specific procedures of the proposed plan, along with the management, evaluation, dissemination, and training procedures, when appropriate; and

d. Describe what has been done previously to alleviate the problem and point out the gaps that will be alleviated by this specific proposed work.

7. *International Orientation.* (5 Points). The University affiliated with the Center has a strong international background as evidenced by usual practice in its several colleges and departments.

8. *Graduate Training.* (5 Points). The University has demonstrated an involvement and concern for rehabilitation research and training over an extended period of time with a proven record of graduating both U.S. and foreign students in rehabilitation-related specialties, especially rehabilitation counseling and special education.

9. *Relationships to University Departments.* (10 Points). The Center has linkages with its own College as well as other Colleges and Departments within the University, with State vocational rehabilitation and special education agencies, and with other public and voluntary agencies.

10. *Relationships to International Organizations.* (5 Points). The Center demonstrates experience and potential for continued working relationships with other international rehabilitation organizations (U.S. based or otherwise).

11. *Relationships with Other Universities.* (5 Points). The Center has demonstrated ability and continuing potential for formally involving other universities, domestic and foreign, in the meeting of its objectives.

12. *Clinical Setting.* (2 Points). There are clinical facilities available to the Center where research and exemplary practices from cooperating universities in other countries may be evaluated for pertinence and validity for U.S. utilization.

Closing Date for Receipt of Applications

The Closing date for receipt of applications under this Program Announcement is June 15, 1980. Applications may be mailed or hand delivered. Hand delivered applications will be accepted during regular working hours of 8:30 a.m. to 5:00 p.m. Late applications will not be accepted and applicants will be notified accordingly. An application will be considered to have arrived by the closing date if:

1. The application was sent by registered or certified mail no later than June 15 as evidenced by the U.S. Postal Service postmark or the original receipt from the U.S. Postal Service, unless the application arrives too late to be considered by the independent review panel.

2. The application is sent by mail and received on or before the closing date in the Office of Human Development Services mailroom as evidenced by the time date stamp or other documentary evidence or receipt maintained by such mailroom, or

3. The application is hand delivered to the office designated to receive the application in the application instructions. Hand delivered applications will be accepted no later than c.o.b. June 15, in any case.

The grantee under this announcement will need to receive the grant as soon as possible to begin operations in a timely manner. Because of this need, the Director has determined under 5 U.S.C. 553 that public comment on the standards in this Announcement would be impracticable and contrary to the public interest.

(Catalog of Federal Domestic Assistance Program Number: 13.654, Research and Demonstrations)

Dated: April 9, 1980.

Margaret J. Giannini,

Director, National Institute of Handicapped Research.

Approved: April 17, 1980.

Cesar A. Perales,

Assistant Secretary for Human Development Services (Acting).

[FR Doc. 80-12428 Filed 4-22-80; 8:45 am]

BILLING CODE 4110-92-M

federal register

Wednesday
April 23, 1980

Part VIII

Department of Health, Education, and Welfare

Office of Human Development Services

Research and Training Centers, Availability of Grant Funds

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development Services

[Program Announcement No. 13654-804]

Research and Training Centers

AGENCY: National Institute of Handicapped Research (NIHR), Office of Human Development Services (OHDS), Department of Health, Education, and Welfare, (DHEW).

ACTION: Announcement of availability of grant funds for a rehabilitation research and training center in each of three areas: (1) Aging; (2) mental illness; and (3) independent living.

SUMMARY: The National Institute of Handicapped Research (NIHR) announces that applications are being accepted for grants under Title II of the Rehabilitation Act of 1973, as amended by Pub. L. 95-602 (Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978) to establish a Rehabilitation Research and Training Center in Aging, to establish a Research and Training Center in Mental Illness and to establish a Research and Training Center in Independent Living. Regulations applicable to this program were published in the **Federal Register**, Subpart A and Subpart D of Part 1362, Chapter VIII of Title 45 of the Code of Federal Regulations (45 CFR Part 1362) of November 25, 1975. However, these regulations are currently undergoing revision and will appear as Notice of Proposed Rule Making early in May, 1980. These revised regulations will be applicable to all grants and continuation awards funded subsequent to the date of final issuance.

Institutions of higher education, states and public and private organizations affiliated with institutions of higher education may apply.

DATES: Closing date for receipt of applications is June 30, 1980. Applicants are encouraged to respond at an earlier date if possible.

Scope of This Announcement

This Program Announcement covers three funding priorities of the Rehabilitation Research and Training Center Program for Fiscal Year 1980. The funding priorities are in the areas of Aging, Mental Illness and Independent Living.

Program Purpose

Title II of the Rehabilitation Act of 1973, as amended by Pub. L. 95-602 (Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978), authorizes the establishment and Rehabilitation Research and Training Centers for conducting rehabilitation research and training. The Centers, distinct organizational and physical entities, are integrated or affiliated with institutions of higher education having expertise and well developed resources for conducting multidisciplinary research and training, and are associated with service programs considered essential for carrying out comprehensive programs of patient/client care and rehabilitation. The three major activities—research, training, and services—are expected to be mutually supportive. Specifically, this concept calls for research ideas to derive from service delivery problems; for research results to be applied in service delivery settings; and for research results to be disseminated through training.

Program Goal and Objectives

The major goal of a Rehabilitation Research and Training Center is to develop and conduct a well organized program of rehabilitation research which focuses on the physical, psychological, social, vocational, and independent living problems of persons with severe and/or persistent functional impairments and to disseminate and promote the utilization of research findings through training. NIHR defines a program of research as that in which the entire research program is planned so as to contribute in a sequential or complementary way to a centralized body of knowledge of manageable scope. Each separate study or investigation must have some reasonable relationship to the central topic or research core area and must be undertaken on the basis of a predetermined plan developed upon the basis of a review of what is already known about the topic. The research should focus on a limited number of high priority areas. The research findings should have relevance and application to the rehabilitation process.

The Center's objectives are to develop materials and to conduct teaching and training programs to disseminate and promote the utilization of research findings thereby reducing the delay between the discovery of new knowledge and its application in practice.

Applicants for a Research and Training Center must demonstrate their capabilities for achieving the Research and Training Center Program goal and objectives. Applicants should identify and develop a minimum of two research core areas they consider priority areas, ranked in order of importance, to be developed during the first year and within the constraint of available federal funds and list in priority order other research core areas they may wish to undertake in later years.

Problem areas in Aging that may be addressed but not limited to are:

a. Training curriculum materials which address the problem related to a lack of understanding about the needs, potential, and aspirations of handicapped elderly.

b. Creative approaches to sensitizing aging network (consisting of State and area agencies on Aging and nutrition programs for the elderly) personnel to the problems of elderly handicapped individuals, and the sensitizing of rehabilitation workers to the special needs of such elderly handicapped persons.

c. Develop a definition of elderly handicapped individual for the aging network which recognizes the ambiguities inherent in such related terms as frail, at-risk, disabled population groups.

d. Differentiation of the various kinds of handicapping conditions describing prevention, treatment, and characteristics.

e. Improved methods for changing community behavior and/or attitudes toward elderly handicapped individuals.

f. Methods of providing rehabilitation and other community support services to elderly handicapped persons who live in rural areas.

g. Methods for integrating elderly handicapped individuals into programs and activities which have traditionally excluded them from participation.

h. Demographic and other related studies pertaining to elderly handicapped persons.

i. Ways and means of broaching environmental barriers that affect full participation.

j. The use of consumer groups in improving the design, funding, and demonstration of service delivery; research and training programs pertaining to elderly handicapped individuals; and in bringing about the removal of attitudinal, communication, transportation, and architectural barriers.

k. Utilization of advanced telecommunication and media methodology and technology in training of the elderly handicapped.

l. Development of improved methods for promoting peer support and improving self-image to enhance social functioning.

m. Self-employment and small business opportunities for the elderly handicapped.

n. Integration of rehabilitation methods and technologies with social service methods and technologies, with

an emphasis on the multi-handicapped elderly.

o. Research on technology transfer solutions which lend themselves to assisting elderly handicapped individuals.

p. Develop mechanisms for collaboration between the Administration on Aging and the National Institute of Handicapped Research which will result in the development of procedures related to accomplishing the tasks set forth in Section 421(c)(1) of the Older Americans Act, as amended.

q. Technical assistance tools for use by aging network personnel which include "how-to" type materials, "best practice" models, and innovative approaches for assisting handicapped elderly individuals.

Problem areas in mental illness that may be addressed but not limited to are:

a. Improved methods for assessing rehabilitation potential and for measuring rehabilitation outcomes for persons disabled by mental illness.

b. The differential effects of alternative types of living arrangement on the functioning of persons disabled by different types and degrees of mental illness problems, including hospitals, supportive or sheltered community environments, family environments, transitional living facilities, etc.

c. Factors contributing to successful vocational rehabilitation and community adjustment, such as:

(1) Characteristics of mentally ill people and associated work behavior patterns

(2) Influences on vocational rehabilitation of such factors as:

—Family;
—Living situation;
—Treatment availability;
—General socioeconomic conditions (e.g., employment); and
—Work environment.

(3) Effect of medication on the vocational rehabilitation process, work performance and community adjustment.

d. Evaluate existing methods and develop improved approaches for providing transitional and long-term employment opportunities in the least restrictive settings.

e. Determine impact on families, employers and the community at large of alternative methods for providing treatment and rehabilitation services.

f. Develop and evaluate improved methods for prompt intervention to minimize functional impairment.

g. Develop and evaluate improved methods for promoting such activities as peer support and mutual and self help to enhance rehabilitation.

h. Cost effectiveness of alternative approaches to organizing comprehensive rehabilitation and community support systems.

i. Utilization of and training implications for institutional staff displaced by deinstitutionalization.

Problem areas in Independent Living that may be addressed but not limited to are:

a. Improved methods for assessing client gains and for describing or measuring independent living outcomes of severely handicapped persons.

b. Educational or other programs designed to promote maximum public and private non-profit agency coordination and cooperation in a total independent living service delivery system.

c. Develop, test and implement effective outreach and service delivery systems for hard to reach severely disabled persons in rural areas, or severely disabled minority groups including those who also may have to overcome language barriers.

d. An exploration of new types of services and personnel required such as peer counselors.

e. Agency or program organizational and administrative considerations.

f. Case management policies and procedures that may be the same as or different from those in the traditional vocational rehabilitation program.

g. Self employment and small business opportunities for severely handicapped persons.

h. Development of models to enable severely handicapped persons to access the services of community agencies and to enable community agencies to improve extension of their services to severely handicapped persons.

i. Advanced communication procedures, methods and techniques.

j. Innovative methods for identifying and providing services to pre-school age children who are severely handicapped and appropriate services to their families.

k. The introduction of advocacy at the service delivery level.

l. Independent living rehabilitation skills, including ADL, which will enable severely handicapped persons to live in their own homes or other community housing as an alternative to traditional skilled nursing facility or other institutional placement.

m. Methods of measuring functional limitations for use in client goal setting and assessment of client gains.

n. The role of consumerism in independent living rehabilitation in improving the design, funding and administration of service delivery; research and training programs pertaining to severely handicapped persons; and in bringing about the removal of attitudinal, communication, transportation, housing and other architectural barriers.

o. Environmental barriers that affect full participation by severely handicapped persons in community life.

p. Personal care attendant (PCA) selection and training.

q. Methods for and the conduct of demographic and other related studies pertaining to severely disabled persons.

r. Methods for changing societal attitudes toward severely handicapped persons that interfere with or prevent them from assuming their full roles in the mainstream of American Society.

Eligible Applicants

Institutions of higher education and state and public and private organizatiosn having well recognized programs of research and affiliated with institutions of higher education may apply for a Center grant, provided the Center program has a separate organizational identity.

Project Period

Support may be up to a five year duration. Applications proposing multi-year activities must be accompanied by an explanation of the need for the multi-year support; a review of the objectives and activities proposed beyond the initial year of support; and budget estimates to obtain the objectives in any proposed subsequent year.

Available Funds

Approximately $100,000–$300,000 is available to establish the Research and Training Center on Aging; $100,000–$300,000 to establish the Center in Mental Illness; $100,000–$300,000 to establish the Center in Independent Living. The actual amount of the award within this range will be based upon the scope of the objective approved for funding during the initial project year. The Center in Mental Illness will be jointly funded with the National Institute on Mental Health. The initial grant sustains the Federal share of the budget for the first year of the project. Continuation grants will be reviewed annually on a non-competitive basis and approved only if:

a. Funds are available to continue the Center.

b. Satisfactory progress has been made in implementing the approved work plan and in achieving the Center goals and objectives as indicated by site visits, progress reports and other relevant data.

c. The need continues to exist for the activities conducted by the Center.

Grantee Share of the Project

Some grantee cost-sharing will be required on the project. The actual percentage of cost-sharing will be determined at the time of the award.

The administrative overhead costs (indirect) in the Research and Training Center program are limited to 15 percent of the total allowable direct costs.

The Application Process

—*Availability of Forms.* Application for a Research and Training Center grant must be submitted on standard forms provided for this purpose. Application kits which include the forms and other information may be obtained by writing to: National Institute of Handicapped Research, Room 3418 Mary E. Switzer Building, 330 C Street, SW., Washington, D.C. 20201. Attention: 13654–804 Telephone: 202–245–0870.

—*Application Submission.* One signed original and two copies of the grant application, including all attachments, must be submitted to the address indicated in the application kit. Additionally, a copy of the application is to be submitted concurrently to the appropriate Regional Office and appropriate State Vocational Rehabilitation Agency for review and comment.

—*A–95 Notification Process.* This grant program is exempt from A–95 State and Area Wide Clearinghouses.

Special Consideration for Funding

To insure access to the aging network (consisting of State and area agencies on Aging and nutrition programs for the elderly), it is desired that applicants for a Center on Aging demonstrate in the proposal a close working relationship with an established Gerontology program or are located near or are adjacent to a Center of Gerontology, multidisciplinary Center on Aging, or similar major Centers on Aging.

For a Center in Independent Living an active affiliation, cooperative agreement, or other interagency arrangement with a local Center for Independent Living program (such as is described in Part B, Title VII of the Rehabilitation Act as amended) or a firm commitment to do so from both the applicant and the Center for Independent Living is desired. Such a Center for Independent Living may either be one which is funded, in whole or in part, under Part B of Title VII, or be a recognized Center for Independent Living in existence prior to September 1979.

To improve program distribution, priority will be given to Center applicants from DHEW regions not currently having a Research and Training Center and to applications from other than the geographic areas in which Research and Training Centers in the same area of study are already located. DHEW Region VII does not currently have a Research and Training Center.

Application Consideration

The Director of the National Institute of Handicapped Research determines the final action to be taken with respect to each grant application for this program.

All applications are subjected to a competitive review and evaluation conducted by qualified persons including those outside the Federal Government. The results of the competitive review supplement and assist the Director's consideration of the competing applications. The Director's consideration also takes into account comments of the RSA Regional Office, State Vocational Rehabilitation Agencies, other Federal agencies, and the NIHR program staff. Comments on the application may also be requested from appropriate specialists and consultants inside and outside the Federal Government.

After the Director has reached a decision either to disapprove or not to fund a grant application, unsuccessful applicants are notified in writing of this decision. The successful applicant is notifed through the issuance of a notice of financial assistance awarded which sets forth the amount of funds granted, the terms and conditions of the grant, the budget period for which support is given, the total grantee share expected, and the total period for which project support is contemplated.

Selection Criteria

Competing grant applications will be reviewed and evaluated against the following criteria:

a. *National Need.* 1. The extent to which the applicant reflects knowledge of an has analyzed rehabilitation needs with specific references to persons or agencies to be served or benefited.

b. *Plan of Operation.* 1. The extent to which the applicant exhibits thorough knowledge of pertinent previous research and relates the proposed research to it.

2. The soundness of the proposed plan of operation including considerations of the extent to which the objectives are clearly described; are capable of being attained; and are measurable.

3. Evidence of a sound admininistrative structure and organizational mechansim for implementing and operating a Center.

4. Evidence of support from rehabilitation agencies, from public and private organizations serving the disabled, and from consumer organizations and specific measures for achieving a high level of interaction between the Center and these resources in implementing and operating the Center.

5. A description of an Advisory Council used in the development and operation of the Center or names and titles of members and types of constituents to be represented.

6. The extent to which the applicant demonstrates that the Center research will be effectively utilized and will directly improve affiliated services.

7. The extent to which the research conducted by the Center is likely to be effectively utilized in other programs for similar purposes.

8. The extent of the provisions made for research dissemination and for making materials, techniques, and other outputs available to those concerning with rehabilitation with which the Center itself is concerned.

9. The extent the applicant demonstrates evidence of programmatic research with the research core areas.

10. The methodological soundness of individual research and training projects.

11. The extent of the relationship between the research and training projects and the identified research core areas.

12. Evidence that training projects are in consonance with and capable of achieving training objectives.

c. *Evaluation Plan.* 1. Provisions are made for adequate evaluation of the effectiveness of the Center program and for determining the extent to which objectives are accomplished.

d. *Adequacy of Resources.* 1. The extent the University, with which the Center is affiliated, has multi-disciplinary rehabilitation resources available that will insure a sound and substantial growth of a significant Research and Training Center.

2. The extent the Center demonstrates an affiliation arrangement with the University and affiliated clinical services, but is a distinct organizational unit and sufficiently independent in its administration within the affiliated arrangement.

3. The degree to which the Center can draw upon and coordinate the resources and staff efforts of the University and the clinical component to accomplish its objectives.

4. The adequacy of facilities and resources available to the Center to conduct the proposed work.

e. *Budget and Cost Effectiveness.* 1. The extent to which the budget reflects the activities and the reasonableness of the allocation of the resources among the activities.

2. The extent that the costs of the program are reasonable to the Federal Government in relation to expected benefits.

3. The extent of outside support and services.

f. *Quality of Key Personnel.* 1. The extent that project personnel, actual or proposed, are highly qualified and appointments of core staff are appropriate.

Closing Date for Receipt of Applications

The closing date for receipt of applications under this Program Announcement is June 30, 1980. Applicants are encouraged to respond at an earlier date if possible. Applications may be mailed or hand delivered. Hand delivered applications will be accepted during regular working hours 8:30 a.m. to 5:00 p.m.

An application will be considered to have arrived by the closing date if:

1. The application was sent by registered or certified mail, no later than June 30, 1980 as evidenced by the U.S. Postal Service postmark or the original receipt from the U.S. Postal Service unless the application arrives too late to be considered by the independent review panel.

2. The application is hand delivered to the office designated to receive the application in the application instructions. Hand delivered applications will be accepted no later than close of business, June 30, 1980, in any case: and

3. The application is sent by mail and received on or before the closing date in the Department of Health, Education, and Welfare, the Office of Human Development Services or the National Institute of Handicapped Research mailrooms as evidenced by the time date stamp or other documentary evidence of receipt maintained by such mailroom.

Late applications are not acceptable and applicants will be notified accordingly.

In view of the limited time remaining in the fiscal year for applicants to prepare and submit their applications and for selection of the grantees, and because of the need to begin operations under the grants as soon as possible, the Director has determined under 5 U.S.C. 553 that public comment on the standards in this notice would be impracticable and contrary to the public interest.

(Catalog of Federal Domestic Assistance Program Number: 13.654, Research and Demonstrations)

Dated: April 11, 1980.

Margaret J. Giannini, M.D.,

Director, National Institute of Handicapped Research.

Approved: April 17, 1980.

Cesar A. Perales,

Assistant Secretary for Human Development Services (Acting).

[FR Doc. 80-12429 Filed 4-22-80; 8:45 am]

BILLING CODE 4110-92-M

Reader Aids

Federal Register

Vol. 45, No. 80

Wednesday, April 23, 1980

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

18930 3–24–80 / Fishery conservation and management; civil procedures

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Federal Housing Commissioner—Office of Assistant Secretary for Housing—

18922 3–24–80 / Low income housing; Section 8 housing assistance payments for new construction

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17957 3–20–80 / Periodic payment plan certificate; holders' right of withdrawal

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

18911 3–24–80 / Air traffic control tower operators; medical standards

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AGRICULTURE DEPARTMENT

Agricultural Stabilization and Conservation Service—

24899 4–11–80 / Termination of beekeeper indemnity payment program (1978–81); comments by 4–30–80

Farmers Home Administration—

12827 2–27–80 / Economic emergency loans; comments by 4–28–80

Food Safety and Quality Service—

12442 2–26–80 / Meat and poultry inspection; procedures for prior label approval; comments by 4–28–80

13471 2–29–80 / Prohibition of all new and replacement equipment and machinery containing liquid polychlorinated biphenyls (PCB's), comments by 4–30–80

Rural Electrification Administration—

20490 3–28–80 / Advance notice of proposed revision of REA Bulletin 183–1, Depreciation Rates and Procedures; comments by 4–28–80

13470 2–29–80 / Revision of engineering service contract revision; comments by 4–29–80

12442 2–26–80 / Specification for polyethylene raw material; revision of existing bulletin; comments by 4–28–80

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

14216 3–5–80 / Commercial Tanner crab fishery off the coast of Alaska; amendment to fishery management plan and final regulations; comments by 5–3–80 for Eastside section

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13782 3–3–80 / Grant funds used as venture capital; policies; comments by 5–2–80

ENERGY DEPARTMENT

Conservation and Solar Energy—

6116 1–25–80 / Energy conservation program for consumer products; dishwashers, television sets, clothes washers, humidifiers, and dehumidifiers; comments extended to 4–30–80

[Originally published at 44 FR 72276, 12–13–79]

5602 1–23–80 / Energy efficiency standards for heat pumps; comments by 4–30–80

4359 1–22–80 / New buildings energy performance standards; comments by 4–30–80

Economic Regulatory Administration—

20109 3–27–80 / Bulk electric power supply and actions; proposed reporting requirements; comments by 4–30–80

ENVIRONMENTAL PROTECTION AGENCY

13132 2–28–80 / Air pollution; Nevada State implementation plan; comments by 4–28–80

20119 3–27–80 / Air pollution control districts; California Plan Revision; comments by 4–28–80

21290 4–1–80 / Alabama; reproposal of air pollution control regulations; comments by 5–1–80

[Originally published at 44 FR 15741, 3–15–79]

21297 4–1–80 / California; Imperial County Nonattainment Area Plan; comments by 5–1–80

21266 4–1–80 / California; North Central Coast Air Basin; Nonattainment Area Plan and revised regulations; comments by 5–1–80

21282 4–1–80 / California; San Francisco Bay Area Air Basin Nonattainment Area Plan and revised regulations; comments by 5–1–80

21271 4–1–80 / California; South Coast Air Basin Nonattainment Area Plan and revised regulations; comments by 5–1–80

13991 3–3–80 / Clarification of which gaseous fuels used at petroleum refineries are covered by existing standards of performance for petroleum refineries; comments by 5–2–80

15950 3–12–80 / Guidelines establishing test procedures for the analysis of pollutants; availability of support documents; comments extended to 4–28–80

[*See also* 45 FR 6958, 1–31–80]

21302 4–1–80 / Iowa; adjustment of opacity standard for fossil fuel fired steam generator; comments by 5–1–80

21292 4–1–80 / Maryland; proposed revision of State Implementation Plan; comments by 5–1–80

21303 4–1–80 / Ocean discharge criteria; comments by 4–28–80

[Originally published at 45 FR 9548, 2–12–80]

23707 4–8–80 / Paint formulating point source category effluent guidelines, pretreatment standards, and new source performance standards; comments by 5–2–80

20501 3–28–80 / Revision of attainment status designation of the city of Great Falls, Mont. for carbon monoxide (CO); comments by 4–28–80

20432 3–27–80 / State Implementation Plan revision for Indiana; comments by 4–28–80

6632 1–29–80 / Toxic pollutants list; addition of ammonia; comments by 5–2–80

21301 4–1–80 / Utah; air quality surveillance and data reporting; comments by 5–1–80

FEDERAL COMMUNICATIONS COMMISSION

14902 3–7–80 / Authorization of use of low power radio transmitters by police radio service licenses in the 30–50 MHz, 150–174 MHz and 450–470 MHz bands; reply comments by 4–30–80

21306 4–1–80 / Cellular Mobile Communications Systems; amendment of regulations; comments by 5–1–80

[Originally published at 45 FR 14074, 3–4–80]

16217 3–13–80 / FM broadcast stations in Carson City, Gardnerville-Minden and Sparks, Nev.; proposed changes in table of assignments; comments by 4–28–80

16216 3–13–80 / FM broadcast stations in Rhinelander, Tomahawk, Washburn and Wausau, Wisc.; proposed changes in table of assignments; comments by 4–28–80

[*See also* 43 FR 10944, 3–16–78 and 44 FR 31029, 5–30–79]

12456 2–26–80 / FM table of assignments; Ackerman, Miss.; reply comments by 4–28–80

12448 2–26–80 / FM table of assignments; Bethel, Alaska; reply comments by 4–28–80

12457 2–26–80 / FM table of assignments; Bridgeport, Nebr.; reply comments by 4–28–80

12454 2–26–80 / FM table of assignments; Chatham, Mass.; reply comments by 4–28–80

12459 2–26–80 / FM table of assignments; Westover and Grafton, W.Va.; reply comments by 4–28–80

14233 3–5–80 / Improvements to UHF television reception, comments extended to 4–28–80

[*See also* 44 FR 60112, 10–18–79]

19278 3–25–80 / Interface of the international telex service with domestic telex and TWX services; comments by 4–30–80

16215 3–13–80 / Noncommercial educational FM broadcast stations; changes in rules; extension of time for reply comments til 5–2–80

[*See also* 43 FR 27682, 6–26–78 and 44 FR 59580, 10–16–79]

6419 1–28–80 / Operation of visual and aural transmitters of TV stations; reply comments by 4–30–80

12453 2–26–80 / Television table of assignments; Lexington, KY.; reply comments by 4–28–80

12450 2–26–80 / Television table of assignments; Sebring, Fla.; reply comments by 4–28–80

FEDERAL DEPOSIT INSURANCE CORPORATION

13768 3–3–80 / Assessments paid by insured banks to FDIC for deposit insurance; comments by 5–2–80

FEDERAL HOME LOAN BANK BOARD

12831 2–27–80 / Federal Savings and Loan Insurance Corporation; reserve requirements; comments by 4–28–80

FEDERAL RESERVE SYSTEM

15920 3–12–80 / Credit by brokers and dealers; time for payment in general and cash accounts and extension of time requests received through the mail; comments by 4–30–80

20771 3–31–80 / Suspension of effective date regarding advertising and disclosure requirements under Regulation Z for loophole accounts (money market certificate loans); comments by 4–30–80

FEDERAL TRADE COMMISSION

13115 2–28–80 / Ford Motor Co.; consent agreement with analysis to aid public comment; comments by 4–28–80

GENERAL ACCOUNTING OFFICE

18940 3–24–80 / Procedures for decisions governing appropriated fund expenditures in Federal-Labor Management Relations Program; comments by 5–2–80

GENERAL SERVICES ADMINISTRATION

Automated Data and Telecommunications Service—

62515 10–31–79 / Federal conversion support center, temporary regulation; comments by 5–1–80

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Health Care Financing Administration—

13940 3–3–80 / Utilization review procedures for hospitals participating in Medicare and Medicaid program and establishing procedures for facilities or programs that provide inpatient psychiatric services to medicaid recipients under 21 years of age; comments by 5–2–80

National Institute for Occupational Safety and Health—

16209 3–13–80 / NIOSH grant regulations revised to conform to HEW's general grant administration regulations; comments by 4–28–80

Office of the Secretary—

20983 3–31–80 / Procurement; unsolicited proposals; comments by 4–30–80

Social Security Administration—

12837 2–27–80 / Administrative appeals process under Title II and Title XVI of the Social Security Act; Time limitations for holding hearings, issuing hearing decisions, and actions by the Appeals Council; comments by 4–28–80

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Federal Housing Commissioner–Office of Assistant Secretary for Housing—

13779 3–3–80 / Change in provisions and characteristics of debentures issue, by the Treasury Department; comments by 5–2–80

13780 3–3–80 / Low-income housing; unit ceiling for single, non-elderly persons; comments by 5–2–80

INTERIOR DEPARTMENT

Geological Survey—

13127 2–28–80 / Outer continental shelf lands; joint study with DOT/CG; comments by 4–28–80

Indian Affairs Bureau—

6955 1–31–80 / Livestock trespass provisions; comments by 4–29–80

Interstate Land Sales Registration Office—

20716 3–28–80 / Land registration, purchaser's revocation rights, sales practices and standards and formal procedures and rules of practice; comments by 4–28–80

Land Management Bureau—

13787 3–3–80 / Minerals leasing; sodium potash or sulphur extraction; definition of land considered as "chiefly valuable"; comments by 5–2–80

13956 3–3–80 / Surface management of public land under U.S. mining laws; procedure to minimize adverse environmental impacts; comments by 5–2–80

13788 3–3–80 / Surface management of public lands under U.S mining laws; availability of draft environmental impact statements; comments by 5–2–80

Surface Mining Reclamation and Enforcement Office—

15581 3–11–80 / Receipt of Permanent Program submission from the State of Colorado; comments by 4–28–80

INTERSTATE COMMERCE COMMISSION

6127 1–25–80 / Notice to Shippers of freight refused or unclaimed at destination; comments extended to 4–27–80

[Originally published at 44 FR 71849, 12–12–79]

24904 4–11–80 / Revision of National Environmental Policy Act guidelines; comment period extended to 4–28–80

[Originally published at 45 FR 15237, Mar. 10, 1980]

NATIONAL TRANSPORTATION SAFETY BOARD

14609 3–6–80 / Railroad accidents; notification requirements; comments by 4–29–80

NUCLEAR REGULATORY COMMISSION

13739 3–3–80 / Environmental protection regulations for domestic licensing and related regulatory functions and related conforming amendments; comments by 5–2–80

20899 3–31–80 / Fees for review of quality assurance programs for radioactive material shipping packages; comments by 4–30–80

POSTAL SERVICE

20118 3–27–80 / Poisons and controlled substances; nonmailability; comments by 4–28–80

SECURITIES AND EXCHANGE COMMISSION

24504 4–10–80 / Applications for extension, suspension, or terminaton of unlisted trading privileges; comments by 5–1–80

24499 4–10–80 / Business combination transactions—proposed short form for registration and proposed amendments for related rules; comment period extended to 4–30–80

[Originally published at 45 FR 5934, 1–24–80]

18948 3–24–80 / Securities distribution under employe or shareholder plans sponsored by issuers; exemption from trading prohibitions; comments by 4–30–80

5963 1–24–80 / Uniform Instructions as to Financial Statements; Regulation S-X; comments by 4–30–80

TRANSPORTATION DEPARTMENT

Coast Guard—

13127 2–28–80 / Outer continental shelf lands, joint study with Interior/GS; comments by 4–28–80

Federal Aviation Administration—

13106 2–28–80 / Normal utility and acrobatic category airplanes; combustion heater fire protection; comments by 4–28–80

Office of the Secretary—

21172 3–31–80 / Participation by minority business enterprise in DOT programs; comments by 4–31–81

Research and Special Programs Administration—

16226 3–13–80 / Transportation of natural and other gas and hazardous liquids by pipeline; incorporation by reference; comments by 4–30–80

13783 3–3–80 / Transportation of natural and other gas by pipeline transportation of hazardous liquids by pipeline; qualification of metallic components; comments by 4–30–80

TREASURY DEPARTMENT

Internal Revenue Service—

12844 2–27–80 / Income tax; allowance of deductions to foreign corporations; comments by 4–28–80

12850 2–27–80 / Income tax; Soil and Water Conservation expenditures; comments by 4–28–80

13123 2–28–80 / Self-insured medical reimbursement plans; comments by 4–28–80

VETERANS ADMINISTRATION

13128 2–28–80 / Education benefits; flight training comments by 3–31–80

Deadlines for Comments on Proposed Rules for the Week of May 4 Through May 10, 1980

ADMINISTRATION OFFICE, EXECUTIVE OFFICE OF THE PRESIDENT

22049 4–3–80 / Privacy Act of 1974; proposed implementation regulations; comments by 5–5–80

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service—

22954 4–4–80 / Release of certain counties in Texas from designation as screwworm areas; comments by 5–5–80

14050 3–4–80 / Scabies in cattle; proposed revisions; comments by 5–5–80

[Corrected at 45 FR 26341, April 18, 1980]

Rural Electrification Administration—

14047 3–4–80 / Wood telephone pedestal stubs; new bulletin; comments by 5–5–80

CIVIL AERONAUTICS BOARD

25824 4–16–80 / Extension of credit by air carriers to political candidates; comments by 5–10–80

14062 3–4–80 / Insurance requirements for U.S. and foreign air carriers; reply comments by 5–6–80

[*See also* 45 FR 7566, 2–4–80]

COMMERCE DEPARTMENT

Economic Development Administration—

15173 3–10–80 / Public Works projects involving industrial parks and sites; comments by 5–9–80

National Oceanic and Atmospheric Administration—

14216 3–5–80 / Commercial tanner crab fishery off the coast of Alaska; amendment to fishery management plan and final regulations; comments by 5–7–80 for northeast section

25845 4–16–80 / Northeast Pacific plan approval and proposed regulations; comments by 5–9–80

25844 4–16–80 / Trawl fisheries of Washington, Oregon, and California; preliminary fishery management plan; comments by 5–9–80

ENERGY DEPARTMENT

Conservation and Solar Energy Office—

14188 3–4–80 / Consumer product test procedures; provisions for waiver; comments by 5–5–80

24517 4–10–80 / Standby Federal Emergency Energy Conservation Plan; extension of comment period from 4–7–80 to 5–7–80

[*See also* original published at 45 FR 8309 and 8462, 2–7–80]

Economic Regulatory Administration—

25780 4–15–80 / Electric power system permits and reports applications; administrative procedures and sanctions; comments by 5–9–80

ENVIRONMENTAL PROTECTION AGENCY

22983 4–4–80 / Availability of proposed revision to Wisconsin's State Implementation Plan; comments by 5–5–80

24211 4–9–80 / Leather tanning and finishing industry point source category; availability of documents; comments by 5–9–80

17997 3–20–80 / National Pollutant Discharge Elimination System (NPDES) Best Management Practices Guidance Document; comments by 5–5–80

13646 2–29–80 / Pesticides and toxic substances; general recordkeeping and reporting requirement; comments by 5–6–80

[Corrected at 45 FR 26386, Apr. 18, 1980]

26386 4–18–80 / Pesticides and toxic substances; general recordkeeping and reporting requirement corrections; comments by 5–14–80

[*See also* 45 FR 13646, Feb. 29, 1980]

25828 4–16–80 / Polychlorinated biphenyls (PCB's); request for information on PCB transformed; comments by 5–5–80

22987 4–4–80 / Proposed approval and disapproval of parts of Administrative Order issued by New Mexico Environmental Improvement Board to Public Service Company of New Mexico; comments by 5–5–80

22981 4–4–80 / Reproposal of revision to Ohio State Implementation plan; comments by 5–5–80

FEDERAL COMMUNICATIONS COMMISSION

21661 4–2–80 / Allocating spectrum for an automated Inland Waterways Communications System (IWCS) along the Mississippi River and connecting waterways; reply comments extended to 5–7–80

7583 2–4–80 / Establishment of disaster radio response program in local government radio service for States, territories, and possessions; reply comments by 5–5–80

13145 2–28–80 / FM broadcast station in Anchorage, Alaska; table of assignments changed; reply comments by 5–5–80

13144 2–28–80 / FM broadcast station assigned to Bettendorf, Iowa; reply comments by 5–5–80

17600 3–19–80 / FM assignments to (proposed) Bountiful, Centerville and West Jordan, Utah; and Rock Springs, Wyo.; comments by 5–6–80

13148 2–28–80 / FM broadcast stations assigned to Lakeport and Williams, Calif.; reply comments by 5–5–80

24212 4–9–80 / Integration of rates and services for the provision of communications by authorized common carriers between the U.S. mainland and Hawaii, Alaska, and Puerto Rico/Virgin Islands; comments by 5–9–80

24212 4–9–80 / Private line rate structure and volume discount practices; reply comments extended to 5–7–80

[*See also* 44 FR 61216, 10–24–79 and 45 FR 16214, 3–13–80]

17598 3–19–80 / Proposed FM assignment to Clintonville, Chilton, and Manitowoc, Wis.; comments by 5–6–80

17597 3–19–80 / Proposed FM assignment to Poughkeepsie, N.Y.; comments by 5–6–80

16222 3–13–80 / Providing optimum conditions for utilization of New Jersey television channel assignments; inquiry; comments by 5–8–80

13139 2–28–80 / Regulatory policies concerning resale and shared use of common carrier domestic public switched network services; comments by 5–9–80

13149 2–28–80 / Television broadcast station assigned to Danville, Ky.; reply comments by 5–5–80

16219 3–13–80 / Television Broadcast Stations in Dover and Seaford, Del.; Asbury Park, Atlantic City, New Brunswick, Newton, Vineland, West Milford and Wildwood, N.J.; Kingston and Syracuse, N.Y.; and Bethlehem, Lebanon and State College, Pa.; Proposed Changes in Table of Assignments; comments by 5–8–80

13152 2–28–80 / Television broadcast stations in El Paso, Tex.; reply comments by 5–5–80

13150 2–28–80 / Television broadcast station reassigned to Mansfield, Ohio from Marion, Ohio; reply comments by 5–5–80

14902 3–7–80 / Criteria for land management and use in the National Flood Insurance Program; comments by 5–6–80

FEDERAL HOME LOAN BANK BOARD

24178 4–9–80 / Proposed amendments regarding investments in service corporations; comments by 5–9–80

FEDERAL MARITIME COMMISSION

23708 4–8–80 / Requirements for filing currency adjustment factors reflecting changes in exchange rate of tariff currencies; comments by 5–8–80

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

17596 3–19–80 / Procedural rule; proposed amendment; comments by 5–5–80

FEDERAL TRADE COMMISSION

14870 3–7–80 / General Motors Corp., et al. consent agreement with analysis to aid public comment; comments by 5–5–80

14880 3–7–80 / General Motors Corp., et al. consent agreement with analysis to aid public comment; comments by 5–6–80

14063 3–4–80 / Vitamin K-type coagulants; bioequivalence requirements; comments by 5–5–80

Public Health Service—

26387 4–18–80 / Clinical laboratories; personnel standards; comments by 5–9–80

[*See also* 44 FR 58923, Oct. 12, 1979; 44 FR 61059, Oct. 23, 1980]

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Assistant Secretary for Housing–Federal Housing Commissioner—

14826 3–6–80 / Housing programs; previous participation review and clearance; comments by 5–5–80

Community Planning and Development, Office of Assistant Secretary—

24044 4–8–80 / Community Development Block Grants; Small Cities Program; comments by 5–8–80

Neighborhood, Voluntary Associations and Consumer Protection, Office of Assistant Secretary—

14068 3–4–80 / Reimbursement for expenses for public participation; need for regulations; comments by 5–5–80

Office of the Secretary—

14068 3–4–80 / Siting of HUD supported projects in high risk areas around airports and airfields; comments by 5–5–80

INTERIOR DEPARTMENT

Fish and Wildlife Service—

8029 2–6–80 / Review of status of Uncompahgre Fritillary Butterfly; comments by 5–6–80

Land Management Bureau—

14607 3–6–80 / Wild and scenic river system; prohibited acts; comments by 5–5–80

LABOR DEPARTMENT

Employment and Training Administration—

24903 4–11–80 / Changes in preamble to proposed Comprehensive Employment and Training Act provisions; comments by 5–5–80

23296 4–4–80 / Provisions for programs under Titles I, II, VI, and VII of the Comprehensive Employment and Training Act; comments by 5–5–80

NUCLEAR REGULATORY COMMISSION

14589 3–6–80 / Deletion of source material medicinals from the general quantities of source material; comments 5–6–80

15184 3–10–80 / Protection of employees who provide information; comments by 5–9–80

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

14802 3–6–80 / Takeoff and landing minimums; comments by 5–6–80

National Highway Traffic Safety Administration—

8324 2–7–80 / Motor vehicle safety standards, Federal; controls and displays; comments by 5–7–80

Research and Special Programs Administration—

9220 2–11–80 / Liquefied natural gas (LNG) facilities; Federal safety standards; comments by 5–9–80

VETERANS ADMINISTRATION

22978 4–4–80 / Clarification of provision on termination of recognition of representatives, agents or attorneys; comments by 5–5–80

24138 4–9–80 / Loans for the acquisition of a mobile home and a suitable lot and/or necessary site improvements; comments by 5–9–80

VETERANS ADMINISTRATION

22979 4–4–80 / Provisions for readjustment counseling for Vietnam era veterans; comments by 5–5–80

Next Week's Meetings

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

26106 4–17–80 / Flue-Cured Tobacco Advisory Committee, Raleigh, N.C. (open), 5–1 and 5–2–80

Forest Service—

ARTS AND HUMANITIES, NATIONAL FOUNDATION

24731 4–10–80 / Design Arts Panel; Washington, D.C. (partially open), 4–28 and 4–29–80

18207 3–20–80 / Humanities Panel, Washington, D.C. (closed), 4–28 and 4–29–80

25978 4–16–80 / Music Panel (challenge), Washington, D.C. (closed), 5–1 and 5–2–80

25978 4–16–80 / Visual Arts Panel (Policy), Houston, Tex. (open), 5–1 and 5–2–80

CIVIL RIGHTS COMMISSION

23712 4–8–80 / Maryland Advisory Committee, Baltimore, Md. (open), 4–29–80

19014 4–24–80 / New Hampshire Advisory Committee, Manchester, New Hampshire, (open), 4–30–80

COMMERCE DEPARTMENT

Census Bureau—

21328 4–1–80 / Census Advisory Committee on Agriculture Statistics, Suitland, Md. (open), 4–29–80

National Bureau of Standards—

24216 4–9–80 / International Legal Metrology Advisory Committee, Gaithersburg, MD (open), 5–1 and 5–2–80

National Oceanic and Atmospheric Administration—

24907 4–11–80 / Caribbean Fishery Management Council, Scientific and Statistical Committee, Santurce, P.R. (open), 4–30–80

22180 4–3–80 / Hawaiian Mork Seal in the Northwestern Hawaiian Islands, Honolulu, Hawaii (open), 4–28–80

24217 4–9–80 / New England Fishery Management Council, Salem, Mass. (open), 4–30–80

CONSUMER PRODUCT SAFETY COMMISSION

23715 4–8–80 / Flammable Fabrics Act Advisory Committee, Washington, DC (open), 4–28 and 4–29–80

COST ACCOUNTING STANDARDS BOARD

25067 4–14–80 / Standard on allocation of direct and indirect costs, Washington, D.C. (open), 4–30–80

DEFENSE DEPARTMENT

Air Force Department—

19597 3–26–80 / USAF Scientific Advisory Board, Eglin AFB, Fla. (closed), 4–28 and 4–29–80

Army Department—

21675 4–2–80 / Coastal Engineering Research Board, Cleveland, Ohio (open), 4–29, 4–30 and 5–1–80

Engineers Corps—

21675 4–2–80 / National Hydropower Study, Arlington, Va. (open), 4–29–80

Office of the Secretary—

21676 4–2–80 / DOD Advisory Group on Electron Devices, Working Group D (Mainly Laser Devices), New York, N.Y. (open), 4–28–80

11874 2–22–80 / DOD Wage Committee, Washington, D.C. (closed), 4–29–80

17630 3–19–80 / Defense Intelligence Agency Advisory Committee, Rosslyn, Va (closed), 5–1 and 5–2–80

20154 3–27–80 / Defense Science Board, Arlington, Va. (closed), 4–30 and 5–1–80

21676 4–2–80 / Defense Science Board Task Force on ECM, Washington, D.C. (closed), 5–1 and 5–2–80

ENERGY DEPARTMENT

Energy Research Office—

21699 4–2–80 / Energy Research Advisory Board, Washington, D.C. (open), 5–1 and 5–2–80

Federal Energy Regulatory Commission—

25120 4–14–80 / El Dorado Irrigation District and El Dorado County Water Agency, Placerville, Calif. (open), 4–29–80

ENVIRONMENTAL PROTECTION AGENCY

25135 4–14–80 / Science Advisory Board, Environmental Measurements Committee, Cincinnati, Ohio (open), 4–30, 5–1, and 5–2–80

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

13816 3–3–80 / Job Segregation and Wage Discrimination Under Title VII and the Equal Pay Act, Washington, D.C., rescheduled to 4–28 and 4–29

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

20159 3–27–80 / Meeting, Washington, D.C. (partially open), 4–28–80

FEDERAL RESERVE SYSTEM

24244 4–9–80 / Consumer Advisory Council, Washington, DC (open), 4–28 and 4–29–80

GOVERNMENT PRINTING OFFICE

10847 2–19–80 / Depository Library Council to the Public Printer, Washington, D.C. (open), 4–28 through 4–30–80

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Alcohol, Drug Abuse, and Mental Health Administration—

22190 4–3–80 / Federal Activities for Alcohol Abuse Interagency Committee, Rockville, Md. (open), 4–29–80

Education Office—

24923 4–11–80 / Commission on the Review of the Federal Impact Aid Program, Montgomery, Alabama, (open), 5–1–80

25948 4–16–80 / Vocational Education Advisory Council, Washington, D.C. (open), 5–1–80

Health Care Financing Administration—

14900 3–7–80 / Consideration of changes in Medicare and Medicaid participant certification requirements: Washington, D.C. (open), 4–29 through 5–1–80

Human Development Services Office—

19618 3–26–80 / Model State Adoption Act and Model Adoption Procedures (open):
Boston, Mass., 4–30–80
New York, NY, 5–1–80

National Institutes of Health—

16566 3–14–80 / Blood Diseases and Resources Advisory Committee of the National Heart, Lung and Blood Institute, Bethesda, MD. (open), 4–28 and 4–29–80

16566 3–14–80 / Board of Scientific Counselors of the National Institute of Dental Research, Bethesda, Md. (partially open), 4–28 through 4–30–80

15678 3–11–80 / Immunotherapy of Cancer: Present Status of Trials in Man, Bethesda, Md. (open), 4–28 and 4–30–80

21043 3–31–80 / National Cancer Institute; Board of Scientific Counselors Division of Cancer Cause and Prevention (closed), 5–1 and 5–2–80

19052 3–24–80 / National Institute of Arthritis, Metabolism, and Digestive Diseases, Board of Scientific Counselors, Bethesda, Md. (open), 5–2 and 5–3–80

Office of the Secretary—

24702 4–10–80 / Secretary's Advisory Committee on the Rights and Responsibilities of Women; Washington, D.C. (open), 5–2–80

INTERIOR DEPARTMENT

Land Management Bureau—

20165 3–27–80 / California Desert Conservation Area, Los Angeles, Calif., (open), 4–30–80

20165 3–27–80 / California Desert Conservation Area, Palm Springs, Calif., (open), 5–1–80

20165 3–27–80 / California Desert Conservation Area, San Bernardino, Calif., (open), 5–1–80

21356 4–1–80 / Intensive wilderness inventory, Nevada:
Reno, 4–28–80
Las Vegas, 4–30–80

26141 4–17–80 / Outer Continental Shelf Advisory board, Mid-Atlantic Technical Working Group Committee, New York, N.Y. (open), 5–5 and 5–6–80

24924 4–11–80 / Outer Continental Shelf Advisory Board, North Atlantic Technical Working Group Committee, Boston, Mass. (open), 4–29–80
[Originally published at 45 FR 11916, Mar. 20, 1980]

17644 3–19–80 / Proposed geothermal leasing within the Coso Known Geothermal Study area, Bakersfield, Calif. (open), 5–1–80

National Park Service—

24256 4–9–80 / Cape Code National Seashore Advisory Commission, South Wellfleet, Mass. (open), 5–2–80

24255 4–9–80 / Pictured Rocks National Lakeshore: Munising, Mich. (open), 4–28–80; Grand Marais, Mich. (open), 4–30–80; Marquette, Mich. (open), 4–30–80 Lansing, Mich. (open), 5–1–80

24927 4–11–80 / Pictured Rocks National Lakeshore Advisory Commission, 4 miles east of Munising, Michigan (open), 4–28–80

22201 4–3–80 / Preservation of the White House Committee, Washington, D.C. (open), 5–2–80

LABOR DEPARTMENT

Occupational Safety and Health Administration—

10732 2–15–80 / Occupational safety and health hazards in grain handling facilities, Kansas City, Mo. (open), 4–29 through 5–1–80

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

23836 4–8–80 / NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee (SSTAC), Washington, D.C. (open), 4–28 and 4–29–80

24288 4–9–80 / NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee (SSTAC), Cleveland, Ohio (open), 4–29 and 4–30–80

23835 4–8–80 / NASA Advisory Council (NAC), Aeronautics Advisory Committee (AAC), Cleveland, Ohio (open), 4–30–80

23835 4–8–80 / NASA Advisory Council (NAC), Aeronautics Advisory Committee (AAC), Cleveland, Ohio (open), 4–29 and 4–30–80

25556 4–15–80 / NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee (SSTAC), Washington, D.C. (open), 5–1 and 5–2–80

NATIONAL SCIENCE FOUNDATION

24289 4–9–80 / Executive Committee of the Advisory Committee for Environmental Biology, Washington, D.C. (closed), 4–28 and 4–29–80

24290 4–9–80 / Executive Committee of the Advisory Committee Ocean Sciences, Washington, D.C. (open), 4–30 and 5–1–80

24291 4–9–80 / Executive Subcommittee of the Materials Research Advisory Committee, Washington, D.C. (partially open), 5–1 and 5–2–80

24291 4–9–80 / Facilities of the Materials Research Advisory Committee Subcommittee, Washington, D.C. (open), 4–30–80

24291 4–9–80 / Oversight and Evaluation Subcommittee, Washington, D.C. (closed), 4–29–80

24289 4–9–80 / Policy Research and Analysis and Science Resources Studies Advisory Committee, Industrial R.&D. and Innovation Processes Subcommittee, Washington, D.C. (open), 4–28–80

24291 4–9–80 / Population Biology and Physiological Ecology Subcommittee, Washington, D.C. (closed), 5–1 and 5–2–80

24290 4–9–80 / Task Group No. 11 Advisory Council, Washington, D.C. (open), 4–3–80

NUCLEAR REGULATORY COMMISSION

25195 4–14–80 / Reactor Safeguards Advisory Committee, Babcock and Wilcox Water Reactors Subcommittee, Washington, D.C. (partially open), 4–29–80

25195 4–14–80 / Reactor Safeguards Advisory Committee, Reactor Fuel Subcommittee, Washington, D.C. (partially open), 4–29–80

19698 3–26–80 / Technical members of the Atomic Safety and Licensing Board Panel Advisory Screening Committee, Bethesda, Md. (open), 5–1–80

PENSION POLICY, PRESIDENT'S COMMISSION

21067 3–31–80 / Meeting, Boston, Mass. (open), 5–2 thru 5–4 80

SECURITIES AND EXCHANGE COMMISSION

19704 3–26–80 / Oil and Gas Accounting Advisory Committee, Washington, D.C. (open), 4–29–80

SMALL BUSINESS ADMINISTRATION

23843 4–8–80 / Region I (Boston, Mass.) Advisory Council, Boston, Mass. (open), 4–28–80

24294 4–9–80 / Region II (Syracuse, New York) Advisory Council, North Syracuse, NY (open), 5–2–80

17708 3–19–80 / Region III Advisory Committee, Doylestown, Penn. (open), 5–1–80

23844 4–8–80 / Region VI (Oklahoma City, Okla.) Advisory Council, Oklahoma City, Okla. (open), 4–29–80

23844 4–8–80 / Region IV (Dallas, Tex.) Advisory Council, Dallas, Tex. (open), 5–1–80

21757 4–2–80 / Region VII Advisory Council, Omaha, Nebr. (open), 4–28–80

17709 3–19–80 / Region VII Advisory Council, Kansas City, Mo. (open), 4–29–80

23844 4–8–80 / Region VII (St. Louis, Mo.) Advisory Council, St. Louis, Mo. (open), 4–30–80

21433 4–1–80 / Region VII (Des Moines, Iowa) Advisory Councils, Des Moines, Iowa (open), 5–1–80

STATE DEPARTMENT

20271 3–27–80 / Advisory Committee on International Investment, Technology, and Development, Washington, D.C. (open), 4–28–80

24750 4–10–80 / Advisory Committee on International Investment, Technology, and Development, Working Group on Transborder Data Flows; Washington, D.C. (open), 4–28–80

24750 4–10–80 / U.S. Organization for the International Radio Consultative Committee, Study Group 4; Washington, D.C. (open), 5–1–80

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

24751 4–10–80 / Radio Technical Commission for Aeronautics, Special Committee 133—Airborne Weather and Ground Mapping Pulsed Radar; Washington, D.C. (open), 4–29 and 4–30–80

26206 4–17–80 / Radio Technical Commission for Aeronautics (RTCA), Special Committee 144 on Airborne Low-Range Radio (RADAR) Altimeter Equipment, Washington, D.C. (open), 5–6 and 5–7–80

Urban Mass Transportation Administration—

22121 4–3–80 / Bus rehabilitation program; policy and procedures; comments by 5–2–80

[Originally published at 45 FR 9244, 2–11–80]

TREASURY DEPARTMENT

21759 4–2–80 / Debt Management Advisory Committees, Washington, D.C. (open), 4–29 and 4–30–80

[Corrected at 45 FR 24296; 4–9–80]

VETERANS ADMINISTRATION

18549 3–21–80 / Immunology Research Service Merit Review Board, Washington, D.C. (open), 4–30–80

18549 3–21–80 / Medical Research Service Merit Review Boards, Washington, D.C. (open), 5–1–80

17714 3–19–80 / Wage Committee, Washington, D.C. (closed), 5–1–80

WOMEN, PRESIDENT'S ADVISORY COMMITTEE

25562 4–15–80 / Meeting, Denver, Colorado (open), 4–30–80

Next Week's Public Hearings

CIVIL AERONAUTICS BOARD

23711 4–8–80 / Golden West Airlines, Inc., Fitness Investigation, Washington, D.C. 5–2–80

23711 4–8–80 / Southwest Alaska Service Investigation, Washington, D.C. 4–29–80

COMMERCE DEPARTMENT

International Trade Administration—

25034 4–11–80 / Hearing on petition requesting monitoring of exports of ferrous scrap, Washington, D.C., 4–28 and 4–29–80

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

25844 4–16–80 / Trawl fisheries of Washington, Oregon, and California; Preliminary Fishery Management plan, Seattle, Wash., 5–1–80

20505 3–28–80 / Proceedings on Draft Environmental Impact Statement/Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico:

Mobile, Ala., 4–27–80

Biloxi, Miss., 4–29–80

New Orleans and Lafayette, La., 4–30 and 5–1–80

ENERGY DEPARTMENT

25097 4–14–80 / Energy performance standards for new buildings, Washington, D.C., 4–28 and 4–29–80

Conservation and Solar Energy Office—

14188 3–4–80 / Consumer product test procedures; provisions for waiver, Washington, D.C., 4–30–80

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Education Office—

24922 4–11–80 / Commission on the Review of the Federal Impact Aid Program, Montgomery, Alabama, 5–1–80

Food and Drug Administration—

24918 4–11–80 / Radiopharmaceutical Drugs Advisory Committee, Rockville, Md., 5–1 and 5–2–80

INTERIOR DEPARTMENT

Fish and Wildlife Service—

20503 3–28–80 / Proceeding on reproposal of critical habitat for Callipe silversport butterfly, Millbrae, Calif., 5–1–80

19860 3–26–80 / Proposal of critical habitat for the Palos Verdes blue butterfly, Palos Verdes, Calif., 5–2–80

19864 3–26–80 / Reproposal of critical habitat for the Oregon Silverspot butterfly, Newport, Oreg., 4–29–80

National Park Service—

21356 4–1–80 / Wilderness study and environmental impact statement; Fire Island National Seashore, New York State, Patchoque, N.Y., 5–2–80

LABOR DEPARTMENT

Wage and Hour Division—

76888 12–24–79 / Special Industry Committee for all Industry in American Samoa, Pago Pago, American Samoa, 4–28–80

SMALL BUSINESS ADMINISTRATION

21262 4–1–80 / Review of size standard for Federal timber sales:

Sacramento, Calif., 4–29–80

Seattle, Wash., 5–1–80

TREASURY DEPARTMENT

Alcohol, Tobacco, and Firearms Bureau—

17027 3–17–80 / Napa Valley viticultural area, Calif.; proposed establishment; Napa, Calif., 4–28 through 4–30–80

17027 3–17–80 / Pinnacles viticultural area, Calif.; proposed establishment; Salinas, Calif., 5–2 and 5–3–80

Internal Revenue Service—

21434 4–1–80 / Tax Forms Coordinating Committee, 5–1–80:

Atlanta, Ga.

Omaha, Nebr.

Burlington, Vt.

Seattle, Wash.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing April 16, 1980

Documents Relating to Federal Grant Programs

This is a list of documents relating to Federal grant programs which were published in the **Federal Register** during the previous week.

DEADLINES FOR COMMENTS ON PROPOSED RULES

26390 4–18–80 / HEW/HDSO—Proposed provisions for consolidated grants to insular areas; comments by 5–22–80; correction

[*See also* 45 FR 23474; 4–9–80]

APPLICATIONS DEADLINES

25855 4–16–80 / Commerce/NOAA—Postdoctoral Research Grants apply by 6–10–80

25143 4–14–80 / HEW/HDSO—Demonstration Projects for Child Abuse and Neglect Program, apply by 7–3–80

25145 4–14–80 / HEW/HDSO—Research Projects for Child Abuse and Neglect Program, apply by 6–18–80

25145 4–14–80 / HEW/HDSO—Service-Improvement Projects for Child Abuse and Neglect Program; apply by 7–3–80

26466 4–18–80 / HEW/HSA—Primary Care Research and Demonstration Projects Grants; apply by 5–15–80

26484 4–18–80 / Labor/ETA—Availability of grants for CETA Projects for middle-aged and older workers; apply by 6–13–80

MEETINGS

26133 4–17–80 / HEW/CDC—Mine Health Research Advisory Committee, Rockville, Md. (partially open), 5–15 and 5–16–80

26466 4–18–80 / HEW/HSA—National and Child Health Research Grants Review Committee, Rockville, Md. (partially open), 5–21 thru 5–23–80

25149 4–16–80 / HEW/NIH—Board of Regents of the National Library of Medicine, Bethesda, Md. (partially open), 5–22 and 5–23–80

25150 4–14–80 / HEW/NIH—Cancer Research Manpower Review Committee, San Diego, Calif. (partially open), 5–25–80 changed to 5–24 and 5–25–80

[*See* 45 FR 15679, 3–11–80]

25150 4–14–80 / HEW/NIH—Clinical Trials Committee, Bethesda, Md. (partially open), 5–13 and 5–14–80 changed to 5–8 and 5–9–80

[*See also* 45 FR 20566, 3–28–80]

25149 4–14–80 / HEW/NIH—National Advisory Environmental Health Sciences Council, Bethesda, Md. (partially open), 5–27 and 5–28–80

25149 4–14–80 / HEW/NIH—National Heart, Lung, and Blood Advisory Committee and its Manpower Subcommittee and Research Subcommittee, Bethesda, Md. (partially open), 5–22 through 5–24

25150 4–14–80 / HEW/NIH—Recombinant DNA Advisory Committee, Working Group on Eukaryotic Viral Vectors, Miami, Fla. (open), 5–13–80

25978 4–16–80 / NFAH—Music Panel (Challenge), Washington, D.C. (closed), 5–1 and 5–2–80

26501 4–18–80 / NSF—Advisory Committee for International Program, Washington, D.C. (closed), 5–8 and 5–9–80

26501 4–18–80 / NSF—Subcommittee for Psychobiology, Washington, D.C. (partially open), 5–5 and 5–6–80

26501 4–18–80 / NSF—Subcommittee on Regulatory Biology of the Advisory Committee for Physiology, Cellular and Molecular Biology, Washington, D.C. (closed), 5–2 thru 5–9–80

26091 4–17–80 / DOT—Energy conservation by recipients of Federal financial assistance; public briefing in Washington, D.C. (open), 4–25–80 (comments also solicited)

OTHER ITEMS OF INTEREST

25366 4–14–80 / HEW/NIH—Recombinant DNA research; actions under guidelines; effective 4–14–80

25827 4–16–80 / HUD-Sec'y—Changes in urban development action grant rules; transmittal of proposed rule to Congress

25194 4–14–80 / LSC—Grants and Contracts; Louisiana (2 Documents) solicits comments

25193 4–14–80 / LSC—Grants and Contracts; Texas (4 Documents) solicits comments

25193 4–14–80 / LSC—Grants and Contracts; Kansas solicits comments

26286 4–17–80 / OMB—Federal agencies responsibile for audits of States in regards to uniform requirements for grants to State and local governments

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