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Wednesday
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Presidential Documents

Title 3—
The President

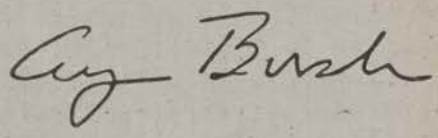
Presidential Determination No. 92–26 of May 20, 1992

Determination Under Section 402(c)(2)(A) of the Trade Act of 1974, as Amended—Albania

Memorandum for the Secretary of State

Pursuant to section 402(c)(2)(A) of the Trade Act of 1974, as amended (the "Act") (19 U.S.C. 2432(c)(2)(A)), I determine that a waiver by Executive order of the application of subsections (a) and (b) of section 402 of the Act with respect to Albania will substantially promote the objectives of section 402.

You are authorized and directed to publish this determination in the **Federal Register.**



THE WHITE HOUSE,
Washington, May 20, 1992.

[FR Doc. 92–26304
Filed 10–26–92; 2:45 pm]
Billing code 3195–01–M

Presidential Documents

Executive Order 12818 of October 23, 1992

Open Bidding on Federal and Federally Funded Construction Projects

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Property and Administrative Services Act, 40 U.S.C. 471 *et seq.*, in order to (1) promote and ensure open bidding on Federal and federally funded construction projects; (2) increase competition in Federal construction contracts and contracts under Federal grants or cooperative agreements; (3) reduce construction costs; (4) expand job opportunities, especially for small businesses; and (5) uphold the associational rights of workers freely to select, or refrain from selecting, bargaining representatives and to decide whether or not to be union members, so as to provide access to employment opportunities on Federal and federally funded construction projects for all workers; thereby promoting the economical and efficient administration and completion of Federal and federally funded construction projects, it is hereby ordered as follows:

Section 1. (a) To the extent permitted by law, before any executive agency may award any construction contract after the effective date of this order, or obligate funds pursuant to such contract, it shall ensure that neither the agency's bid specifications, project agreements, nor other controlling documents, nor those of any contractor or construction manager, shall:

(1) Require bidders, offerors, contractors or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or other related construction project(s), or

(2) Otherwise discriminate against bidders, offerors, contractors or subcontractors for refusing to become or remain signatories or otherwise adhere to agreements with one or more labor organizations, on the same or other related construction project(s), or

(3) Require any bidder, offeror, contractor or subcontractor to enter into, adhere to, or enforce any agreement that requires its employees, as a condition of employment, to:

(i) become members of or affiliated with a labor organization; or

(ii) pay dues or fees to a labor organization, over an employee's objection, in excess of the employee's share of labor organization costs relating to collective bargaining, contract administration, or grievance adjustment.

(b) No contractor, and no subcontractor under a Federal contract, shall require, as a condition of any subcontract relating to a Government construction contract, that the party with which it contracts impose or enforce any of the elements specified in section 1(a)(1)–(3) above in performing its subcontract. This section does not prohibit a contractor or subcontractor from voluntarily entering into an otherwise lawful agreement with a labor organization regarding its own employees.

(c) Contracts awarded before the effective date of this order, and subcontracts awarded pursuant to such contracts, whenever awarded, shall not be governed by this order.

Sec. 2. (a) The heads of executive agencies shall, within 30 days of the date of issuance of this order, review all statutes under their jurisdiction that provide authority to issue grants or enter into cooperative agreements for construction projects and identify any statute that provides authority to condition a grant

award or cooperative agreement on the recipient's or party's agreement that neither bid specifications, project agreements, nor other controlling documents pertaining to the grant or cooperative agreement contain any of the elements specified in section 1(a)(1)–(3), above.

(b) The heads of executive agencies shall exercise any authority identified pursuant to section 2(a), to the extent consistent with law, so as to preclude the grant recipient or party to a cooperative agreement from imposing any of the elements specified in section 1(a)(1)–(3) above in connection with any such grant or cooperative agreement, awarded or entered into after the date of such exercise.

Sec. 3. (a) In the event that a Federal contractor or construction manager does not perform in accordance with section 1 above, the executive agency shall take such action as may be appropriate, as determined by the agency, consistent with law or regulation, including, but not limited to, debarment, suspension, termination for default, or withholding of payments.

(b) In the event that a recipient of a Federal grant or party to a cooperative agreement does not perform in accordance with section 2(b) above, the executive agency that awarded the grant shall take such action, as determined by the agency, consistent with law or regulation, as may be appropriate.

Sec. 4. (a) The head of an executive agency may exempt a particular project, contract, subcontract, grant, or cooperative agreement from the requirements of any or all of the provisions of sections 1 and 2 of this order, if the agency head finds that special circumstances require an exemption in order to avert an imminent threat to public health or safety or to serve the national security.

(b) A finding of "special circumstances" under section 4(a) may not be based on the possibility of, or an actual labor dispute concerning the use of:

(1) contractors or subcontractors who are nonsignatories to, or otherwise do not adhere to, agreements with one or more labor organizations, or

(2) employees on the project who are not members of or affiliated with a labor organization.

Sec. 5. (a) "Construction contract" as used in this order means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

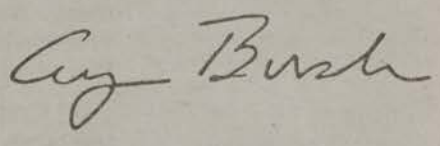
(b) "Executive agency" as used in this order shall have the same meaning it has in 5 U.S.C. 105.

(c) "Labor organization" as used in this order shall have the same meaning it has in 42 U.S.C. 2000e(d).

Sec. 6. Within 30 days of the issuance of this order, the Federal Acquisition Regulatory Council shall take whatever action is required to amend the Federal Acquisition Regulation in order to implement the provisions of this order.

Sec. 7. This order is not intended to create any right or benefit, substantive or procedural, enforceable by a nonfederal party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 8. This order shall become effective 30 days after the date of this order.



THE WHITE HOUSE,
October 23, 1992.

[FR Doc. 92-26333
Filed 10-26-92; 4:49 pm]
Billing Code 3195-01-M

Presidential Documents

Proclamation 6497 of October 23, 1992

National Red Ribbon Week for a Drug-Free America, 1992

By the President of the United States of America

A Proclamation

Through the comprehensive National Drug Control Strategy that we launched in 1989 and through the outstanding cooperation of Americans from all walks of life, the United States has made encouraging progress in the fight against illicit drugs. Nearly 9 out of 10 major American corporations have developed drug prevention programs for the workplace, and hundreds of communities have formed strong, grass-roots coalitions that are helping to get drug dealers off the streets while educating young people about the importance of leading healthy, drug-free life-styles. Together, Americans of all ages are saying an emphatic "No!" to drugs and to their devastating consequences—crime, violence, unemployment, poverty, broken homes, and abandoned dreams.

Further progress in the fight against drugs is essential, and it will continue to require the strong personal commitment of each and every American. By working together, we can eliminate the "drug culture" that has infested too many of our communities, breeding a climate of fear and intimidation that is depriving millions of Americans of their freedom to live in peace and security.

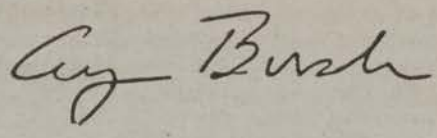
National Red Ribbon Week for a Drug-Free America provides an opportunity for all Americans to express their commitment to the fight against drugs by wearing or displaying a red ribbon. This simple yet highly visible symbol identifies the wearer as part of a nationwide movement that is determined to uphold the right of every American to live and work in a drug-free community, to learn in a drug-free school, and to travel on drug-free streets and highways.

The National Federation of Parents for Drug-Free Youth, along with many other parents' associations, educators, law enforcement officials, and other concerned Americans, is leading this campaign to rally our communities and to protect our children from the deadly trap of dependency on drugs and alcohol. In keeping with its goal of enhancing public awareness, the Federation has selected the theme, "Neighbors—Drug Free and Proud." Barbara and I are pleased to serve as Honorary Chairmen of the National Red Ribbon Campaign and urge our fellow Americans to join in cooperating with the many courageous law enforcement officers, parents, educators, and other dedicated individuals who are working so hard to stop the scourge of drugs.

The Congress, by House Joint Resolution 467, has designated the week beginning October 24, 1992, as "National Red Ribbon Week for a Drug-Free America" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week beginning October 24, 1992, as National Red Ribbon Week for a Drug-Free America. I urge every American to observe this week by wearing or displaying the red ribbon as a sign of his or her commitment to a healthy, drug-free life-style. I also encourage all Americans to support community substance abuse prevention programs and other lifesaving anti-drug efforts throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and ninety-two, and of the Independence of the United States of America the two hundred and seventeenth.



[FR Doc. 92-26283
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Billing code 3195-01-M

Presidential Documents

Proclamation 6498 of October 24, 1992

United Nations Day, 1992

By the President of the United States of America

A Proclamation

As stated in its Charter, the purposes of the United Nations are "to maintain international peace and security . . . to develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples . . . [and] to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character." Signatories to the U.N. Charter also agreed to work together "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." During the past year, the United Nations has taken strides in promoting all of these goals.

In the post-Cold War era, former rivals are working together under the U.N. Charter toward a better future for all mankind. The U.N. Security Council has demonstrated increasing effectiveness in matters of peace and security, and U.N. peacekeepers serve proudly in every part of the world to bring about transitions to peace. Following up on the report of U.N. Secretary General Boutros-Ghali, "An Agenda for Peace," the United States has proposed ways in which we and others can enhance U.N. peacekeeping and humanitarian relief capabilities, beginning with conflict prevention.

While we celebrate recent democratic reforms around the world, we deplore the violent resurgence of ethnic hatred and aggressive nationalism in some regions. Through the U.N. Security Council and U.N. agencies such as the Office of the United Nations High Commissioner for Refugees, the United States and other nations are working hard to bring desperately needed aid to victims of the tragic strife in Bosnia and the horrifying situation in Somalia. We salute the courageous U.N. personnel who have put themselves in harm's way in these and other troubled regions, and we honor the memory of those who have died in the line of duty.

In addition to humanitarian and peacekeeping efforts, the United Nations will continue to play a vital role in stemming the proliferation of weapons of mass destruction. Since the successful international effort to liberate Kuwait, the U.N. Security Council has continued to promote stability in the Middle East by working to dismantle Iraq's weapons of mass destruction through the unprecedented work of the U.N. Special Commission (UNSCOM). The United States also notes the impressive efforts of the International Atomic Energy Agency toward nonproliferation enforcement.

The United Nations was created not only "to save succeeding generations from the scourge of war" but also "to promote social progress and better standards of life in larger freedom." The International Monetary Fund and the World Bank, which are an integral part of the U.N. family of organizations, are playing an instrumental role in efforts to raise standards of living through development, investment, and the adoption of market-oriented economic and financial policies. Other specialized agencies of the United Nations are working to promote better standards of life by promoting development, helping children, fighting the spread of AIDS and other devastating diseases, coordinating efforts to stop drug trafficking, and encouraging international coopera-

tion on the environment. Recently the United States was proud to become the first industrialized nation to ratify the United Nations Framework Convention on Global Climate Change, which was signed in Rio de Janeiro in June.

As we continue to seek the goals set forth in the U.N. Charter, we must keep in mind that member nations are the United Nations. Our continued cooperation is vital, because as members of this body affirmed when they adopted the Universal Declaration of Human Rights in 1948, "recognition of the inherent dignity and of the equal and unalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world."

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 24, 1992, as United Nations Day. I invite all Americans to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of October, in the year of our Lord nineteen hundred and ninety-two, and of the Independence of the United States of America the two hundred and seventeenth.

George Bush

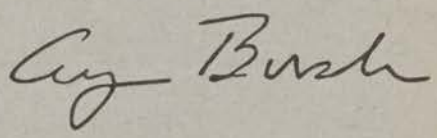
[FR Doc. 92-26284
Filed 10-26-92; 2:17 pm]
Billing code 3195-01-M

Presidential Documents

Notice of October 25, 1992

Continuation of Iran Emergency

On November 14, 1979, by Executive Order No. 12170, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. Notices of the continuation of this national emergency have been transmitted annually by the President to the Congress and the **Federal Register**, most recently on November 12, 1991. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 1992. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. This notice shall be published in the **Federal Register** and transmitted to the Congress.



THE WHITE HOUSE,
Washington, October 25, 1992.

[FR Doc. 92-26332
Filed 10-26-92; 4:35 pm]
Billing code 3195-01-M

Rules and Regulations

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 230

[Release No. 33-6963, International Series Release No. 476, File No. S7-19-92]

RIN 3235-AF51

Private Resales of Securities to Institutions

AGENCY: Securities and Exchange Commission.

ACTION: Final rule amendments.

SUMMARY: The Securities and Exchange Commission ("Commission") is adopting amendments to rule 144A under the Securities Act of 1933 ("Securities Act"). Rule 144A provides a safe-harbor exemption from the registration requirements of the Securities Act for resales of restricted securities to qualified institutional buyers ("QIBs"). The amendments expand the categories of QIBs to include collective and master trusts, legal forms commonly used for the collective investment of the funds of employee benefit plans. The amendments also recognize purchases by an insurance company for separate accounts not required to be registered under the Investment Company Act of 1940 ("Investment Company Act") as purchases for the account of the insurance company. Finally, the amendments allow the inclusion of U.S. government and similar securities in calculating the amount of securities owned or invested by a particular institutional investor.

EFFECTIVE DATE: October 28, 1992.

FOR FURTHER INFORMATION CONTACT: Brent H. Taylor or Michael Hyatte, Office of International Corporate Finance, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, (202) 272-3246.

SUPPLEMENTARY INFORMATION:

I. Amendments to Rule 144A

Rule 144A,[1] adopted by the Commission on April 23, 1990,[2] provides a safe harbor from the registration requirements of the Securities Act for specified resales of securities to "qualified institutional buyers," a term defined by the Rule. On July 16, 1992, the Commission published for comment proposals to amend the rule.[3] The proposed amendments would add collective and master trusts [4] used for the investment of employee benefit plan funds as types of entities that can qualify as a QIB; specify that purchases by a QIB insurance company for its unregistered separate accounts are deemed to be purchases for the account of the insurance company [5]; and permit institutions to include U.S. government securities in the amount of securities owned or invested. The amendments, with minor changes in response to comments, are adopted today.

The commenters were virtually unanimous in their support of the Commission's proposals. Several recommended modifications to the proposed terms of new subparagraph (F) of rule 144A(a)(1), intended to recognize collective and master trusts investing the funds of ERISA plans or government plans for the benefit of employees. Specifically, commenters noted that the phrase, "maintained by a bank," which was included in the text of proposed subparagraph (F) of rule 144A(a)(1)(i), has historically been construed under section 3(a)(2) [6] of the Securities Act and section 3(c)(11) of the Investment Company Act [7] to require that the trustee bank exercise ultimate investment authority over the funds it administers.[8] Such a maintenance requirement would exclude trusts where, for example, investment discretion has been ceded to professional investment managers. These commenters suggested that this was not necessary with respect to Rule 144A. The Commission agrees. Accordingly, new subparagraph (F) as adopted does not include the "maintained by a bank" condition.

Commenters also noted that, in addition to banks, trust companies also serve as trustees of trusts consisting of funds of employee benefit plans. In recognition of this practice, the amendments have been modified to include such trusts.

II. Availability of Final Regulatory Flexibility Analysis

A Final Regulatory Flexibility Analysis in accordance with the Regulatory Flexibility Act regarding the amendments to rule 144A has been prepared. A summary of the corresponding Initial Regulatory Flexibility Analysis was included in the proposing release. Members of the public who wish to obtain a copy of the Final Regulatory Flexibility Analysis should contact Michael Hyatte, Office of International Corporate Finance, Division of Corporation Finance, U.S. Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549.

III. Cost-Benefit Analysis

No specific data were provided in response to the Commission's request regarding the costs and benefits of the amendments to rule 144A. It appears, however, that the amendments will provide benefits, including increased

[1] 17 CFR 230.144A.

[2] Securities Act Release No. 6862, 55 FR 17933 (April 30, 1990).

[3] Securities Act Release No. 6942, 57 FR 32458 (July 22, 1992). Twenty-two comment letters were received by the Commission, all of which expressed support for the objectives of the proposals. The letters and a summary of their contents are available for public inspection at the Commission's Public Reference Room in Washington, DC [File No. S7-19-92].

[4] Master trusts allow for the collective administration of numerous and diverse individual plans sponsored by a single employer. For this purpose, "single employer" includes controlling or controlled parties, such as parents, subsidiaries, and other affiliates.

[5] This treatment of unregistered separate accounts in amended rule 144A is consistent with the treatment of separate accounts generally under state law, and under the Investment Company Act (with respect to registered separate accounts), under which the sponsoring insurance company is considered to be the owner of the assets of the separate account, although such assets in unregistered separate accounts generally are insulated from the claims of the insurance company's general creditors. See generally K. Black and H. Skipper, Life Insurance (11th ed., 1987); Roth, Krawczyk and Goldstein, Reorganizing Insurance Company Separate Accounts, 46 Bus. Law. 537 (1991). Assets in registered separate accounts are insulated from the claims of the insurance company's general creditors pursuant to rules promulgated under the Investment Company Act.

[6] 15 U.S.C. 77c(a)(2).

[7] 15 U.S.C. 80c(c)(11).

[8] Securities Act Release No. 6188 (February 1, 1980), 45 FR 8962, 8973-4 (February 11, 1980).

liquidity of restricted securities through the recognition of additional entities to which securities may be sold in reliance on the Rule. As rule 144A recognizes certain existing practices, is non-exclusive, and does not impose any recordkeeping or reporting requirements, and the amendments do not require any different procedures for resales under the Rule, the Commission is not aware of any additional costs that will result from adoption of the amendments.

IV. Effective Date

The amendments to rule 144A shall be effective immediately upon publication in the **Federal Register**, in accordance with the Administrative Procedure Act, which allows effectiveness in less than 30 days after publication for "a substantive rule which grants or recognizes an exemption or relieves a restriction," 5 U.S.C. 553(d)(1).

V. Statutory Basis for Rule Amendments

Rule 144A is being amended by the Commission pursuant to sections 2(11), 4(1), 4(3), and 19(a) of the Securities Act of 1933.

List of Subjects in 17 CFR Part 230

Reporting and recordkeeping requirements, Securities.

VI. Text of Rule Amendments

In accordance with the foregoing, title 17, chapter II of the Code of Federal Regulations is amended as follows:

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

1. The authority citation for part 230 continues to read as follows:

Authority: 15 U.S.C. 77b, 77f, 77g, 77h, 77j, 77s, 77sss, 78c, 78*l*, 78m, 78n, 78o, 78w, 78*ll*(d), 79t, 80a–8, 80a–29, 80a–30, and 80a–37, unless otherwise noted.

2. § 230.144A is amended by adding a Note following paragraph (a)(1)(i)(A); removing the words "of 1940 (the Investment Company Act)" in paragraph (a)(1)(i)(B); redesignating paragraphs (a)(1)(i)(F) through (a)(1)(i)(H) as paragraphs (a)(1)(i)(G) through (a)(1)(i)(I); adding paragraph (a)(1)(i)(F); and removing the phrase "securities issued or guaranteed by the United States or by any person controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States;" following the colon in paragraph (a)(2) to read as follows:

§ 230.144A Private resales of securities to institutions.

* * * * *

(a)(1)(i)(A) * * *

Note: A purchase by an insurance company for one or more of its separate accounts, as defined by section 2(a)(37) of the Investment Company Act of 1940 (the "Investment Company Act"), which are neither registered under section 8 of the Investment Company Act nor required to be so registered, shall be deemed to be a purchase for the account of such insurance company.

* * * * *

(F) Any trust fund whose trustee is a bank or trust company and whose participants are exclusively plans of the types identified in paragraph (a)(1)(i) (D) or (E) of this section, except trust funds that include as participants individual retirement accounts or H.R. 10 plans.

* * * * *

Dated: October 22, 1992.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–26132 Filed 10–27–92; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8434]

RIN 1545–AM16

Treatment of Dual Consolidated Losses; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to final regulations (T.D. 8434), which was published in the **Federal Register** for Wednesday, September 9, 1992 (57 FR 41079). The final regulations provide that a dual consolidated loss of a dual resident corporation may not be used to offset the taxable income of any domestic corporate affiliate.

EFFECTIVE DATE: October 1, 1992.

FOR FURTHER INFORMATION CONTACT: Sim Seo, (202–622–3840, not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections implements section 1503(d) of the Internal Revenue Code of 1986. Section 1503(d) was added to the Code by section 1249 of the Tax Reform Act of 1986 (Pub. L. 99–514) and was amended by section 1012(u) of the Technical and Miscellaneous Revenue Act of 1988 (Pub. L. 100–647).

Need for Correction

As published, T.D. 8434 contains errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of final regulations (T.D. 8434), which was subject to FR Doc. 92–21539, is corrected as follows:

§ 1.1503–2 [Corrected]

1. On page 41089, column 2, § 1.1503–2(g)(2)(iii)(A) introductory text, line 4 from the bottom of that paragraph, the language "charge required by paragraph (g)(2)(vii)." is corrected to read "charge required by paragraph (g)(2)(vii) of this section.".

2. On page 41090, column 1, § 1.1503–2(g)(2)(iii)(A)(*7*), line 11, the language "paragraph (g)(2)(A)(iii)(*7*), the domestic" is corrected to read "paragraph (g)(2)(iii)(A)(*7*), the domestic."

3. On page 41092, column 1, § 1.1503–2(g)(2)(vii)(C)(*1*), line 3, the language "paragraph (g)(2)(vii)(C)(*2*), for purposes" is corrected to read "paragraph (g)(2)(vii)(C)(*2*) of this section, for purposes."

4. On page 41093, column 1, § 1.1503–2(h)(2)(ii), line 6, the language "the temporary regulations may elect to" is corrected to read "§ 1.1503–2A may elect to."

5. On page 41093, column 2, § 1.1503–2(h)(3), lines 5 and 6 from the top of the column, the language "provisions of § 1.1503–2 apply for all open years. In particular, a taxpayer" is corrected to read "provisions of § 1.1503–2 apply for any open year. In particular, a taxpayer."

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92–25936 Filed 10–27–92; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 90F-0363]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the expanded, safe use of calcium bis[monoethyl(3,5-di-*tert*-butyl-4-hydroxybenzyl) phosphonate] as a stabilizer for low density polyethylene and olefin copolymers. This action is in response to a petition filed by Ciba-Geigy Corp.

DATES: Effective October 28, 1992; written objections and requests for a hearing by November 27, 1992.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Julius Smith, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9500.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of November 21, 1990 (55 FR 48693), FDA announced that a food additive petition (FAP OB4229) had been filed by Ciba-Geigy Corp., Seven Skyline Dr., Hawthorne, NY 10532-2188, proposing that the food additive regulations be amended in § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) to provide for the safe use of calcium bis[monoethyl(3,5-di-*tert*-butyl-4-hydroxybenzyl)phosphonate] as a stabilizer for low density polyethylene and olefin copolymers complying with 21 CFR 177.1520.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed expanded use of the food additive is safe, and that the regulations in § 178.2010 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before November 27, 1992, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 706 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 376).

2. Section 178.2010 is amended in the table in paragraph (b) by revising the entry "Calcium bis[monoethyl(3,5-di-*tert*-butyl-4-hydroxybenzyl)phosphonate]," item "2." appearing under the heading "Limitations" to read as follows:

§ 178.2010 Antioxidants and/or stabilizer for polymers.

* * * * *

(b) * * *

Substances	Limitations
* * * * *	
Calcium bis[monoethyl(3,5-di-*tert* butyl-4-hydroxybenzyl)phosphonate] (CAS Reg. No. 65140-91-2).	For use only: * * * 2. At levels not to exceed 0.2 percent by weight of polyethylene and olefin copolymers that comply with § 177.1520(c) of this chapter, items 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 3.4, 3.5, and 3.6. Finished polymers having a density less than 0.94 gram per cubic centimeter shall be used in contact with food only under conditions of use B through H described in Table 2 of § 176.170(c) of this chapter. * * *
* * * * *	

Dated: October 6, 1992.

Douglas L. Archer,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-26091 Filed 10-27-92; 8:45 a.m.]

BILLING CODE 4160-01-F

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 31

[T.D. 8436]

RIN 1545-AP91

Deposits of Employment Taxes; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to final regulations (T.D. 8436), which was published in the **Federal Register** for Thursday, September 24, 1992 (57 FR 44099). The final regulations relate to the deposit of Federal employment taxes (including railroad retirement taxes).

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Vincent G. Surabian, (202-622-6232, not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections provide amendments to the Employment Tax Regulations (26 CFR part 31) under section 6302 of the Internal Revenue Code.

Need for Correction

As published, T.D. 8436 contains errors which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of final regulations (T.D. 8436), which was subject to FR Doc. 92-23233, is corrected as follows:

1. On page 44100, column 2, in the preamble under the heading "B. Annual Determination and Lookback Period", first paragraph, line 3, the language "their deposit history each quarter by" is corrected to read "their depositor status each quarter by".

§ 31.6302-1 [Corrected]

2. On page 44104, column 3, § 31.6302-1(h)(1), third line from bottom of that paragraph, the language "for a period in one calendar quarter" is corrected to read "for a deposit period in one return period.".

3. On page 44104, column 3, § 31.6302-1(h)(1), last line of that paragraph, the language "for a period in another calendar quarter." is corrected read "for a deposit period in another return period.".

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92-25934 Filed 10-27-92; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

Indiana Regulatory Program Amendment

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing the approval of Indiana's response to a required program amendment codified in the Federal regulations at 30 CFR 914.16(a) concerning the State's regulatory program (hereinafter referred to as the Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

The required amendment concerns notification of permit decisions to commenters or objectors to a permit application, and to each party to an informal conference or hearing. Indiana's response to the required amendment is intended to assert that the Indiana statutes and rules currently allow for appropriate and timely notification in accordance with SMCRA and that an amendment is not necessary.

EFFECTIVE DATE: October 28, 1992.

FOR FURTHER INFORMATION CONTACT: Mr. Roger W. Calhoun, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, room 301, Indianapolis, IN 46204, Telephone (317) 226-6166.

SUPPLEMENTARY INFORMATION:

I. Background on the Indiana Program.
II. Submission of the Amendment.
III. Director's Findings.
IV. Summary and Disposition of Comments.
V. Director's Decision.
VI. Procedural Determinations.

I. Background on the Indiana Program

On July 29, 1982, the Indiana program was made effective by the conditional approval of the Secretary of the Interior. Information pertinent to the general background on the Indiana program, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Indiana program can be found in the July 26, 1982 **Federal Register** (47 FR 32107). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 914.10, 914.15, and 914.16.

II. Submission of the Amendment

By letter dated February 15, 1991 (Administrative Record No. IND-0836), the Indiana Department of Natural Resources (IDNR) submitted proposed Program Amendment Number 91-2 to the Indiana program at Indiana Code (IC) 13-4.1-4-5.3 and other statutory provisions. Proposed IC 13-4.1-4-5.3 added a provision to the Indiana program that within 10 days after a permit is issued, the director of IDNR shall notify: Local government officials;

each person identified in the permit application under IC 13–4.1–3–3(a)(2); each person who has requested a hearing under IC 13–4.1–4–2(c)(2); and each person who has requested such a notice.

Upon review of the proposed amendment, OSM concluded that the proposed provision does not appear to afford adequate notice to commenters and objectors to a permit application because they would not be notified until a permit is issued. After a permit is issued, the time period specified in IC 13–4.1–4–5(b) for requesting a hearing on a permit decision has expired. Therefore, the proposed provision would not satisfy the Federal regulations at 30 CFR 773.19(b). In the **Federal Register** notice in which OSM announced approval of Program Amendment Number 91–2, OSM also required that Indiana amend the Indiana program to provide timely notice to commenters and objectors and to each party to an informal conference or hearing (56 FR 37016–37019; August 2, 1991).

III. Director's Findings

By letter dated May 4, 1992 (Administrative Record No. IND–1078), the IDNR submitted a response to the required amendment at 30 CFR 914.16(a). In the letter, Indiana asserted that the current Indiana program statutes and regulations allow for appropriate and timely notification in accordance with SMCRA and that an amendment of the Indiana program to satisfy 30 CFR 914.16(a) is not necessary.

Indiana stated that while the language of the proposed amendment (91–2) does not specifically require notification to such persons within a specific time frame, the approved state program contains the following provisions:

1. IC 13–4.1–4–5(b) affords the opportunity for hearing to a potentially adversely affected person within thirty (30) days after the applicant is notified of the approval or disapproval of the application;

2. 310 IAC 12–3–114 requires that:

—When no formal conference has been held, written findings approving, modifying, or denying the application in whole or in part, shall be given *simultaneously* to the *applicant and to "each person and government official who filed a written objection or comment* with respect to the application" (subsection (e)(1), emphasis supplied); and that

—When an informal conference is held, written findings shall be given to the permit applicant and "to each person who is a party to the conference approving, modifying or denying the application in whole, or in part * * *." (310 IAC 12–3–114(c));

3. IC 4–21.5–3–5, a provision of the Indiana Administrative Orders and Procedures Act ("AOPA," the state's equivalent to the Federal APA), requires that when an agency issues an order concerning, among other things, the grant or denial of a license the agency "shall give written notice" to:

(b)(1) Each person to whom the order is specifically directed * * *

(4) Each person who has provided the agency with a written request for notification * * *

(5) Each person who has a substantial and direct proprietary interest in the subject of the order

(6) Each person * * * who claims an interest related to the subject of the order and is so situated that the disposition of the matter in the person's absence may:

(A) *as a practical matter impair or impede the person's ability to protect that interest.*

(Emphasis supplied).

Thus, Indiana asserts, an Indiana rule specifically provides for the simultaneous notification of applicant, objectors, and commenters where there has been no informal conference held. Where a conference has been held, both Indiana SMCRA and the Indiana AOPA require notification to both applicant and persons who claim an interest and whose interests might be impaired because of lack of timely notice ("potentially adversely affected persons"). Indiana further asserts that the Department of Natural Resources believes that the legislative intention was to protect potentially adversely affected persons and thus interprets the statutory provisions together with the rule sections to provide for contemporaneous notification of applicant, objectors and commenters.

The Director finds that Indiana's interpretation of the Indiana statutes and rules as quoted above is not unreasonable and with the specific statutes and rules identified above by Indiana, the Indiana program is no less effective than 30 CFR 773.19(b). Therefore, the Director is removing the required amendment codified at 30 CFR 914.16(a) with the understanding that notice to commenters will be given as described in Indiana's May 4, 1992, letter to OSM (Administrative Record No. IND–1078).

IV. Summary and Dispositions of Comments

Agency Comments

Pursuant to section 503(b) of SMCRA and 30 CFR 732.17(h)(11)(i), comments were solicited from various interested Federal agencies. No comments were received.

Public Comments

The public comment period and opportunity to request a public hearing was announced in the July 30, 1992, **Federal Register** (57 FR 33665). The comment period closed on August 31, 1992. No comments were received during the comment period, and no one requested an opportunity to testify at the scheduled public hearing so no hearing was held.

V. Director's Decision

Based on the findings above, the Director is approving Indiana's explanation in response to the required amendment at 30 CFR 914.16(a) and is removing the required amendment codified at 30 CFR 914.16(a). The Federal regulations at 30 CFR part 914 codifying decisions concerning the Indiana program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage the states to conform their programs with the Federal standards without delay. Consistency of State and Federal standards is required by SMCRA.

Effect of Director's Decision

Section 503 of SMCRA provides that a State may not exercise jurisdiction under SMCRA unless the State program is approved by the Secretary. Similarly, 30 CFR 732.17(a) requires that any alteration of an approved State program be submitted to OSM for review as a program amendment. Thus, any changes to the State program are not enforceable until approved by OSM. The Federal regulations at 30 CFR 732.17(g) prohibit any unilateral changes to approved State programs. In his oversight of the Indiana program, the Director will recognize only the statutes, regulations and other materials approved by him, together with any consistent implementing policies, directives and other materials, and will require the enforcement by Indiana of only such provisions.

EPA Concurrence

Under 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of the Environmental Protection Agency (EPA) with respect to any provisions of a State program amendment that relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The Director has determined that this amendment contains no provisions in

these categories and that EPA's concurrence is not required.

VI. Procedural Determinations

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.13 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the requirements of 30 CFR parts 703, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 et seq.

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 18, 1992.

Ronald C. Recker,

Acting Assistant Director, Eastern Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 914—INDIANA

1. The authority citation for part 914 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

§ 914.16 [Amended]

2. In § 914.16, paragraph (a) is removed and reserved.

[FR Doc. 92-26069 Filed 10-27-92; 8:45 am]
BILLING CODE 4310-05-M

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30 CFR Part 918

Louisiana Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: The Director of OSM approves a proposed amendment submitted by the State of Louisiana as a modification to its permanent regulatory program (hereinafter referred to as the Louisiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment, concerning revisions to the Louisiana Surface Mining Regulations (LSMR) pertaining to hydrology, standards for revegetation success, termination of jurisdiction, and inspections of abandoned sites, revises Louisiana's regulations to be consistent with the corresponding Federal regulations.

EFFECTIVE DATE: October 28, 1992.

FOR FURTHER INFORMATION CONTACT: James H. Moncrief, Telephone: (918) 581-6430.

SUPPLEMENTARY INFORMATION:

I. Background

On October 10, 1980, the Secretary of the Interior conditionally approved the Louisiana program. Information on the general background, modifications and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Louisiana program was published in the October 10, 1980, **Federal Register** (45 FR 67340). Subsequent actions concerning the Louisiana program and program amendments are codified at 30 CFR 918.15 and 918.16.

II. Submission of Program Amendment

By letter dated November 12, 1991 (Administrative Record No. LA-321), Louisiana submitted a proposed amendment to its program pursuant to SMCRA with the intent of revising the State program to be consistent with the corresponding Federal standards. Louisiana submitted the proposed amendment in response to the required program amendments at 30 CFR 918.16(a) through (i) that OSM placed on the Louisiana program in the May 8, 1991, final rule **Federal Register** notice (56 FR 21270, Administrative Record No. LA-324).

Louisiana proposed to amend: Policy Statement No. PS-4, Probable Hydrologic Consequences Determinations, interpreting LSMR 2523; LSMR 53123.A.1, 2, and 3, statistically valid sampling techniques for estimating vegetation ground cover, productivity, and live stems per acre; LSMR 53123.A.4, sample adequacy for revegetation success measurements; LSMR 53123.B.1.d, technical criteria to be used for selecting and approving historical record documents for the revegetation success standards; LSMR 53123.B.2.a, reference areas; LSMR 53123.B.4, vegetative ground cover success standards for forest lands; and LSMR 53123.B.9, revegetation success standards for undeveloped lands. In addition, Louisiana proposed to delete: LSMR 107(b), termination of jurisdiction; LSMR 53125, revegetation success standards regarding tree and shrub stocking for forest land; and LSMR 6301.E, inspections of abandoned sites.

OSM announced receipt of the proposed amendment in a notice in the December 2, 1991, **Federal Register** (56 FR 61215; Administrative Record No.

LA-326). In this notice, OSM opened a public comment period and provided an opportunity for a public hearing on the substantive adequacy of the revisions to the proposed amendment. The public comment period closed on January 2, 1992.

During its review of the proposed amendment, OSM identified concerns relating to: LSMR 107.G, termination of jurisdiction; LSMR 53123.A, statistically valid sampling techniques; LSMR 53123.B, consultation with and approval by the Louisiana Department of Wildlife and Fisheries for revegetation success standards on areas reclaimed for fish and wildlife habitat, revegetation success standards for areas with an undeveloped postmining land use, tree and shrub stocking rates for areas developed for forestry, recreation, and fish and wildlife habitat, use of technical standards and historical records used in determining revegetation success standards for areas developed for pastureland, grazingland, and cropland; and 53123.A and B, use of perennial species in determining the success of ground cover on reclaimed areas. OSM notified Louisiana of the concerns by letter dated January 30, 1992 (Administrative Record No. LA-333). Louisiana responded in a letter dated April 10, 1992, by submitting a revised amendment (Administrative Record No. LA-332).

OSM announced receipt of the revisions to the proposed amendment in a notice in the May 21, 1992, Federal Register (57 FR 21639, Administrative Record No. LA-342). In this notice, OSM reopened the public comment period. The reopened public comment period closed on June 5, 1992.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings for the proposed amendment submitted by Louisiana on November 12, 1991, and revised by it on April 10, 1992.

1. Louisiana Program Provisions for Which the Director Required Program Amendments in the May 8, 1991, Final Rule Federal Register *Notice*

Louisiana submitted proposed revisions in response to required program amendments at 30 CFR 918.16 (a) through (i) that OSM placed on the Louisiana program in the May 8, 1991, final rule Federal Register notice. As discussed below, the Director finds that the following proposed revisions to the Louisiana program are no less effective than the corresponding Federal regulations.

(a) *Determination of Probable Hydrologic Consequence (PHC), LSMR 2523.* In response to the required amendment at 30 CFR 918.16(a) (finding No. 4; 56 FR 21270, 21273; May 8, 1991), Louisiana proposed Policy Statement No. PS-4, dated October 31, 1991, interpreting LSMR 2523, which pertains to PHC determinations. The policy statement specifies that the PHC determinations made in accordance with LSMR 2523 be spatial rather than temporal, in nature. A spatial PHC determination applies to all activities authorized under the permit for the permit and adjacent areas and need not consider those activities that may occur during the life of the mine that would be authorized under future permitting actions and considered under future PHC determinations. The Director finds that Policy Statement No. PS-4 interpreting LSMR 2523 is no less effective than the Federal regulations at 30 CFR 780.21(f) and 784.14(e). Therefore, Policy Statement No. PS-4, dated October 31, 1991, is approved as part of the Louisiana program, and the required amendment at 30 CFR 918.16(a) is removed.

(b) *Statistically Valid Sampling Techniques, LSMR 53123.A.1, 2, and 3.* In response to the required amendment at 30 CFR 918.16(b) (finding No. 10(a); 56 FR 21270, 21275; May 8, 1991), Louisiana proposed at LSMR 53123.A.1, 2, and 3 detailed information that adequately describes each statistically valid sampling technique that Louisiana proposes to allow for measuring revegetation success. The sampling techniques proposed by Louisiana for measuring (1) ground cover are the pin, point frame, and line intercept methods, (2) productivity are clipping, haying, and double sampling, and (3) live stems per acre is the fixed area method. The Director finds that revised LSMR 53123.A.1, 2, and 3 are no less effective than the Federal regulations at 30 CFR 816.116(a)(1). Therefore, these revised regulations are approved, and the required amendment at 30 CFR 918.16(b) is removed.

(c) *Sample Adequacy, LSMR 53123.A.4.* In response to the required amendment at 30 CFR 918.16(c) (1) and (2) (finding No. 10(b); 56 FR 21270, 21275; May 8, 1991), Louisiana proposed to revise its revegetation regulations at LSMR 53123.A.4 to delete the maximum size limit on the sample size and add the requirement that sample adequacy must be met for ground cover, productivity, and/or woody plant densities. The Director finds that revised LSMR 53123.A.4 is no less effective than the Federal regulations at 30 CFR 816.116(a)(1). Therefore, these revised regulations are approved, and the required amendments at 30 CFR 918.16(c) (1) and (2) are removed.

(d) *Use of Historical Records and Technical Documents in Determining Success of Productivity and Ground Cover on Mined Lands Reclaimed for Pastureland, Grazingland, and Cropland, LSMR 53123.B.1.b and c, 53123.B.2.b and c, and 53123.B.3.b and c.* In response to the required amendment at 30 CFR 918.16(d) (finding No. 10(d); 56 FR 21270, 21275; May 8, 1991), Louisiana proposed to revise its revegetation regulations at (1) LSMR 53123.B.1.d to delete the reference to historical records, and (2) LSMR 53123.B.1.b, 2.b, and 3.b to add the requirements that the historic record be based on vegetation data collected from premining areas or areas with plant communities comparable to the disturbed area, and be established for each plant community or group of plant communities that would be disturbed by mining. LSMR 53123.B.1.d sets forth the criteria used by Louisiana in approving technical documents for use in determining revegetation success standards for pastureland, grazingland, and cropland. Such criteria were not applicable to historical records. LSMR 53123.B.1.b, 2.b, and 3.b set forth criteria for historic records used in determining revegetation success standards for pastureland, grazingland, and cropland. The Director finds that revised LSMR 53123.B.1.b and d, 2.b, and 3.b are no less effective than the Federal regulations at 30 CFR 816.116(a)(1). Therefore, the revised regulations are approved, and the required amendment at 30 CFR 918.16(d) is removed.

(e) *Use of Reference Areas in Determining Success of Productivity and Ground Cover on Mined Lands Reclaimed for Grazingland, LSMR 53123.B.2.a.* In response to the required amendment at 30 CFR 918.16(e) (finding No. 10(e); 56 FR 21270, 21275; May 8, 1991), Louisiana proposed to revise its revegetation regulations at LSMR 53123.B.2.a to delete the unexplained phrase "[w]eighted average comparisons are appropriate." LSMR 53123.B.2.a sets forth criteria for the use of reference areas to determine revegetation success on grazingland. The Director finds that revised LSMR 53123.B.2.a is no less effective than the Federal regulations at 30 CFR 816.116(a)(1). Therefore, the revised regulations are approved and the required amendment at 30 CFR 918.16(e) is removed.

(f) *Statistically Valid Sampling Techniques Used in Determining the*

Success of Stocking and Ground Cover on Mined lands Reclaimed for Commercial Forest Land, LSMR 53125.B.3, and Techniques Used to Evaluate Diversity, Seasonability, and Regenerative Capacity on Mined Lands Reclaimed Where Woody Plants Are Used for Wildlife Management, Recreation, or Forrest Uses Other Than Commercial Forest Land, LSMR 53125.C.3.b. In response to the required amendments at 30 CFR 918.16 (f) and (i) (finding Nos. 10 (f) and (j); 56 FR 21270, 21275 and 21276; May 8, 1991), Louisiana proposed to delete entire LSMR section 53125.

LSMR section 53125 was the State counterpart to the previous Federal regulations at 30 CFR 816.117 that were removed by OSM on September 2, 1983 (48 FR 40140, 40158). 30 CFR 816.117 established requirements for tree and shrub stocking on forest land. OSM incorporated these revegetation success standards into 30 CFR 816.116(b)(3). Louisiana's regulations at LSMR 53123.4, 7, and 8 include the requirements contained in LSMR 53125.

The proposed deletion of LSMR 53125 does not render the Louisiana program less effective than the Federal regulations. Therefore, the Director approves it. Because the deletion of LSMR section 53125 eliminates the need to address the required amendments at 30 CFR 918.16 (f) and (i), the required amendments are removed.

(g) *Revegetation Success Standards for Mined Lands Reclaimed as Undeveloped Land, LSMR* 53123.B.9. In response to the required amendment at 30 CFR 918.16(g) (finding No. 10(h); 56 FR 21270, 21276; May 8, 1991), Louisiana, by letter dated August 22, 1991 (Administrative Record No. LA–343), requested clarification regarding the designation of "undeveloped land;" as a postmining land use.

By letter dated October 31, 1991 (Administrative Record No. LA–344), OSM concluded that there is nothing in SMCRA or the Federal regulations implementing SMCRA to prohibit an "undeveloped" postmining land use designation. OSM noted that "undeveloped land" can only be designated as a postmining land use where it was the premining land use and that under no circumstances could undeveloped land be proposed as an alternative postmining land use because it does not represent a higher or better use as required at 30 CFR 816.133(a).

As discussed in the March 13, 1979, preamble to the Federal definition of "undeveloped land" (44 FR 14902, 14933), the land use was defined to—

> avoid land use determinations which involve undeveloped land areas which might otherwise be interpreted as fitting in one of the other nine [land use] categories.

Therefore, when reviewing existing premining land uses submitted in permit applications, Louisiana would have to ensure that lands classified as "undeveloped land" could not be interpreted as fitting one of the other land use categories. Also, as stated in the March 13, 1979, preamble to the postmining land use regulations at 30 CFR 816.133 (44 FR 14902, 15242),

> [t]he Act's [SMCRA's] legislative history makes clear that Congress did not intend for the postmining use of land which had been improperly managed to be limited to its most recent premining use. Congress intended for the postmining use of land to be based on its 'potential utility' for a number of uses before mining, not some low use which may have resulted from mismanagement (S. Rept. 95–128, 95th Cong., 1st Sess. 76–77 (1977)).

The Federal regulation at 30 CFR 816.133(a) requires that all disturbed lands be restored in a timely manner to conditions that are capable of supporting the uses they were capable of supporting before any mining, or higher or better uses. Information on the capability of the land to support various land uses is required in a permit application under 30 CFR 779.22(a)(2)(i). Further, if the land use was changed within 5 years before the anticipated date of the beginning of the proposed operations, 30 CFR 779.22(a)(1) requires that the application for a mining permit contain a description of the historic use of the land.

In response to OSM's October 31, 1991, clarification, Louisiana proposed at LSMR 53123.B.9 that the revegetation success standards (i.e., ground cover, production, or stocking) for undeveloped land be comparable to the standard for success for the highest and best managed land use that the proposed area is capable of supporting based on information required by LSMR 2533.A.2.a. LSMR 2533.A.2.a is substantively identical to OSM's regulations at 30 CFR 779.22(a) regarding land use information in permit applications. Because Louisiana has proposed that the revegetation success standards for a postmining land use of "undeveloped" be those success standards for one of the other nine land use categories that represents the highest or best use the land is capable of supporting, the Director finds that proposed LSMR 53123.B.9 is no less effective than the Federal regulations at 30 CFR 816.133 and 779.22(a)(2)(i). Therefore, the proposed regulations are approved, and the required amendment at 30 CFR 918.16(g) is removed.

(h) *Permit-Specific Consultation With and Approval by the Louisiana Department of Wildlife and Fisheries for Revegetation Success Standards for Mined Lands Reclaimed For Recreation and Fish and Wildlife Habitat, LSMR 53123.B.7 and 8.* In response to the required amendment at 30 CFR 918.16(h) (finding No. 10(j); 56 FR 21270, 21276; May 8, 1991), Louisiana proposed at LSMR 53123.B.7 and 8 to require permit-specific consultation with and approval by the Louisiana Department of Wildlife and Fisheries prior to approval by Louisiana of any tree or shrub stocking or planting success standards. LSMR 53123.B.7 and 8 set forth the revegetation success standards on lands reclaimed for recreation and fish and wildlife habitat. The Director finds that revised LSMR 53123.B.7 and 8 are no less effective than the Federal regulations at 30 CFR 816.116(b)(3). Therefore, the revised regulations are approved, and the required amendment at 30 CFR 918.16(h) is removed.

2. Proposed Rules for Termination of Jurisdiction, LSMR 107.G, for Which the Director Deferred Decision in the May 8, 1991, Final Rule **Federal Register** *Notice.*

On January 19, 1990, Louisiana proposed termination of jurisdiction rules at LSMR 107.G.1 and 2 that were substantively identical to the Federal regulation at 30 CFR 700.11(d), which the U.S. District Court for the District of Columbia decision remanded because they were inconsistent with sections 521(a)(1) and (a)(2) of SMCRA (*National Wildlife Fed'n* v. *Lujan*, 31 ERC 2034, 2040–41 (D.D.C. August 30, 1990)). In the May 8, 1991, **Federal Register**, OSM deferred decision on Louisiana's proposed regulation at LSMR 107.G (finding No. 3(b); 56 FR 21270, 21272) because OSM had appealed the court's decision.

In accordance with the court's decision, OSM suspended 30 CFR 700.11(d) on June 3, 1991 (56 FR 25036, 25037). However, the U.S. Court of Appeals for the District of Columbia reversed the U.S. District Court's remand and found that 30 CFR 700.11(d) is consistent with SMCRA and is a reasonable interpretation of it (*National Wildlife Fed'n* v. *Lujan*, 950 F.2d 765 (D.C. Cir. December 10, 1991)). The appeals court agreed with the Secretary's decision to use bond release as the point at which termination of jurisdiction occurs. In accordance with the appeals court's decision, OSM reinstated 30 CFR 700.11(d) on April 10, 1992 (57 FR 12461).

In this April 10, 1992, proposed amendment, Louisiana reproposed termination of jurisdiction rules at LSMR 107.G that are substantively identical to and no less effective than the reinstated Federal regulation at 30 CFR 700.11(d). The Director approves the proposed rules.

3. Revegetation Success Standards for All Postmining Land Uses, LSMR 53123.A

Louisiana proposed to revise its revegetation regulations at LSMR 53123.A to specify that the success of revegetation be judged on (among other things) the extent of perennial cover compared to the cover occurring in natural vegetation of the area. The Federal regulations at 30 CFR 816.111(a)(1) require, in part, that the vegetative ground cover be effective and permanent. OSM does not consider annual species, which include many weedy species, to be permanent. They are less competent than perennial species in meeting the postmining land use and in controlling erosion. The Director finds that Louisiana's revised LSMR 53123.A is no less effective than the Federal regulations at 30 CFR 816.111(a)(1) and approves it.

4. Revegetation Success Standards for Mined Lands Reclaimed for Forestry, Recreation, and Fish and Wildlife Habitat, LSMR 53123.B.4, 7, and 8

Louisiana proposed to revise LSMR 53123.B.4, 7, and 8 to require for areas developed for forestry, recreation, and fish and wildlife habitat that trees and shrubs counted in determining revegetation success be healthy and in place for not less than two growing seasons. Louisiana also proposed to revise LSMR 53123.B.7 and 8 to require for areas developed for recreation and fish and wildlife habitat that: (1) The trees used in determining the success of stocking have utility for the postmining land use and (2) at the time of bond release at least 80 percent of the trees used to determine success shall have been in place for three growing seasons.

The Federal regulations at 30 CFR 816.116(b)(3)(ii) require for areas to be developed for fish and wildlife habitat, recreation, shelterbelts, or forest products that: (1) Trees and shrubs used in determining the success of stocking and the adequacy of the plant arrangement have utility for the approved postmining land use, (2) trees and shrubs counted in determining such success be healthy and have been in place for not less than two growing seasons, and (3) at the time of bond release, at least 80 percent of the trees and shrubs used to determine such success have been in place for 60 percent of the applicable minimum period of responsibility.

The Director finds that Louisiana's revised LSMR 53123.B.4, 7, and 8 are substantively identical to and no less effective than the Federal regulations at 30 CFR 816.116(a)(3)(ii) and approves them.

IV. Public and Agency Comments

1. Public Comments

The Director solicited public comments on the proposed amendment and provided opportunity for a public hearing. No comments were received. Because no one requested an opportunity to testify at a public hearing, no hearing was held.

2. Agency Comments

Pursuant to 30 CFR 732.17(h)(11)(i), the Director solicited comments from the Administrator of the Environmental Protection Agency (EPA), the Secretary of Agriculture, and the heads of various other Federal agencies with an actual or potential interest in the Louisiana program.

By letter dated December 9, 1991 (Administrative Record No. LA–327), the U.S. Soil Conservation Service responded that in utilizing the line intercept method and the pin method for estimating ground cover, a distinction between annual and perennial plant species should be made, and that revegetation success should be judged on the basis of ground cover by perennial species. In response to this comment, Louisiana revised LSMR 53123.A to require that success of revegetation be based on, among other things, the extent of perennial cover compared to the cover occurring in the natural vegetation of the area. (See finding No. 3.)

By letter dated December 11, 1991, the National Park Service responded that it had no comments on the proposed amendment (Administrative Record No. LA–323).

By letter dated December 13, 1991, the Bureau of Mines responded that it had no comments on the proposed amendment (Administrative Record No. LA–328).

By letters dated December 20, 1991, and May 13, 1992, the Forest Service responded that it had no problems or concerns with the proposed amendment (Administrative Record Nos. LA–329 and LA–334).

By letter dated May 12, 1992, the U.S. Fish and Wildlife Service responded that it had no comments on the proposed amendment (Administrative Record No. LA–339).

By telephone conversation on June 8, 1992, the U.S. Army Corps of Engineers responded that it had no comments on the proposed amendment (Administrative Record No. LA–341).

3. Environmental Protection Agency (EPA) Concurrence

Pursuant to 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of EPA with the respect to any provisions of a State program amendment which relate to air or water quality standard promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*)

None of the changes that Louisiana proposes to its rules pertain to air or water quality standards. Nevertheless, OSM requested EPA's concurrence on the proposed amendment (Administrative Record No. LA–322). By letter dated May 5, 1992, EPA responded that it had no comments.

4. State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation Comments (ACHP)

Pursuant to 30 CFR 732.17(h)(4), all amendments that may have an affect on historic properties are to be provided to the SHPO and ACHP for comment. OSM solicited comments from these offices. By letter dated May 25, 1992, the SHPO responded that he had no objections to the proposed amendment (Administrative Record No. LA–340). ACHP did not respond to OSM's solicitation for comments.

V. Director's Decision

Based on the above findings, the Director approves the proposed amendment as submitted by Louisiana on November 12, 1991, and as revised by it on April 10, 1992. The Director approves the proposed rules with the provision that they be fully promulgated in identical form to the rules submitted to and reviewed by OSM and the public.

The Federal regulations at 30 CFR part 918 codifying decisions concerning the Louisiana program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage States to bring their programs into conformity with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

VI. Procedural Determinations

1. National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

2. Executive Order No. 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions, and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

3. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of CFR parts 730, 731, and 732 have been met.

4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the OMB under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

5. Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 918

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 22, 1992.

Raymond L. Lowrie,

Assistant Director, Western Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T, of the Code of Federal Regulations is amended as set forth below:

PART 918—LOUISIANA

1. The authority citation for part 918 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 918.15 is amended by adding paragraph (c) as follows:

§ 918.15 Approval of regulatory program amendments.

* * * * *

(c) The revisions to the following sections of the Louisiana Surface Mining Regulations (LSMR) submitted to OSM on November 12, 1991, and revised by Louisiana on April 10, 1992, are approved effective October 28, 1992:

LSMR 107.G.1 and 2, termination of jurisdiction;

LSMR 53123.A, and A.1, 2, and 3, statistically valid sampling techniques;

LSMR 53123.A.4, sample adequacy;

LSMR 53123.B.1.b and d, 2.b, and 3.b, technical documents and historical records;

LSMR 53123.B.2.a, reference areas;

LSMR 53123.B.9, revegetation success standards for undeveloped land;

LSMR 53123.B.4, 7, and 9, revegetation success standards for forestry, recreation, and fish and wildlife habitat;

Policy Statement No. PS–4, dated October 31, 1991, interpreting LSMR 2523 to specify that probable hydrologic consequences determinations be spatial in nature; and

the deletion of LSMR 53125, revegetation success standards for tree and shrub stocking on forest land.

§ 918.16 [Amended]

3. Section 918.16 is amended by removing and reserving paragraph (a) and removing paragraphs (b) through (i).

[FR Doc. 92–26070 Filed 10–27–92; 8:45 am]

BILLING CODE 4310–05–M

30 CFR Part 935

Ohio Regulatory Program; Revision of Administrative Rule

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing the approval of proposed Revised Program Amendment Number 55 to the Ohio permanent regulatory program (hereinafter referred to as the Ohio program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment was initiated by Ohio and is intended to adopt provisions similar to the Federal counterpart regulations which provide for reclamation agreements between Ohio and permittees who are in danger of bond forfeiture. The amendment would also delete a redundant provision concerning delinquent reclamation and would delete a provision terminating the rights of the permittee to reclaim all or part of a forfeited permit upon issuance of the bond forfeiture order.

EFFECTIVE DATE: October 28, 1992.

FOR FURTHER INFORMATION CONTACT: Mr. Richard J. Seibel, Director, Columbus Field Office, Office of Surface Mining Reclamation and Enforcement, 2242 South Hamilton Road, room 202, Columbus, Ohio 43232; (614) 866–0578.

SUPPLEMENTARY INFORMATION:

I. Background on the Ohio Program.
II. Submission of Amendment.
III. Director's Findings.
IV. Summary and Disposition of Comments.
V. Director's Decision.
VI. Procedural Determinations.

I. Background on the Ohio Program

On August 16, 1982, the Secretary of the Interior conditionally approved the Ohio program. Information on the general background of the Ohio program submission, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Ohio program, can be found in the August 10, 1982, **Federal Register** (47 FR 34688). Subsequent actions concerning the conditions of approval and program

amendments are identified at 30 CFR 935.11, 935.12, 935.15, and 935.16.

II. Submission of Amendment

By letter dated December 11, 1991 (Administrative Record No. OH–1612), the Department of Natural Resources, Division of Reclamation (Ohio), submitted proposed Program Amendment Number 55. The substantive changes proposed by Ohio in this amendment concerned delinquent reclamation, reclamation agreements and conditions under which bond forfeiture may be avoided, and terminating the rights of the permittee to reclaim.

OSM announced receipt of proposed Program Amendment Number 55 in the December 31, 1991, **Federal Register** (56 FR 67559), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period ended on January 30, 1992. The public hearing scheduled for January 27, 1992, was not held as no one requested an opportunity to testify.

By letter dated March 3, 1992 (Ohio Administrative Record No. OH–1659), OSM provided Ohio with its questions and comments about the December 11, 1991, amendment submission. By letter dated April 1, 1992 (Ohio Administrative Record No. OH–1673), Ohio responded and requested clarification of OSM's March 3, 1992, comments. OSM and Ohio discussed those comments on April 8, 1992 (Ohio Administrative Record No. OH–1676), and on May 7, 1992 (Ohio Administrative Record No. OH–1696).

By letter dated June 15, 1992 (Ohio Administrative Record No. OH–1719), Ohio submitted Revised Program Amendment Number 55. This new amendment submission contained further revisions to section 1501:13–7–06 of the Ohio Administrative Code (OAC) concerning reclamation agreements between Ohio and permittees who are in danger of bond forfeiture. The proposed amendment also made numerous changes to paragraph notations and nonsubstantive wording changes to clarify the rule.

OSM announced receipt of proposed Revised Program Amendment Number 55 in the July 27, 1992, **Federal Register** (57 FR 33139), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period ended on August 11, 1992. The public hearing scheduled for August 6, 1992, was not held as no one requested an opportunity to testify.

On August 27, 1992 (Administrative Record Number OH–1768) OSM requested and received further clarification from Ohio concerning the amendment.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment. Revisions which are not discussed below concern nonsubstantive language changes or revise cross references and paragraph notations to reflect organizational changes resulting from this amendment.

1. Bond Forfeiture Criteria

(a) *OAC 1501:13–7–06(A) and (A)(1).* Ohio is proposing to delete paragraph (A) of OAC 1501:13–7–06 concerning delinquent reclamation, incorporate some of the deleted language in paragraph (B)(1), and redesignate paragraph (B)(1) as (A)(1). Ohio is proposing to reference language from existing paragraph (A) regarding issuance of a notice of violation for noncontemporaneous reclamation within the bond forfeiture criteria in new paragraph (A)(1) (formerly (B)(1) of this rule). This change would eliminate redundant language. Revised paragraph (A)(1) would provide that the Chief of the Ohio Department of Natural Resources, Division of Reclamation (the Chief), will forfeit performance bond whenever the Chief determines that "the permittee failed to comply with a notice of violation issued for failure to complete any phase of reclamation within the time required by the mining and reclamation plan and any time extensions given for good cause." The Federal regulations at 30 CFR 800.50(a) require the regulatory authority to take action to forfeit all or part of a bond when the operator fails to conduct reclamation of an unabated violation. The Director finds that the deletion of former paragraph (A) and the relocation of some of the deleted language in revised paragraph (A)(1) does not change the meaning of Ohio's approved language and will not render the Ohio bond forfeiture criteria less effective than the Federal requirements at 30 CFR 800.50(a).

(b) *OAC 1501:13–7–06(A)(4).* Ohio is revising OAC 1501:13–7–06 by adding paragraph (A)(4) to provide that the Chief shall forfeit the permittee's bond whenever the "permittee defaults on the conditions under which the bond was accepted." Ohio is merely moving some of the language in existing paragraph (A)(3) and relocating it to new paragraph (A)(4). Except for changing the word "operator" to "permittee" to be consistent with the wording in the remainder of the amendment, the language proposed to be moved to paragraph (A)(4) is the same as that in existing paragraph (A)(3). Therefore, the Director finds that the relocation of this language will not render the Ohio bond forfeiture criteria less effective than the Federal counterpart requirements at 30 CFR 800.50(a).

2. Showing Cause Why Bond Should Not Be Forfeited

(a) *OAC 1501:13–7–06(B), (B)(1) and (B)(2)(b).* Ohio is revising portions of OAC 1501:13–7–06 paragraph (B), formerly paragraph (C), to provide that, before the Chief forfeits the permittee's performance bond because of abandonment of the coal mining and reclamation operation or because of the permittee's inability to comply with Chapter 1513 of the Ohio Revised Code (ORC), Ohio's rules, or the permit, the Chief shall order the permittee to show cause why the Chief should not deem the operation abandoned or why the permittee has the ability to comply with the requirements of Chapter 1513 of the ORC. Ohio is adding the allowance for show cause hearings concerning the permittee's inability to comply with the requirements of Chapter 1513 of the ORC. Ohio's existing rule does not provide for show cause hearings on the question of whether the permittee has the ability to comply with the requirements of Chapter 1513 of the ORC. There is no direct Federal counterpart to this State provision. However, the Director finds that this revision will not render the Ohio program inconsistent with the requirements of SMCRA and the Federal regulations.

3. Bond Forfeiture Procedures

(a) *OAC 1501:13–7–06(C) and (C)(1).* Ohio is revising OAC 1501:13–06 paragraphs (C) and (C)(1), formerly paragraphs (D) and (D)(1), to provide that, when performance bond is to be forfeited, the Chief shall issue a bond forfeiture order to the permittee which identifies the forfeiture area within the permit and includes a determination of the forfeiture amount. The corresponding Federal rules at 30 CFR 800.50(a)(1) require the regulatory authority to notify the permittee by certified mail, return receipt requested, of the determination to cause forfeiture of all or part of the bond including the reasons for such determination and the amount to be forfeited. Ohio's requirements that the bond forfeiture order be sent by certified mail, return

receipt requested, and that the permittee and surety be informed of the reasons for the forfeiture are at paragraph (C)(3) of this rule. Paragraph (C)(5) requires that a bond forfeiture order be issued concurrently to a surety, if there is a surety. Revised paragraphs (C) and (C)(1) are substantively identical to that part of the counterpart Federal rule at 30 CFR 800.50(a)(1) concerning the issuance of a bond forfeiture order and the determination of the forfeiture amount. The Director finds, therefore, that these revisions do not render the State rule less effective than its Federal counterpart.

(b) *OAC 1501:13–07–06(C)(2) and (2)(a) through (c).* Ohio is adding new paragraphs (C)(2) and (C)(2)(a) through (c) to OAC 1501:13–7–06 to provide that a bond forfeiture order may include the terms of a reclamation agreement entered into between the Chief and the permittee to avoid bond forfeiture. The agreement would include a timetable for the permittee's performance of reclamation and abatement of all violations so as to meet the conditions of the permit, the reclamation plan, Chapter 1513 of the ORC, and Ohio's rules. Upon the permittee's satisfactory performance under the reclamation plan, the Chief would rescind the bond forfeiture order. If the permittee fails to enter into a reclamation agreement within twenty days of the issuance of the bond forfeiture order or fails to comply with any of the terms or conditions of the reclamation agreement, the Chief would immediately forfeit the performance bond and notify the surety, if applicable, of the permittee's failure to comply. The surety's time to elect to reclaim would begin after the failure of the permittee to enter into or comply with a reclamation agreement.

The Federal regulations at 30 CFR 800.50(a)(2) require that the permittee and surety be advised under what conditions the forfeiture may be avoided. Section 800.50(a)(2)(i) of the Federal regulations provides for an agreement by the permittee or another party to perform reclamation operations in accordance with a compliance schedule which meets the permit conditions, the reclamation plan, and the regulatory program and a demonstration that such party has the ability to satisfy the conditions. Unlike the proposed State rule, the Federal regulations at 30 CFR 800.50(a)(2)(i) do not give the permittee a time period in which to enter into an agreement. Although the State rule is proposing a maximum 20-day response period, the Director believes that the revised rule will encourage reclamation and will not unreasonably delay Ohio from pursuing timely forfeiture action. The Director, therefore, finds that the proposed provisions at OAC 1501:13–7–06(C)(2) and (C)(2)(a) through (c) are intended to satisfy these requirements and are no less effective than the Federal regulations at 30 CFR 800.50(a)(2) and (2)(i).

(c) *OAC 1501:13–7–06(C)(4).* Ohio is revising OAC 1501:13–7–06 paragraph (C)(4), formerly paragraph (D)(3), to provide that, in the event that the permittee does not enter into a reclamation agreement or fails to comply with the terms of a reclamation agreement as provided for under proposed paragraph (C)(2), the Chief's bond forfeiture order shall inform the permittee that the performance bond filed with Ohio is now the property of the State or subject to collection by the State. Ohio's proposed changes are a direct result of the addition of new paragraphs (C)(2)(a) through (c). Therefore, the Director finds that these proposed changes are consistent with proposed paragraphs (C)(2) and (C)(2)(a) through (c) and will not render the Ohio bond forfeiture procedures less effective than the Federal regulations at 30 CFR 800.50.

4. Reclamation by a Surety

(a) *OAC 1501:13–7–06(E)(1) and (E)(4)(a).* Ohio is revising portions of OAC 1501:13–7–06 paragraph (E), formerly paragraph (F), to provide that each surety must inform the Chief within sixty days of notification of the permittee's failure to elect to enter into a reclamation agreement or the permittee's failure to comply with the terms of a reclamation agreement, of the surety's intent to complete reclamation or to pay the full amount of its liability under the surety bond. Ohio shall terminate the rights of the surety to perform reclamation if the surety fails to so notify the Chief within sixty days. Again, these proposed revisions are a direct result of the changes Ohio is proposing in new paragraphs (C)(2) and (C)(2)(a) through (c). A 60-day response time for the surety was already a part of Ohio's approved program. The Director, therefore, finds that these proposed changes are consistent with the proposed changes in paragraphs (C)(2) and (C)(2)(a) through (c) and will not render the Ohio bond forfeiture procedures less effective than the Federal regulations at 30 CFR 800.50.

5. Terminating the Rights of the Permittee to Reclaim

(a) *OAC 1501:13–7–06(D)(3).* Ohio is deleting existing OAC 1501:13–7–06 paragraph (D)(3)(d) which provides that bond forfeiture orders issued by the Chief shall declare that the rights of the permittee to perform reclamation on the entire permit area or the incremental area, when applicable, are terminated. Since this requirement is not required under 30 CFR 800.50, the Director finds that this deletion will not render the Ohio bond forfeiture procedures inconsistent with the requirements of SMCRA and the Federal regulations.

IV. Summary and Disposition of Comments

Public Comments

The public comment period and opportunity to request a public hearing in the December 31, 1991, **Federal Register** closed on January 30, 1992. In the July 27, 1992, **Federal Register**, the public comment period was reopened until August 11, 1992, to afford the public an opportunity to once again consider the proposals in light of additional information submitted by Ohio. Comments were received from the Ohio Historic Preservation Office (OHPO). The OHPO did not object to the proposed revised amendment. No one requested an opportunity to testify at the scheduled public hearings so no hearings were held.

Agency Comments

Pursuant to section 503(b) of SMCRA and the implementing regulations at 30 CFR 732.17(h)(11)(i), comments were solicited from various Federal agencies with an actual or potential interest in the Ohio program. The U.S. Department of Agriculture, Soil Conservation Service, and the U.S. Army Corps of Engineers responded that they had no comments. The U.S. Department of Labor, Mine Safety and Health Administration, commented that the proposed amendment did not conflict with MSHA's regulations. No other comments were received.

V. Director's Decision

Based on the above findings, the Director is approving Ohio Revised Program Amendment Number 55, as submitted by Ohio on December 11, 1991, revised and submitted by letter dated June 15, 1992, and clarified on August 27, 1992.

The Federal regulations at 30 CFR part 935 codifying decisions concerning the Ohio program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage States to conform their programs with the Federal standards without undue delay.

Consistency of State and Federal standards is required by SMCRA.

EPA Concurrence

Under 30 CFR 732.17(h)(11(ii), the Director is required to obtain the written concurrence of the Administrator of the Environmental Protection Agency (EPA) with respect to any provisions of a State program amendment which relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The Director has determined that this amendment contains no such provisions and that EPA concurrence is therefore, unnecessary. However, by letter dated January 29, 1992 (Administrative Record Number OH–1639), EPA submitted its concurrence without comment.

VI. Procedural Determinations

Executive Order No. 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the requirements of 30 CFR parts 730, 731 and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 935

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 2, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 935—OHIO

1. The authority citation for part 935 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In § 935.15, a new paragraph (hhh) is added to read as follows:

§ 935.15 Approval of regulatory program amendments.

* * * * *

(hhh) The following amendment to the Ohio regulatory program, as submitted to OSM on December 11, 1991, revised on June 15, 1992, and clarified on August 27, 1992, is approved, effective on October 28, 1992: Revised Amendment Number 55 which consists of revisions to the Ohio Administrative Code (OAC) at 1501:13–7–06(A), (A)(1), (A)(4), (B), (B)(1), (B)(2)(b), (C), (C)(1), (C)(2), (C)(2)(a) through (c), (C)(3), (C)(4), (E)(1) and (E)(4) concerning reclamation agreements between Ohio and permittees who are in danger of bond forfeiture.

[FR Doc. 92–26071 Filed 10–27–92; 8:45 am]
BILLING CODE 4310–05–M

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30 CFR Part 938

Pennsylvania Regulatory Program; Small Operator Assistance Program (SOAP)

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing the approval of a proposed amendment to the Pennsylvania regulatory program (hereinafter referred to as the Pennsylvania program) approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment consists of proposed modifications to the Pennsylvania Department of Environmental Resources (PADER) Small Operator Assistance Program (SOAP), at Chapter 86.

EFFECTIVE DATE: October 28, 1992.

FOR FURTHER INFORMATION CONTACT: Robert J. Biggi, Director, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, suite 3C, 4th and Market Streets, Harrisburg, Pennsylvania 17101; Telephone: (717) 782–4036.

SUPPLEMENTARY INFORMATION:

I. Background on the Pennsylvania Program.
II. Submission of Amendment.
III. Director's Findings.
IV. Summary and Disposition of Comments.
V. Director's Decision.
VI. Procedural Determinations.

I. Background on the Pennsylvania Program

The Secretary of the Interior conditionally approved the Pennsylvania program on July 31, 1982. Information on the background of the Pennsylvania program including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Pennsylvania program can be found in the July 30, 1982, **Federal Register** (47 FR 33050). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 938.11, 938.12, 938.15 and 938.16.

II. Submission of Amendment

By letter dated May 27, 1992 (Administrative Record No. PA–807),

Pennsylvania submitted a proposed program amendment to its SOAP rules. This amendment modified Pennsylvania's rules at sections 86.83 and 86.94. These modifications were intended to make Pennsylvania's regulations consistent with changes that had been made to section 507(c) of SMCRA.

The proposed changes to §§ 86.83(a)(2), 86.83(b)(5), and 86.94(a)(5) satisfy requirements placed on Pennsylvania by the Director in his approval of PADER's program amendment (Administrative Record Number PA 790.00) on May 31, 1991 (56 FR 24687), as codified at 30 CFR 938.16 (i), (j), and (k).

OSM announced receipt of the proposed amendment in the July 30, 1992, **Federal Register** (57 FR 33668) and in the same notice opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The comment period closed on August 31, 1992.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment to the Pennsylvania program submitted on May 27, 1992. Any revisions not specifically addressed below concern nonsubstantive wording changes.

1. Section 86.83. Eligibility for Assistance

(a) Pennsylvania proposes to amend the language of subparagraph (a)(2) to make it clear that any and all consecutive 12-month periods must be considered in the determination of eligibility for assistance. This revision responds to the requirements of 30 CFR 938.16(i) and Finding B–9(a) of the May 31, 1991, **Federal Register** notice (56 FR 24691). Since the revision clarifies that any and all consecutive 12-month periods must be considered in the determination of eligibility for assistance, the Director finds that revised § 86.83(a)(2) is no less effective than the corresponding Federal rule at 30 CFR 795.6(a)(2) and satisfies the requirements of 30 CFR 938.16(i).

In addition, Pennsylvania proposes to amend subparagraph (a)(2) consistent with the changes made to section 507(c) of SMCRA by section 6011 of the Federal Omnibus Budget Reconciliation Act of 1990 (the 1990 Act). Section 6011 of the Federal Omnibus Budget Reconciliation Act of 1990 revises section 507(c) of SMCRA, effective October 1, 1991, to increase from 100,000 tons to 300,000 tons the maximum annual coal production under which a mine operator is eligible for participation in the SOAP. Pennsylvania is proposing to make a corresponding change in the SOAP eligibility tonnage figures in the Pennsylvania regulations. Pennsylvania proposes to substitute the 300,000-ton eligibility limit for the existing 100,000-ton eligibility limit at § 86.83(a)(2).

The Federal regulations at 30 CFR 795.6(a)(2) state that an operator/applicant is eligible for SOAP assistance if he or she establishes that his or her probable total and actual production from all locations during any consecutive 12-month period will not exceed 100,000 tons. The proposed Pennsylvania rule at § 86.83(a)(2) is substantively identical to the Federal rule, except that the proposed amendment to § 86.83(a)(2) substitutes 300,000 for 100,000 for applicants who receive assistance under SOAP. Thus, there appears to be an inconsistency between the regulations. However, section 507(c) of SMCRA, as amended by the 1990 Act, supersedes in part 30 CFR 795.6(a)(2) to the extent that applicants who receive assistance under SOAP grants after October 1, 1991, may receive such grants if their probable total and actual production from all locations during any consecutive 12-month period does not exceed 300,000 tons. Therefore, the Director finds the State's proposal to be no less effective than 30 CFR 795.6(a)(2) as superseded in part by amended section 507(c) of SMCRA.

(b) Pennsylvania proposes to amend subparagraph (b)(5) to clarify that all coal produced by operations owned by the applicant's family members and relatives must be counted toward the 100,000-ton limitation. This proposal, filed in response to Finding B–9(b) of the May 31, 1991, **Federal Register** notice (56 FR 24691) and 30 CFR 938.16(j), clarifies that all coal produced by operations owned by the applicant's individual family members and relatives must be counted toward the 100,000-ton limitation (revised to 300,000 tons per (a) above). Since the State has made the required changes, the Director finds that revised § 86.83(b)(5) is no less effective than the corresponding Federal rule at 30 CFR 795.6(a)(2)(iv) and satisfies the requirements of 30 CFR 938.16(j).

2. Section 86.94. Applicant Liability

a. The State proposes to amend subparagraphs (a)(4) and (a)(5) by changing the cited production levels of 100,000 tons to 300,000 tons for any consecutive 12-month period with respect to the production limits that must be observed in order for the applicant and/or its successor to avoid liability for reimbursing the regulatory authority for costs of laboratory services performed pursuant to § 86.94. While the proposed amendment is in accordance with the revision made by section 6011 of the Act of 1990 to section 507(c) of SMCRA in increasing the production level which the operator must meet to be eligible to participate in SOAP, in determining applicant liability the Pennsylvania proposal does not consider those applicants whose eligibility was determined under the 100,000-ton production level.

The Federal regulations at 30 CFR 795.12 (a)(2) and (a)(3) provide for a 100,000-ton production level in determining an operator's liability. OSM is proposing to amend its regulations regarding applicant liability at 30 CFR 795.12 (a)(2) and (a)(3) by deleting reference to the 100,000-ton provision and adding language which refers to the coal tonnage governing SOAP eligibility in effect at the time assistance was approved, thereby defining a transition phase keyed to the time an operator is approved for assistance. In its proposed rule, OSM has indicated its willingness to consider comments on alternatives other than its proposal.

In order not to delay the State's implementation of the new production levels for SOAP eligibility, the Director is approving the State's proposed amendment to the regulations at § 86.94 subparagraphs (a)(4) and (a)(5) with the understanding that reference to the 300,000-ton production level in determining applicant liability refers to those applicants whose eligibility for SOAP assistance is determined under the 300,000-ton production level effective with the publication of this final rule, and the liability of those applicants whose eligibility was determined under the 100,000-ton production level will continue to be based on 100,000 tons. The Director's approval is further based on the understanding that further amendment to the State's regulations may be required when OSM issues a final notice regarding its changes to 30 CFR part 795.

b. Pennsylvania proposes to revise the language of subparagraph (a)(5) to make it clear that any and all consecutive 12-month periods must be considered in the determination of production totals of the transferee. As discussed in Finding B–10(b) of the May 31, 1991, **Federal Register** notice (56 FR 24692) and as required by 30 CFR 938.16(k) to be consistent with § 86.83(a)(2), § 86.94(a)(5) should make it clear that any and all consecutive 12-month

periods must be considered in the determination of production totals of the transferee. Since the State has made the required changes, the Director finds that revised § 86.94(a)(5) is no less effective than the counterpart Federal rule at 30 CFR 795.12(a)(3) and satisfies the requirements of 30 CFR 938.16(k).

IV. Summary and Disposition of Comments

Public Comments

The public comment period and opportunity to request a public hearing announced in the July 30, 1992, **Federal Register** (57 FR 33668) closed on August 31, 1992. No one requested an opportunity to testify at the scheduled public hearing so no hearing was held.

By letter dated July 1, 1992, the Pennsylvania Historical and Museum Commission (PHMC) commented on the proposed amendment. The PHMC raised issues which relate to sections of Pennsylvania's regulations which are not being revised and, therefore, are not pertinent to the currently proposed program amendment, and are not being addressed herein.

Agency Comments

Pursuant to section 503(b) of SMCRA and the implementing regulations at 30 CFR 732.17(h)(11)(i), comments were solicited from various Federal agencies with an actual or potential interest in the Pennsylvania Program. The Soil Conservation Service, U.S. Department of Labor, Mine Safety and Health Administration, U.S. Bureau of Mines, and the Fish and Wildlife Service generally considered the amendment to be acceptable or submitted an acknowledgment with no comment.

By letter dated June 18, 1992, the U.S. Army Corps of Engineers (ACE) commented that the "Department of the Interior does not interpret the statutory requirement in 30 U.S.C. section 1257(c), 'at all locations,' in its regulation at 30 CFR 795.6." In addition, the ACE commented that if "at all locations" encompasses all land areas covered by all current or previous surface coal mining permits, the Pennsylvania regulation at § 86.83 should be amended accordingly. The ACE commented on a portion of the Pennsylvania regulation which has not been amended and, therefore, is not the subject of this rulemaking. The Director notes that Pennsylvania's proposed amendment to its SOAP regulations is no less effective than section 507(c) of SMCRA, as amended.

V. Director's Decision

Based on the findings discussed above, the Director is approving the program amendment to Pennsylvania's Small Operator Assistance Program as submitted by Pennsylvania on May 27, 1992. As explained in Findings 1 and 2 above, this amendment satisfies the requirements at 30 CFR 938.16 (i), (j), and (k) and, therefore, the Director is revising the Federal rules to remove these requirements.

The Federal regulations at 30 CFR part 938 codifying decisions concerning the Pennsylvania program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage States to conform their programs with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

EPA Concurrence

Under 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of the Environmental Protection Agency (EPA) with respect to any provisions of a State program amendment that relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The Director has determined that this amendment contains no provisions in these categories and that EPA's concurrence is not required.

VI. Procedural Determinations

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the requirements of 30 CFR parts 730, 731 and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA [30 U.S.C. 1292(d)] provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 938

Intergovernmental relations, Surface mining, Underground mining.

Dated: October 5, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 938—PENNSYLVANIA

1. The authority citation for part 938 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In § 938.15, a new paragraph (u) is added to read as follows:

§ 938.15 Approval of regulatory program amendments.

* * * * *

(u) The following amendment to the Pennsylvania program, as submitted to OSM on May 27, 1992, is approved effective October 28, 1992. Revisions to the Small Operator Assistance Program, title 25, Pennsylvania Code §§ 86.83 and 86.94.

§ 938.16 [Amended]

3. In § 938.16, paragraphs (i), (j), and (k) are removed and reserved.

[FR Doc. 92-26072 Filed 10-27-92, 8:45 am]
BILLING CODE 4310-05-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300244A; FRL-4054-3]

RIN 2070-AB78

Acrylic Acid-Stearyl Methacrylate Copolymer; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes an exemption from the requirement of a tolerance for residues of acrylic acid-stearyl methacrylate copolymer (CAS Registry No. 27756-15-6) when used as an inert ingredient (emulsifier, suspending agent, or rheology modifier) in pesticide formulations applied to growing crops only. This regulation was requested in a petition submitted by the B. F. Goodrich Co.

EFFECTIVE DATE: This regulation becomes effective October 28, 1992.

ADDRESSES: Written objections, identified by the document control number, [OPP-300244A], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Connie Welch, Registration Support Branch (H7506C), Registration Division, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 711, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-305-7252.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of March 4, 1992 (57 FR 7703), EPA issued a proposed rule that gave notice that the B. F. Goodrich Co., 3925 Embassy Parkway, Akron, OH 44313-1799, had requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)), propose to amend 40 CFR part 180 by establishing an exemption from the requirement of a tolerance for residues of acrylic acid-stearyl methacrylate copolymer (CAS Reg. No. 27756-15-6) when used as an inert ingredient (drift control agent) in pesticide formulations applied to growing crops only.

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

One comment was received in response to the proposed rule. The comment addressed the use and the amount of the inert in pesticide formulations. The commenter said that acrylic acid-stearyl methacrylate copolymer is better described as an emulsifier, suspending agent, or rheology modifier than as a drift control agent. The commenter also suggested eliminating the limit on the amount in the formulation.

EPA agrees with the comment. Because neither the amount nor the use in the formulation has any bearing on the exemption, reference to a specific amount has been dropped. The statement explaining FIFRA registration requirements has also been omitted because it was deemed inappropriate to include in this exemption FIFRA data requirements related to substances not governed by this rule. Furthermore, because of these changes EPA is adding this exemption under 40 CFR 180.1001(d) in the final rule rather than adding it under new 40 CFR 180.1009 as stipulated in the proposed rule (57 FR 7703; March 4, 1992).

The data submitted in the petition and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance exemption will protect the public health. Therefore, the tolerance exemption is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections with the Hearing Clerk, at the address given above. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested and the requestor's contentions on each such issue. A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 29, 1992.

Susan H. Wayland,

Acting Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.1001 by amending paragraph (d) in the table therein by adding and alphabetically inserting a new entry, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
*	* * * * *	*
Acrylic acid-stearyl methacrylate copolymer (CAS Reg. No. 27756-15-6).	.....	Emulsifier, suspending agent, or rheology modifier
*	* * * * *	*

* * * * *

[FR Doc. 92-26114 Filed 10-27-92; 8:45 am]
BILLING CODE 6560-50-F

40 CFR Part 180

[OPP-300257A; FRL-4165-5]
RIN 2070-AB78

Certain Polymers and Copolymers; Tolerance Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes exemptions from the requirement of a tolerance for residues of 1,6-hexanediol dimethacrylate polymer, ethylene glycol dimethyacrylate-lauryl methacrylate copolymer, ethylene glycol dimethacrylate polymer, lauryl methacrylate-1,6-hexanediol dimethyacrylate copolymer, stearyl methacrylate-1,6-hexanediol dimethacrylate copolymer, and 1,12-dodecanediol dimethacrylate polymer when used as inert ingredients (release rate regulators) in pesticide formulations applied to growing crops and raw agricultural commodities after harvest. This regulation was requested by Agrisense.

EFFECTIVE DATE: This regulation becomes effective October 28, 1992.

ADDRESSES: Written objections, identified by the document control number, [OPP-3002575A], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Connie Welch, Registration Support Branch, Registration Division (H 7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 711L, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-305-7252.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of August 8, 1992 (57 FR 34537), EPA issued a proposed rule that gave notice that Agrisense, 4230 West Swift Ave., Suite 106, Fresno, CA 93722, had requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)), propose to amend 40 CFR 180.1001(c) by establishing an exemption from the requirement of a tolerance for residues of 1,6-hexanediol dimethyacrylate polymer, ethylene glycol dimethyacrylate-lauryl methacrylate copolymer, ethylene glycol dimethacrylate polymer, lauryl methacrylate-1,6-hexanediol dimethyacrylate copolymer, stearyl methacrylate-1,6-hexanediol dimethacrylate copolymer, and 1,12-dodecanediol dimethacrylate polymer when used as inert ingredients (release rate regulators) in pesticide formulations applied to growing crops and to raw agricultural comodities after harvest.

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted in the petition and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance exemptions will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections with the Hearing Clerk, at the address given above (40 CFR 178.20). The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 25, 1992.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.1001(c), by adding and alphabetically inserting the following new entries, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert ingredients	Limits	Uses
*	*	*
1,12-Dodecanediol dimethacrylate polymer	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
*	*	*
Ethylene glycol dimethyacrylate-lauryl methacrylate copolymer.	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
Ethylene glycol dimethacrylate polymer	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
*	*	*
1,6-Hexanediol dimethyacrylate polymer	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
*	*	*
Lauryl methacrylate-1,6-hexanediol dimethacrylate copolymer.	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
*	*	*
Stearyl methacrylate-1,6-hexanediol dimethacrylate copolymer.	Minimum molecular weight 100,000	Release rate regulator in pheromone formulation
*	*	*

* * * * *

[FR Doc. 92-26115 Filed 10-27-92; 8:45 am]
BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 92-78; FCC 92-444]

End User and Mobile Licensing Information in the Private Land Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted rule changes that eliminate the requirement that certain private land mobile licensees of shared systems maintain and periodically furnish detailed information about their end users. The rule changes also reduce the frequency with which most private land mobile licensees report increases or decreases in the number of mobiles or pagers on their system. These actions are taken to remove unnecessary regulatory burdens on private land mobile licensees. The rule changes will assist in providing more effective and efficient licensing procedures thus serving the needs of the public, industry and the Commission.

EFFECTIVE DATE: January 26, 1993.

FOR FURTHER INFORMATION CONTACT: Freda Lippert Thyden or Tatsu Kondo, Rules Branch, Private Radio Bureau, (202) 634-2443.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, PR Docket No. 92-78, FCC 92-444, adopted September 17, 1992, and released October 2, 1992. The full text of this Report and Order is available for inspection and copying during normal business hours in the FCC Dockets Branch, room 230, 1919 M Street NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street NW., suite 640, Washington, DC 20036, telephone (202) 452-1422.

The following collection of information contained in the rules has been submitted to the Office of Management and Budget for review under section 3504(h) of the Paperwork Reduction Act (44 U.S.C. 3504(h)). Copies of the submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street NW., suite 640, Washington, DC 20036, telephone (202) 452-1422. Persons wishing to comment on this collection of information should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814. A copy of any comments made should also be sent to the Federal Communications Commission, Office of Managing Director, Paperwork Reduction Project, Washington, DC 20554. For further information contact Judy Boley, Records Management Branch, Federal Communications Commission, (202) 632-7513.

OMB Number: None.

Title: Amendment of part 90 of the Commission's Rules Pertaining to End User and Mobile Licensing Information.

Action: New collection.

Respondents: State or local governments, businesses or other for-profit entities, non-profit institutions, and small businesses or organizations.

Estimated Annual Burden: It is estimated that 75,200 applications for license renewal will be filed annually and that it will take 5 minutes per application to provide the requisite information, which equal 6267 annual burden hours. It is also estimated that 34,000 applications for license modification will be filed annually and that it will take 5 minutes per application to provide the requisite information, which equals 2833 annual burden hours. Total annual burden hours for both requirements is 9100 hours.

Estimated Frequency of Response: At license renewal which is once every five years and, pertaining to applications for license modification, on occasion.

Needs and Uses: Rules require that licensees submit the number of their mobiles or pagers whenever they file for license renewal or license modification using the existing FCC Form 574 (OMB 3060-0128). The new estimated annual

burdens are more than offset by the elimination of the old requirements mandating license modification every time there was a change of even one mobile unit and whenever the number of pagers increased or decreased by fifty units.

Summary of Report and Order

1. In this Report and Order, we eliminate or modify various regulations that impose unnecessary burdens on private land mobile licensees. First, we are eliminating the requirement in 47 CFR 90.179(e) that licensees of shared systems that do not individually license their end users maintain and periodically furnish detailed information about their customers. Second, we are replacing the requirement in 47 CFR 90.135 (a)(8) and (a)(5) that certain private land mobile licensees file license modification applications when there is a change in the number of authorized pagers or mobiles, respectively, with less burdensome procedures that will yield more accurate spectrum utilization information.

2. After considering the unanimity of comments submitted recommending elimination of the end user list requirement, we have decided to adopt the proposal in the Notice of Proposed Rule Making (57 FR 20069 (May 11, 1992)) in this proceeding and eliminate the end user lists. The end user list requirement should be eliminated because the information thus elicited is redundant of information we are able to collect through the less burdensome license modification process.

3. Our current license modification procedures require reporting a change in even a single mobile or 50 pagers. We replaced these requirements with procedures requiring information about numbers of mobiles or pagers only upon license modification and at license renewal. Obtaining this information in connection with modifications and renewals is likely to result in a more accurate base of information to support frequency coordination and licensing than the current system. This new procedure will impose a minimal regulatory burden on both licensees and the Federal Communications Commission, and will be realistically enforceable.

Final Regulatory Flexibility Analysis

4. Pursuant to the Regulatory Flexibility Act of 1980, the Commission's final analysis is as follows:

Need and Purpose of the Action

5. The Commission is adopting these rule changes to eliminate unnecessary regulatory burdens on private land mobile licensees, many of whom are small business entities. This action will provide more efficient and effective licensing procedures thus serving the public, the industry and the Commission.

Issues Raised in Response to the Initial Regulatory Flexibility Analysis

6. There were no comments submitted in response to the Initial Regulatory Flexibility Analysis.

Significant Alternatives Considered and Rejected

7. All significant alternatives have been addressed in this Report and Order.

List of Subjects in 47 CFR Part 90

Reporting and recordkeeping requirements.

Amendatory Text

47 CFR part 90 is amended as follows:

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

1. The authority citation for part 90 continues to read as follows:

Authority: Sections 4, 303, 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 322, unless otherwise noted.

2. Section 90.127 is amended by revising paragraph (c) and adding new paragraph (e) to read as follows:

§ 90.127 Submission and filing of applications.

* * * * *

(c) Each application shall limit its request for authorized mobile transmitters and paging receivers to:

(1) Mobile transmitters and paging receivers that will be installed and operated immediately after authorization issuance.

(2) Mobile transmitters and paging receivers for which purchase orders have already been signed and which will be in use within eight months of the authorization date.

* * * * *

(e) All applications for modification of license and renewal of license must include the number of mobile transmitters and paging receivers in use on the licensed facilities.

3. Section 90.135 is amended by removing paragraph (a)(8) and by revising paragraph (a)(5) to read as follows:

§ 90.135 Modification of license.

(a) * * *

(5) Change in the authorized location or number of base stations, fixed, control or, for systems operating on non-exclusive assignments in the 470–512 MHz, 800 MHz or 900 MHz bands, a change in the number of mobile transmitters, or a change in the area of mobile operations from that authorized.

* * * * *

4. Section 90.175 is amended by adding new paragraph (g) to read as follows:

§ 90.175 Frequency coordination requirements.

* * * * *

(g) Application for modification of license that only involves a change in the number of mobile transmitters or paging receivers from that authorized, except for systems operating on non-exclusive assignments in the 470–512 MHz, 800 MHz or 900 MHz bands, need not be accompanied by evidence of frequency coordination, but a copy of these applications must be sent to the applicable frequency coordinator at the same time they are filed with the Commission.

§ 90.179 [Amended]

5. Section 90.179 is amended by removing paragraph (e) and redesignating paragraphs (f) and (g) as (e) and (f), respectively.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92–26097 Filed 10–27–92; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 107, 171, 172, 173, 174, 175, 176, and 177

[Notice No. 92–12]

Formal Interpretation of Regulations Issued Under the Hazardous Materials Transportation Act

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Interpretation of regulations.

SUMMARY: This notice publishes a formal interpretation of the registration requirements for offerors and transporters of hazardous materials subject to the Hazardous Materials Regulations (HMR) issued under the Hazardous Materials Transportation Act (HMTA). This interpretation describes activities which subject an "offeror" or "transporter" to the hazardous materials registration requirements of the HMTA. This

interpretation has been rendered by the Chief Counsel of RSPA. This interpretation is being published to provide the public with better understanding and awareness of activities which are covered by the hazardous materials registration requirements of the HMTA. It may be particularly useful to industry members and State and local governmental officials involved in or regulating hazardous materials transportation.

FOR FURTHER INFORMATION CONTACT: Kathleen Stokes Molinar, Attorney, Office of the Chief Counsel, Research and Special Programs Administration, Department of Transportation, Washington, DC 20590–0001 (Tel. (202) 366–4400).

SUPPLEMENTARY INFORMATION: As part of its implementation of the HMTA, 49 App. U.S.C. 1801 et seq., RSPA issues the regulations contained in the HMR (49 CFR parts 171–180). Informal interpretations of the HMR frequently are issued by the Standards Division of RSPA's Office of Hazardous Materials Safety (OHMS).

Less frequently, RSPA's Chief Counsel issues formal interpretations of the HMR. These interpretations generally involve multi-modal issues and are coordinated with other DOT agencies which, together with RSPA, enforce the HMTA. (Those agencies are the U.S. Coast Guard, the Federal Aviation Administration, the Federal Highway Administration and the Federal Railroad Administration.)

Publication of this interpretation should promote a better understanding of, and improved compliance with, the HMR. This opinion is available, and future interpretations will be available, on the OHMS Hazardous Materials Information Exchange (HMIX) (1–800–367–9592).

Issued in Washington, DC, on October 19, 1992, under the authority delegated in 49 CFR part 106, appendix A.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

Interpretation No. 92–1–RSPA

Issued: October 19, 1992.

Sources:

Joanna L. Johnson, Esquire, Counsel, Petroleum Marketers Association of America, Washington, DC.

Mr. David G. Dwinell, President, QTI Service Corporation, New Berlin, WI.

Facts

Both parties request clarification of the term "offeror," for purposes of determining whether a party is required to register with the Research and Special Programs Administration (RSPA) pursuant to the hazardous materials transportation registration requirements of 49 CFR 107.601–107.620 (57 FR 30620, July 9, 1992; 57 FR 37900, August 21, 1992; See also 57 FR 33416, July 28, 1992).

Petroleum Marketers Association of America (PMAA) requests clarification of the requirement that all motor fuel and heating fuel marketers who "offer" for transportation petroleum products in bulk packagings, containers, or tanks having a capacity equal to or greater than 3,500 gallons, must register. PMAA requests that RSPA issue an interpretation illustrating the activities which constitute "offering." More specifically, PMAA questions whether the act of "selling," standing alone, is an "offeror" activity which will subject a petroleum marketer to the registration requirements.

QTI Service Corporation (QTI) requests clarification of the registration requirement as it applies to "ICC Licensed property brokers," which QTI describes as "perform[ing] the same role for freight that a travel agent fills for passengers in air transportation." QTI states that property brokers do not take possession of freight, execute a bill of lading, publish a tariff, or quote a rate. QTI further states that property brokers "are not considered 'shippers' for purposes of the Motor Carrier Acts." Finally, QTI asks if DOT would require a property broker to place its "DOT ID Number" on each bill of lading covering hazardous materials for which it arranges a sale.

Additionally, numerous telephone inquiries have been received by RSPA, asking whether persons who load, unload, or store hazardous materials are subject to the registration rule.

Interpretation

The hazardous materials transportation registration rule mandates registration for persons who offer or transport certain hazardous materials in commerce. An "offeror" or "transporter" for purposes of the registration rule is determined in the same manner as an "offeror" or "transporter" for purposes of the HMR generally. See other relevant formal interpretations at 55 FR 6758 (February 26, 1990).

Determination of "Offeror" Status

To address the "offeror" inquiries of PMAA and QTI, it is necessary to determine whether the respective fuel marketer or freight broker undertakes, attempts to undertake, or is obligated to perform any specific functions related to requirements under the Hazardous Materials Regulations (HMR), 49 CFR parts 171–180. Each marketer's or broker's activities must be examined to ascertain whether any "offeror" functions are involved. This determination is made on a case-by-case basis and takes into account all relevant facts.

While hazardous materials ownership and contractual assignment of functions are factors relevant to the determination of "offeror" status, they are not conclusive. The same is true of "selling" motor fuel and heating fuel, or arranging the sale of hazardous materials which will be transported in commerce. Factors considered in determining a party's "offeror" status include functions actually performed or undertaken by the party, and functions which the party contracts to perform. Past practices of the parties are also considered because they provide evidence of the parties' division of functions.

"Offeror" functions include, but are not limited to, selection of the packaging for a regulated hazardous material, physical transfer of hazardous materials to a carrier, classifying hazardous materials, preparing shipping papers, reviewing shipping papers to verify compliance with the HMR or their international equivalents, signing hazardous materials certifications on shipping papers, placing hazardous materials markings or placards on vehicles or packages, and providing placards to a carrier.

Determination of "Transporter" Status

The Hazardous Materials Transportation Uniform Safety Act (HMTUSA) significantly amended the Hazardous Materials Transportation Act (HMTA) and required the registration of those who transport certain hazardous materials or cause those hazardous materials to be transported in commerce (49 app. U.S.C. 1805(c)). The applicable regulation in the HMR implements this statutory registration requirement and applies it to persons who offer those hazardous materials for transportation or transport them in foreign, interstate, or intrastate commerce (49 CFR 107.601). The words "transports" and "transportation" are defined in the HMTA to mean "any movement of property by any mode, and any loading, unloading, or storage incidental thereto" (49 app. U.S.C. 1802(15)).

Conclusion

A person undertaking no "offeror" or "transporter" activities is not subject to the RSPA registration requirements. However, if a person undertakes, attempts performance of, or is obligated

to perform, any offeror or transporter activities related to the specified hazardous materials, then that person must register. Further, any person who loads, unloads, or stores the specified hazardous materials incidental to transportation is subject to the registration requirements of the HMR.

PMAA and QTI each submitted hypothetical fact patterns concerning which activities constitute an "offering" for purposes of the RSPA registration requirements. Further, the telephonic inquiries received by RSPA raised similar questions concerning the "transporting" of hazardous materials. These "offeror" and "transporter" questions are set forth below, followed by RSPA's response.

Fact Pattern #1

A is a heating fuel marketer, who buys fuel from B and sells it to C. A does not own transport vehicles, and utilizes common carriers to deliver the fuel which it sells. A is similar to a broker, in that it never takes physical possession of the fuel which it sells.

Question: Is the act of selling, standing alone, sufficient to subject A to RSPA's hazardous materials registration rule?

Answer: Selling a hazardous material of the type and in a quantity covered by the RSPA hazardous materials registration rule will not, standing alone, subject a not-in-possession marketer to the rule's registration requirement. However, if the marketer performs, attempts to perform, is obligated to perform, or agrees to perform any offeror or transporter function, then the marketer must register. If, for example, A prepares the shipping papers for the fuel, makes hazardous materials certifications on the shipping papers, places hazardous materials markings or placards on the transport vehicle, or loads or unloads the transport vehicle, or determines that the packaging is authorized for the specific hazardous material (see 49 CFR 173.22(a)(2), (3)), then A must register.

Fact Pattern #2

X, an "ICC licensed property broker," arranges the sale of a hazardous material. X does not take possession of the hazardous material, execute shipping papers, classify the material, or assist in loading, unloading, or storage incidental to shipment of the hazardous material. Further, X does not select the carrier which will transport the material.

Questions: Is the act of arranging the sale of a hazardous material, standing alone, sufficient to subject X to the hazardous materials registration rule? Must X place its registration number on its bill of lading?

Answer: Again, arranging or facilitating the sale of a hazardous material of a type and in a quantity which is covered by the HMR will not, standing alone subject a not-in-possession property broker to the RSPA hazardous materials registration rule. However, if the broker performs, attempts to perform, is obligated to perform, or agrees to perform any offeror or transporter functions, the broker must register. If, for example, X prepares the shipping papers for the hazardous material, makes hazardous materials certifications on the shipping papers, places hazardous materials markings or placards on the transport vehicle, or loads or unloads the transport vehicle, then X must register.

If X is an offeror subject to the DOT registration rule, it is not required to place its DOT registration number on any bill of lading. If X is a transporter and must register, it is not required to place its hazardous materials registration number on its bills of lading. However, 49 CFR 107.620 mandates maintenance of a copy of the transporter's registration certificate at its principal place of business. Additionally, it requires that:

> After January 1, 1993, each motor carrier subject to the requirements of this subpart must carry a copy of its current Certificate of Registration issued by RSPA or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." on board each truck and truck tractor (not including trailers and semi-trailers) used to transport hazardous materials subject to the requirements of this subpart. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

57 FR 37900, 37902 (August 21, 1992).

An August 21, 1992 rule delayed until January 1, 1993, the requirement that transporters carry proof of registration in their vehicles. However, this delay did not apply to the September 16, 1992 deadline for registration and maintenance of a copy of the Certificate of Registration at a motor carrier's principal place of business. 57 FR 37900, 37901 (August 21, 1992).

Fact Pattern #3

M, a foreign manufacturer of explosives, sends a shipment of explosives on a vessel to the United States. Upon arrival of the shipment at a U.S. port facility, S, a stevedoring company, off-loads the shipment and places it on a chassis for through-shipment to its ultimate destination.

Question: Assuming that the explosives are hazardous materials under the HMR, is the act of off-loading the hazardous material and placing it on a chassis for through-shipment to its ultimate destination sufficient to subject a stevedoring company to the requirements of the hazardous materials registration rule?

Answer: Yes, the HMTA states that the definition of "transports" and "transportation" includes "any movement of property by any mode, and any loading, unloading, or storage incidental thereto." (49 app. U.S.C. 1802(15)) If S loads or unloads the explosives incidental to transportation, it is subject to the registration rule.

Fact Pattern #4

Upon the arrival of a ship in a U.S. port facility, T, a stevedoring company, off-loads a shipment of explosives, and places it in temporary storage in its facilities awaiting through-shipment to an ultimate destination.

Question: Assuming that the explosives are hazardous materials under the HMR, does the storage activity by the stevedoring company require it to register?

Answer: T is subject to the registration requirements of the HMR. As indicated above, this storage is incidental to the movement of the explosives, and T is, therefore, a transporter of the explosives.

[FR Doc. 92-25726 Filed 10-27-92; 8:45 am]
BILLING CODE 4910-60-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB66

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Plant Isoetes Louisianensis (Louisiana Quillwort)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines *Isoetes louisianensis* (Louisiana quillwort) to be an endangered species under the authority contained in the Endangered Species Act of 1973, as amended. This small plant is only known to exist in Washington and St. Tammany Parishes, Louisiana. Threats to the species include timber harvest and gravel mining without Best Management Practices, and any other activity that would affect the hydrology

or stability of the streams in which the plant occurs. This rule will implement the full protection of the Endangered Species Act for *Isoetes louisianensis.*

EFFECTIVE DATE: November 27, 1992.

ADDRESSES: The complete file for this rule is available for inspection by appointment during normal business hours at the Jackson Field Office, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213.

FOR FURTHER INFORMATION CONTACT: Paul Hartfield at the above address (601/965–4900).

SUPPLEMENTARY INFORMATION:

Background

Isoetes louisianensis is a small, grasslike, aquatic herb in the quillwort family. Quillworts are seedless vascular plants which reproduce by spores and are closely related to ferns. Their slender quill-like leaves arise from a short fleshy stem (corm) that is shallowly rooted in the substrate. The leaves are rounded, hollow and swollen at their base. The sporangia (spore-containing structures) are embedded in the broadened bases of the leaves. Quillworts are heterosporous, producing both megasporangia and microsporangia. Megaspore morphology and habitat preference are primary characters for the identification of *Isoetes* species (Taylor *et al.* 1989).

Isoetes louisianensis was described in 1973 from Thigpen Creek, a tributary of Mill Creek in the Bogue Chitto drainage, Washington Parish, Louisiana (Landry and Thieret 1973). Distinctive characters on which the species was based included born-spotted sporangial walls and megaspores with high reticulate ridges producing a spiny effect. The leaves are numerous, varying in length from 15 to 40 centimeters (6 to 16 inches) depending on water depth (Kral 1983). *Isoetes louisianensis* has been reported to sporulate twice a year, producing megaspores in the spring and microspores in the fall (Landry and Thieret 1973).

In 1982, Brian Boom reduced the specific status of the Thigpen Creek population of *Isoetes* to a hybrid. He considered the population's distinctive characters (sporangial wall coloration, megaspore ornamentation, sporulation frequency) to be intermediate between *I. engelmannii* and *I. melanapoda,* although these two species are not known to co-occur. Luebke and Taylor (1986) questioned the hybrid parentage proposed by Boom for this as well as other purported hybrid crosses. They noted the absence of the putative parents from the hybrid localities; a lack of cytological evidence supporting the proposed crosses; and the uniformity of spore morphology in the putative hybrids and their viability. Hybrid spores are typically abortive and are not normal in appearance, and primary laboratory produced *Isoetes* hybrids are usually sterile.

Taylor *et al.* (1989) treat *Isoetes louisianensis* as a distinct species in an unpublished manuscript for the Flora of North America project. They acknowledge that while *I. louisianensis* may be of hybrid origin (it is tetraploid, $2n=44$) with *I. engelmannii* as of its parents, the species' spores are uniform in size and texture and readily germinate in culture. After examining data provided by Taylor and others, Boom now considers the plant to be a distinct species (*in litt.* 1991). Based on the present consensus within the botanical community, the Service recognizes the taxonomic validity of *Isoetes louisianensis.*

Isoetes louisianensis is a semi-aquatic plant known from only three locations in Washington and St. Tammany Parishes, Louisiana. A report of the species from Worth County, Georgia (Bruce *et al.* 1980) was in error (Snyder *in litt.* 1988). The plant is found in the Mill Creek drainage along a 1.25 kilometer (km) (0.75 mile) reach of Thigpen Creek, a 0.5 km (0.3 mile) reach of Clearwater Creek and in a 1.0 km (0.6 mile) reach of Mill Creek, (McInnis 1991). Mill Creek is formed by the confluence of its tributaries Thigpen and Clearwater Creeks. The plants are found at the lower portions of the tributaries and at the uppermost reach of Mill Creek, and are thus considered a single population. Four immature plants, tentatively identified as *Isoetes louisianensis*, are known from a single site in Miller Creek (McInnis 1991). These streams are in the Bogue Chitto River drainage of Washington Parish. A localized population of *Isoetes louisianensis* also occurs in Little Bogue Falaya Creek, a Lake Pontchartrain tributary in St. Tammany Parish. The streams in which the quillworts are found are typically small to medium sized, shallow and with clear, tannin-colored water, running through narrow riparian forest communities. Substrates are stable mixtures of silt, sand and gravel.

Isoetes louisianensis occurs predominately on sand and gravel bars on accreting sides of streams and in moist over-flow channels. The species is found less commonly on low sloping banks near, and occasionally below, the low water level. Plants are regularly inundated as much as 50 centimeters (cm)(20 inches) following rains, and may be inundated for long periods in wet seasons. Corm depth has been found as great as 3 cm (1.2 inches), indicating a tolerance for some deposition of materials. Plants can be found singly or in numbers of several hundred in the Mill Creek drainage. Only four plants are known from Miller Creek. Close herbaceous associates are *Viola primulifolia, Scirpus divaricatus. Justicia lanceolata. Hypoxis leptocarpa. Xyris* sp., *Carex* sp., and the liverwort *Pallavicinia lyellii.*

It is possible that the species was once more widespread. However, numerous small stream riparian habitats with similar physiognomy and vegetational composition have been searched in the Bogue Chitto River drainage in Louisiana and Mississippi, and in other drainages across south Mississippi without finding *Isoetes louisianensis* (Rosso 1987, McInnis 1991). McInnis (1991) noted that the numerous small streams that were unsuccessfully searched differed from known localities in type or stability of substrate, steepness of banks, absence of sand or gravel bars, seasonal lack of flow, or habitat alteration that has resulted in siltation, erosion, pollution, etc. Other wetland habitats surveyed without finding the species, included bottomland hardwood forests, pitcher plant seeps, large stream riparian zones, edges of ponds and gravel pits, ditches, mudholes, and wet areas along roadsides and utility right-of-ways.

Federal actions involving *Isoetes louisianensis* began with Section 12 of the Endangered Species Act of 1973 (Act), which directed the Secretary of the Smithsonian Institution to prepare a report on those plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94–51, was presented to Congress on January 9, 1975. On July 1, 1975, the Service published a notice in the Federal **Register** (40 FR 27823) of its acceptance of the report of the Smithsonian Institution as a petition within the context of Section 4(c)(2), now Section 4(b)(3)(A), of the Act and of its intention thereby to review the status of those plants. On June 16, 1976, the Service published a proposed rule in the Federal **Register** (41 FR 24523) to determine approximately 1,700 vascular plant species to be endangered species pursuant to Section 4 of the Act. *Isoetes louisianensis* was included in the Smithsonian petition and the 1976 proposal. General comments received in relation to the 1976 proposal were summarized in an April 26, 1976 Federal **Register** publication (43 FR 17909).

The Endangered Species Act Amendments of 1978 required that all

proposals over 2 years old be withdrawn. A 1-year grace period was given to proposals already over 2 years old. In the December 10, 1979, **Federal Register** (44 FR 70796), the Service published a notice of withdrawal of the June 16, 1976, proposal, along with four other proposals that had expired. *Isoetes louisianensis* was included as a category 2 species in a revised list of plants under review for threatened or endangered classification published in the December 15, 1980, **Federal Register** (45 FR 82480). This species was maintained in category 2 in the Service's updated plant notices of September 27, 1985 (50 FR 39526) and February 21, 1990 (55 FR 6184). Category 2 species are those for which there is some evidence of vulnerability, but for which there are not enough data to support listing proposals at this time. The Service funded a status survey for this plant species in 1990. Field surveys were conducted during the summer and early fall of that year. A final report was received and approved by the Service in early 1991. This report (McInnis 1991) and other information support the listing.

Section 4(b)(3) of the Endangered Species Act, as amended in 1982, requires the Secretary to make certain findings on pending petitions within 12 months of their receipt. Section 2(b)(1) of the 1982 amendments further requires that all petitions pending on October 13, 1982, be treated as having been newly submitted on that date. This was the case for *Isoetes louisianensis* because of the acceptance of the 1975 Smithsonian report as a petition. In October of 1983, and succeeding years, the Service found that the petitioned listing of *Isoetes louisianensis* was warranted, but that listing this species was precluded due to other higher priority listing actions. Also, additional data were being gathered. The proposed rule to list *Isoetes louisianensis* as an endangered species was published on October 21, 1991 (56 FR 52500), and constituted the final 1-year finding that was required.

Summary of Comments and Recommendations

In the proposed rule and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. A newspaper notice inviting public comment was published in the *Bogalusa News* on November 10, 1991. The comment period closed on December 20, 1991. During the initial comment period, a public hearing was requested by John M. McNeal, Franklinton, Louisiana. The comment period was reopened on February 18, 1992, and extended until March 23, 1992, to accommodate the public hearing. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. In addition to letters of notification mailed to agencies, organizations, and individuals, newspaper notices of the public hearing and reopening of the comment period were published in the *Baton Rouge Advocate* on February 22, 1992, and the *Bogalusa News* on February 23, 1992. The hearing was held at the Louisiana Department of Wildlife and Fisheries Building on March 11, 1992, with 76 people in attendance. Oral comments were received from nine individuals opposing the proposed action, following a statement by the Service. In addition, two written comments were submitted by individuals, one supporting and one opposing the listing.

The Service also received 24 letters concerning the proposed rule during the comment periods, including a request for a public hearing. Senator John Breaux and Representative Richard H. Baker requested additional information concerning the proposed rule. The Louisiana Department of Wildlife and Fisheries provided a letter in support of the proposal, and seven letters from five conservation organizations also expressed support for the proposed listing. One State agency, a local government organization, two private non-profit organizations, four private companies, and five individuals expressed opposition to the proposal. Senator J. Bennett Johnston expressed opposition due to economic concerns.

Written comments and oral statements presented at the public hearing and received during the comment period are covered in the following summary. Comments of a similar nature or point are grouped into a number of general issues. These issues and the Service's response to each are discussed below:

Issue 1: Several commenters suggested that survey efforts were inadequate to define the range of the species, and listing should be deferred until further study is undertaken. Survey methods were also questioned. One commenter suggested that the discovery of an additional population in St. Tammany Parish during the comment period was an indication of a wider distribution for the species.

Response: The listing is based on the best available scientific and commercial information, including literature records, a survey by University of Southern Mississippi botanists, and a Service contracted field survey by the Louisiana Natural Heritage Program (LNHP). Prior survey efforts by the LNHP in numerous wetland habitats in southeast Louisiana and by other botanists in south Mississippi failed to locate additional populations of *Isoetes louisianensis*. The type locality for the species is a transitional zone between low-gradient bayheads, and steeper gradient, well-defined streams. The most recent LNHP survey (McInnis 1991) identified similar areas on soils and topographic maps and field checked these potential locations for the presence of the species. The initial survey located only one new population consisting of only four plants (Miller Creek). However, the LNHP's continuing effort to identify and field check potential quillwort habitat also led to the discovery of the Little Bogue Falaya population in St. Tammany Parish.

The Service believes that survey efforts have been adequate, and have effectively confirmed the rarity of this species and threats to its habitat. The Service encourages the search for additional quillwort populations; however, the potential discovery of a few additional populations would not offset the magnitude of the activities that threaten the species (see Factors Affecting the Species, below), and to defer listing would only defer protection of the species.

Issue 2: Several comments questioned the magnitude of threat posed by forestry activities and gravel mining to the species, since these are traditional activities in the area and the plant still survives. Other commenters noted that the proposed rule gave no evidence of a decline of the species.

Response: Quillwort habitat along Clearwater Creek has been seriously affected by mining and inappropriate timber harvest. There has been a reduction of flows due to diversion of flows by mining activities, and a change in streamside vegetation composition due to canopy removal. This area supports few plants in comparison to the less impacted portions of Mill/Thigpen Creeks. The plants have been completely eliminated around the Louisiana Highway 16 bridge on Mill Creek due to the removal of canopy vegetation and construction activities. Gravel mining is likely to expand into the headwaters of Thigpen Creek, above the largest known quillwort population. Alteration of the hydrology of this stream could jeopardize the continued existence of the largest and most extensive population of the species. The Miller Creek population is vulnerable due to its limited number of plants.

Logging has recently occurred adjacent to the Little Bogue Falaya population.

Issue 3: One commenter stated that the adoption of Louisiana's recommended Best Management Practices for timber harvesting would remove perceived threats to streamside vegetation. Several commenters believed that current land registry activities by the Louisiana Nature Conservancy were adequate to protect the plant, and that listing was unnecessary.

Response: Many landowners are practicing responsible timber management where the plants occur, and their timber harvest activities pose no apparent threat to the species. However, not all landowners follow Best Management Practices, and changes in current practices over a relatively small area could seriously threaten the species.

The Service is aware of the recognition and protection that has developed for the Mill and Thigpen Creek populations of *Isoetes louisianensis*, primarily through registry and management programs of the Louisiana Nature Conservancy. Their efforts, however, have little effect on off-site threats to the species. Listing will insure consideration of the species under the authority of the Endangered Species Act relative to Federal activities, or activities with Federal involvement, that may affect the species.

Issue 4: One commenter stated that section 7 of the Act does not apply to plants on private property, and therefore, listing is not appropriate.

Response: Endangered plants on private lands are covered by section 7 provisions of the Act when Federal actions on private lands, or private actions with Federal involvement, may affect the species (see Available Conservation Measures, below).

Issue 5: One commenter suggested that information in the proposed rule was incorrect and misleading, without providing any details or specifics on the content of the proposed rule.

Response: The Service has used the best scientific and commercial data available in the preparation of this listing.

Issue 6: Two commenters believe the taxonomic status of *Isoetes louisianensis* remains unresolved. One questioned whether the identity of plants in Miller Creek had been verified.

Response: The consensus of the botanical scientific community is that *Isoetes louisianensis* is a valid species (see Background, above). The identity of the four immature plants from Miller Creek has not been verified due to the absence of spores that are needed for positive identification; however, due to their location and similarity of habitat, the Service will consider them as *Isoetes louisianensis* unless they are proven otherwise.

Issue 7: Several commenters believe the Service did not designate critical habitat in order to avoid consideration of economic impacts.

Response: Critical habitat is not being designated for reasons discussed in that Section (see Critical Habitat, below). The economic assessment associated with critical habitat designation is to determine the benefits of designating an area as critical habitat. The Secretary of Interior may exclude an area from critical habitat if the benefits of exclusion outweigh the benefits of designating the area as critical habitat. However, an area may not be excluded if failure to designate critical habitat will result in extinction of the species. Listing does not rest on economic considerations, regardless of critical habitat designation.

Issue 8: One commenter complained that notice of the proposal was inadequate to affected parties, and that the Service has been unresponsive to local concerns.

Response: Steps taken by the Service to notify the public of the proposed rule are summarized at the beginning of this section. The Service has attempted to address local concerns as they have become evident through letters of notification, interviews with local newspapers, telephone conversations with local residents, and letters to landowners, government officials, and local newspapers.

Issue 9: The location of the public hearing was an issue to several commenters, who believed the site was chosen to exclude local participation. Two commenters requested a second public hearing.

Response: According to Service records, owners of property where *Isoetes louisianensis* colonies are located reside in Franklinton, Boutte, Mandeville, and New Orleans, Louisiana. Baton Rouge was selected as the hearing site because it is conveniently accessible from all these locations. It is also a location where many agencies and interested groups that may be affected are located.

The Service perceives no benefit to be gained by another public hearing. Ample opportunity has been provided for comment and public input. The public hearing and the re-opening of the comment period were well advertised. In addition to the publication of Legal Notices announcing the public hearing, at least two articles were written in local newspapers discussing the listing action and associated issues in detail. Local residents in Washington Parish also organized and held a town meeting with the purpose of encouraging participation in the hearing and comment process. Approximately 150 letters of notification announcing the reopening of the comment period and the public hearing were mailed by the Service, 81 of these went to local landowners. The public comment period was reopened from February 18 to March 23, 1992, providing further opportunity to submit written comments from any interested parties unable to attend the hearing.

Issue 10: Two comments expressed concern that agents or contract employees of the Service trespassed on private property while developing information for the proposed rule. If trespass did not occur, then they considered the survey effort inadequate, since a number of local landowners in the general vicinity had not been contacted for permission to survey.

Response: Biologists with the LNHP conducted the primary status survey for the Service. LNHP biologists have informed the Service that the survey was conducted in accordance with Louisiana State criminal trespass law.

Issue 11: Many commenters expressed concern that the economic impact of the listing will be detrimental to the local economy and specific private activities. Several also believed that the listing action is restrictive and places unnecessary burden on individuals.

Response: The Service is required to base decisions regarding endangered or threatened status solely on biological information and is prohibited from allowing economic or nonbiological factors to affect such decisions. However, the actual extent and limits of listing effects on socioeconomic conditions are usually not as great as many people fear. Under section 7(a)(2) of the Act, Federal agencies will be required to consult with the Service if they propose to authorize, fund, or carry out any activities that may affect *Isoetes louisianensis*. In most cases, such consultation results in minor modifications to reduce the impact of the activity on the listed species. Furthermore, although some federally involved activities would have a reasonable potential to affect the quillwort (e.g., channel modification, bridge construction, pipeline crossings, gravel operations, wastewater discharge), other Federal actions would have little potential to directly affect the species (e.g. Federal loan programs, upland developments). Other private,

state, or local activities that do not involve Federal agencies would be affected only by the Act's limited prohibitions against take of endangered plants and other practices (see Available Conservation Measures, below).

Issue 12: Several commenters expressed the opinion that the species does not warrant being listed, because it is insignificant and has no value.

Response: The purpose of the Act is to conserve the ecosystems upon which endangered species depend. The usefulness or significance of *Isoetes louisianensis* is not relevant to its eligibility for protection under the Act.

Issue 13: Two commenters offered suggestions to protect the species or enhance its populations. One wrote that natural flooding may have similar adverse affects as gravel mining and suggested building a levee to protect quillworts and their habitat from flooding. Another suggested propagating the plant and starting other populations.

Response: Isoetes louisianenis occurs along and in small streams. It is adapted to natural flood cycles and can tolerate extended periods of flooding. Natural flooding is unlikely to have a detrimental effect on quillwort colonies. Propagation and starting new colonies is likely to be a desirable conservation action, but could be recommended only after research on potential sites. Research on this and other conservation and recovery strategies is one of the benefits that will result from the listing.

Issue 14: Several commenters expressed concern that listing *Isoetes louisianensis* is over-regulation, and will lead to the "taking" of private property rights.

Response: Prohibited acts for endangered plants are less restrictive than those for endangered wildlife and fish. In particular, section 9 "taking" prohibitions for endangered plants apply on private lands only in cases of knowing violation of any law or regulation of the State, such as the State criminal trespass law. Thus, section 9 prohibitions simply reinforce State regulations already in place. Private actions may be indirectly affected through section 7 provisions of the Act which require Federal agencies to ensure that their actions are not likely to jeopardize the continued existence of a listed species. Private actions which are federally funded or permitted will have to planned and conducted in consideration of their impacts to this species.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined *Isoetes louisianensis* (Louisiana quillwort) should be classified as an endangered species. Procedures found at section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act were followed. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Isoetes louisianensis* Thieret (Louisiana quillwort) are as follows:

A. The Present or Threatened Destruction, Modification, or Curtailment of its Habitat or Range

The primary threats to *Isoetes louisianensis* are activities that would affect the hydrology or stability of the streams in which the plant occurs. The species has been eliminated from one location in the Mill Creek drainage by construction activities and canopy removal. It has been affected in another portion of the drainage by changes in vegetation composition due to clear-cutting of streambank timber and flow diversion.

Streambank timber removal can lead to an increase in surface runoff and contributes to stream erosion and/or siltation. All known stream habitat supporting this species is associated with a well-developed stream canopy. Canopy removal alters the light regime under which the species is currently known to exist. Some streambank timber harvest has occurred at various locations along all streams supporting the taxon (McInnis 1991). Extensive clearcuts removed the stream canopy along portions of Clearwater Creek. Portions of the bayhead forests in the headwaters of Thigpen and Clearwater Creeks are currently being clearcut and replanted with pine seedlings.

Isoetes louisianensis is generally associated with stable substrates of coarse sand and gravel. Although the plants are occasionally found in finer soils in over-flow channels, the substrate is always firm and stable (McInnis 1991). Sand and gravel mining along Clearwater Creek is affecting the hydrology, water quality, and substrate stability of that stream and Mill Creek. Portions of Clearwater Creek have been completely cleared, channelized or re-routed by sand and gravel mining activities (McInnis 1991). The headwaters of Clearwater Creek have been ditched to direct surface drainage away from the mining operation into Thigpen Creek. McInnis (1991) noted excessive algal growth and sediment pollution in Clearwater Creek, apparently due to alteration of the hydrologic regime, and other changes in stream dynamics caused by the clearcutting and channel alteration.

B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Due to the limited distribution and easily accessed habitat of *Isoetes louisianensis*, indiscriminate collecting of any plants could seriously affect this species and perhaps result in its extinction. Overcollecting is not known to occur at this time.

C. Disease or Predation

This plant species is not known to be threatened by disease or predation.

D. The Inadequacy of Existing Regulatory Mechanisms

This species is not recognized by any existing Federal or State regulation. Without listing, it would not be considered during Federal project impact evaluation under other environmental laws.

E. Other Natural or Manmade Factors Affecting its Continued Existence

Isoetes louisianensis is very restricted in range and numbers. The most extensive population occurs along only 2.75 km (1.65 miles) of continuous habitat in the lower portions of Thigpen and Clearwater Creeks and the upper portion of Mill Creek. Thigpen and Clearwater Creeks converge to form Mill Creek. Any natural or human disturbance that would affect either tributary would also impact the Mill Creek portion of the population. Only four plants are known from a single site in the Miller Creek drainage. The Little Bogue Falaya Creek population consists of at least several hundred plants in a very localized area. This restricted range makes the species vulnerable to any loss of individuals from its limited gene pool.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to make this final rule. Based on this evaluation, the preferred action is to list *Isoetes louisianensis* as endangered. Endangered status is appropriate due to the plant's small populations, restricted range, and continuing threats to its

habitat. An endangered species, as defined by the Act, is threatened with extinction throughout all or a significant portion of its range. Critical habitat is not being designated for reasons discussed in the following section.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time the species is determined to be endangered or threatened. The Service finds that designation of critical habitat is not presently prudent for this species. As discussed under Factor B in the Summary of Factors Affecting the Species, *Isoetes louisianensis* is potentially threatened by taking, an activity difficult to enforce against and only regulated by the Act with respect to plants in cases of (1) removal and reduction to possession of endangered plants from lands under Federal jurisdiction, or their malicious damage or destruction on such lands; and (2) removal, cutting, digging up, or damaging or destroying in knowing violation of any State law or regulation, including State Criminal Trespass Law. Such provisions are difficult to enforce, and publication of critical habitat descriptions and maps would make *Isoetes louisianensis* more vulnerable and increase enforcement problems. All involved parties, including State/Federal agencies and principal landowners, have been notified of the location and importance of protecting this species' habitat. Protection of this species' habitat will be addressed through the recovery process and through the section 7 jeopardy standard. Therefore, it would not now be prudent to determine critical habitat for *Isoetes louisianensis*.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

Federal involvement may include the following agencies: the Environmental Protection Agency through the Clean Water Act's provisions for pesticide registration and waste management actions, the Corps of Engineers relative to wetlands permits, and the Federal Highway Administration in the case of impacts from federally funded bridge and road construction. Continuing urban development within the drainage basins where the plant occurs may also involve the Farmers Home Administration and their loan programs.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 set forth a series of general prohibitions and exceptions that apply to all endangered plants. All trade prohibitions of Section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale this species in interstate or foreign commerce, or to remove and reduce to possession the species from areas under Federal jurisdiction. In addition, for endangered plants, the 1988 amendments (Pub. L. 100–478) to the Act prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered species under certain circumstances.

It is anticipated that few trade permits would ever be sought or issued because the species is not common in cultivation or in the wild. Requests for copies of the regulation on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, room 432, Arlington, Virginia 22203 (703/358–2104).

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

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Author

The primary author of this rule is Paul Hartfield (see **ADDRESSES** section) 601/965–4900.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulation Promulgation

PART 17—[AMENDED]

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, is amended as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. Amend § 17.12(h) by adding the following, in alphabetical order under Isoetaceae, to the List of Endangered and Threatened Plants

§ 17.12 Endangered and threatened plants.

* * * * *

(h) * * *

Species		Historic range	Status	When listed	Critical habitat	Special rules
Scientific name	Common name					
*	*	*	*	*		
Isoetaceae—Quillwort family:						
*	*	*	*	*		
Isoetes louisianensis	Louisiana quillwort	U.S.A. (LA)	E	482	NA	NA
*	*	*	*	*		

Dated: September 3, 1992.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

[FR Doc. 92–26079 Filed 10–27–92; 8:45 am]

BILLING CODE 4310–55–M

Proposed Rules

Federal Register
Vol. 57, No. 209
Wednesday, October 28, 1992

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.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1413

RIN 0560-AC64

1993 Extra Long Staple Cotton Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend the regulations to set forth the acreage reduction percentage (ARP) for the 1993 crop of Extra Long Staple (ELS) cotton. This action is required by section 103(h)(5) of the Agricultural Act of 1949 (the 1949 Act), as amended.

DATES: Comments must be received on or before November 16, 1992, in order to be assured of consideration.

ADDRESSES: Comments must be mailed to Deputy Administrator, Policy Analysis, Agricultural Stabilization and Conservation Service (ASCS), U.S. Department of Agriculture (USDA), room 3090–S, P.O. Box 2415, Washington, DC 20013–2415.

FOR FURTHER INFORMATION CONTACT: Kathryn A. Broussard, Fibers and Rice Analysis Division, USDA, ASCS, room 3754–S, P.O. Box 2415, Washington, DC 20013–2415 or call 202–720–9222.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and provisions of Departmental Regulation 1512–1 and has been classified as "not major." It has been determined that an annual effect on the economy of $100 million or more will not result from implementation of the provisions of this proposed rule.

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

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

The title and number of the Federal Assistance Program, as found in the catalog of Federal Domestic Assistance, to which this rule applies are: Cotton Production Stabilization—10.052.

This proposed rule has been reviewed in accordance with Executive Order 12778. The provisions of the proposed rule do not preempt State laws, are not retroactive, and do not involve administrative appeals.

This program/activity is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

The amendments to 7 CFR part 1413 set forth in this proposed rule do not contain information collections that require clearance by the Office of Management and Budget under the provisions of 44 U.S.C. chapter 35.

The Preliminary Regulatory Impact Analysis describing the options considered in developing this proposed rule and the impact of the implementation of each option is available on request from the above-named individual.

Comments are requested with respect to this proposed rule and such comments shall be considered in developing the final rule.

Background

In accordance with section 103(h)(5) of the 1949 Act, an ARP may be established for the 1993 crop of ELS cotton if it is determined that the total supply of ELS cotton, in the absence of an ARP, will be excessive, taking into account the need for an adequate carry-over to maintain reasonable and stable prices and to meet a national emergency.

Land diversion payments also may be made to producers of ELS cotton, whether or not an ARP for ELS cotton is in effect, if needed to assist in adjusting the total national acreage of ELS cotton to desirable goals. A paid land diversion has not been considered because, given the existing supply/use situation, it is not needed.

If an ARP is announced, the reduction shall be achieved by applying a uniform percentage reduction (including a zero percentage reduction) to the acreage base for each ELS cotton-producing farm. Producers who knowingly produce ELS cotton in excess of the permitted acreage for the farm are ineligible for ELS cotton loans and payments with respect to that farm.

Based on 1993 supply/use estimates as of September 1992, three options are considered. However, because of changes in the 1993 supply/use situation that may develop between now and the ARP announcement date, the actual ARP level may be different from the options discussed in this notice.

The 1993 ARP options considered are:

Option 1. 15-percent ARP
Option 2. 20-percent ARP
Option 3. 25-percent ARP

The estimated impacts of the ARP options are shown in the following table.

EXTRA LONG STAPLE COTTON SUPPLY/DEMAND ESTIMATES

Item	Option 1	Option 2	Option 3
ARP (%)	15	20	25
Participation (%)	68	67	66
Planted Acres (thousand)	243	238	233
Production (thousand bales)	467	457	448
Domestic Use (thousand bales)	75	75	75
Exports (thousand bales)	375	372	369
Ending Stocks (thousand bales)	180	173	167
Carry-over/ Disappear-ance	0.400	0.387	0.376
Deficiency Payments ($ million)	7,458	6,526	5,656

Accordingly, comments are requested as to the 1993 ARP for ELS cotton. The final ARP level will be set forth at 7 CFR part 1413.

List of Subjects in 7 CFR Part 1413

Cotton, Feed grains, Price support programs, Rice, Wheat.

Accordingly, it is proposed that 7 CFR part 1413 be amended as follows:

PART 1413—FEED GRAIN, RICE, UPLAND AND EXTRA LONG STAPLE COTTON, WHEAT AND RELATED PROGRAMS

1. The authority citation for 7 CFR part 1413 continues to read as follows:

Authority: 7 U.S.C. 1308, 1308a, 1309, 1441–2, 1444–2, 1444f, 1445b–3a, 1461–1469; 15 U.S.C. 714b and 714c.

2. Section 1413.54 is amended by adding paragraph (a)(5)(iii) and revising paragraph (d)(3) as proposed at 57 FR 44709 (September 29, 1992) to read as follows:

§ 1413.54 Acreage reduction program provisions.

(a) * * *

(5) * * *

(iii) 1993 ELS cotton shall be within the range of 15 to 25 percent, as determined and announced by CCC.

* * * * *

(d) * * *

(3) Shall not be made available to producers of the 1993 crops of wheat, feed grains, upland and ELS cotton, and rice.

* * * * *

Signed at Washington, DC on October 26, 1992.

John A. Stevenson,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 92–26258 Filed 10–26–92; 12:54 pm]

BILLING CODE 3410–05–M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 40

RIN 3150–AE33

Licensing of Source Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Nuclear Regulatory Commission (NRC) is considering amending its regulations governing the licensing of source material and mill tailings. The contemplated rulemaking would consider revisions to improve control of source material through more specific regulation and to update the applicable requirements to conform with the revised standards for protection against radiation. This advance notice of proposed rulemaking is being issued to solicit comments and recommendations from interested parties on the issues that have been identified as candidates for consideration in this rulemaking.

DATES: Comment period expires January 26, 1993. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: Mail comments or suggestions to: The Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

Deliver comments to: 11555 Rockville Pike, Rockville, Maryland, between 7:45 am and 4:15 pm Federal workdays.

Examine copies of comments received at: the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC.

Copies of NUREG–1324 and NUREG/CR–5881 which support this advance notice may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O Box 37082, Washington, DC 20013–7082. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is also available for inspection and/or copying at the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: Catherine Mattsen, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492–3638.

SUPPLEMENTARY INFORMATION:

Background

Source material, which consists of uranium or thorium, is a naturally-occurring low specific-activity material. The regulations in 10 CFR part 40 were initially based on the assumption that the health and safety impacts of source material were low and that considerations of protecting the common defense and security were most significant. Since 10 CFR part 40 was first promulgated on March 20, 1947 (12 FR 1855) by the Atomic Energy Commission (AEC), the provisions of 10 CFR part 40 have not been systematically reviewed for effectiveness and consistency with other NRC (AEC) regulations except for the overall revision of 10 CFR part 40 on January 14, 1961 (26 FR 284) to establish licensing procedures, terms, and conditions for source material which were substantially similar to those set forth for byproduct material in 10 CFR part 30. Therefore, the existing structure and general requirements have not been evaluated for conformance with the current radiation safety standards and current industry needs, practices, and capabilities.

Some of the exemptions from licensing for certain consumer products, such as gas mantles containing thorium, have not been modified since they were included in the original promulgation of 10 CFR part 40. These exemptions essentially accommodated existing practice. However, consistent with a policy statement on consumer products published on March 16, 1965 (30 FR 3462), the Commission has made various evaluations of potential doses from exempt products to assure that exposures from any individual exempt practice do not exceed a small fraction of the overall recommended dose limit for the public and that the combined effect of exposures from various exempt practices does not result in a significant impact to public health and safety. The recent revision of 10 CFR part 20 published on May 21, 1991 (56 FR 23360) contains standards for radiation protection and decreased values for permissible concentrations in air and water effluents containing uranium and thorium. These revisions suggest the need for a reevaluation of the potential doses from exemptions because the new biological data and dose calculation methodology reflected in the revised standards for protection against radiation could result in changes in some of the dose estimates. In addition, various radiation protection standards organizations (e.g., the International Commission on Radiological Protection, the National Council on Radiation Protection and Measurements, etc.) have recommended reduction in overall doses to the public. Thus, the Commission decided to review the potential doses from existing exemptions and to reevaluate the adequacy of controls to assure that materials and products distributed under an exemption do indeed meet the limitations provided for that exemption.

A preliminary analysis suggested that the regulations in 10 CFR part 40 governing the control of source material released for unrestricted use may be improved by making them more comparable to those governing similar exemptions for byproduct material (10 CFR part 30). This would result in more specific requirements being imposed on licensees who distribute products or materials used under an exemption and

for applicants for a license planning this type of distribution.

The Commission is also concerned with the degree of control of material and how it has been used under the general license in § 40.22. Therefore, the Commission was planning to reevaluate this issue.

The Commission has decided to review all of 10 CFR part 40 and, in particular, to consider the need for updating requirements pertaining to source material to make them more comparable to similar requirements for byproduct material. The Commission is also considering the extent to which the requirements in 10 CFR part 40 should be updated to conform to the revised standards for protection against radiation. Although this review has not been a systematic point-by-point analysis of all of 10 CFR part 40, the Commission has solicited questions and concerns from knowledgeable NRC staff, from outside consultants, and from the Agreement States. This Advance Notice of Proposed Rulemaking (ANPRM) presents the issues identified and preliminary views. The Commission is issuing this ANPRM to solicit input from all interested parties.

The NRC staff discussed the idea of an ANPRM with the Agreement States at a public meeting held in conjunction with their October 1991 annual meeting at Sacramento, CA. By letter dated January 3, 1992, the NRC staff followed up the meeting with a request for further information concerning areas or issues that should be addressed in a revision of 10 CFR part 40. Of the 28 Agreement States, a total of 15 States responded of which 7 States responded with no comment. The Agreement States that commented indicated 12 general areas that need to be evaluated. The NRC has considered all general areas of concern in the development of this ANPRM.

Although several States suggested specific changes to the current wording of 10 CFR part 40, the NRC will delay consideration of these specific changes until the initiation of a proposed rule in order to collect views from a broad spectrum of interests prior to initiating the drafting of specific regulatory language. The NRC summary of comments from the Agreement States is available from the staff contact listed in the address heading, and is available for inspection and copying for a fee in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Issues Being Considered for Proposed Rulemaking

The following discussion presents the issues identified as candidates for consideration in rulemaking. This discussion is categorized into the four major elements which include all aspects of source material regulation: exemptions, general licenses, specific licensing for other than mills and tailings, and milling and mill tailings. A more detailed discussion of the issues addressed in this notice is contained in a contractor report on options for rulemaking on revision of 10 CFR part 40, NUREG/CR–5881, "An Examination of Source Material Requirements Contained in 10 CFR part 40." October 1992.

Exemptions

The Commission is considering whether to propose regulations to improve the control of source material released to unrestricted use through more specific requirements on licensees who sell, transfer, or distribute products or materials to exempt persons.

Controls that will be considered to achieve consistency with the requirements governing byproduct material in 10 CFR part 30 include:

(1) Specific requirements on the manufacturers of products, such as a quality assurance program, that would provide assurance that the products distributed meet the specifications important to safety,

(2) A requirement for specific license authorization to commercially distribute, or import for commercial distribution, products for use on a license exempt basis, and

(3) Periodic reporting by the manufacturer or importer of the types and number of products and quantities of source material distributed so that the nature and extent of use is readily available to the Commission and other interested parties.

In addition, the Commission is reevaluating potential doses from materials and products which are exempt from licensing. On the basis of this study, those exemptions with significantly greater potential doses will be further reevaluated on a cost-benefit basis. A determination will then be made if any particular exemptions should be modified or revoked. This process will take some time to complete and, in order to have a firm basis for rulemaking, the Commission may need to obtain more complete information on those products and materials containing source material that are being distributed for exempt use.

While soliciting issues for consideration in the updating of 10 CFR part 40, the issue was raised concerning the exemption of source material under the 0.05% weight concentration contained in § 40.13(a). This exemption will be reevaluated along with the others in parts 30 and 40.

General Licenses

The issues raised concerning generally licensed source material are:

(1) Whether the quantity of source material and activities authorized in the general license in § 40.22 are sufficiently limited and defined so that the workers and the general public are adequately protected, and

(2) Whether the general license in § 40.25 is effective in the current regulatory environment.

The NRC staff has been concerned with improving the control of material used under general license, particularly as authorized by 10 CFR 40.22. General licenses are in effect without the filing of applications with the Commission or the issuance of licensing documents to a particular person. The safety principle underlying the general license is based on limitations on the type, form, and quantity of material and restrictions on the type of activities that are permitted.

Section 10 CFR 40.22 provides a general license authorizing commercial and industrial firms, research, educational, and medical institutions and Federal, State, and local government agencies to use and transfer not more than 15 pounds of source material at any one time for research, development, educational, commercial, or operational purposes. Under this general license, a person may not receive more than a total of 150 pounds of source material in any one calendar year. The underlying principles of the general license are:

(1) That the source material will be used in a responsible manner by institutions and agencies; and

(2) That it will be afforded an appropriate degree of radiation safety control through the safety controls applied to its use as a chemical compound. The quantity limits appear to have been established to preclude substantial processing or production operations that might cause safety problems for workers. In a recent enforcement case processed by the NRC staff (SECY–92–128),[1] the general licensee conducted operations that, although allowed by the regulations, were not evaluated in the development of the regulations and appear to have a potential for inappropriate radiation exposure. Therefore, in the current regulatory environment, these conditions may no longer be adequate in

[1] This document is available for inspection and/or copying at the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

affording a proper level of safety. The Commission is conducting an analysis of the activities that are currently authorized in the general license to determine what controls, if any, should be established to improve the effectiveness of this general license.

Since there is no reporting or registration requirement imposed on distribution of source material under this general license or on the users, the extent of use of this general license is not well known.

There are several actions that could be taken, either individually or in some combination, to provide greater assurance of safety under this general license:

(1) The Commission could require that either general licensees be registered or that commercial transfers to general licensees be reported on a quarterly basis in the same manner as in 10 CFR 32.52. These actions would identify users of source material and would permit the implementation of an inspection program,

(2) The Commission could reduce the quantities of source material authorized under the general license to levels which provide greater assurance of safety,

(3) The Commission could limit the scope of activities permitted under the general license to those which are less likely to result in radiation exposure problems,

(4) The Commission could include requirements that would provide adequate controls over release of effluent and disposal of radioactive waste, as appropriate, and

(5) The Commission could require that commercial distribution of source material for use under the general license be performed only by a specific licensee. This would provide a means for the Commission to require that the transfers be accompanied by safe handling instructions or other information (as in 10 CFR 32.71(e)).

Any new conditions on the general license, such as quantity limits or activity restrictions, would be developed taking into account the radiation dose limits, effluent concentrations, and waste disposal provisions of the revised standards for the protection against radiation.

The general license in § 40.25 governs the use of certain industrial products or devices containing depleted uranium. This general license contains requirements for reports from licensees of distribution for use under the general license and for registration certificates from these general licensees. An issue with this general license is its possible lack of effectiveness and lack of understanding by the regulated community. Although the Commission has not issued any licenses authorizing distribution under § 40.25 and there is very limited use of comparable provisions by Agreement States, there are many industrial products and devices used under specific licenses that are candidates for use under the § 40.25 general license.

This general license and the licensing requirements in §§ 40.34 and 40.35 will be reviewed to determine if justifiable changes could be made to make the general license more useful to the regulatory program. Expanded use of products and devices under this general license would reduce the burden on both licensees and the NRC staff that now exists by reducing current specific licensing activity. For example, source material used for shielding under a specific license may be a candidate for use under a revised § 40.25 general license. The public is specifically invited to suggest mechanisms which would improve the effectiveness of the general license, while at the same time providing adequate protection of health and safety.

Specific Licensing

The basic issue raised was whether licensing requirements for specific licenses should be made more specific or detailed and whether the licensing requirements should be tailored to major categories of use.

License requirements fall into three types:

(1) Information required to be submitted to the NRC in support of an application,

(2) Requirements for issuance of specific licenses, and

(3) Terms and conditions of licenses.

Section 10 CFR 40.31 states that an application may be filed on NRC Form 313, "Application for Material License." This form requests information about the applicant's training and experience, equipment and facilities, and radiation protection program. However, the form does not request safety information specific to any given category of use. Thus, the NRC staff develops regulatory guides which specify the type of information to be provided in an application for a particular category of use. The NRC staff has also used specific license conditions to control activities conducted by licensees within a certain category of use. This approach enables the NRC staff to tailor the licensing requirements necessary for health and safety to the particular activities being proposed by an applicant.

However, other provisions in 10 CFR part 40 specify detailed information requirements for certain aspects of an operation such as emergency planning for activities involving greater than specified quantities of uranium hexafluoride (UF_6) and financial assurance and recordkeeping for decommissioning for licensees possessing more than specified quantities of source material. Licensing requirements for milling and mill tailings are comprehensive and presented in appendix A to 10 CFR part 40. The requirements for licenses to manufacture and distribute industrial devices and products for use under the general license in § 40.25 are spelled out in considerable detail in § 40.34(a).

The requirements for issuance of specific licenses and the conditions of licenses specified in 10 CFR Part 40 are generally stated and applicable to all licenses, except for the case of licenses involving distribution of devices and products to be used under the general license in § 40.25. A number of detailed conditions for these licenses are spelled out in §§ 40.34 and 40.35.

Generally, if a category of use involves a number of firms conducting similar activities, and regulatory requirements can be developed which are applicable to all users within a category, it is a desirable practice to include the requirements in the regulation. This provides a stable framework for the guidance of licensees, NRC staff, and other interested parties.

However, except for regulations governing the milling and mill tailings, this practice is not followed with respect to 10 CFR part 40 licenses. There are about 200 NRC 10 CFR part 40 licenses and these licenses authorize a wide variety of activities. Source material may also be used under specific licenses which are primarily for byproduct material. For example, a teletherapy license for a 3,000 Curie Co^{60} source may also provide for the use of up to several hundred pounds of depleted uranium as shielding in the teletherapy unit. Source material activities are also licensed by Agreement States.

Even within a given category of use, the licensed activities may have significant differences. For example, there are only two UF_6 production plants under license and each uses a different technology to convert uranium oxide to UF_6. Thus, generally applicable requirements for a category of use would necessarily be general in nature and specific requirements related to the individual licensee's activity would still need to be imposed.

Given the broad nature of the uses of source material, it is not clear whether there is a sufficient benefit from

developing more specific licensing criteria for inclusion in the regulation that would be based on category of use. However, as indicated in the discussion of 10 CFR part 40 exempt products, there may be a need to impose certain requirements on licensees manufacturing and distributing exempt products to assure a proper level of safety. There may also be a need to impose certain requirements on licensees who commercially distribute source material for use under the general license in § 40.22. The NRC may also consider an additional change to add sealed sources and devices containing source material that are used under a specific license to the Sealed Source and Device Registry System. This change would be consistent with comparable provisions for sources and devices containing byproduct material in § § 30.32(g) and 32.210.

Separate from this effort, an NRC staff task force has recently completed a review of approaches to regulating materials licensees: "Proposed Method for Regulating Major Materials Licenses," NUREG–1324, published for comment in February 1992. The intent of this review was to examine all facets of the existing regulatory methods, unfettered by any existing regulations, guidance, and resource limitations, and propose an ideal method for regulating large materials licensees. The task force found that for the most part the regulations on which the licensing of large materials processors are based provide safeguards against theft or sabotage of special nuclear material and protection against exposure of workers and the public to radiation and radioactive materials. However, the task force believed that improvements in the area of process safety and managerial controls should be considered and identified. The task force also identified potential regulatory changes applicable to major material processors. However, these are idealized recommendations without cost/benefit considerations. The NRC staff is developing an implementation plan that will identify priorities for future action. If the implementation plan determines that changes to 10 CFR part 40 are appropriate, these changes would be applicable to relatively few 10 CFR part 40 licensees. It may be appropriate to consider such changes in conjunction with any comparable changes being considered for 10 CFR parts 30 and 70. Comments received on NUREG–1324 will be considered by the NRC staff developing any future rulemakings concerning 10 CFR part 40.

Mills and Mill Tailings

Six issues in the area of mills and mill tailings have received recent attention by the Commission. In general, these issues have been addressed by the NRC staff and regulatory positions have been established. In a few cases, the NRC staff have suggested that rule changes be made to reflect these NRC staff regulatory positions.

The first issue concerns the use of feed materials other than natural ore in uranium mills. The Commission allows the use of materials other than natural ore to be used by mills to extract source material and has developed a definition of ore as "a natural or native matter that may be mined and treated for the extraction of any of its constituents or any other matter from which source material is extracted in a licensed uranium or thorium mill." This definition assures that the tailings resulting from the extraction of source material from feed material other than natural ore meets the definition of byproduct material, which is "the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from uranium solution extraction processes." The words "processed primarily for its source material content" are important in preventing "sham disposal," or the addition of low level or mixed waste to mill feedstock in order to dispose of it in the tailings impoundment as byproduct material. The NRC staff has published guidance on this issue for comment (57 FR 20525; May 13, 1992). Depending on the staff's evaluation of the comments received, the Commission may propose adding this definition of ore to the regulations in 10 CFR part 40 in the future.

The second issue concerns requests by mill licensees to dispose of waste materials that do not meet the definition of byproduct material into tailings impoundments. The NRC staff has prepared and published guidance for reviewing these requests for comment (57 FR 20525; May 13, 1992). The guidance assures that only material physically comparable to 10 CFR part 40 byproduct material is disposed of in tailings impoundments, that the material is not covered by EPA standards for hazardous or toxic wastes, that there is no significant environmental impact, that appendix A is complied with, that the Department of Energy be informed and have an opportunity to comment, and that the authorization constitutes a license amendment. If many requests of this type are made, the NRC staff will consider an amendment to the regulations to incorporate the guidance.

The third issue concerns initiation of a rulemaking to amend 10 CFR part 40, appendix A to conform the Environmental Protection Agency (EPA) proposed amendments to its regulations in 40 CFR part 192, subpart D. EPA has initiated the process, based on consensus-building discussions, to rescind the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for radionuclide emissions from uranium mill tailings disposal sites (limited to those sites licensed by the NRC or an Agreement State, not those sites under the control of the Department of Energy) in subpart T of 40 CFR part 61. One result of these consensus-building discussions was completion of a staff-level Memorandum of Understanding (MOU) which establishes the process whereby EPA will rescind 40 CFR part 61, subpart T based on a determination that the NRC's regulatory program protects public health with an ample margin of safety. The MOU was signed by NRC, EPA, and the Agreement States regulating uranium mill tailings sites (Colorado, Texas, and Washington) and published by EPA on October 25, 1991 (56 FR 55434). Supported by the MOU, EPA published a Proposed Stay of Effectiveness of subpart T in the Federal Register on October 25, 1991 (56 FR 55432). On December 31, 1991, EPA published a Final Stay of Effectiveness (56 FR 67537) and a Proposed Rule to Rescind (56 FR 67561) for 40 CFR part 61, subpart T, and an Advance Notice of Proposed Rulemaking for 40 CFR part 192, subpart D (56 FR 67569). EPA is proceeding with additional rulemaking activities to achieve sole regulatory responsibility for NRC and its Agreement States over subpart T mill tailings sites.

The Commission intends to revise appendix A of 10 CFR part 40 to conform to EPA's revised 40 CFR 192 standards and will proceed with this rulemaking concurrent with EPA's rulemaking. The NRC rulemaking will address the timing of closure activities and measurement of radon emissions to confirm compliance with the 20 pCi/m^2s radon emission standard (Criterion 6 of appendix A). In view of the need for concurrent action with EPA in the rulemaking, action on this is being undertaken separately from other issues discussed in this ANPRM.

The fourth issue concerns the licensing of a commercial disposal site for mill tailings, including wastes from in-situ extraction operations. The licensing requirements for mill tailings in 10 CFR part 40 are primarily intended

to address the situation where the tailings disposal operation is directly associated with a source material extraction operation. A commercial tailings disposal activity may be independent of any extraction process and thus comparable in certain respects to a low level radioactive waste disposal site. This facility would serve to aid the reduction of the number of small disposal sites and provide additional options for disposal of wastes from in-situ extraction operations consistent with Criterion 2 of appendix A. The authority to license a separate commercial disposal site under 10 CFR part 40 is not clearly stated in 10 CFR part 40. The Commission recently issued an order providing for the issuance of a specific license under 10 CFR part 40 for such an operation and intends to consider amendments to 10 CFR part 40 to specifically cover this activity in order to eliminate the need for issuing orders in the future. The Commission will consider applying appendix A to 10 CFR part 40 and whether additional requirements consistent with 10 CFR part 61 are appropriate.

The fifth issue concerns the disposal of waste from in-situ leaching operations. The NRC staff has prepared a position paper establishing a course of action for both the NRC staff and the licensee to follow in dealing with a proposal to dispose of in-situ wastes on site. This position paper was reproduced as appendix E to NUREG/CR–5881. The position paper amplifies the principles stated in Criterion 2 of appendix A to 10 CFP part 40, concerning reducing perpetual surveillance operations by avoiding, to the extent practicable, proliferation of small waste disposal sites. The position paper provides guidance to both the NRC staff and licensees for dealing with the disposal of in-situ waste on site. Basically, it provides for interim (up to 5 years) on-site storage of waste in those cases where it is demonstrated that there is no practicable off-site disposal option available and that on-site disposal is feasible. During the third year of the interim storage period, if no off-site disposal became available, the NRC staff would consider a request for permanent on-site disposal. By the end of the third year of interim storage, the licensee is to propose a suitable on-site disposal design for NRC review and approval. The Commission will consider whether these provisions should be incorporated into Criterion 2 of appendix A to 10 CFR part 40.

The sixth issue concerns the obligation of the NRC under section 84a(3) of the Atomic Energy Act, as amended, to ensure that its general requirements for the management of uranium mill tailings are comparable to EPA requirements applicable to similar wastes under the Solid Waste Disposal Act (SWDA). In the Supplementary Information for the final rule (52 FR 43562; November 13, 1987) amending NRC regulations to incorporate EPA's ground-water protection requirements, the Commission noted that the rulemaking action was limited to incorporating requirements legally imposed by 40 CFR part 192 into NRC rules. The Commission also noted that a future rulemaking would probably be necessary to fully satisfy the comparability requirement of section 84a(3) of the Atomic Energy Act, as amended. The notice pointed to acknowledged technical difficulties with the provisions of 40 CFR part 264 as a principal reason for delaying conformance action. Finally, the Commission stated that the question of when to initiate rulemaking would be reassessed periodically. In 1989, the Commission evaluated the degree of comparability but has not reached agreement with EPA on what further action, if any, is appropriate. The Commission will again review the situation and explore the need for further rulemaking with EPA.

Additional Considerations

In addition to the substantive issues, the Commission will consider ways that 10 CFR part 40 could be made clearer or otherwise easier to implement, such as structure or format changes.

Options for Rulemaking

The staff is pursuing consideration of an overall revision to 10 CFR part 40 to deal with all of the described issues and areas in a comprehensive fashion. As noted in the Background Section, the NRC has not undertaken a comprehensive revision of 10 CFR part 40 since 1961. However, the NRC staff is also considering alternatives to a comprehensive rulemaking based upon the timing and efficiency of dealing with certain issues. For example, depending on the nature and extent of information obtained in response to this notice, a simple rulemaking may be initiated designed to obtain better information on products and materials being distributed for use under an exemption and for use under the general license in § 40.22. This rule could require:

(1) Annual reports from specific licensees as to the types and number of products and quantities of source material distributed for exempt use,

(2) Quarterly reports from specific licensees about commercial transfers to § 40.22 general licensees, including what material is transferred, the identity of the general licensee, and a point of contact for the general licensee, and

(3) That distribution of source material to persons exempt from licensing and to persons using the general license in § 40.22 be made under a specific license.

Comparable action on the part of the Agreement States for item (2) would likely be necessary.

The information obtained as a result of this first rulemaking would provide a basis for determining what additional changes are appropriate. Further dealing with the issues of specific licensees other than mills, general licensees, and exemptions would depend on developing a better data base and would not be undertaken until this was achieved.

Issues related to mills could be dealt with sooner if handled separately from these other issues. However, the NRC staff is uncertain at this time as to whether the changes to 10 CFR part 40 related to mills warrant a separate rulemaking. As the scope of rulemaking in the area of uranium mills develops, the NRC staff will determine if these issues should be dealt with separately.

Any further separation of issues will be determined after a clearer definition of the scope of rulemaking in each area is developed and will depend on the timing of resolution of the various issues involved.

Request for Information and Comment

The Commission specifically seeks comment in a number of areas. These relate primarily to obtaining more detailed information on how the exemptions in 10 CFR part 40 and the general license in § 40.22 are used. The information would assist the Commission in preparing proposed amendments that would provide for the protection of health and safety with the least impact on the conduct of activities related to these provisions of 10 CFR part 40.

(1) The Commission requests information and comments from licensees who distribute source material to exempt persons. In the case of manufacturers or importers of products, the Commission is interested in information on the type and amount of source material in each product, its chemical and physical form, the number of products currently distributed annually and in the recent past, as well as a projection of distribution in the next few years. The Commission is also interested in information on the type, quantity, and form of the source

material distributed by distributors of materials exempted under §§ 40.13 (a), (b), and (c)(1)(vi).

(2) The Commission requests information and comments from licensees who distribute source material for use under the general license in § 40.22 and also from users of that general license. From distributors, the Commission is interested in information on the type, the quantity, and the chemical and physical forms of source material distributed annually, including the number of shipments in the past 3 years and the approximate quantity per shipment. From users of the general license, the Commission is interested in information on the types of activities conducted under this general license and on the quantities of material needed for those activities.

(3) With respect to the general license in § 40.25, the Commission seeks information on how this provision of the regulations might be made more useful.

(4) The structure and format of the revisions to 10 CFR part 40 will be determined at a later date based in part on the ultimate scope of rulemaking. However, commenters may wish to comment on the pros and cons of options such as:

a. Creation of a separate part for general licensing of source material comparable to 10 CFR part 31 or for manufacturers or those transferring for the first time products containing source material for sale or distribution comparable to 10 CFR part 32.

b. Creation of subparts within 10 CFR part 40 covering these same subjects and/or containing specific requirements for particular classes of specific licensees.

Commenters are, of course, welcome to provide comments on any issue raised in this notice, discussions contained in NUREG/CR–5881, or any other issue related to updating the regulations contained in 10 CFR part 40. Comments which include the rationale for the suggestions or views will be especially useful.

List of Subjects in 10 CFR Part 40

Criminal penalty, Government contracts, Hazardous materials—transportation, Nuclear materials, Reporting and recordkeeping requirements, Source material, and Uranium.

Authority: Sec. 161, Pub. L. 83–703, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, Pub. L. 93–438, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Dated at Rockville, Maryland, this 22nd day of October 1992.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 92–26094 Filed 10–27–92; 8:45 am]

BILLING CODE 7590–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92–CE–48–AD]

Airworthiness Directives; Piper Aircraft Corporation PA–23 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would be applicable to certain Piper Aircraft Corporation (Piper) PA–23 series airplanes that have Met-Co-Aire 48-gallon tip tanks installed. The proposed action would require replacement of any existing rubber fuel hose with a hose of improved design that is not susceptible to fuel leakage. The Federal Aviation Administration (FAA) has received a report of fuel leakage from the end fitting of a flexible fuel line that connects one of the 48-gallon tip tanks to the main fuel system on a Piper Model PA–23–250 airplane. This incident resulted in the left wing tip exploding, catching fire, and separating from the airplane. The actions specified by the proposed AD are intended to prevent such fuel leakage and possible fire, which could result in passenger injury.

DATES: Comments must be received on or before January 12, 1993.

ADDRESSES: Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 92–CE–48–AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that is applicable to this AD may be obtained from Met-Co-Aire, P.O. Box 2216, Fullerton, California 92633; Telephone (714) 870–4610. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Roy McKinnon, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, 3229 E. Spring Street, Long Beach, California 90806–2425; Telephone (310) 988–5247.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 92–CE–48–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 92–CE–48–AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received a report of fuel leakage from the end fitting of a flexible fuel line that connects one of the tip tanks to the main fuel system on a Piper Model PA–23–250 airplane that has Met-Co-Aire 48-gallon tip tanks installed in accordance with Supplemental Type Certificate (STC) SA1480WE. This incident resulted in the left wing tip exploding, catching fire, and separating from the airplane. A leaking flexible fuel line, if not detected and corrected, could result in an airplane fire and possible passenger injury.

Met-Co-Aire has issued Service Bulletin (SB) No. 23–001, dated July 1992,

which specifies procedures for replacing any existing Parker "Push-Lok" flexible fuel hose, part number (P/N) 11059–4, with a Stratoflex hose, P/N 11059–10.

After examining the circumstances and reviewing all available information related to the incidents described above including the referenced service information, the FAA has determined that AD action should be proposed to require the replacement of any existing rubber fuel hose in order to prevent fuel leakage and possible fire, which could result in passenger injury.

Since the condition described is likely to exist or develop in other Piper PA–23 series airplanes of the same type design that have Met-Co-Aire 48-gallon tip tanks installed in accordance with STC SA1480WE, the proposed AD would require replacement of any existing Parker "Push-Lok" flexible fuel hose, part number (P/N) 11059–4, with a Stratoflex hose, P/N 11059–10. The proposed actions would be accomplished in accordance with the instructions in Met-Co-Aire SB No. 23–001, dated July 1992.

The FAA estimates that 3,600 Piper PA–23 series airplanes in the U.S. registry could have two Met-Co-Aire 48-gallon tip tanks installed and therefore could be affected by the proposed AD, that it would take approximately 2 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately $55 an hour. Parts cost approximately $80 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $684,000. This figure takes into account that all Piper PA–23 series airplanes could have Met-Co-Aire 48-gallon tip tanks installed; however, only some of the PA–23 series airplanes have these tanks installed, but the FAA has no available means of determining how many. In addition, the manufacturer has sold approximately 1,000 replacement fuel hose kits. With this in mind, the FAA estimates that the cost impact of the proposed AD upon U.S. operators would be much smaller than that presented.

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

For the reasons discussed above, I certify that this action: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **"ADDRESSES".**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new AD:

Piper Aircraft Corporation: Docket No. 92–CE–48–AD.

Applicability: Models PA–23–150, PA–23–160, PA–23–235, and PA–23–250 airplanes (all serial numbers) that have Met-Co-Aire 48-gallon fuel tip tanks installed in accordance with Supplemental Type Certificate SA1480WE, certificated in any category.

Compliance: Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

Note 1: The compliance time referenced in this AD takes precedence over that referenced in Met-Co-Aire Service Bulletin No. 23–001, dated July 1992.

To prevent fuel leakage and possible fire, which could result in passenger injury, accomplish the following:

(a) Replace any existing Parker "Push-Lok" flexible fuel hose, part number (P/N) 11059–4, with a Stratoflex hose, P/N 11059–10, in accordance with the instructions in Met-Co-Aire Service Bulletin No. 23–001, dated July 1992.

(b) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Los Angeles Aircraft Certification Office, FAA, 3229 E. Spring Street, Long Beach, California 90806–2425. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to Met-Co-Aire, P.O. Box 2216, Fullerton, California 92633; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 21, 1992.

John E. Tigue,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92–26082 Filed 10–27–92; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 92–NM–169–AD]

Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD–11 series airplanes. This proposal would require modifying the wiring to the engine-driven hydraulic pump overtemperature switches. This proposal is prompted by a recent report of crossed wiring of the engine-driven hydraulic pump overtemperature switches. The actions specified by the proposed AD are intended to prevent loss of a hydraulic system.

DATES: Comments must be received by December 23, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 92–NM–169–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, P.O.

Box 1771, Long Beach, California 90846–0001, Attention: Business Unit Manager, Technical Publications—Technical Administrative Support, C1–L5B; or from Pratt & Whitney, 400 Main Street, East Hartford, Connecticut 06108, Attention: Manager, Product Support Engineering. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Kevin Kuniyoshi, Aerospace Engineer, Los Angeles Aircraft Certification Office, ANM–131L, FAA, Transport Airplane Directorate, 3229 East Spring Street, Long Beach, California 90806–2425; telephone (310) 988–5337; fax (310) 988–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92–NM–169–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 92–NM–169–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion: One operator of a McDonnell Douglas Model MD–11 series airplane, equipped with Pratt & Whitney Model PW4460 engines, experienced a temperature warning on the left-hand engine-driven hydraulic pump case drain. In response to this warning, the operator replaced the left hydraulic pump and left (forward) overtemperature switch; however, this action did not correct the problem. Further investigation revealed that the wiring in the overtemperature switch of the forward and aft hydraulic pumps had produced an incorrect fault warning and hydraulic pump shutdown. The wire harness connector for the overtemperature switch of the left (forward) hydraulic pump was incorrectly connected to the right (aft) hydraulic pump overtemperature switch. Conversely, the wire harness connector for the overtemperature switch of the right (aft) hydraulic pump was incorrectly connected to the left (forward) hydraulic pump overtemperature switch. This wiring error could cause a functional hydraulic pump to shut off, leaving a faulty hydraulic pump operational. This condition, if not corrected, could lead to loss of a hydraulic system.

The FAA has reviewed and approved McDonnell Douglas MD–11 Service Bulletin 29–16, dated August 6, 1992, that describes procedures for modifying the wiring to the engine-driven hydraulic pump overtemperature switches. The modification ensures that the wiring in the miscellaneous core wiring harness is installed correctly. (This service bulletin references Pratt & Whitney Service Bulletin PW4MD11 29–6, dated August 3, 1992, which describes procedures for disassembling the two electrical connectors to the hydraulic pump overtemperature switches, changing the wiring, inserting correct pins, and reassembling the connectors.)

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require modifying the wiring to the engine-driven hydraulic pump overtemperature switches. The actions would be required to be accomplished in accordance with the McDonnell Douglas service bulletin described previously.

There are approximately 25 McDonnell Douglas Model MD–11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 4 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $55 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $1,320, or $330 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

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

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13—[Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 92–NM–169–AD.

Applicability: Model MD–11 series airplanes equipped with Pratt & Whitney Model PW4460 engines; having airplane serial numbers 48407 through 48410 inclusive, 48443 through 48448 inclusive, 48452 through 48457 inclusive, 48461, 48472 through 48475 inclusive, 48484, 48485, 48495, and 48496; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent loss of a hydraulic system, accomplish the following:

(a) Within 60 days after the effective date of this AD, modify the wiring to the engine-driven hydraulic pump overtemperature switches, in accordance with McDonnell Douglas MD-11 Service Bulletin 29-16, dated August 6, 1992.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on October 22, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-26139 Filed 10-27-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[INTL-0003-92]

RIN 1545-AQ58

Proposed Amendments to the Regulations on Branch Profits Tax and on Effectively Connected Income; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to proposed regulations.

SUMMARY: This document contains corrections to the notice of proposed rulemaking (INTL-0003-92), which was published in the **Federal Register** Friday, September 11, 1992 (57 FR 41707), relating to the determination of effectively connected income under section 864 and the branch profits tax and branch-level interest tax under section 884 of the Internal Revenue Code of 1986.

FOR FURTHER INFORMATION CONTACT: Elizabeth U. Karzon, (202) 622-3860 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The proposed regulations that are the subject of these corrections contain proposed amendments to the Income Tax Regulations (26 CFR part 1) under section 884 of the Internal Revenue Code.

Need for Correction

As published, INTL-0003-92 contains errors which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of the proposed regulations (INTL-0003-92), which was the subject of FR Doc. 92-21298, is corrected as follows:

§ 1.884-1 [Corrected]

1. On page 41711, column 1, § 1.884-1(d)(3)(vi), paragraph (ii) of *Example 2*, second line from the bottom of the page, the language "disposition of the asset (80%) rather its" is corrected to read "disposition of the asset (80%) rather than its".

§ 1.884-2T [Corrected]

2. On page 41711, column 3, § 1.884-2T(a)(5), third line from the bottom of the paragraph, the language "*date that is 30 days after these*" is corrected to read "*date that these*".

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92-25935 Filed 10-27-92; 8:45 am]

BILLING CODE 4830-01-M

26 CFR Part 1

[FI-61-91]

RIN 1545-AQ82

Allocation of Allocable Investment Expense; Hearing Cancellation

AGENCY: Internal Revenue Service, Treasury.

ACTION: Cancellation of notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed regulations that propose to adopt as final regulations that portion of the temporary regulations under § 1.67-3T (a) through (e), relating to reporting requirements under section 67 with respect to REMICs.

DATES: The public hearing originally scheduled for Monday, November 9, 1992, beginning at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Bob Boyer of the Regulations Unit, Assistant Chief Counsel (Corporate), 202-622-7190, (not a toll-free number).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is regulations that propose to adopt as final regulations that portion of the temporary regulations under § 1.67-3T (a) through (e). A notice of public hearing appearing in the **Federal Register** for Thursday, September 3, 1992, (57 FR 40378), announced that the public hearing on the proposed regulations would be held on Monday, November 9, 1992, beginning at 10 a.m. in the IRS Commissioner's Conference Room, room 3313, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC.

The public hearing scheduled for Monday, November 9, 1992, has been cancelled.

By direction of the Commissioner of Internal Revenue:

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92-26053 Filed 10-27-92; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

Illinois Abandoned Mine Land Reclamation Plan

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Illinois Abandoned Mine Land Reclamation Plan (hereinafter referred to as the Illinois AMLR Plan) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), Public Law 95-87, 30 U.S.C. 1231 *et seq.*, as amended.

The proposed amendment pertains to changes to SMCRA made by the Abandoned Mine Land (AML) Reclamation Act of 1990, Public Law 101-508, which became effective October 1, 1991. The proposed amendment is intended to revise the Illinois AMLR Plan to address the changes to SMCRA.

This notice sets forth the times and locations that the Illinois AMLR Plan and proposed amendment to that Plan are available for public inspection, the comment period during which interested persons may submit written comments

on the proposed amendment, and the procedures that will be followed regarding the public hearing, if one is requested.

DATES: Written comments must be received on or before 4 p.m. on November 27, 1992. If requested, a public hearing on the proposed amendment will be held at 1 p.m. on November 23, 1992. Requests to present oral testimony at the hearing must be received on or before 4 p.m. on November 12, 1992.

ADDRESSES: Written comments should be mailed or hand delivered to: Mr. James F. Fulton, Director, Springfield Field Office, at the address listed below. Copies of the Illinois AMLR Plan, the proposed amendment, and all written comments received in response to this notice will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive, free of charge, one copy of the proposed amendment by contacting OSM's Springfield Office.

Office of Surface Mining Reclamation and Enforcement, Springfield Field Office, 511 West Capitol, suite 202, Springfield, Illinois 62704, Telephone: (217) 492–4495

Illinois Abandoned Mined Lands Reclamation Council, 928 South Spring Street, Springfield, Illinois 62704, Telephone: (217) 782–0588.

FOR FURTHER INFORMATION CONTACT: James F. Fulton, Director, Springfield Field Office; (217) 492–4495.

SUPPLEMENTARY INFORMATION:

I. Background

Title IV of SMCRA established an Abandoned Mine Land Reclamation (AMLR) program for the purposes of reclaiming and restoring lands and water resources adversely affected by past mining. This program is funded by a reclamation fee imposed upon the production of coal. As enacted in 1977, lands and waters eligible for reclamation were those that were mined or affected by mining and abandoned or left in an inadequate reclamation status prior to August 3, 1977, and for which there was no continuing reclamation responsibility under State or Federal law. The AML Reclamation Act of 1990 (Pub. L. 101–508, title VI, subtitle A, Nov. 5, 1990, effective Oct. 1, 1991) amended SMCRA, 30 U.S.C. 1231 *et seq.*, to provide changes in the eligibility of project sites for AML expenditures. Title IV of SMCRA now provides for reclamation of certain mine sites where the mining occurred after August 3, 1977. These include interim program sites where bond forfeiture proceeds were insufficient for adequate reclamation and sites affected any time between August 4, 1977, and November 5, 1990, for which there were insufficient funds for adequate reclamation due to the insolvency of the bond surety. Title IV provides that a State with an approved AMLR program has the responsibility and primary authority to implement the program.

The Secretary of the Interior approved the Illinois AMLR Plan on June 1, 1982. Information pertinent to the general background of the Illinois AMLR Plan submission, as well as the Secretary's findings and the disposition of comments can be found in the June 1, 1982, **Federal Register** (47 FR 23883). Subsequent actions concerning plan amendments are identified at 30 CFR 913.25.

The Secretary adopted regulations at 30 CFR part 884 that specify the content requirements of a State reclamation plan and the criteria for plan approval. The regulations provide that a State may submit to the Director proposed amendments or revisions to the approved reclamation plan. If the amendments or revisions change the scope of major policies followed by the State in the conduct of its reclamation program, the Director must follow the procedures set out in 30 CFR 884.14 in approving or disapproving an amendment or revision.

II. Discussion of Proposed Amendment

By letter received by OSM on August 20, 1992 (Administrative Record No. IL–400–AML), the Illinois Abandoned Mined Lands Reclamation Council (Council) submitted a proposed amendment to the Illinois AMLR Plan on it own initiative, as provided for by 30 CFR 884.15. The proposed amendment consists of revisions to the Illinois Abandoned Mined Lands and Water Reclamation Act (State Act), Ill. Rev. Stat. ch. 96½ par. 8001.01–8003.08. The proposed revisions will be enacted through Illinois House Bill 3773, which has passed both chambers of the Illinois General Assembly. Specifically, the State Act is revised by changing section 1.03 and adding new section 2.13 as follows:

(1) Section 1.03 Definitions

The definition of "abandoned lands" at Section 1.03 of the Act is being revised to include the following language: "Abandoned lands" also means, in the appropriate context, lands and water eligible for reclamation under section 2.11 and section 2.13 of the Act."

(2) Section 2.13 Interim Program and Insolvent Surety Sites

Section 2.13 is being added to the State Act to include those post-1977 abandoned mine lands and waters made eligible for reclamation by title IV of SMCRA as amended by the AML Reclamation Act of 1990. The new section authorizes and empowers the Council to enter and perform reclamation or drainage abatement on the eligible lands and waters, it provides a description of the eligible lands and waters, and it addresses the Council's reclamation objectives for the eligible lands and waters.

III. Public Comments Procedures

In accordance with the provisions of 30 CFR 884.14, OSM is now seeking comment on whether the amendment proposed by Illinois satisfies the applicable requirements of 30 CFR 884.14 for the approval of State reclamation plan amendments. If the amendment is deemed adequate, it will become part of the Illinois AMLR Plan.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the OSM Springfield Field Office will not necessarily be considered and included in the Administrative Record for the final rulemaking.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m. on November 12, 1992. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment, and who wish to do so, will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting at the OSM office listed under **ADDRESSES** by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public, and, if possible, notices of meetings will be posted at the locations under **ADDRESSES**. A written summary of each meeting will be made a part of the Administrative Record.

Executive Order 12291

On March 30, 1992, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or disapproval of State and Tribal abandoned mine land reclamation plans and revisions thereof. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State and Tribal abandoned mine land reclamation plans and revisions thereof since each such plan is drafted and adopted by a specific State or Tribe, not by OSM. Decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof submitted by a State or Tribe are based on a determination of whether the submittal meets the requirements of title IV of SMCRA (30 U.S.C. 1231–1243) and the Federal regulations at 30 CFR part 884.

National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State [or Tribal] submittal which is the subject of this rule is based upon Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements established by SMCRA or previously promulgated by OSM will be implemented by the State [or Tribe]. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 1, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 92–26073 Filed 10–27–92; 8:45 am]

BILLING CODE 4310–05–M

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30 CFR Part 914

Indiana Regulatory Program Amendment

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing receipt of a proposed amendment submitted by Indiana as a modification to the State's regulatory program (hereinafter referred to as the Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

The amendment submitted (program amendment number 92–4) consists of proposed changes to the Indiana Surface Coal Mining and Reclamation Rules concerning coal extraction incidental to extraction of other minerals. The amendment is intended to establish criteria and procedures for use in determining whether an operation qualifies initially, and on a continuing basis, for an exemption from permitting.

This notice sets forth the times and locations that the Indiana program and the proposed amendment to that program will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and the procedures that will be followed for a public hearing, if one is requested.

DATES: Written comments must be received on or before 4 p.m. on November 27, 1992; if requested, a public hearing on the proposed amendment is scheduled for 1 p.m. on November 23, 1992; and requests to present oral testimony at the hearing must be received on or before 4 p.m. on November 12, 1992.

ADDRESSES: Written comments and requests to testify at the hearing should be directed to Mr. Roger W. Calhoun, Director, Indianapolis Field Office, at the address listed below. If a hearing is requested, it will be held at the same address.

Copies of the Indiana program, the amendment, a listing of any scheduled public meetings, and all written comments received in response to this notice will be available for public review at the following locations, during normal business hours, Monday through Friday, excluding holidays:

Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, 575 North Pennsylvania Street, room, 301, Indianapolis, IN 46204. Telephone: (317) 226–6166.

Indiana Department of Natural Resources, 402 West Washington Street, room 295, Indianapolis, IN 46204. Telephone: (317) 232–1547.

Each requester may receive, free of charge, one copy of the proposed amendment by contacting the OSM Indianapolis Field Office.

FOR FURTHER INFORMATION CONTACT: Mr. Roger W. Calhoun, Director, Telephone (317) 226–6166.

SUPPLEMENTARY INFORMATION:

I. Background on the Indiana Program

On July 29, 1982, the Indiana program was made effective by the conditional approval of the Secretary of the Interior. Information pertinent to the general background on the Indiana program, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Indiana program can be found in the July 26, 1982, **Federal Register** (47 FR 3207). Subsequent actions concerning the conditions of approval and program amendments are

identified at 30 CFR 914.10, 914.15, and 914.16.

II. Discussion of the Proposed Amendments

By letter dated February 7, 1990 (Administrative Record No. IND–0756), OSM informed Indiana of changes to the Federal regulations concerning coal extraction incidental to extraction of other minerals which may necessitate changes in the Indiana program.

By letter dated July 24, 1992 (Administrative Record No. IND–1116), the Indiana Department of Natural Resources (IDNR) submitted a proposed amendment to the Indiana program at 310 Indiana Administrative Code (IAC) 12–0.5 and 12–1. By a second letter dated August 8, 1992 (Administrative Record No IND–1126), the IDNR submitted a replacement proposed amendment addressing the same changes. The proposed amendment includes changes to the following Indiana rules.

Rule Number and Subject (Intended Action)

310 IAC 12–0.5–5.5 Definition of "administratively complete application". (New)
310 IAC 12–0.5–32.6 Definition of "cumulative measurement period". (New)
310 IAC 12–0.5–32.7 Definition of "cumulative production". (New)
310 IAC 12–0.5–32.8 Definition of "cumulative revenue". (New)
310 IAC 12–0.5–72.5 Definition of "mining area". (New)
310 IAC 12–0.5–78.5 Definition of "other minerals". (New)
310 IAC 12–1–5 Exemption for coal extraction incidental to the extraction of other minerals. (New)
310 IAC 12–1–6 Exemption for coal extraction incidental to the extraction of other minerals; application requirements and procedures. (New)
310 IAC 12–1–7 Exemption for coal extraction incidental to the extraction of other minerals; contents of application for exemption. (New)
310 IAC 12–1–8 Exemption for coal extraction incidental to the extraction of other minerals; requirements of exemption. (New)
310 IAC 12–1–9 Exemption for coal extraction incidental to the extraction of other minerals; conditions of exemption and right of inspection and entry. (New)
310 IAC 12–1–10 Exemption for coal extraction incidental to the extraction of other minerals; stockpiling of minerals. (New)
310 IAC 12–1–11 Exemption for coal extraction incidental to the extraction of other minerals; revocation and enforcement. (New)
310 IAC 12–1–12 Exemption for coal extraction incidental to the extraction of other minerals; reporting requirements. (New)

The full text of the proposed program amendment submitted by Indiana is available for public inspection at the addresses listed above. The Director now seeks public comment on whether the proposed amendment is no less effective than the Federal regulations. If approved, the amendment will become part of the Indiana program.

III. Public Comment Procedures

In accordance with provisions of 30 CFR 732.17(h), OSM is now seeking comment on whether the amendment proposed by Indiana satisfies the requirements of 30 CFR 732.15 for the approval of State program amendments. If the amendment is deemed adequate, it will become part of the Indiana program.

Written Comments

Written comments should be specific, pertain only to issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "**DATES**" or at locations other than the Indianapolis Filed Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "**FOR FURTHER INFORMATION CONTACT**" by the close of business on November 12, 1992. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and who wish to do so will be heard following those scheduled. The hearing will end after all persons who desire to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting at the Indianapolis Field Office by contracting the person listed under "**FOR FURTHER INFORMATION CONTACT.**" All such meeting will be open to the public and, if possible, notices of meetings will be posted in advance at the locations listed above under "**ADDRESSES**". A summary of the meeting will be included in the Administrative Record.

IV. Procedural Determinations

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of the Surface Mining Control and Reclamation Act (SMCRA) (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.13 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730,731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within

the meaning of section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 17, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 92-26074 Filed 10-27-92; 8:45 am]

BILLING CODE 4310-05-M

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30 CFR Part 914

Indiana Regulatory Program Amendment

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing receipt of a proposed amendment submitted by Indiana as a modification to the State's regulatory program (hereinafter referred to as the Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

The amendment submitted (program amendment number 92-6) consists of proposed changes to the Indiana Surface Coal Mining and Reclamation Law (IC 13-4.1) concerning the State's reclamation fee and the Small Operator Assistance Program (SOAP). The amendment is intended to establish a reclamation fee for underground coal operations with no support facilities located within Indiana but producing coal from reserves within Indiana, and to increase the qualifying tonnage limit for the SOAP program from 100,000 tons to 300,000 tons.

This notice sets forth the times and locations that the Indiana program and the proposed amendment to that program will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and the procedures that will be followed for a public hearing, if one is required.

DATES: Written comments must be received on or before 4 p.m. on November 27, 1992; if requested, a public hearing on the proposed amendment is scheduled for 1 p.m. on November 23, 1992; and requests to present oral testimony at the hearing must be received on or before 4 p.m. on November 12, 1992.

ADDRESSES: Written comments and requests to testify at the hearing should be directed to Mr. Roger W. Calhoun, Director, Indianapolis Field Office, at the address listed below. If a hearing is requested, it will be held at the same address.

Copies of the Indiana program, the amendment, a listing of any scheduled public meetings, and all written comments received in response to this notice will be available for public review at the following locations, during normal business hours, Monday through Friday, excluding holidays:

Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, 575 North Pennsylvania Street, room 301, Indianapolis, IN 46204. Telephone: (317) 226-6166.

Indiana Department of Natural Resources, 402 West Washington Street, room 295, Indianapolis, IN 46204. Telephone: (317) 232-1547.

Each request may receive, free of charge, one copy of the proposed amendment by contacting the OSM Indianapolis Field Office.

FOR FURTHER INFORMATION CONTACT: Mr. Roger W. Calhoun, Director, Telephone (317) 226-6166.

SUPPLEMENTARY INFORMATION:

I. Background on the Indiana Program

On July 29, 1982, the Indiana program was made effective by the conditional approval of the Secretary of the Interior. Information pertinent to the general background on the Indiana program, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Indiana program can be found in the July 26, 1982, **Federal Register** (47 FR 32107). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 914.10, 914.15, and 914.16.

II. Discussion of the Proposed Amendments

By letter dated July 16, 1992 (Administrative Record No. IND-1106), the Indiana Department of Natural Resources (IDNR) submitted a proposed amendment to the Indiana Surface Coal Mining and Reclamation Statute (IC 13-4.1). The proposed amendment is part of Indian's 1992 House Enrolled Act No. 1298 (Public Law 125-1991). The amendment would add a new subsection IC 13-4.1-3-2(c) which provides that until July 1, 1995, all operators of underground coal mining operations with no support facilities located within Indiana, but producing coal from reserves located within Indiana shall pay to the Indiana Department of Natural Resources (IDNR) for deposit in the natural resources reclamation division fund a reclamation fee of one cent per ton of coal produced from Indiana. The amendment also changes the SOAP provisions at IC 13-4.1-3-3(c) and IC 13-4.1-3-3.5(a)(1) and (a)(5) by changing from 100,000 tons to 300,000 tons the SOAP eligibility tonnage.

Other statute changes contained in Indiana's House Enrolled Act No. 1298 are not being considered in this rulemaking. The addition of IC 13-4.1-6-9(e) and IC 13-4.1-15-1(b) are administrative changes which serve to clarify existing provisions of the Indiana program and do not require a State program amendment. The statutes added at IC 13-7-8.6-5.3 and the changes made to IC 13-7-16.5-9, IC 13-8-5-9, and IC 13-8-10-16 do not pertain to the Indiana program.

The full text of the proposed program amendment submitted by Indiana is available for public inspection at the addresses listed above. The Director now seeks public comment on whether the proposed amendment is no less effective than the Federal regulations. If approved, the amendment will become part of the Indiana program.

III. Public Comment Procedures

In accordance with provisions of 30 CFR 732.17(h), OSM is now seeking comment on whether the amendment proposed by Indiana satisfies the

requirements of 30 CFR 732.15 for the approval of State program amendments. If the amendment is deemed adequate, it will become part of the Indiana program.

Written Comments

Written comments should be specific, pertain only to issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Indianapolis Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "**FOR FURTHER INFORMATION CONTACT**" by the close of business on November 12, 1992. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and who wish to do so will be heard following those scheduled. The hearing will end after all persons who desire to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting at the Indianapolis Field Office by contacting the person listed under "**FOR FURTHER INFORMATION CONTACT**." All such meetings will be open to the public and, if possible, notices of meetings will be posted in advance at the locations listed above under "**ADDRESSES**". A summary of the meeting will be included in the Administrative Record.

IV. Procedural Determinations

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of the Surface Mining Control and Reclamation Act (SMCRA) (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.13 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 1702(d) of SMCRA (30 U.S.C. 1292(d)] provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 17, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 92–26075 Filed 10–27–92; 8:45 am]

BILLING CODE 4310–05–M

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30 CFR Part 920

Maryland Abandoned Mine Lands Reclamation Plan

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing receipt and requesting comments on a proposed amendment to the Maryland Abandoned Mine Lands Reclamation Plan (hereinafter referred to as the Maryland Plan) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment provides for a new program that will allow Maryland to expend up to ten percent of Title IV grants to abate and treat acid mine drainage (AMD). The proposed amendment was submitted in response to changes in the abandoned mine lands program that resulted from the Abandoned Mine Land (AML) Reclamation Act of 1990 (Pub. L. 101–508).

This notice sets forth the times and locations that the Maryland Plan and the proposed amendment to that Plan are available for public inspection, the comment period during which interested persons may submit written comments on the amendment and the procedures that will be followed regarding the public hearing, if one is requested.

DATES: Written comments must be received on or before 4 p.m. on November 27, 1992 to ensure consideration in the rulemaking process. If requested, a public hearing on the amendment will be held at 9 a.m. on November 23, 1992. Requests to present testimony at the hearing must be received on or before 4 p.m. on November 12, 1992.

ADDRESSES: Written comments and requests to testify at the hearing should be mailed or hand delivered to Robert J. Biggi, Director, Harrisburg Field Office at the address listed below. Copies of the Maryland Plan, the proposed amendment, and all written comments received in response to this notice will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive, free of charge, one copy of the proposed amendment by contacting OSM's Harrisburg Field Office.

Office of Surface Mining Reclamation and Enforcement, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, Suite 3C, 4th and Market Streets, Harrisburg, Pennsylvania 17101, Telephone: (717) 782–4036.

Maryland Department of Natural Resources, Water Resources Administration, Bureau of Mines, 160 S. Water Street, Frostburg, Maryland 21532, Telephone: (301) 689–6104.

FOR FURTHER INFORMATION CONTACT: Robert J. Biggi, Director, Harrisburg Field Office, (717) 782–4036.

SUPPLEMENTARY INFORMATION:

I. Background on the Maryland Program

The Secretary of the Interior approved the Maryland Plan effective July 16, 1982. Information on the background of the Maryland Plan including the Secretary's findings, and the disposition of comments can be found in the June 16, 1982, **Federal Register** (47 FR 25955–25957).

II. Discussion of Amendment

By letter dated September 4, 1992, the Maryland Department of Natural Resources Bureau of Mines (BOM) submitted to OSM a proposed amendment to revise the Maryland Plan. The proposal would change the Plan to allow for a program initiative made available under the AML Reclamation Act of 1990. This new initiative would allow for the establishment of an acid mine drainage (AMD) abatement and treatment fund under Maryland State law from which amounts (including all interest earned on such amounts) are expended to implement AMD abatement and treatment plans. In addition, the amendment proposes to update the organizational structure contained in the original Plan.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is now seeking comments on whether the amendment proposed by Maryland satisfies the applicable plan approval criteria of 30 CFR 884.13. If the amendment is deemed adequate, it will become part of the Maryland Plan.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **"DATES"** or at locations other than the Harrisburg Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under **"FOR FURTHER INFORMATION CONTACT"** by 4 p.m. on November 12, 1992. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment, and who wish to do so, will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held.

Persons wishing to meet with OSM representatives to discuss the proposed amendments may request a meeting at the Harrisburg Field Office by contacting the person listed under **FOR FURTHER INFORMATION CONTACT.** All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under "ADDRESSES." A written summary of each meeting will be made part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12291

On March 30, 1992, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or disapproval of State and Tribal abandoned mine land reclamation plans and revisions thereof. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State and Tribal abandoned mine land reclamation plans and revisions thereof since each such plan is drafted and adopted by a specific State or Tribe, not by OSM. Decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof submitted by a State or Tribe are based on a determination of whether the submittal meets the requirements of Title IV of the Surface Mining Control and Reclamation Act (SMCRA) (30 U.S.C. 1231–1243) and the Federal regulations at 30 CFR parts 884 and 888.

National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State (or Tribal) submittal which is the subject of this rule is based upon Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing

requirements established by SMCRA or previously promulgated by OSM will be implemented by the State (or Tribe). In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 920

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 18, 1992.

Ronad C. Recker,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 92-26076 Filed 10-27-92; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 931

New Mexico Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; reopening and extension of public comment period on proposed amendment.

SUMMARY: OSM is announcing receipt of revisions pertaining to a previously proposed amendment to the New Mexico permanent regulatory program (hereinafter, the "New Mexico program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revisions for New Mexico's proposed rules and statute pertain to protection of hydrologic balance, reclamation plans, transportation facilities, subsidence control, support facilities, permit conditions, performance standards for coal exploration, permit information requirements, coal processing waste dams and embankments, protection of threatened and endangered species, revegetation, roads, cessation orders, ownership and control, permit rescission, the designation of lands unsuitable for coal mining, and repeal of the 2-acre exemption. The amendment is intended to revise the New Mexico program to be consistent with the corresponding Federal regulations and provide additional safeguards.

This notice sets forth the times and locations that the New Mexico program and proposed amendment to that program are available for public inspection and the reopened comment period during which interested persons may submit written comments on the proposed amendment.

DATES: Written comments must be received by 4 p.m., m.d.t. November 12, 1992.

ADDRESSES: Written comments should be mailed or hand delivered to Robert H. Hagen at the address listed below.

Copies of the New Mexico program, the proposed amendment, and all written comments received in response to this notice will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Albuquerque Field Office.

Robert H. Hagen, Director, Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 625 Silver Avenue SW., suite 310, Albuquerque, NM 87102, Telephone: (505) 766-1486.

New Mexico Energy & Minerals Department, Mining and Minerals Division, 2040 South Pacheco Street, Santa Fe, NM 87505, Telephone: (505) 827-5970.

FOR FURTHER INFORMATION CONTACT: Robert H. Hagen, Director, Albuquerque Field Office, at the address or telephone number listed in **ADDRESSES.**

SUPPLEMENTARY INFORMATION:

I. Background on the New Mexico Program

On December 31, 1980, the Secretary of the Interior conditionally approved the New Mexico program. General background information on the New Mexico program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the New Mexico program can be found in the December 31, 1980, **Federal Register** (45 FR 86459). Subsequent actions concerning New Mexico's program and program amendments can be found at 30 CFR 931.15, 931.16, and 931.30.

II. Proposed Amendment

By letter dated January 16, 1991 (Administrative Record No. NM-623), New Mexico submitted a proposed amendment to its program pursuant to SMCRA. New Mexico submitted the proposed amendment in response to letters dated May 11 and November 1, 1989, and February 7 and June 22, 1990, that OSM sent to New Mexico in accordance with 30 CFR 732.17(c) (Administrative Record Nos. NM-494, NM-550, NM-563, and NM-596).

The rules that New Mexico proposed to revise were: Coal Surface Mining Commission (CSMC) Rules 80-1-1-5, 11-17, and 11-19, ownership and control; CSMC Rules 80-1-7-13, 7-14, 11-29, and 30-11, permit information requirements; CSMC Rule 80-1-9-25, reclamation plans; CSMC Rules 80-1-9-37, 9-40, 19-15, 20-150, and 20-151, roads and transportation facilities; CSMC Rules 80-1-9-39, 20-121, and 20-124, subsidence control; CSMC Rules 80-1-11-20 and 11-24, permit rescission; CSMC Rules 80-1-12-10, 34-1, 34-2, 34-3, 34-4, 34-5, 34-6, 34-7, 34-8, 34-9, and 34-10, exemption for coal extraction incidental to the extraction of other minerals; CSMC Rule 80-1-19-17, coal exploration; CSMC Rule 80-1-20-93, coal processing waste; and CSMC Rules 80-1-20-116 and 20-117, revegetation.

OSM published a notice in the January 29, 1991, **Federal Register** (56 FR 3234) announcing receipt of the amendment and inviting public comment on the adequacy of the proposed amendment (Administrative Record No. NM-626). The public comment period ended on February 28, 1991.

By letter dated February 6, 1991, New Mexico submitted, on its own initiative, a proposed revision to CSMC Rule 80-1-20-97(b) pertaining to threatened and endangered species (Administrative Record No. NM-627) and requested that the proposed revision be included in the amendment it proposed on January 16, 1991. By letter dated March 26, 1991, New Mexico proposed further revisions to CSMC Rule 80-1-20-97(b) (Administrative Record No. NM-635).

During its review of the amendment, OSM identified concerns relating to CSMC Rule 80-1-9-25(c), reclamation plans for permanent and temporary impoundments; CSMC Rule 80-1-9-37, transportation facilities; CSMC Rule 80-1-9-39(b), and (c), 20-121(a), and 20-124, subsidence control; CSMC Rule 80-1-11-29(a), permit information requirements; CSMC Rule 80-1-19-15(c)(4), performance standards for coal exploration; CMSC Rule 80-1-20-93(e), coal processing waste; CSMC Rule 80-1-20-97 (b) and (c), protection of threatened and endangered species; CSMC Rules 80-1-20-116 and 20-117, revegetation; CSMC Rules 80-1-20-150(d)(1), roads; CSMC Rule 80-1-30-11(a), cessation orders; and CSMC Rule 80-1-34-6(a)(2), requirements for exemption. OSM notified New Mexico of the concerns by letter dated April 15, 1991 (Administrative Record No. NM-636).

New Mexico responded in a letter dated July 22, 1991, by submitting a revised amendment (Administrative Record No. NM-645). The regulations that New Mexico proposed to amend were: CSMC Rule 80-1-9-21(c), protection of the hydrologic balance; CSMC Rule 80-1-9-25 (b), and (e),

reclamation plans related to sedimentation ponds and coal processing waste dams and embankments; CMSC Rule 80–1–9–37, transportation facilities; CSMC Rule 80–1–9–39(b), (c) and (d), subsidence control; CSMC Rule 80–1–11–29 (a) and (d), permit information requirements; CSMC Rule 80–1–19–15(c), performance standards for coal exploration; CSMC Rule 80–1–20–97 (b) and (c), the protection of threatened and endangered species; CSMC Rule 80–1–20–116 and 20–117(c), revegetation; CSMC Rule 80–1–20–150 roads; CSMC Rule 80–1–30–11, cessation orders; and CSMC Rule 80–1–34–6, requirements for exemption.

OSM published a notice in the August 9, 1991, **Federal Register** (56 FR 37870) announcing receipt of the revised amendment and inviting public comment on its adequacy (Administrative Record No. NM–648). The public comment period ended August 26, 1991.

During its review of the revised amendment, OSM identified concerns relating to CSMC Rule 80–1–9–25(c), reclamation plans related to sedimentation ponds and coal processing waste dams and embankments; CSMC Rule 80–1–9–39 (b) and (c), subsidence control; CSMC Rule 80–1–11–29, permit conditions related to the environment, public health, and safety; CSMC Rule 80–1–20–116 and 20–117, revegetation; CSMC Rule 80–1–20–150(c), roads; and CSMC Rule 80–1–30–11, cessation orders. OSM notified New Mexico of the concerns by letter dated November 19, 1991 (Administrative Record No. NM–668).

New Mexico responded in a letter dated September 1, 1992, by submitting a revised amendment (Administrative Record No. NM–685). The regulations that New Mexico proposes to amend are: CSMC Rule 80–1–9–21(c), protection of the hydrologic balance; CSMC Rule 80–1–9–25(b), (c), and (e), reclamation plans related to sedimentation ponds and coal processing waste dams and embankments; CSMC Rule 80–1–9–37, transportation facilities; CSMC Rule 80–1–9–39(b), (c), and (d), 20–121 (a) and 20–124, subsidence control; CSMC Rule 80–1–9–40, support facilities; CSMC Rule 80–1–11–29(d), permit conditions; CSMC Rule 80–1–19–15(c), performance standards for coal exploration, CSMC Rule 80–1–19–17, permit requirements; CSMC Rule 80–1–20–91(c) and 20–93, coal processing waste dams and embankments; CSMC Rule 80–1–20–97(b) and (c), protection of threatened and endangered species; CSMC Rule 80–1–20–116 and 20–117, revegetation; CSMC Rules 80–1–20–150 and 20–151, roads; CSMC Rule 80–1–30–11, cessation orders; CSMC Rules 80–1–1–5, 7–13, 7–14, 11–17, 11–19 (i), permit information requirements; CSMC 80–1–11–20 and 11–24, permit rescission; and CSMC Rules 80–1–4–15(b), designation of lands unsuitable for coal mining. In this revised amendment, New Mexico also (1) proposed to remove New Mexico Annotated Statute (NMSA) 69–25A–31(B), concerning the 2-acre exemption, from the New Mexico Surface Mining Act and (2) withdrew from further OSM consideration CSMC Rules 80–1–34–1, 34–2, 34–3, 34–4, 34–5, 34–6, 34–7, 34–8, 34–9, 34–10, and 12–10, concerning the exemption for coal extraction incidental to the extraction of other minerals.

III. Public Comment Procedures

OSM is reopening the comment period on the proposed New Mexico program amendment to provide the public an opportunity to reconsider the adequacy of the proposed amendment in light of the additional materials submitted on September 1, 1992. In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the New Mexico program.

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Albuquerque Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

List of Subjects in 30 CFR Part 931

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 9, 1992.

Raymond L. Lowrie,

Assistant Director, Western Support Center.

[FR Doc. 92–26077 Filed 10–27–92; 8:45 am]

BILLING CODE 4310–05–M

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30 CFR Part 935

Ohio Permanent Regulatory Program; Revision of Ohio Revised Code

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: OSM is reopening the public comment period for proposed Revised Program Amendment Number 54 to the Ohio permanent regulatory program (hereinafter referred to as the Ohio program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revised amendment proposes further changes to seven sections of the Ohio Revised Code to clarify those sections of State law, to conform those sections to current State practices, and to make those sections equivalent to corresponding Federal laws. The additional proposed revisions concern permit fees for interim program permits, discretion in providing financial assistance to small mine operators, informal review of issues as a form of alternative dispute resolution, limitations on and procedures for the award of costs and expenses, the Reclamation Supplemental Forfeiture Fund, and the priority and dates of eligibility for reclamation of interim forfeiture and insolvent surety sites.

This notice sets forth the times and locations that the Ohio program and proposed amendments to that program will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendments, and the procedures that will be followed regarding the public hearing, if one is requested.

DATES: Written comments must be received on or before 4 p.m. on November 27, 1992. If requested, a public hearing on the proposed amendments will be held at 1 p.m. on November 23, 1992. Requests to present oral testimony at the hearing must be received on or before 4 p.m. on November 12, 1992.

ADDRESSES: Written comments and requests to testify at the hearing should be mailed or hand-delivered to Mr. Richard J. Seibel, Director, Columbus Field Office, at the address listed below. Copies of the Ohio program, the proposed amendments, and all written comments received in response to this notice will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive, free of charge, one copy of the proposed amendments by contacting OSM's Columbus Field Office.

Office of Surface Mining Reclamation and Enforcement, Columbus Field Office, 2242 South Hamilton Road, room 202, Columbus, Ohio 43232, Telephone: (614) 866–0578.

Ohio Department of Natural Resources, Division of Reclamation, 1855 Fountain Square Court, Building H–3,

Columbus, Ohio 43224, Telephone: (614) 265–6675.

FOR FURTHER INFORMATION CONTACT: Mr. Richard J. Seibel, Director, Columbus Field Office, (614) 866–0578.

SUPPLEMENTARY INFORMATION:

I. Background

On August 16, 1982, the Secretary of the Interior conditionally approved the Ohio program. Information on the general background of the Ohio program submission, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Ohio program, can be found in the August 10, 1982, **Federal Register** (47 FR 34688). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 935.11, 935.12, 935.15, and 935.16.

II. Discussion of the Proposed Amendments

By letter dated February 7, 1992 (Administrative Record No. OH–1645), Ohio submitted proposed Program Amendment Number 54. The amendment proposed to revise twelve sections of the Ohio revised Code. The proposed revisions concerned the retention of State civil penalties, the refund of permit fees, confidential information regarding exemption requests for incidental coal extraction, the Reclamation Supplemental Forfeiture Fund, the Coal Mining Performance Bond Fund, limitations on awards of costs and expenses, reclamation contracts with surface mine operators, reclamation of interim forfeited areas, Ohio's use of police powers of State-funded AML sites, AML liens on property of community improvement corporations or nonprofit organizations, expansion of sites eligible for Federally funded AML projects, the creation of the State Acid Mine Drainage Abatement and Treatment Fund, and AML lines on certain properties involved in Federally funded AML reclamation projects.

OSM announced receipt of proposed Program Amendment Number 54 in the April 13, 1992, **Federal Register** (57 FR 12779), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period ended on May 13, 1992. The public hearing scheduled for May 8, 1992, was not held because no one requested an opportunity to testify.

By letter dated June 15, 1992 (Ohio Administrative Record No. OH–1714), OSM provided Ohio with its questions and comments about the February 7, 1992, amendment submission. On July 20, 1992, OSM and Ohio staff met to discuss and resolve OSM's questions and comments (Ohio Administrative Record No. OH–1746). On July 28, 1992, OSM and Ohio staff further resolved some of those issues in a telephone conversation (Ohio Administrative Record No. OH–1754).

In response to OSM's June 15, 1992, letter, Ohio submitted Revised Program Amendment Number 54 by letter dated September 2, 1992 (Ohio Administrative Record No. OH–1769). This new amendment submission contains further revisions to seven sections of the Ohio Revised Code (ORC). The amendment proposes numerous changes to paragraph notations and nonsubstantive wording changes to clarify the statutes. The substantive changes proposed by Ohio in the revised amendment are discussed briefly below:

(1) Permit Fees for Interim Program Permits

ORC 1513.07 paragraph (A)(1): Ohio is revising this paragraph to delete obsolete language concerning payment of permit fees for areas covered by a permit in effect on August 16, 1982.

(2) Discretion in Providing Financial Assistance to Small Mine Operators

ORC 1513.07 paragraph (B)(4): Ohio is revising this paragraph to give the Chief of the Ohio Department of Natural Resources, Division of Reclamation (the Chief) discretion in providing financial assistance for test borings and hydrologic analyses under the Small Operator Assistance Program to operators whose annual coal production is between one hundred thousand and three hundred thousand tons.

(3) Informal Review of Issues as a Form of Alternative Dispute Resolution

ORC 1513.13 paragraph (A)(3): Ohio is adding this new paragraph to provide an alternate mechanism for resolving disputes over notices, orders, or other decisions issued by the Chief. Any person who, under ORC 1513.13, may appeal such a notice, order, or decision to the Ohio Reclamation Board of Review (RBR) may elect to request an informal review by the Chief of that notice, order, or decision. The time spent on such an informal review would not count against the time available to the person to appeal the notice, order, or decision to the RBR. Further, such a review would not say the order, notice, or decision. Finally, such a review would itself be appealable to the RBR.

(4) Limitations on and Procedures for the Award of Costs and Expenses

ORC 1513.13 paragraph (E)(1): Ohio is revising this paragraph to clarify that it applies to awards of costs and expenses incurred in connection with proceedings before the RBR, before the court under ORC section 1513.15, or before the Chief under ORC section 1513.39. Ohio is also deleting previously proposed language in this paragraph which would have placed a numerical cap of seventy-five dollars per hour on attorney's fees. Finally, Ohio is adding the provision that fees awarded under this section may not exceed the prevailing market rates at the time the services were rendered.

ORC 1513.13 paragraph (E)(1)(b): Ohio is revising this paragraph to clarify that permittees may file petitions for award of costs and expenses with the chief against parties who initiated or participated in an appeal under this section of the purpose or harassing or embarrassing the permittee. The Chief may assess those costs and expenses against the party who initiated the appeal.

OCR 1513.13 paragraph (E)(1)(c): Ohio is revising this paragraph to clarify that Ohio may file a request with the RBR for an award to Ohio of costs and expenses incurred by Ohio in connection with an appeal initiated under this section. The RBR may assess those costs and expenses against parties who initiated or participated in the appeal in bad faith and for the purpose or harassing or embarrassing Ohio.

ORC 1513.13 paragraph (E)(2): Ohio is revising this paragraph to delete previously proposed revisions which would have restricted the paragraph's applicability to only enforcement orders or permit issuance. Ohio is also reinstating the court's authority to determine the amount of awards for cost and expenses.

OCR 1513.15 paragraph (F): Ohio is revising this paragraph to delete previously proposed revisions and is reinstating the court's authority to award, to any party, costs and fees that the court determines to have been necessary and reasonably incurred, in accordance with OCR section 1513.13.

(5) Reclamation Supplemental Forfeiture Fund

ORC 1513.08: Ohio is deleting reference to the Reclamation Supplemental Forfeiture Fund from the heading for this section in order to be consistent with the previously proposed transfer of a portion of ORC 1513.08

paragraph (A) into new paragraph ORC 1513.18(D).

ORC 1513.18 paragraph (E): Ohio is also revising this paragraph in order to be consistent with the previously proposed transfer of a portion of ORC 1513.08 paragraph (A) into new paragraph ORC 1513.18(D). Ohio is revising the statute reference in this paragraph from ORC 1513.08 to 1513.18(D).

ORC 1513.181 paragraph (B): Ohio is adding this new paragraph to provide the Chief with additional flexibility to manage the funding of the Coal Mining Administration and Reclamation Reserve Fund and the Reclamation Supplemental Forfeiture Fund. If, at the close of the fiscal year, the former fund's balance is below one million dollars, the Chief may transfer funds of up to five hundred thousand dollars per fiscal year from the Coal Mining Administration and Reclamation Reserve Fund to the Reclamation Supplemental Forfeiture Fund.

(6) Priority and Dates of Eligibility for Reclamation of Interim Forfeiture and Insolvent Surety Sites

ORC 1513.37 paragraph (C)(1)(b): Ohio is revising this paragraph to clarify that interim forfeiture sites mined between August 4, 1977 and August 16, 1982, are eligible for Federal AML funding.

ORC 1513.37 paragraph (C)(1)(c): Ohio is revising this paragraph to clarify that insolvent surety sites mined between August 4, 1977, and November 5, 1990, are eligible for Federal AML funding.

ORC 1513.37 paragraph (C)(2): Ohio is revising this paragraph to clarify that the Chief shall follow the priorities put forth in ORC 1513.37 paragraphs (B)(1) and (2) when determining which sites to reclaim pursuant to the eligibility criteria in ORC 1513.37 paragraphs (C)(1)(b) and (c).

III. Public Comment Procedures

In accordance with the provision of 30 CFR 732.17(h), OSM is now seeking comment on whether the amendments proposed by Ohio satisfy the applicable program approval criteria of 30 CFR 732.15. If the amendments are deemed adequate, they will become part of the Ohio program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Columbus Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "**FOR FURTHER INFORMATION CONTACT**" by 4 p.m. on November 25, 1992. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and who wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Person wishing to meet with OSM representatives to discuss the proposed amendments may request a meeting at the Columbus Field Office by contacting the person listed under "**FOR FURTHER INFORMATION CONTACT.**" All such meetings shall be open to the public and, if possible, notices of the meetings will be posted at the locations listed under "**ADDRESSES.**" A written summary of each public meeting will be made a part of the Administrative Record.

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of the Surface Mining Control and Reclamation Act (SMCRA) (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.13 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 935

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 15, 1992.

Jeffrey D. Jarrett,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 92-26078 Filed 10-27-92; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 287

[DISA Instruction 210-225-1]

Defense Information Systems Agency (DISA) Freedom of Information Act Program

AGENCY: Defense Information Systems Agency, DOD.

ACTION: Proposed rule.

SUMMARY: This proposed revision of DISA's Freedom of Information Act Program regulation provides administrative changes to conform with Department of Defense's regulations regarding the implementation of the Freedom of Information Act.

DATES: Written comments on this proposal must be received by November 7, 1992.

ADDRESSES: Forward comments to the Defense Information Systems Agency, Chief of Staff Office, 701 S. Courthouse Road, Arlington, Virginia 22204-2199.

FOR FURTHER INFORMATION CONTACT: Sergeant Martha King, (703) 692-2006.

SUPPLEMENTARY INFORMATION: It is hereby certified that this final rule does not exert a significant economic impact on a substantial number of small entities. This determination is made based upon the fact that the rule merely recodifies the procedural aspects of the DISA's Freedom of Information Act Program, which includes guidance on how and from whom to request information pertaining to the Defense Information Systems Agency; imposes no new requirements, rights, or benefits on small entities; and will have neither a beneficial nor an adverse effect on small entities.

List of Subjects in 32 CFR Part 287

Freedom of Information.

Accordingly, 32 CFR part 287 is proposed to be revised to read as follows:

PART 287—DEFENSE INFORMATION SYSTEMS AGENCY (DISA) FREEDOM OF INFORMATION ACT PROGRAM

Sec.

287.1 Purpose.
287.2 Applicability.
287.3 Authority.
287.4 Responsibilities.
287.5 Fees.
287.6 Reports.
287.7 Questions.

Authority: 5 U.S.C. 552.

§ 287.1 Purpose.

This part delineates responsibility for making available to the public the maximum amount of information concerning the operations and activities of the Defense Information Systems Agency (DISA) and the Office of the Manager, National Communications System (OMNCS).

§ 287.2 Applicability.

This part applies to Headquarters, DISA/OMNCS, and DISA field activities.

§ 287.3 Authority.

This part is published in accordance with the authority contained in 32 CFR part 286.

§ 287.4 Responsibilities.

(a) The DISA Freedom of Information Act (FOIA) Officer at DISA Headquarters, 701 S. Courthouse Road, Arlington, VA, is vested with the authority, within DISA/OMNCS, to release records for all requests coming to Headquarters, DISA, and to the field activities in the metropolitan Washington Area, and will:

(1) Make the material described in paragraph 2-101 of DoD 5400.7-R[1] DoD Freedom of Information Act Program available for public inspection and reproduction. A current index of this material will be maintained in accordance with paragraph 2-101 of DoD 5400.7-R.

(2) Establish education and training programs for all DISA/OMNCS military members and employees who contribute to DISA/OMNCS implementation of the Freedom of Information Act.

(3) Respond to all requests for records from private persons in accordance with 32 CFR part 286 whether the requests are received directly by Headquarters, DISA/OMNCS, or by DISA field activities.

(4) Coordinate such release with the General Counsel in any case in which release is, or may be controversial.

[1] Copies may be obtained at cost, from the national Technical Information Service, 5285 Port Royal Rd, Springfield, VA 22161.

(5) Be the DISA/OMNICS principal point of contact for coordination with the Office of the Assistant Secretary of Defense (Public Affairs) OASD(PA) reference FOIA issues.

(6) Ensure the cooperation of DISA/OMNCS with the OASD(PA) in fulfilling the responsibilities of monitoring the implementation of the Freedom of Information Act program.

(7) Refer cases of significance to the OASD(PA) for review and evaluation, after coordination with the General Counsel and with the approval of the Chief of Staff, when the issues raised are unusual, precedent setting, or otherwise require special attention or guidance.

(8) Advise the OASD(PA), prior to the denial of a request or prior to an appeal when two or more DOD components are affected by the request for a particular record, and when circumstances suggest a potential public controversy.

(9) Be responsible for the annual reporting requirement contained in 32 CFR part 286.

(10) Furnish copies of the material to be published in the **Federal Register** to DISA Code ADR.

(b) The mission/support staff Directors and the Chief of Staff, DISA will furnish the FOIA Officer, when requested, with DISA/OMNCS documentary material which qualifies as a record in accordance with 32 CFR part 286, for the purpose of responding to FOIA requests. All such requests for information will be referred to the FOIA Officer.

(c) The Chief of Staff, DISA will, on behalf of the Director, DISA, respond to the corrective or disciplinary action recommended by the Merit Systems Protection Board for arbitrary or capricious withholding of records requested, pursuant to the Freedom of Information Act, by military members or employees of DISA/OMNCS. This action will be coordinated with the General Counsel, DISA.

(d) The DISA General Counsel, or in his absence, the Deputy General Counsel within DISA/OMNCS is vested with the sole authority to deny, in whole or in part, a request. The General Counsel, DISA will:

(1) Make the decision, whenever a request for a record is to be denied in whole or in part, in accordance with the criteria provided in 32 CFR part 286.

(2) Inform the person denied a record of the basis for the denial of the request and of his or her right to appeal the decision to the Director, DISA via written correspondence.

(3) Ensure that if such an appeal is taken, that the basis for the

determination by the Director, DISA not to release the record will be in writing, will state the reasons for the denial, and will inform the requester of his or her right to a judicial review in the appropriate U.S. district court.

(e) DISA (Code ADR) will arrange for the publication of this part in the Federal Register, after coordinating with the DISA/OMNCS Freedom of Information Act Officer and General Counsel.

§ 287.5 Fees.

Fees charged to the requester are contained in CFR part 286.

§ 287.6 Reports.

Each major staff element and field activity on the distribution list of this part will furnish an annual report by 5 January to the Freedom of Information Officer, Headquarters, DISA, in accordance with 32 CFR part 286.

§ 287.7 Questions.

Questions on both the substance and procedures of the Freedom of Information Act and the DISA/OMNCS implementation thereof should be addressed to the Freedom of Information Act Officer by the most expeditious means possible, including telephone calls. Freedom of Information Act requests should be addressed as follows: Defense Information Systems Agency, Attention: Code ADA, 701 S. Courthouse Road, Arlington, VA 22204–2199. Calls should be made to (703) 692–2006.

§ 287. "For Official Use Only" records.

The designation "For Official use Only" will be applied to documents and other material only as authorized by 32 CFR part 286.

Dated: October 22, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-26090 Filed 10-27-92; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300265; FRL-4164-6]

RIN 2070-AC18

Ascorbic Acid; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes that an exemption from the requirement of a tolerance be established for residues of ascorbic acid (CAS Reg. No. 50-81-7) when used as an inert ingredient (stabilizer and preservative) in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest. This proposed regulation was requested by the Monsanto Co. and DowElanco.

DATES: Comments, identified by the document control number [OPP-300265], must be received on or before November 27, 1992.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (H7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 1132, Crystal Mall Bldg. #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Information submitted as a comment concerning this document may be claimed confidential by marking any part of all of that information as "Confidential Business Information" (CBI).

Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by the EPA without prior notice. The public docket is available for public inspection in Rm. 1128 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Connie Welch, Registration Support Branch, Registration Division (H7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC, 20460. Office location and telephone number: Rm. 716, Crystal Mall Bldg. #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 305-7252.

SUPPLEMENTARY INFORMATION: Monsanto Co., 700 14th St., NW., Suite 1100, Washington, DC 20005, and DowElanco, 9002 Purdue Rd., Indianapolis, IN 46268-1189, submitted pesticide petitions (PP's) 1E4000 and 2E4136 to EPA requesting that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a(e), propose to amend 40 CFR 180.1001(c) by establishing an exemption from the requirement of a tolerance for residues of ascorbic acid (CAS Reg. No. 50-81-7) when used as an inert ingredient (stabilizer and preservative) in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest. Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

The data submitted in the petition and other relevant material have been evaluated. As part of the EPA policy statement on inert ingredients published in the Federal Register of April 22, 1987 (52 FR 13305), the Agency established data requirements which will be used to evaluate the risks posed by the presence of an inert ingredient in a pesticide formulation. Exemptions from some or all of the requirements may be granted if it can be determined that the inert ingredient will present minimal or no risk. The Agency has decided that the data normally required to support the proposed tolerance exemption for ascorbic acid will not need to be submitted. The rationale for this decision is described below:

1. Ascorbic acid is affirmed as generally recognized as safe (GRAS) when added directly to human food by the Food and Drug Administration under 21 CFR 182.8013 and 582.3013.

2. Ascorbic acid is chemically similar to ascorbyl palmitate which is already exempt from the requirement of a tolerance when used in accordance with good agricultural practices as inert (or occasionally active) ingredients in pesticide formulations applied to growing crops and to raw agricultural commodities after harvest under 40 CFR 180.1001(c).

3. Ascorbic acid occurs naturally and is widely distributed in plants and animals.

4. Ascorbic acid is known to be of no toxicological significance.

The Food and Drug Administration conducted a review of the data available in the scientific literature for ascorbates and erythorbates. Based on a review of this data, the Select Committee on GRAS (chosen by the Life Sciences Research Office of the Federation of American Society for Experimental Biology) and the Food and

Drug Administration have determined that there is no evidence demonstrating or suggesting that ascorbic acid is a hazard to the public. Based upon the above information and review of its use, EPA has found that, when used in accordance with good agricultural practice, this ingredient is useful and a tolerance is not necessary to protect the public health. Therefore, EPA proposes that the exemption from the requirement of a tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [OPP-300265]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Recording and recordkeeping requirements.

Dated: September 24, 1992.

Anne E. Lindsay,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. Section 180.1001(c) is amended by adding and alphabetically inserting the inert ingredient, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert ingredients	Limits	Uses
*	* * * * * *	*
Ascorbic acid (CAS Reg. No. 50-81-7)		Stabilizer, preservative
*	* * * * * *	*

* * * * *

[FR Doc. 92-26113 Filed 10-27-92; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL MARITIME COMMISSION

46 CFR Part 552

[Docket No. 91-51]

Financial Reports of Common Carriers by Water in the Domestic Offshore Trades

AGENCY: Federal Maritime Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Maritime Commission proposes to amend its rules governing financial reports of common carriers by water in the domestic offshore trades to expand the eligibility for waiver of complete reports to carriers earning $50 million or less and to delete the trade percentage requirement currently applicable to such waivers. Because this waiver issue will affect the number of carriers and trades impacted by part 552 reporting requirements, further changes to these rules are being deferred until new waiver provisions are established. The Commission has decided not to proceed by way of Negotiated Rulemaking and not to revisit the issue of intrastate vs interstate commerce in this proceeding and also has determined that it lacks the statutory authority to adopt the "Zone of Reasonableness" concept suggested by carriers.

DATES: Comments due November 27, 1992. Comments must be received at the Commission by the due date; the date of mailing will not be accepted as the date of filing in this proceeding.

ADDRESSES: Send comments (original and fifteen copies) to: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573-0001, (202) 523-5725

FOR FURTHER INFORMATION CONTACT: Seymour Glanzer, Director, Bureau of Hearing Counsel, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573-0001, (202) 523-5783.

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission ("Commission" or "FMC") published an Advance Notice of Proposed Rulemaking ("ANPR") in the subject proceeding in the **Federal Register**, 56 FR 57298, soliciting comments and information from the public on the issues which should be addressed in a proposed rule concerning substantive guidelines for determining what constitutes a just and reasonable rate of return or profit for common carriers by water in the domestic offshore trades. Comments were received from: American President Lines, Ltd. ("APL"), Caribbean Shippers Association, Inc. ("CSA"), Crowley Maritime Corporation ("Crowley"), Government of The Territory of Guam ("Guam"), State of Hawaii ("Hawaii"), Matson Navigation Company, Inc. ("Matson"), NASCCMA aka National Association of Shippers, Consignees and Consumers for Maritime Affairs ("NASCCMA"), Puerto Rico Maritime Shipping Authority ("PRSMA"), Totem Ocean Trailer Express ("Totem"), and Tropical Shipping & Construction Co., Ltd. ("Tropical").

Pursuant to the requests made by two of the commenting parties, the Commission published a further notice, 57 FR 11703, inviting replies to the comments. Replies were received from the following individual parties: APL, Guam, Hawaii, Matson, PRMSA, Sea-Land Service Inc. ("Sea-Land"), Totem,

and Tropical. In addition, a Joint Reply was filed by: APL, Crowley, Matson, PRMSA, Sea-Land, Totem, and Tropical.

The ANPR set forth eight questions upon which comments were requested and also solicited suggestions on any other issues deemed relevant. The comments and replies addressed all eight of the specified questions, and numerous other issues ranging from total economic deregulation of these trades to minor refinements of the Commission's financial reporting rules.

Negotiated Rulemaking

Among the comments received was a procedural suggestion by Matson that the Commission proceed by way of negotiated rulemaking in this proceeding. The Commission's notice inviting replies to comments specifically mentioned this suggestion. Four of the replies addressed this proposal, three generally in support and one in opposition.

Matson's proposal is, "that the Commission utilize the process established by the Administrative Dispute Resolution Act, Public Law 101–552 ("ADRA") and the Negotiated Rulemaking Act, Public Law 101–648 ("NRA") to conduct a negotiated rulemaking, or 'reg-neg,' to accomplish the *technical* revisions necessary" for 46 CFR part 552.[1] Matson Comments at 10. (Emphasis in original). Matson refers to a recent article from Administrative Law News, published by the Section of Administrative Law and Regulatory Practice, American Bar Association,[2] which discusses a roundtable on reg-neg hosted by the Administrative Conference of the United States ("ACUS") on October 3, 1991. As described in that article, the concept of reg-neg entails convening a committee, composed of representatives of potentially affected interests and the regulatory agency itself, to negotiate the contents of a rule. If a consensus is reached by the committee, it is then published for comment as a proposed rule. The various procedural and recordkeeping requirements of the Federal Advisory Committee Act [3] must also be met in conducting reg-neg.

In opposing Matson's suggestion, Hawaii argues that reg-neg will place an enormous burden on the Commission and the parties, well beyond that encountered in the traditional rulemaking procedure. Hawaii states that the process appears particularly inappropriate here, where the parties have already submitted extensive opening and reply comments on the ANPR. As an alternative to reg-neg, if the Commission believes it would benefit from further input, Hawaii advocates a less formal procedure in which the Commission might formulate and distribute questions or issues concerning proposed technical revisions. Hawaii also points out that one of the standards established by the NRA for determining whether reg-neg is in the public interest is whether "there is a reasonable likelihood that a committee will reach a consensus on the proposed rule within a fixed period of time." Hawaii foresees little likelihood that the parties to this proceeding would now compromise on what have become long-standing disagreements over both regulatory philosophy and technical issues.

PRMSA and Guam support Matson's proposal without cavil. However, Totem is in favor of reg-neg only if certain conditions are met, viz:

(1) At a minimum, every commenter is part of the negotiated rulemaking committee; and

(2) The committee operates on a "fast-track," which means making available persons with decision-making authority and completing its work within one year. (Totem Reply Comments at 6, 7).

Even though Totem shares Hawaii's skepticism on the likelihood of consensus, Totem believes that the possibility of success of reg-neg (or informal negotiations) is worth some effort.

The statute which established reg-neg, Public Law 101–648, contains the following specific guidance, now codified at 5 U.S.C. 563:

(a) Determination of need by the agency.—An agency may establish a negotiated rulemaking committee to negotiate and develop a proposed rule, if the head of the agency determines that the use of the negotiated rulemaking procedure is in the public interest. In making such a determination, the head of the agency shall consider whether—

(1) there is a need for a rule;

(2) there are a limited number of identifiable interests that will be significantly affected by the rule;

(3) there is a reasonable likelihood that a committee can be convened with a balanced representation of a persons who—

(A) can adequately represent the interests identified under paragraph (2); and

(B) are willing to negotiate in good faith to reach a consensus on the proposed rule;

(4) there is a reasonable likelihood that a committee will reach a consensus on the proposed rule within a fixed period of time;

(5) the negotiated rulemaking procedure will not unreasonably delay the notice of proposed rulemaking and the issuance of the final rule;

(6) the agency has adequate resources and is willing to commit such resources, including technical assistance, to the committee; and

(7) the agency, to the maximum extent possible consistent with the legal obligations of the agency, will use the consensus of the committee with respect to the proposed rule as the basis for the rule proposed by the agency for notice and comment.

We believe that items (4), (5), and (6) above militate against the use of reg-neg in this proceeding. First, the Commission shares Hawaii's concerns that shipper and carrier interests that would be represented on the reg-neg committee may be unable to reach consensus in any reasonable period of time, particularly after reviewing the disparity among positions and the wide diversity of suggestions set forth in the comments. Second, it appears that reg-neg could delay a proposed rule for a substantial period of time, even if the "fast-track" approach suggested by Totem were adopted.[4] Third, given the limited resources of this agency, it would be difficult to provide the type of technical and other support contemplated by the statute [5] in order to implement reg-neg.

Therefore, we are denying Matson's request to utilize reg-neg in this proceeding. However, we do agree that the issues presented would benefit from dialogue among the various interests represented in comments filed on the ANPR, and encourage informal efforts at industry consensus on those issues. As noted below, there may be fewer parties whose interests are affected by these rules if the waiver level is adjusted as proposed.

Intrastate vs. Interstate Commerce

In its reply memorandum Matson urges the Commission to incorporate "into Docket 91–51 consideration of FMC adoption of the principles enunciated in the [Interstate Commerce Commission's] decision in Ex Parte MC–207, and their application to

[1] Part 552 contains the Commission's rule requiring financial reports from carriers in the domestic offshore trades. See Further Final Rules to Make Technical Changes, etc., 22 SRR 1223, 49 FR 38836 (October 1, 1984).

[2] Vol. 17, No. 2 (Winter 1992).

[3] 5 U.S.C. app. 2 section 1 et seq.

[4] The process of establishing a negotiated rulemaking committee, in itself, appears to require notice and comment, in addition to other requirements described in P.L. 101–648.

[5] See 5 U.S.C. 565, and 566.

all future FMC inquiries into whether transportation within a single state is interstate commerce subject to exclusive FMC jurisdiction." (Matson Reply at 7)

The Commission has given extensive consideration to this issue on two recent occasions, both times as a consequence of separate petitions for declaratory orders filed by Matson. See Docket No. 87–18, Matson Navigation Company, Inc.—Transportation of Cargoes Between Ports and Points Outside Hawaii and Islands Within the State of Hawaii, 24 SRR 979 (1988); and Docket No. 89–2, Matson Navigation Company, Inc.—Transportation of Cargoes Between Ports and Points Outside Hawaii and Islands Within the State of Hawaii, 25 SRR 94 (1990).

In each proceeding, the Commission thoroughly reviewed and analyzed applicable Interstate Commerce Commission ("ICC") and federal case law and concluded that, with one limited exception, Matson provided insufficient facts to allow jurisdictional resolution. We found the critical issue in determining jurisdiction to be the intent of the shipment participants. Thus, to distinguish intrastate from interstate commerce, the Commission sought to examine, *inter alia*, storage-in-transit provisions, instructions on first movement bills of lading, through bills of lading, existing contracts, specific orders regarding the shipment (25 SRR at 62–63), the identity of the shippers and consignees and the nature and use of the particular commodities (24 SRR at 989). To the extent Matson did not provide such information, its petitions were denied.

Matson would like the Commission, once again, to revisit this issue. However, Matson failed to produce a single fact required by the Commission's earlier rulings. It also failed to identify what it is about Ex Parte MC-207 [6] that the Commission should consider, why such consideration might lead the Commission to alter its findings in two recent proceedings or why it is appropriate to include consideration of Ex Parte MC 207 in this proceeding. Therefore, we are rejecting Matson's suggestion to consider this issue here.

Zone of Reasonableness

Several of the carriers which filed individual comments and the group of seven carriers which filed a Joint Reply ask the Commission to establish, by rulemaking, a system of rate oversight like the one said to be used by the ICC. Under the carriers' proposals,[7] a rate increase or decrease of up to 10% would be considered just and reasonable (Joint Reply at 4, 5, 15) and would not be investigated (Joint Reply at 3).

The carriers support their requests with the following contentions:

(1) The Commission has authority to establish the proposed "Zone of Reasonableness" ("ZOR") under section 3 of the Intercoastal Shipping Act, 1933 ("1933 Act") and, therefore, does not require enabling legislation as the ICC received in the Motor Carrier Act of 1980, 49 U.S.C. 10708(d); [8] before it established a "Zone of Rate Freedom" ("ZORF"); [9]

(2) The Commission can establish a ZOR by virtue of its discretion not to investigate rate changes and such discretion is not subject to judicial review; and

(3) Adopting the proposed ZOR will improve the regulatory climate in which the carriers exist by placing FMC regulated domestic offshore carriers in parity with those whose rates are subject to ICC jurisdiction.[10] For the reasons set forth below, the Commission must deny the carriers' request to establish ZOR procedures.

1. The Commission Lacks Legislative Authority to Establish the ZOR Procedures Sought by the Carriers

Prior to the Motor Carrier Act of 1980, *supra* at FN 8, which required the ICC to create a ZORF, the ICC was governed by provisions of the Interstate Commerce Act, 49 U.S.C. 1 et seq. ("ICA"), nearly identical to section 3 of the 1933 Act. See 49 U.S.C. 1(5), 1(6), 15(7) and 316.[11] Generally, these sections of the ICA required that all charges made for any service rendered or to be rendered in the transportation of passengers or property be "just and reasonable." On a case by case basis, the ICC developed a variety of factors to be weighed in determining whether a particular rate met that standard.

In 1976, when the ICC attempted to use a "zone of reasonableness" approach under section 1(5) of the ICA, the agency action was overturned by the U.S. Court of Appeals for the Sixth Circuit. *ASG Industries, Inc.* v. *U.S.*, 548 F.2d 147 (6th Cir., 1977). In that case, the ICC was considering the lawfulness of rail rates on two comparable and competing commodities; one rate was 56% higher than the other. The ICC summarily determined that both rates were just and reasonable because both fell within a "zone of reasonableness." In reversing, the court noted that a broad range of reasonableness may exist, but a determination of what falls within that range requires more than a rote recitation of the standard itself. The court rebuked the ICC for ignoring recognized ratemaking factors, *Id.* at 152, stressing that under section 1(5), each rate must be examined on its own merits and that the Commission must

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[6] Subsequent to Matson's reply memorandum, the ICC's policy statement in Ex Parte 207 was appealed to the U.S. Court of Appeals for the Fifth Circuit, *sub. nom. Railroad Commission of Texas* v. *ICC*, Dkt. No 92–4691.

[7] There are minor but legally insignificant differences among the ZOR proposals advanced by various carriers.

[8] 49 U.S.C. 10708(d) is paraphrased in pertinent part that:

(d)(1) Notwithstanding any other provision of this title, the Commission may not investigate, suspend, revise, or revoke any rate proposed by a motor common carrier of property or household goods freight forwarder on the grounds that such rate is unreasonable on the basis that it is too high or too low if—

(A) the carrier notifies the Commission that it wishes to have the rate considered pursuant to this subsection; and

(B) the aggregate of increases and decreases in any such rate is not more than 10 percent above the rate in effect one year prior to the effective date of the proposed rate, nor more than 10 percent below the lesser of the rate in effect on July 1, 1990.

(2) The Commission, by rule, may increase the percentages specified in paragraph (1)(B) of this subsection for any group of motor common carriers of property or household goods freight forwarders if it finds that—

(A) there is sufficient actual and potential competition to regulate rates: and

(B) there are benefits to (i) carriers or household goods freight forwarders, (ii) shippers, and (iii) the public from further rate flexibility; except that the Commission may not increase such percentage by more than 5 percentage points during any one-year period.

[9] While the carriers have labeled their proposal as a zone of reasonableness, it is more a zone of rate freedom, wherein the carrier would be free to raise (or lower) rates without any analysis of the impact of those rate changes upon the carrier's rate of return or profit, which are the standards by which reasonableness must be measured, as discussed, *infra*. The concept of zone of reasonableness has been used by most regulatory agencies, including the FMC, and has been defined by the Supreme Court as a decisional area of discretion between minimum non-confiscatory rates and the maximum reasonable level of rates supportable by the record. *F.P.C.* v. *National Gas Pipeline Co.* 315 U.S. 575, 585 (1942). Obviously, this zone must be established on the basis of particular facts relating to the assets and income of a particular company. See *Matson Navigation Co. Inc. Proposed Overall Rate Increase of 2.5 Percent Between U.S. Pacific Coast Ports and Hawaii Ports*, 23 SRR 1216, 1221 (1986), Report on Remand 25 SRR 83 (1989), *aff'd per curiam sub nom. Tobias E. Seaman* v. *FMC*, (D.C. Cir. March 23, 1990).

[10] The carriers do not seek an exemption from regulation under section 35 of the Shipping Act, 1916, 46 U.S.C. app. § 821. *See* Joint Reply at 2 and 3, FN 2.

[11] On October 17, 1978, the Interstate Commerce Act was recodified, revised and reorganized by Public Law 95–473, 92 Stat 1337. Sections 10701, 10701a, 10707 and 10708 of the revised title 49, U.S. Code, correspond to former sections 1(5), 1(6), 15(7), and 316.

make certain essential, basic, clear and precise findings as to how it arrived at a decision. Id. at 151 and FN 2, 152, 155.

It was in this context that Congress enacted the Motor Carrier Act of 1980, *supra*, establishing zones of ratemaking freedom based on the percentage of rate increase or decrease.[12] Therefore, if the FMC is to duplicate the ICC ZORF, it would appear to require enabling legislation similar to that which empowered the ICC. This is especially true because section 3 of the 1933 Act is even more restrictive than the ICA. The ICA allowed the ICC to determine applicable and appropriate ratemaking factors on a case by case basis. However, as discussed below, the 1933 Act directs the FMC to apply particular methods of evaluation in determining the lawfulness of a rate level.

In the 1978 amendments to the 1933 Act, Congress not only directed the FMC to continue regulating the reasonableness of rates in the domestic offshore trades, but also, in section 3(a) of that statute, codified rate of return or profit as the standards by which the reasonableness of rates shall be determined. To deem a rate increase of a given percentage reasonable irrespective of the amount by which that increase may inflate the carrier's rate of return or profit would be to ignore this explicit Congressional directive.[13] Whatever the merits of the carriers' proposals for rates to be determined by the marketplace[14], rather than by regulation in the domestic offshore trades, such proposals must be addressed to the legislature.[15] As the Supreme Court stated in *Maislin Industries, U.S., Inc.* v. *Primary Steel, Inc.*, 497 U.S. ____, 110 S. Ct. 2759, 2761 (1990):

"Although the [Interstate Commerce] Commission has both the authority and expertise generally to adopt new policies when faced with new developments in the industry, it does not have the power to adopt a policy that directly conflicts with its governing statute.

2. If the Commission Were to Establish a ZOR, that Decision Would be Subject to Judicial Review

The carriers accurately describe the current state of the law; a Commission decision not to investigate a rate increase or decrease is not subject to judicial review. (Joint Reply at 3–4) However, it does not follow that promulgation of a rule is free from judicial oversight, especially a rule establishing a class of rate actions which are deemed lawful and will be uninvestigated—without regard for the effect of the rate action on the filing carrier's rate of return or profit. To the contrary, rulemaking constitutes final agency action and the authority of the agency to take that action is reviewable by the courts. Accordingly, to the extent the carriers may be suggesting that Commission action to establish a ZOR would be equivalent to a Commission decision not to investigate a particular rate increase or decrease and therefore not subject to judicial review, they are clearly incorrect.

3. Rate Regulatory Parity with the ICC is Unattainable

While the carriers discuss a ZOR of 10 percent in their Joint Reply, that percentage would not even approximate parity with the ICC. Currently, the ICC ZORF sanctions any rate increase up to 50%, and next year it will be 55%. 49 CFR 1312.4(b)(7)(vi).

Moreover, at the ICC, only motor carriers can file under the ZORF procedures. Those procedures apply to ocean carriers only to the extent they provide the water portion of a motor carrier's through service. Since the ocean portion of the through rate is not broken out, the ocean carrier's participation in the through rate is essentially unregulated.

Similarly, ocean carriers participating in joint rail-water or rail-motor-water service may be free of regulation by virtue of the ICC's exemption of trailer-on-flatcar (TOFC) and container-on-flatcar (COFC) service, as set forth in 49 CFR part 1090.

Thus, the carriers' proposals in this proceeding cannot achieve regulatory parity with the ICC.

Specific ANPR Questions

1. Should the current waiver level for detailed annual reporting requirements for carriers serving in the domestic offshore trades ($10 million or less in gross revenues per reporting year per trade) be raised? If so, to what level? Should any level be subject to annual adjustment? If so, by what amount or in connection with the results of what regularly published index (e.g. Producer Price Index)? What would be the likely consequences of such changes?

Suggestions in response to this question range from maintaing the current waiver level (Matson and Guam) to raising the amount to $50 million, but only in trades in which competition is not limited to U.S. flag vessels[16] (Tropical). The majority of comments recognized that some increase in the waiver level is warranted, if only because of inflation.

The waiver provision in question is set forth at 46 CFR 552.2(e) as follows:

(e) Upon application, the Commission shall grant a waiver of the detailed reporting requirements to carriers which have earned gross revenues of $10,000,000 or less for the reporting period in a particular Trade and whose Trade revenues amount to 25 percent or less of the total revenue for the Trade in question. The application for waiver (Exhibit D) must be accompanied by a company-wide balance sheet and income statement. This waiver provision is applicable to annual reporting requirements and to filings of proposed rate changes in accordance with § 552.2(f).

Thus, eligibility for the waiver requires revenues of $10 million or less and a share of 25 percent or less of the FMC-regulated trades ($10 million or less in gross revenues per reporting year per trade) be raised? If so, to what level? Should any level be subject to annual adjustment? If so, by what amount or in

[12] Congress also established a zone of "rate flexibility" for rail carriers in the Staggers Rail Act of 1930, Public Law 96–448. Section 203(a) of that law is now codified at 49 U.S.C. 10707a.

[13] If the Commission were to establish a ZOR it would have to be based on rate on return or profit. However, if a rate of return between x and y were deemed just and reasonable, the Commission still would be required to review that range regularly in light of changing economic conditions. Moreover, there would be no assurance that a particular rate change would produce a result that falls within the ZOR, absent analysis of its impact on the particular carrier's rate of return.

[14] The carriers argue that the domestic offshore trades are characterized by freedom of entry and vigorous competition (Joint Reply at 7). However, the Commission, in its recent decision in Docket No. 90-09, Matson Navigation Company, Inc. Proposed General Rate Increase of 3.6 Percent Between United States Pacific Coast Ports and Hawaii Ports, 25 SRR 1192 (1990), aff'd *sub nom. Matson Navigation Company, Inc.* v. *Federal Maritime Commission*, 959 F. 2d 1039, 26 SRR 283 (DC Cir. 1992), found that the Hawaii trade is not a contestable market because there are significant legal and regulatory barriers to entry. Id. 25 SRR at 1207. That finding was specifically upheld by the court of appeals. Id. 959 F. 2d at 1047–1048, 26 SRR 288. Whether other domestic offshore trades may be characterized by greater or lesser competition has not been established on this record and is an issue more appropriately raised before Congress, particularly where the alleged facts of competition are advanced in support of regulatory changes beyond our authority to effect.

[15] Moreover, section 4 of the 1933 Act, 46 U.S.C. app 845a, grants shippers the right to file complaints under section 22 of the Shipping Act, 1916, 46 U.S.C. app 821, and obtain reparations for rates found unjust or unreasonable. The Commission cannot promulgate a regulation that eviscerates those statutory rights.

[16] Section 27 of the Merchant Marine Act, 1920, 46 U.S.C. app. 883, ("Jones Act") restricts the transportation of merchandise between points in the United States, including districts, territories and possessions, to vessels built in and documented under the laws of the United States and owned by citizens of the United States. Certain offshore jurisdictions, including the U.S. Virgin Islands, are exempt from the provisions of the Jones Act. See 46 U.S.C. app. 877. Tropical operates foreign-flag vessels in the U.S. Virgin Islands trade.

connection with the results of what regularly published index (e.g. Producer Price Index)? What would be the likely consequences of such changes?

Suggestions in response to this question range from maintaining the current waiver level (Matson and Guam) to raising the amount to $50 million, but only in trades in which competition is not limited to U.S. flag vessels[18] (Tropical). The majority of comments recognized that some increase in the waiver level is warranted, if only because of inflation.

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Thus, eligibility for the waiver requires revenues of $10 million or less and a share of 25 percent or less of the FMC-regulated trade. The waiver level of $10 million was established in 1981 in Docket No. 81–46, Financial Reports of Common Carriers by Water in the Domestic Offshore Trades, 46 FR 53171, 53174 (Oct 28, 1981). The share of FMC trade revenue which would support a waiver was established at 25 percent in 1980 by Docket No. 78–46, Financial Reports of Common Carriers by Water in the Domestic Offshore Trades, 45 FR 3290 (Jan. 17, 1980).

The domestic offshore trades have changed dramatically since the current waiver levels were established in 1980–1981. Subsequent to the decisions of the Court of Appeals for the District of Columbia Circuit affirming the exclusive jurisdiction of the ICC over joint intermodal service,[17] the major carriers in the Puerto Rico and Virgin Islands trades shifted much of their domestic offshore transportation to ICC jurisdiction. Termination of the Guam Rate Agreement in 1989 [18] was the occasion for Sea-Land to cancel its FMC tariffs and to attempt to shift all of its Guam cargo to ICC jurisdiction.[19] As indicated in its comments, APL took similar action during 1991, with respect to its container service in the Guam trade. Sea-Land, Totem, and other major carriers in the Alaska trade carry most, if not all, of their cargo under ICC tariffs or exemptions. Sea-Land also carries all of its Hawaiian cargo under ICC jurisdiction.

We have no doubt that the carriers are correct in their arguments that maintaining and reporting data in the format required by the Commission's financial reporting rules can be a burden.[20] The Commission has acknowledged this in earlier adjustments to the waiver provisions.[21] With so much of the domestic offshore cargo being carried under ICC jurisdiction, and in view of the ability of carriers to shift from port-to-port to joint, intermodal service at will, the rationale for imposing this burden has been weakened.[22]

In view of these developments since 1981, the Commission is proposing to alter the waiver level for complete Part 552 data in two respects. First, we are proposing to raise the dollar amount to $50 million. Second, we would delete the trade percentage requirement.

Raising the dollar threshold to $50 million would limit the burden of filing financial reports to those carriers which represent price leadership in the FMC-regulated portion of the domestic offshore trades. The dominant carriers in the Puerto Rico and Hawaii trades [23] would continue to file such reports.[24] None of the carriers that would be eligible for a waiver under this increased threshold have been the subject of a Commission instituted rate investigation during the past decade.

The trade percentage criterion contained in 46 CFR 552.2(e) is based on the FMC-regulated portion of the particular domestic offshore service. Under that section, a carrier cannot obtain a waiver unless its revenues amount to 25 percent or less of the FMC-regulated trade. This criterion has become of questionable value given the significant, but unquantifiable, portion of domestic offshore services subject to ICC jurisdiction. A carrier generating 25 percent of FMC-regulated revenues in a particular trade may represent only a tiny fraction of the overall service. A trade percentage criterion which was based on the overall service would be more meaningful, but the data from which to calculate such a percentage is beyond the jurisdictional grasp of the Commission.

Therefore, we are proposing to amend the waiver provision to establish the dollar amount at $50 million, and to eliminate the requirement relating to FMC trade percentage. Waivers would continue to be applicable to both annual reports and reports filed with proposed rate changes pursuant to 46 CFR 552.2(f). As indicated earlier, the combined effect of these changes will be to focus rate regulation on the handful of carriers exercising price leadership in the FMC-regulated portion of the domestic offshore trades.

Questions 2 through 7 of the ANPR address specific, substantive issues related to allocations, tax treatment, the comparable earnings test, efficiency incentives, and unique trade characteristics. The Commission has

[18] Section 27 of the Merchant Marine Act, 1920, 46 U.S.C. app. 883, ("Jones Act") restricts the transportation of merchandise between points in the United States, including districts, territories and possessions, to vessels built in and documented under the laws of the United States and owned by citizens of the United States. Certain offshore jurisdictions, including the U.S. Virgin Islands, are exempt from the provisions of the Jones Act. See 46 U.S.C. app. 877. Tropical operates foreign-flag vessels in the U.S. Virgin Islands Trade.

[17] *Puerto Rico Maritime Shipping Authority* v. *ICC*, 645 F.2d 1102 (DC Cir. 1981); *Trailer Marine Transport Corp.* v. *FMC*, 602 F. 2d 370 (DC Cir. 1979).

[18] See Docket No. 89–05, In the Matter of Agreement No. 102–008454, The Guam Rate Agreement, 25 SRR 385, 387 (1989).

[19] Whether some of Sea-Land's carriage in the Guam trade since cancellation of its FMC tariffs has, in fact, been port-to-port carriage under FMC jurisdiction is an issue that is being litigated in Docket No. 89–6, *The Government of the Territory of Guam et al.* v. *Sea-Land Service, Inc. and American President Lines, Ltd.*

[20] E.g. PRMSA comments at 4; Crowley comments at 6; APL comments at 8, 9, FN 10.

[21] E.g. 45 FR 3290 (Jan. 17, 1980).

[22] Sea-Land has offered a further argument in its comments relating to the burden of filing Part 552 data. It points out that FMC financial reports are based on a Maritime Administration ("MARAD") system of accounts designed for ODS (Operating Differential Subsidy) carriers and argues that this is an anachronism because only one ODS carrier remains in the domestic offshore trades. Review of the MARAD regulations at 46 CFR Part 232 indicates that this system of accounts also must be followed by carriers obtaining Title XI insurance from MARAD. We are informed that Matson and Trailer Marine Transport Corporation, a Crowley subsidiary, currently have Title XI insurance contracts with MARAD.

[23] Guam contends in its comments that competition in that trade is completely foreclosed by a combination of the Jones Act and geography. Specifically, the comments argue that Guam can be served economically only as a by-product of a larger trans-Pacific trade and that the only two U.S.-flag carriers in the trans-Pacific trades are already servicing the island. Since no other competition is possible, regulation is seen as the only alternative. However, because both carriers have now chosen to carry virtually all of their cargo in this trade under ICC jurisdiction, the FMC cannot exercise effective control over rates under such circumstances. Raising the waiver level to $50 million will have no impact on the Guam trade because neither carrier in that trade would be required to file financial reports under the current regulations.

[24] This assumes that such carriers continue to offer port-to-port services subject to FMC jurisdiction. However, carriers have complete freedom at any time to switch to intermodal, joint services subject to ICC jurisdiction.

determined to defer consideration of these and the numerous other substantive rule changes suggested by the comments until the waiver issue is resolved.[25]

Question 8, however, is fundamental to any further regulation by the Commission and reads as follows:

8. With jurisdiction over domestic offshore trades split between the FMC and the ICC, and with carriers having the ability to file tariffs for comparable or virtually identical service at either agency and the ability to switch the forum for filing, does the FMC have the ability to effectively regulate those trades? Please explain your answer in detail.

While recognizing the difficulties caused by split jurisdiction, the majority of comments in response to this question expressed the opinion that the Commission can and should regulate port-to-port carriage in the domestic offshore trades. Several of the comments suggested that the problems caused by split jurisdiction could be ameliorated by conforming FMC regulations as closely as possible with those of the ICC.[26] Of those comments answering this question in the negative, NASCCMA suggests that the solution is for the FMC to consider all of the carrier's assets, revenues and expenses (including those subject to ICC jurisdiction) in determining a fair rate of return. CSA suggests replacing rate of return analysis with a simple comparison test between the carrier's domestic offshore rates and rates for the same commodities, published by the same carrier, and carried on the same vessels in foreign commerce (e.g. Dominion Republic cargo carried via Puerto Rico by PRMSA). Totem suggests that a valuable purpose for this rulemaking proceeding is to develop a technical and factual record to support appropriate legislation to remedy the jurisdictional split.

As discussed above, the ability of the FMC to control rates in the domestic offshore trades is eroded significantly by the regulatory options available to carriers. While port-to-port service is not the same as joint, intermodal service, carriers have demonstrated the ability to shift large volumes of traffic from FMC to ICC jurisdiction, and back again.

Despite this erosion of control, the Commission's mandate to determine and prescribe just and reasonable port-to-port rates remains unchanged. In particular, section 3 of the 1933 Act continues to require that the Commission, "by regulation prescribe guidelines for the determination of what constitutes a just and reasonable rate of return or profit" for carriers in the domestic offshore trades. Thus, the Commission cannot administratively eliminate rate of return regulation. Such action would require legislative changes.

Although the Commission, as an independent regulatory agency, is not subject to Executive Order 12291, dated February 17, 1981, it nonetheless has reviewed the rule in terms of this Order and has determined that this rule is not a "major rule" as defined in Executive Order 12291 because it will not result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovations, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Federal Maritime Commission certifies, pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(n), that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units and small government jurisdictions. Its only impact will be to relieve some vessel-operating common carriers in the domestic offshore trades from filing certain financial reports with the FMC.

This proposed rule does not impose any reporting or recordkeeping requirements in addition to those already approved by the Office of Management and Budget.

List of Subjects in 46 CFR Part 552

Maritime carriers, Reporting and recordkeeping requirements, Uniform system of accounts.

Therefore, pursuant to 5 U.S.C. 553, sections 18 and 43 of the Shipping Act, 1916, 46 U.S.C. app. 817 and 841a, and sections 2 and 3 of the Intercoastal Shipping Act, 1933, 46 U.S.C. app. 844 and 845, part 552 of title 46, Code of Federal Regulations, is proposed to be amended as follows:

PART 552—FINANCIAL REPORTS OF VESSEL OPERATING COMMON CARRIERS BY WATER IN THE DOMESTIC OFFSHORE TRADES

1. The authority citation for part 552 continues to read as follows:

Authority: 5 U.S.C. 553; 46 U.S.C. app. 817(a), 820, 841a, 843, 844, 845, 845a and 847.

2. In § 552.2, paragraph (e) is revised to read as follows:

§ 552.2 General requirements.

* * * * *

(e) Upon application, the Commission shall grant a waiver of the detailed reporting requirements to carriers which have earned gross revenues of $50 million or less for the reporting period in a particular trade. The application for waiver (Exhibit D) must be accompanied by a company-wide balance sheet and income statement. This waiver provision is applicable to annual reporting requirements and to filings of proposed rate changes in accordance with § 552.2(f).

* * * * *

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 92-25941 Filed 10-27-92; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[ET Docket No. 92-28; FCC 92-358]

Low-Earth Orbit Satellites Above 1 GHz.

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; correction.

SUMMARY: The **Federal Register** preamble of this item, published Monday, September 21, 1992 (57 FR 43434), did not contain a Regulatory Flexibility Analysis. Therefore, this Analysis is presented below under

[25] Increasing the waiver level to $50 million not only would reduce the regulatory burden on most carriers, but also may create an opportunity to tailor the financial reports more precisely to the remaining carriers and trades. For example, both Hawaii and Puerto Rico are heavily imbalanced trades, with the majority of revenues earned outbound from the United States mainland. Some comments have suggested changes in allocation methods that would recognize that imbalance.

[26] The Commission is attempting to conform its regulations to those of the ICC in several areas where we believe our statutory authority permits us to do so. For example, notice periods for rate changes in the domestic offshore trades have been adjusted to achieve substantial parity. See Docket No. 91-42, Tariff Filing Notice Requirements; Domestic Offshore Trades, 26 SRR 70 (1991) (Decreases on one day's notice); and Docket No. 92-36, Reduction of Notice Requirements for Tariff Increases in the Domestic Offshore Trades, 57 FR 44504 (September 28, 1992) (Increases on seven workdays' notice)

Supplementary Information. It should be inserted in the second column on page 43435, before "List of Subjects."

DATES: Comments on the proposed rule published September 21, 1992 (57 FR 43434) due December 4, 1992; replies January 6, 1993.

FOR FURTHER INFORMATION CONTACT: Ray LaForge, Office of Engineering and Technology, telephone (202) 653–8117.

SUPPLEMENTARY INFORMATION:

Regulatory Flexibility Analysis. Pursuant to the Regulatory Flexibility Act of 1980, the Commission finds as follows:

A. Reason for Action

This action is being initiated to allocate spectrum for a low-Earth orbit satellite service. We believe that there is a need for additional spectrum above 1 GHz for mobile-satellite for voice, data transmission and position determination services and that LEOs offer a cost effective means to accommodate this need. We also intend to protect existing users if spectrum is allocated for a LEO satellite service.

B. Objective

The objective of this proposal is to promote efficiency in the allocation of spectrum for meeting the public's requirements for low-cost voice, data transmission, and positioning services. This objective can be met by establishing a low-Earth orbit satellite service above 1 GHz. Providing for the development of LEO technology in the United States also will promote the provision of these satellite services by U.S. firms.

C. Legal Basis

The proposed action is authorized by sections 4(i), 303(c), 303(f), 303(g), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 303(c), 303(f), 303(g), and 303(r). These provisions authorize the Commission to make such rules and regulations as may be necessary to encourage more effective use of radio as is in the public interest.

D. Description, Potential Impact, and Number of Small Entities Affected

This proposal may provide new marketing opportunities for radio manufacturers, some of which may be small businesses. Because this proposal concerns only the allocation of spectrum, and not the licensing of systems or stations, we are unable to quantify other potential effects on small entities. We invite specific comments on this point by interested parties.

E. Reporting, Record Keeping and other Compliance Requirements

None.

F. Federal Rules Which Overlap, Duplicate or Conflict With This Rule

None.

G. Significant Alternatives

If promulgated, this proposal will allow mobile-satellite services to share spectrum, on a co-primary basis, with aeronautical radionavigation services and the broadcast auxiliary services. We are proposing only a spectrum allocation at this time. Specific technical standards and service rules will be proposed in a future proceeding.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92–26098 Filed 10–27–92; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Parts 2, 21, 22, and 94

[ET Docket No. 92–9; FCC 92–437]

Redevelopment of Spectrum To Encourage Innovation in the Use of New Telecommunications Technologies

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: Consistent with the transition framework adopted by the Commission to provide spectrum for emerging technologies by reaccommodating incumbent fixed microwave users of the 1850–2200 MHz band, the Commission proposed and requested comment on the length of the transition period and on how the Commission should resolve any disputes over involuntary relocation. This action is necessary to complete the transition framework and to establish a process for resolving any disputes over involuntary relocation. The intended effect of this action is to provide for a smooth transition between existing and new uses of the 2 GHz band where necessary to accommodate new services and technologies.

DATES: Comments are due by January 13, 1993. Reply comments are due by February 12, 1993.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Fred Lee Thomas, Office of Engineering and Technology, Frequency Allocation Branch, (202) 653–6204.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Third Notice of Proposed Rule Making adopted September 17, 1992, and released October 16, 1992. This action will not add or decrease the public reporting burden. The full text of Commission decisions are available for inspection and copying during regular business hours in the FCC Reference Center (room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision also may be purchased from the Commission's duplication contractor, Downtown Copy Center, (202) 452–1422, 1114 21st Street, NW., Washington, DC 20036.

Summary of Notice of Proposed Rule Making

1. The Notice proposes and solicits comment on the length of a fixed transition period, and suggests between three and ten years, for voluntary agreements between emerging technology providers and fixed microwave operators currently using the 1850–2200 MHz bands to reaccommodate existing operations in higher frequency common carrier and private operational fixed microwave bands or on alternative media. After a transition period of fixed duration, the Commission provided a framework for involuntary reaccommodation and solicited comment on how to resolve any disputes over involuntary relocation terms and on how to define comparable alternative facilities. The Notice also solicits comment on issuing tax certificates to fixed microwave licensees who may receive a capital gain as part of an agreement to surrender their license and relocate to other bands or use other, non-radio alternative media.

2. Regulatory Flexibility Analysis. Pursuant to the Regulatory Flexibility Act of 1980, the Commission finds as follows:

A. Reason for Action

This rule making proceeding is initiated to obtain comment regarding the appropriate transition period to emerging technologies in the 2 GHz band and how to resolve any disputes should they arise over involuntary relocation of incumbent 2 GHz fixed microwave operations.

B. Objective

The objective of this proposal is to ensure that a timely and equitable

transition between fixed microwave and emerging technologies uses takes place in the 2 GHz band.

C. Legal Basis

The proposed action is authorized by Sections 4(i), 303(c), 303(g), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 303(c), 303(f), 303(g).

D. Description, Potential Impact, and Number of Small Entities Affected

Depending upon the length of the transition period, this proposal potentially would impact between several hundred and several thousand existing private and common carrier fixed microwave users in the 2 GHz band. This proposal may provide new opportunities for radio manufacturers and suppliers of radio equipment, some of which may be small businesses, to develop and sell new equipment. We are unable to quantify other potential effects on small entities. We invite specific comment on this point by interested parties.

E. Reporting, Record Keeping, and Other Compliance Requirements

None.

F. Federal Rules That Overlap, Duplicate, or Conflict With This Rule

None.

G. Significant Alternatives

If promulgated, this proposal will provide a desirable transition between existing and new uses of the 2 GHz band. We solicit comment on the most appropriate length of such a transition period; on how to resolve any disputes that might arise over involuntary relocation of incumbent 2 GHz fixed microwave operations; and on issuing tax certificates to affected licensees.

3. This is a non-restricted notice and comment rule making proceeding. *Ex parte* presentations are permitted, provided they are disclosed as provided in Commission rules. See generally 47 CFR 1.1202, 1.1203, and 1.1206(a).

List of Subjects in 47 CFR Parts 2, 21, 22, and 94

Radio.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-26101 Filed 10-27-92; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 531

[Docket No. FE-88-01; Notice 5]

RIN 2127-AE51

Passenger Automobile Average Fuel Economy Standard for Model Year 1990

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Reopening of rulemaking proceeding; request for comments.

SUMMARY: In response to an order of the U.S. Court of Appeals for the District of Columbia Circuit, NHTSA is reopening the rulemaking proceeding it commenced in 1988 to consider whether to reduce the corporate average fuel economy (CAFE) standard for model year (MY) 1990 passenger cars. NHTSA terminated that proceeding in May 1989 and allowed the statutory standard of 27.5 mpg to remain in effect. In doing so, the agency determined, among other things, that retaining the statutory standard, instead of reducing it to as low as 26.5 mpg, would not have any adverse safety consequences. However, on judicial review, the court ruled that NHTSA had not adequately analyzed the safety issue and remanded the matter to the agency for further explanation. To aid the agency in reaching a new decision with respect to the MY 1990 CAFE standard, NHTSA is requesting comments from interested persons.

DATES: The comment closing date for this document is December 28, 1992.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted (preferably in 10 copies) to: Docket Section, room 5109, 400 Seventh Street, SW., Washington, DC 20590. (Docket hours are from 9:30 a.m. to 4 p.m., Monday through Friday.)

FOR FURTHER INFORMATION CONTACT: Mr. Orron Kee, Office of Market Incentives, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. (202) 366-0846.

SUPPLEMENTARY INFORMATION:

Statutory Provisions

In December 1975, Congress enacted the Energy Policy and Conservation Act in response to the energy crisis created by the oil embargo of 1973-74, the level of oil imports, and the level of oil imports from OPEC sources. Congress included a provision establishing an automotive fuel economy regulatory program. That provision added a new title, title V, to the Motor Vehicle Information and Cost Savings Act (Act).

Section 502(a)(1) of the Act, 15 U.S.C. 2002(a)(1), established the corporate average fuel economy (CAFE) standard for passenger automobiles for model year (MY) 1985 and thereafter at 27.5 miles per gallon (mpg). This long-term statutory standard represented an approximate doubling of the fuel economy that existed in MY 1974.

While a separate fuel economy standard applies to each model year, the Act does not require manufacturers to achieve the level of a standard within a particular model year. Instead, under certain circumstances, it allows a shortfall in one year (or years) to be offset if a manufacturer exceeds the standard in another year (or years). Under the Act, manufacturers earn credits for exceeding average fuel economy standards which may be carried back for three model years or carried forward for three model years.

Pursuant to section 502(a)(4) of the Act, NHTSA may amend the 27.5 mpg statutory standard for a particular model year to the "maximum feasible average fuel economy level for such model year." In determining the "maximum feasible average fuel economy level," the agency is required by section 502(e) of the Act to consider the following four factors: (1) Technological feasibility; (2) economic practicability; (3) the effect of other Federal motor vehicle standards on fuel economy; and (4) the need of the nation to conserve energy.

Section 502(f)(2) of the Act requires that any amendment which has the effect of making a standard more stringent must be issued at least 18 months prior to the beginning of the model year to which the amendment applies. Therefore, NHTSA clearly does not have the authority to raise the MY 1990 standard at this time. The issue the agency must decide in this proceeding is whether the MY 1990 standard should remain at the 27.5 mpg statutory level or be reduced.

MY 1989-90 Proceeding

In response to five petitions for rulemaking to reduce the MY 1989-1990 CAFE standards, on August 29, 1988, NHTSA published in the **Federal Register** (53 FR 33080) a notice of proposed rulemaking (NPRM) that sought public comment on whether the agency should reduce the passenger car CAPE standards for MY 1989 or MY 1990, or both, to a level not lower than 26.5 mpg. On September 30, 1988,

NHTSA issued a final rule reducing the MY 1989 standard from 27.5 mpg to 26.5 mpg. The final rule was published in the **Federal Register** (53 FR 39275) on October 6, 1988.

Subsequently, NHTSA decided not to amend the statutory standard for MY 1990. On May 22, 1989, several months before the beginning of MY 1990, the agency published in the **Federal Register** (54 FR 21985) a notice terminating the rulemaking proceeding for that model year. That decision was based upon the increasing need of the nation to conserve energy and the agency's conclusion that retaining the 27.5 mpg standard for MY 1990 instead of reducing it to as low as 26.5 mpg would not have a significant adverse effect on U.S. employment or on the competitiveness of the U.S. auto industry due, in part, to the availability of credits from past years.

The agency also discussed the issue of whether its retention of the standard would have any effect on motor vehicle safety. One of the petitioners requesting a reduction in the 27.5 mpg standard, the Competitive Enterprise Institute (CEI), argued that retaining the standard would have an adverse impact on safety. CEI asked the agency to conclude that CAFE standards result in vehicle downsizing, and that downsizing, in turn, degrades safety. CEI advocated a CAFE standard of 24.0 mpg, which it contended would be the CAFE level of the fleet in the absence of CAFE standards. Several other commenters also addressed the safety issue. See 54 FR 21991–92. In responding to these comments, NHTSA presented an analysis of the safety issue, and concluded that there would not be any adverse safety consequences associated with its decision to retain the 27.5 mpg standard for MY 1990. See 54 FR 21992–94.

Court Decision

NHTSA's termination of rulemaking was challenged in the U.S. Court of Appeals for the District of Columbia Circuit by CEI. That organization claimed that the agency had not adequately considered the impact of its action on safety and disputed NHTSA's conclusion that retaining the 27.5 mpg standard for MY 1990 would not create adverse safety consequences.

On judicial review, a 2–1 majority of the D.C. Circuit ruled that NHTSA had not adequately analyzed the safety issue. The court remanded the matter to the agency for further explanation. *CEI* v. *NHTSA*, 956 F.2d 321 (D.C. Cir. 1992).

Request for Comments

As a result of the court's order, NHTSA is reopening the MY 1990 CAFE rulemaking proceeding. The agency has decided that it would be appropriate to request comments from all interested persons before taking final action with respect to that standard.

NHTSA notes that many events related to fuel economy have occurred during the three years since the agency issued its decision to terminate the MY 1990 rulemaking. Most obviously, manufacturers have now completed their production of MY 1990 and MY 1991 vehicles, and MY 1992 is nearly over.

The agency has also performed additional analyses of the effect of car size on fatality and injury risk. In a recent paper on this subject, NHTSA estimated, based on studies completed as of April 1991, that the reduction of the average weight of new cars involved in crashes from 3700 to 2700 pounds (and/or the associated reduction in car length and width), that occurred between 1970 and 1982, resulted in nearly 2,000 additional fatalities and 20,000 additional serious injuries per year. See Docket FE–GR, item 39. This paper did not address what role, if any, the CAFE program played in causing this weight reduction. (For reference, the fleet average curb weight of MY 1990 passenger cars was 2900 pounds.)

NHTSA notes that overall traffic safety improved throughout the 1970's and 1980's, despite the reduction in average car weight. The fatality rate per 100 million vehicle miles traveled declined from 4.7 in 1970 to 3.3 in 1980, and fell to 1.9 in 1991. The improvement reflects many factors, including safety improvements to motor vehicles, increased safety belt usage, alcohol enforcement efforts and age-21 drinking laws, and enforcement of speed laws. NHTSA's estimates of additional fatalities and serious injuries attributable to reduced vehicle weight assumes that the additional safety improvement would have occurred in the absence of the weight reduction.

Also, in the time period since the MY 1990 proceeding was terminated, in light of widespread interest in automotive fuel economy, NHTSA and the Federal Highway Administration requested the National Research Council (NRC) to undertake a study of the potential and prospects for improving the fuel economy of new light-duty vehicles. A copy of its report, which was released in April 1992, has been placed in the docket. The report includes a chapter on the safety implications of measures to improve fuel economy.

NHTSA requests commenters to address all pertinent issues related to the agency's decision concerning the MY 1990 standard, including but not limited to the issues raised in the questions set forth below. The agency would also welcome comments that address its prior analysis of the safety issue and the D.C. Circuit's views of that analysis in the recent opinion as well as in that court's previous decision that rejected a similar challenge on safety grounds to NHTSA's actions with respect to the passenger car CAFE standards for MYs 1987–1989. *CEI* v. *NHTSA*, 901 F.2d 107, 119–122 (D.C. Cir. 1990). Copies of the two court opinions have been placed in the docket.

1. Should the agency reduce the 27.5 mpg statutory standard for MY 1990, and if so, to what level?

2. What specific actions would manufacturers actually take, if any, depending upon whether the MY 1990 CAFE standard remained at 27.5 mpg or were reduced to some level between 26.5 mpg and 27.5 mpg? If the standard remained at 27.5 mpg, would manufacturers downsize vehicles, refrain from upsizing vehicles or change the mix or pricing policies of the vehicles they offer for sale? If so, which vehicles would be affected, and to what extent? Would manufacturers make technological changes to their vehicles to improve CAFE? Would they defer technological improvements that would improve CAFE if the MY 1990 standard were less than 27.5 mpg? If so, what technological changes would be made, and how would vehicle sales mixes and/or prices be affected?

NHTSA notes that manufacturers cannot take any actions with respect to their MY 1990–92 production, since the first two of those model years are over, and MY 1992 would essentially be over by the time a final rule could be issued in this proceeding. In answering this question, please identify the model years for which manufacturers would take specific actions, and the basis for that conclusion (including an analysis of the effects of credits). Please also address whether the answer to this question would vary depending upon the level selected within the 26.5 mpg to 27.5 mpg range.

3. What actual safety impacts, if any, would result if the agency were to reduce the MY 1990 CAFE standard to some level between 26.5 mpg to 27.5 mpg? Commenters are asked to answer this question in light of their answer to Question 2, i.e., how any actual product plan changes or other specific manufacturer actions identified in that answer would affect safety.

4. In view of NHTSA's primary safety mission, and in view of recent studies and events regarding the relationship of safety and fuel economy, e.g., the 1992 court decision, the aforementioned NHTSA studies of the size-safety relationship, and the NRC study, what role should safety concerns generally play under the Act in any agency decision to exercise its discretion whether to initiate a proceeding to amend the statutory standard of 27.5 mpg? In an instance in which the agency has decided to exercise its discretion to initiate such a proceeding, what role should those concerns play in the agency's determination of the "maximum feasible average fuel economy level?" Should safety concerns be considered as a part of "economic practicability?"

NHTSA notes that any CAFE standard that is sufficiently constraining that it could lead manufacturers to downsize their fleets could have an effect that is directionally adverse to safety. As discussed in the May 1989 termination notice, when Congress established the CAFE program and provided for a long-term 27.5 mpg standard, it was clearly aware that there were safety consequences to downsizing and of the likelihood that downsizing would play a major role in achieving these fuel economy gains. See 54 FR 21994. In answering these questions, NHTSA requests commenters to specifically address how safety could be considered in a manner consistent with the statutory scheme.

5. In deciding whether to exercise its discretion to amend the MY 1990 standard, what significance should NHTSA give to the efforts that manufacturers made to achieve a 27.5 mpg CAFE level for that year, to CAFE credits possessed by Ford and GM entering MY 1990, and to the CAFE levels actually achieved by Ford and GM in MY 1990 and subsequent model years?

6. If NHTSA decides to exercise its discretion to amend the MY 1990 standard, what significance should NHTSA give to the CAFE levels actually achieved by the manufacturers for that model year? The agency notes that GM achieved a domestic CAFE of 27.1 mpg, and Ford achieved a domestic CAFE of 26.3 mpg in that model year.

Comments

Interested persons are invited to submit comments on this document. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR part 512.

All comments received before the close of business on the comment closing date indicated above for the document will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. All comments on the document will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 531

Energy conservation, Fuel Economy, Gasoline, Imports, Motor vehicles.

Authority: 15 U.S.C. 2002, delegations of authority at 49 CFR 1.50 and 501.

Issued on October 22, 1992.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 92-26085 Filed 10-27-92; 8:45 am]

BILLING CODE 4910-59-M

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49 CFR Part 572

[Docket No. 92-51; Notice 1]

New Car Assessment Program

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice and request for comment.

SUMMARY: In its continuing effort to improve the New Car Assessment Program (NCAP), the National Highway Traffic Safety Administration (NHTSA) is interested in establishing the part 572, subpart E–Hybrid III Anthropomorphic Test Dummy (Hybrid III) as the only surrogate testing device used in this program. This action will enhance data collection capability and eliminate a potential source of performance variability in the 35 mph crash test program. This change could be implemented for the model year 1994 NCAP. The agency seeks comments on the merits, timing, and any other issues associated with this potential change.

DATES: Comments must be received no later than December 14, 1992.

ADDRESSES: Comments should refer to the docket number of this notice and should be submitted to: Docket Section, NHTSA, room 5109, 400 Seventh Street SW., Washington, DC 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. Vincent Quarles, Chief, Motor Vehicle Information Division, Office of Market Incentives, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590. Telephone: (202) 366–4805.

SUPPLEMENTARY INFORMATION: Title II of the Motor Vehicle Information and Cost Savings Act requires NHTSA to develop consumer information on the crashworthiness of passenger motor vehicles. The NCAP was established in 1979 to fulfill part of that requirement. Between 1979 and 1990, NCAP used only part 572, subpart B test dummies (Hybrid II) as human surrogates. Starting with model year 1990, NCAP tests were conducted using the test dummy that the vehicle manufacturer used to certify compliance to Federal Motor Vehicle Safety Standard No. 208, "Occupant Crash Protection". Since model year 1992, NCAP tests have been conducted using the test dummy that the manufacturer recommended for the higher severity testing, regardless of the test dummy used in certifying the vehicle to Standard No. 208.

Incorporating the Hybrid III as the only test dummy used in NCAP would permit collection of more injury data, in addition to the head, chest and femur data currently collected for all vehicles tested in the program. These data would not be published as consumer information because of issues related to human tolerance levels and dummy

biofidelity, but would enable the agency and manufacturers to obtain research data on the potential for injury to other body parts. Using only the Hybrid III would also eliminate a potential source of performance variability at the 35 mph crash testing severity level; thus providing a more "level playing field" for determining variances among vehicles. The agency believes that the NCAP should continue in the direction of its original objective, which is to assess vehicle crashworthiness performance at a higher severity testing level. This objective would seem to be enhanced by collecting more dummy injury data and using only one type of human surrogate testing device. The agency notes that it has already granted a petition for rulemaking to mandate the use of the Hybrid III for Standard No. 208 compliance testing and expects to issue an NPRM on this issue shortly. The possibility of using only the Hybrid III in NCAP would be consistent with this anticipated regulatory action. The NCAP could begin using the Hybrid III exclusively as early as model year 1994.

Issued on October 23, 1992.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 92-26086 Filed 10-27-92; 8:45 am]

BILLING CODE 4910-59-M

Notices

Federal Register
Vol. 57, No. 209
Wednesday, October 28, 1992

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.

ACTION

Student Community Service Projects; Availability of Funds

AGENCY: ACTION.

ACTION: Notice of Availability of funds; Student Community Service Projects.

The Student Community Service Program, ACTION, announces the availability of funds for Fiscal Year 1993 for VISTA/Student Community Service grants authorized by section 114 of the Domestic Volunteer Service Act of 1973, as amended (Pub. L. 93–113, title I, part B, 42 U.S.C. 4974).

Application kits and technical assistance on grant application preparation are available from the ACTION State Office. Hearing-impaired individuals may contact ACTION's TDD number, (202) 606–5256. This announcement, application materials and guidance may be provided in alternative formats for the visually impaired by calling (202) 606–4824. One completed application form and two copies, with original signatures on all the documents, must be received in the appropriate ACTION State Office no later than 5 p.m. local standard time on January 13, 1993. Any application received after that date will not be considered for Fiscal Year 1993 funding. However, applications post-marked 5 days before the deadline date will be accepted for consideration.

Background on the Student Community Service Program: The following information sets out the final guidelines under which Student Community Service Projects operate. The guidelines are divided into seven parts which deal with the overall program philosophy, responsibilities of the sponsor staff, volunteers, and volunteer placement sites. Furthermore, the guidelines provide basic data on the administration of a Student Community Service Project.

Grant Awards: Only first-year applicants may apply for funds available through this notice. First-year applicants may apply for a maximum of $20,000 with at least a 20 percent match above the Federal dollar amount; second-year applicants may apply for a maximum of $15,000 with at least a 30 percent match above the Federal dollar amount; and third-year applicants may apply for a maximum of $10,000 with at least a 50 percent match above the Federal dollar amount.

DATES: These Guidelines took effect on April 22, 1991.

FOR FURTHER INFORMATION CONTACT: Valerie Wheeler, ACTION, 1100 Vermont Ave., NW., room 8100, Washington, DC 20525, 202/606–4824.

I. Introduction

The Student Community Service Project guidelines are contained in seven parts:

Part I—Introduction
Part II—Purpose
Part III—Grantee Eligibility and Selection Criteria
Part IV—Grant Application Procedures
Part V—Project Management
Part VI—Student Volunteer Assignments
Part VII—Restrictions

These guidelines were published in their final form in the **Federal Register** on March 6, 1991, (Vol. 56, No. 44, pages 9340–9343) and became effective on April 22, 1991.

II. Purpose

Student Community Service Projects are authorized under Title I, Part B, Sec. 111 and Sec. 114 of the Domestic Volunteer Service Act of 1973, as amended (Pub. L. 93–113, 42 U.S.C. 4971, 4974). The statutory purpose of these projects is to encourage students to undertake volunteer service in their communities in such a way as to enhance the educational value of the service experience through participation in activities which address poverty-related problems. Student volunteers must be enrolled in secondary, secondary vocational or post-secondary schools on an in-school or out-of-school basis. They serve part-time and without a stipend.

Service opportunities must result in student volunteers gaining learning experiences through service in low-income communities, whether or not they receive academic credit.

The intent of Student Community Service Projects is to join community, school and youth in developing the scope and nature of volunteer experiences which serve the needs of poverty communities while securing resources by which the effort can be continued and expanded, if needed, after Federal support ends.

Local communities should determine what their problems are and how best to solve them. ACTION resources may be made available to assist in helping communities solve some of their problems through fostering student volunteer service. The community must generate increasing resources to enable the project to continue once ACTION grant funds are no longer provided. Technical assistance and training in project management, fundraising, and recruiting will be provided by ACTION as required.

III. Grantee Eligibility and Selection Criteria

The following criteria will be considered by ACTION in the selection and approval of Student Community Service Projects:

A. The applicant must be a Federal, State, or local agency, or private non-profit organization or foundation in the United States, the District of Columbia, Virgin Islands, Puerto Rico, American Samoa, or Guam, which has the authority to accept and the capability to administer a Student Community Service Project grant.

B. Student volunteer activities must be poverty-related in scope and otherwise comply with the provisions of the legislative authority outlined in part II.

C. Grant funds must be used to initiate or expand a student volunteer community service project which addresses the needs of the low-income community.

D. The grantee must develop and maintain community support for the Student Community Service Project through a planned program including public awareness and communications.

E. Proposed community representation in the project's planning and operation, including representatives of youth groups, school systems, educational institutions, etc., must be identified in the grant application.

F. The grant application must demonstrate that project goals and objectives are quantifiable, measurable

and show benefits to the student volunteers and to the low-income community. It must describe the expected learning outcomes which will result from the service experience. The projected number of student volunteers who will serve in the project and hours of service are to be included in project goals and objectives.

G. The grant application must demonstrate how student volunteers will be recruited and how they will receive orientation appropriate to their assignments.

H. The grantee must identify resources which will permit continuation of the Student Community Service Project, if needed, upon the conclusion of Federal funding as outlined in Part II.

I. The grantee must comply with all programmatic and fiscal aspects of the project and may not delegate or contract this responsibility to another entity. This includes compliance with applicable financial and fiscal requirements established by ACTION or other elements of the Federal government. This does not refer to agreements made with volunteer placement sites as discussed in Part VI.

J. The grantee must ensure compliance with the restrictions outlined in Part VII. The Director of VISTA/Student Community Service Programs may use additional factors in choosing among applicants who meet the minimum criteria specified above, such as:

1. Geographic distribution;

2. Availability of volunteer activities to students from all segments of society;

3. Applicants' accessibility to alternate resources, both technical and financial;

4. Allocation of Student Community Service resources in relation to other ACTION funds.

IV. Grant Application Procedures

A. Scope of Grant

Student Community Service Project grants are awarded for up to a twelve-month period. Requests for second- or third-year reduced funding can be sought by grantees. The levels of funding and matching requirements are published in **Federal Register** announcements of funding availability. The grantee is required to contribute a local share each year. Final determination of the actual amount of grant awards rests with the ACTION Regional Director. ACTION seeks sponsoring organizations which can demonstrate the ability to raise sufficient local support in order to achieve 100% non-ACTION funding of their Student Community Service Projects after Federal funding ends.

Applicants for new or renewal grants must comply with the provisions of Executive Order 12372, the "Intergovernmental Review of Federal Programs" as set forth in 45 CFR Part 1233. Contact the ACTION State Office for specific instructions on how to fulfill this requirement.

Publication of this announcement does not obligate ACTION to award any specific number of grants or to obligate the entire amount of funds available, or any part thereof, for grants under the VISTA/Student Community Service Projects.

B. Procedures for New Grantees

Project application forms are available from ACTION State Offices, which will also establish schedules for application submission. Grant allowable costs are contained in ACTION Handbook 2650.2, Grants Management Handbook for Grantees, which is available from ACTION State or Regional Offices.

Applications are to be submitted to the appropriate ACTION State Office for review and subsequently forwarded to the ACTION Regional Office for comment prior to their submission to the Director of VISTA/Student Community Service Programs, who will make the final selection of new Student Community Service Project grantees.

The Regional Directors will notify all applicants of the final decisions, and the Regional Grants and Contracts Officers will issue Notices of Grant Awards to the grantees upon notification from the Director of VISTA/Student Community Service Programs.

C. Procedures for Renewal Grantees

Applications for renewal projects will be evaluated using the factors identified in selecting initial grantees, as well as the grantee's compliance with these guidelines and the grantee's performance during the previous year(s), particularly in the achievement of measurable goals and objectives. All project renewals are subject to the availability of funds.

Applications for renewal for second- and third-years are reviewed at the ACTION State Office level and submitted to the ACTION Regional Director for final approval. If the second- or third-year renewal application is denied, the sponsor will be notified that the ACTION Regional Director intends to deny the application for renewal; and the sponsor will be given an opportunity to show cause why the application should not be denied in accordance with 45 CFR part 1206. This regulation is available from ACTION State or Regional Offices.

V. Project Management

Sponsors shall manage grants awarded to them in accordance with the provisions of these guidelines and ACTION Handbook 2650.2, Grants Management Handbook for Grantees, which will be furnished to the sponsor at the time the initial grant is awarded.

Project support provided under an ACTION grant will be furnished at the lowest possible cost consistent with the effective operation of the project. Project costs for which ACTION funds are budgeted must be justified as being essential to project operation.

A. Local Support Contributions

The Student Community Service Project sponsor shall be responsible for providing a non-Federal share contribution for each year of the grant's operation. This amount can be obtained through cash and/or allowable in-kind contributions. Local share can include, but is not limited to, cash or in-kind contributions such as office space, office equipment, supplies, accounting services, insurance, vehicles, telephones, printing, postage, recognition, travel and personnel which directly benefit the project.

B. Reporting Requirements

Sponsors must comply with fiscal reporting requirements specified in the Notice of Grant Award and must maintain records in accordance with generally accepted accounting principles. Records shall be kept available for inspection at the request of ACTION and shall be preserved for at least three years following the date of submission of the final Financial Status Report for each budget period.

If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Project progress reports shall also be submitted to the ACTION State Office. Sponsors are required by ACTION to provide accurate and timely preparation and submission of project reports.

C. Insurance

Grantees are responsible and must show evidence that student volunteers, while performing their assignments, have adequate accident, personal liability, and automobile liability insurance coverage consistent with other insurance maintained by the

organization, and with sound institutional and business practices.

D. Transportation

The sponsor should structure student volunteer assignments to minimize transportation expenses and requirements.

When transportation is not provided, volunteers may be reimbursed for actual costs within the limitations prescribed by the local project and the availability of funds.

E. Project Staff

Each grantee will designate a person to serve as the project director. A full-time director is desirable. A rationale for less than a full-time project director must be included with the project application. The project director should be hired within 30 days of the project start date. Supervision of the project director is the responsibility of the sponsor.

Student Community Service Project staff are employees of the grantee organization and are subject to its personnel policies and practices.

F. Community Relations

1. Community Support

A viable community support system needs to be initiated to ensure project success and project continuation without Federal funds. Project support may be sought from school districts, governmental entities, religious and service groups, foundations, the business community, youth organizations, etc. One method of enlisting and maintaining community support for the project's operation is through the establishment of a project advisory council and/or working committee of the sponsor's board. Initial outreach to representatives of these groups, as evidenced by accompanying letters of support, is seen as an effective step toward the development of the application.

2. Volunteer Recognition

With the participation of the sponsor, the staff, and volunteer placement sites, recognition should be given to student volunteers for service to the community. Projects can also provide recognition to local individuals and agencies or organizations for significant activities in support of project goals. Specific recognition activities should be reflected in the application narrative and budget.

3. Public Awareness

A strong community relations program ensures public awareness of start-up and continuing project activities. It is essential for the successful recruiting of volunteers and for the recognition of volunteer service. The project sponsor and project director should inform community, city and county officials, and the media about development, growth and success of the Student Community Service project.

VI. Student Volunteer Assignments

Student volunteers are assigned to serve low-income communities in a variety of ways. Local sponsors are expected to develop volunteer service opportunities taking into consideration the focus of the project, the age, skills, and interests of student volunteers, as well as the value of the learning experience itself. Clear understanding concerning the responsibilities of volunteer placement sites must be reached between representatives of the grantee's project staff and the volunteer site supervisor. Agreements may be formally arranged through the utilization of a Memorandum of Understanding, a Letter of Agreement, or other means.

A formal agreement between the project staff and volunteer site will greatly assist the staff and volunteers in the management of volunteers. Issues and responsibilities concerning volunteer recruitment, orientation/training, volunteer transportation, recognition and reporting of service hours, are functions outlined in this agreement.

VII. Restrictions

A. Special restrictions on Student Community Service Project Grantees

1. Political Activities

a. Grant funds shall not be used to finance, directly or indirectly, any activity to influence the outcome of any election to public office or any voter registration activity.

b. No project shall use grant funds to provide services, employ or assign personnel or volunteers for, or take any action which would result in the identification or apparent identification of the project with:

(1) any partisan or non-partisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office;

(2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any election; or

(3) any voter registration activity.

2. Lobbying

a. No grant funds or volunteers may be used by the sponsor in any activity for the purpose of influencing the passage or defeat of legislation or proposals by initiative petition, except as follows:

(1) in any case in which a legislative body, a committee of a legislative body, or a member of a legislative body requests a student volunteer, a sponsor chief executive, his or her designee, or project staff to draft, review, or testify regarding measures or to make representations to such legislative body, committee, or member; or

(2) in connection with an authorization or appropriation measure directly affecting operation of the program. Regulations found in 45 CFR part 1226, "Prohibitions On Electoral and Lobbying Activities," apply fully hereto, and provide further details on the limitations of political and lobbying activities that apply to volunteers and sponsors. Each grantee is obliged to know, and to communicate to staff and volunteers, the prohibitions included therein.

3. Special Restriction on State or Local Government Employees

If the sponsor receiving a grant from ACTION is a State or local government agency, certain restrictions contained in Chapter 15 of Title 5 of the United States Code are applicable to persons who are principally employed in activities associated with the project. The restrictions are not applicable to employees of educational or research institutions. An employee subject to these restrictions may not:

a. Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.

b. Directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes; or

c. Be a candidate for elective office, except in a non-partisan election. "Non-partisan election" means an election at which none of the candidates is to be nominated or elected as representing a political party any of whose candidates for Presidential election received votes in the last preceding election at which Presidential electors were selected. If a project staff member, whose salary is traceable in whole or in part to an ACTION grant, is also a State or local government employee, the staff member is covered by provisions of the Hatch Act, restricting in many instances public participation in partisan political activities. Questions about the coverage of the Hatch Act may be addressed to ACTION, Office of General Counsel,

1100 Vermont Avenue, NW., room 9200. Washington, DC 20525.

4. Non Discrimination

No person with responsibility for the operation of a project shall discriminate with respect to any activity or program because of race, creed, belief, color, national origin, sex, age, handicap, or political affiliation.

5. Religious Activities

Volunteers and project staff funded by ACTION shall not give religious instruction, conduct worship services, or engage in any form of proselytization as part of their duties.

6. Labor and Anti Labor Activity

No grant funds shall be directly or indirectly utilized to finance labor or anti-labor organization or related activity.

7. Non Displacement of Employed Workers

A student volunteer may not perform any service or duty which would supplant the hiring of workers who would otherwise be employed to perform similar services or duties; or result in the displacement of employed workers or impair existing contracts for service.

8. Non Compensation for Services

No volunteer or other person, organization, or agency shall request or receive any compensation for services of student volunteers. No volunteer site or any member or cooperating organization shall be requested or required to contribute, or to solicit contributions, to establish any part of a local share. This does not prevent the acceptance of cash contributions made voluntarily and without condition to the grantee for legitimate charitable purposes.

9. Volunteer Status

Student volunteers are not employees of the sponsoring organization or the U.S. Government while volunteers.

10. Nepotism

Persons selected for project staff positions may not be related by blood or marriage to other project staff, sponsor staff or officers, or members of the sponsor Board of Directors unless there is concurrence by ACTION.

(42 U.S.C. 4974)

Following is an address list of ACTION Regional Offices, along with the addresses of ACTION State Offices under their jurisdiction:

Region I

ACTION Regional Office, 10 Causeway Street, room 473, Boston, MA 02222-1039 Telephone: 617/565-7001

ACTION State Office, 1 Commercial Plaza, 21st Floor, Hartford, CT 06103-3510 Telephone: 203/240-3237

ACTION State Office, U.S. Courthouse, room 305, 76 Pearl Street, Portland, ME 04101-4188 Telephone: 207/780-3414

ACTION State Office, 10 Causeway Street, room 473, Boston, MA 02222-1039 Telephone: 617/565-7018

(New Hampshire/Vermont)

ACTION State Office, The Whitebridge, 91-93 North State Street, Concord, NH 03301-3939 Telephone: 603/225-1450

ACTION State Office, John O. Pastore Federal Bldg., room 232, Two Exchange Terrace, Providence, RI 02903-1758 Telephone: 401/528-5424

Region II

ACTION Regional Office, 6 World Trade Center, room 758, New York, NY 10048-0206 Telephone: 212/466-3481

ACTION State Office, 6 World Trade Center, room 758, New York, NY 10048-0206 Telephone: 212/466-4471

ACTION State Office, 44 South Clinton, suite 702, Trenton, NJ 08609-1507 Telephone: 609/989-2243

(Puerto Rico/Virgin Islands)

ACTION State Office, U.S. Federal Office Building, 150 Carlos Chardon Avenue, Suite C-49, Hato Rey, PR 00918-1737 Telephone: 809/766-5314

Region III

ACTION Regional Office, 801 Arch Street, suite 103, Philadelphia, PA 19107-2416 Telephone: 215/597-9972

(Delaware/Maryland)

ACTION State Office, Federal Building, 31 Hopkins Plaza, room 1125, Baltimore, MD 21201-2814 Telephone: 410/962-4443

ACTION State Office, Federal Building, room 372-D, 600 Martin Luther King, Jr. Place, Louisville, KY 40202-2230 Telephone: 502/582-6384

ACTION State Office, Leveque Tower, room 304A, 50 W. Broad Street, Columbus, OH 43215-2888 Telephone: 614/469-7441

ACTION State Office, Gateway Building, 3535 Market Street, room 2460, Philadelphia, PA 19104-2996 Telephone: 215/596-4077

(Virginia/District of Columbia)

ACTION State Office, 400 N. 8th Street, room 1119, P.O. Box 10066, Richmond, VA 23240-1832 Telephone: 804/771-2197

ACTION State Office, 603 Morris Street, 2nd Floor, Charleston, WV 25301-1409 Telephone: 304/347-5246

Region IV

ACTION Regional Office, 101 Marietta Street, N.W., suite 1003, Atlanta, GA 30323-2301 Telephone: 404/331-2860

ACTION State Office, Beacon Ridge Towers, room 770, 600 Beacon Parkway West, Birmingham, AL 35209-3120 Telephone: 205/290-7184

ACTION State Office, 3165 McCrory Street, suite 115, Orlando, FL 32803-3750 Telephone: 407/648-6117

ACTION State Office, 75 Piedmont Avenue, NE., suite 462, Atlanta, GA 30303-2587 Telephone: 404/331-4646

ACTION State Office, Federal Building, room 1005-A, 100 West Capital Street, Jackson, MS 39269-1092 Telephone: 601/965-5664

ACTION State Office, Federal Building, P.O. Century Station, 300 Fayetteville Street Mall, room 131, Raleigh, NC 27601-1739 Telephone: 919/856-4731

ACTION State Office, Federal Building, room 872, 1565 Assembly Street, Columbia, SC 29201-2430 Telephone: 803/765-5771

ACTION State Office, 265 Cumberland Bend Drive, Nashville, TN 37228 Telephone: 615/736-5561

Region V

ACTION Regional Office, 77 West Jackson Boulevard, suite 442, Chicago, IL 60604 Telephone: 312/353-5107

ACTION State Office, 77 West Jackson Blvd., room 442, Chicago, IL 60604 Telephone: 312/353-3622

ACTION State Office, 46 East Ohio Street, room 457, Indianapolis, IN 46204-1922 Telephone: 317/226-6724

ACTION State Office, Federal Building, room 722, 210 Walnut Street, Des Moines, IA 50309-2195 Telephone: 515/284-4816

ACTION State Office, Federal Building, room 658, 231 West Lafayette Blvd., Detroit, MI 48226-2799 Telephone: 313/226-7848

ACTION State Office, 431 South 7th Street, room 2480, Minneapolis, MN 55415 Telephone: 612/334-4083

ACTION State Office, 310 West Wisconsin Avenue, room 1240, Milwaukee, WI 53203 Telephone: 414/297-1118

Region VI

ACTION Regional Office, 1100 Commerce, room 6B11, Dallas, TX 75242-0696 Telephone: 214/767-9494

ACTION State Office, Federal Building, room 2506, 700 West Capitol Street,

Little Rock, AR 72201-3291 Telephone: 501/324-5234
ACTION State Office, Federal Building, room 248, 444 S.E. Quincy, Topeka, KS 66603-3501 Telephone: 913/295-2540
ACTION State Office, 640 Main Street, suite 102, Baton Rouge, LA 70801-1910 Telephone: 504/389-0471
ACTION State Office, Federal Office Building, 911 Walnut, room 1701, Kansas City, MO 64106-2009 Telephone: 816/426-5256
ACTION State Office, First Interstate Plaza, 125 Lincoln Avenue, suite 214-B, Santa Fe, NM 87501-2026 Telephone: 505/988-6577
ACTION State Office, 420 West Main, suite 530, Oklahoma City, OK 73102-6093 Telephone: 405/231-5201
ACTION State Office, 611 East Sixth Street, suite 404, Austin, TX 78701-3747 Telephone: 512/482-5671

Region VIII

ACTION Regional Office, Executive Tower Building, suite 2930, 1405 Curtis Street, Denver, CO 80202-2349 Telephone: 303/844-2671

(Colorado/Wyoming)

ACTION State Office, One Sherman Place, 140 E. 19th Street, suite 120, Denver, CO 80203 Telephone: 303/866-1070
ACTION State Office, Federal Office Building, Drawer 10051, 301 South Park, room 192, Helena, MT 59626-0101 Telephone: 406/449-5404
ACTION State Office, Federal Building, room 156, 100 Centennial Mall North, Lincoln, NE 68508-3896 Telephone: 402/437-5493

(North & South Dakota)

ACTION State Office, Federal Building, room 225, 225 S. Pierre Street, Pierre, SD 57501-2452 Telephone: 605/224-5996
ACTION State Office, Frank E. Moss U.S. Courthouse, 350 South Main Street, room 505, Salt Lake City, UT 84101-2198 Telephone: 801/524-5411

Region IX

ACTION Regional Office, 211 Main Street, room 530, San Francisco, CA 94105-1914 Telephone: 415/744-3013
ACTION State Office, 522 North Central, room 205-A, Phoenix, AZ 85004-2190 Telephone: 602/379-4825
ACTION State Office, Federal Building, room 11221, 11000 Wilshire Blvd., Los Angeles, CA 90024-3671 Telephone: 310/575-7421

(Hawaii/Guam/American Samoa)

ACTION State Office, Federal Building, #6326, P.O. Box 50024, 300 Ala Moana Blvd., Honolulu, HI 96850-0001 Telephone: 808/541-2832
ACTION State Office, 4600 Kietzke Lane, suite E-141, Reno, NV 89502-5033 Telephone: 702/784-5314

Region X

ACTION Regional Office, Jackson Federal Office Building, 915 Second Avenue, suite 3190, Seattle, WA 98174-1103 Telephone: 206/553-1558
ACTION State Office, Jackson Federal Building, 915 Second Avenue, suite 3190, Seattle, WA 98174-1103 Telephone: 206/553-1558
ACTION State Office, Jackson Federal Office Building, 915 Second Avenue, suite 3190, Seattle, WA 98174-1103 Telephone: 206/553-4975
ACTION State Office, 304 North 8th Street, room 344, Boise, ID 83702-5835 Telephone: 208/334-1707
ACTION State Office, Federal Building, room 647, 511 N.W. Broadway, Portland, OR 97209-3416 Telephone: 503-326-2261

Dated in Washington, D.C. on October 15, 1992.

G. Gary Kowalczyk,

Acting Director, ACTION.

[FR Doc. 92-26106 Filed 10-27-92; 8:45 am]

BILLING CODE 6050-28-M

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Special Provisions for Fresh Fruit and Vegetable Imports Under the United States-Canada Free-Trade Agreement

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of determination of existence of necessary conditions for imposition of temporary duty on cabbage from Canada.

SUMMARY: As required by section 301(a) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 ("FTA Implementation Act") this is a notification that the necessary conditions exist with respect to United States acreage and import price criteria for cabbage (Harmonized Tariff Schedule (HTS) 0704.90.20) imported from Canada to permit the Secretary of Agriculture to consider recommending to the President the imposition of a temporary duty (snapback) by the United States pursuant to section 301(a) of the FTA Implementation Act, implementing Article 702 of the United States-Canada Free-Trade Agreement (FTA), Special Provisions for Fresh Fruits and Vegetables.

FOR FURTHER INFORMATION CONTACT: Fred Kessel, Western Europe and Inter-America Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, DC 20250-1000 or telephone at (202) 720-1335.

SUPPLEMENTARY INFORMATION: The United States-Canada Free-Trade Agreement Implementation Act of 1988, in accordance with the United States-Canada Free-Trade Agreement, provides for the possibility of imposition of a temporary duty (snapback) for a limited group of fresh fruits and vegetables when certain conditions apply. Cabbage fresh or chilled (HTS 0704.90.20) is one of the goods subject to the special provision.

Two conditions must exist before imposition by the United States of a temporary snapback duty can be considered. First, the import price of a covered Canadian fruit or vegetable, for each of five consecutive working days, must be less than ninety percent of the corresponding five-year average monthly import price. This price is the average import price of a Canadian fresh fruit or vegetable imported into the United States from Canada, for the calendar month in which such days occur, excluding the years with the highest and lowest monthly averages.

Second, the planted acreage in the United States for the like fruit or vegetable must be no higher than the average planted acreage therefor over the preceding five years, excluding the years with the highest and lowest acreage.

On August 17, 18, 19, 20, and 21, 1992 the price conditions with respect to Canadian cabbage imported into the United States were met.

The most recent revision of planted acreage for cabbage in the United States shows that such planted acreage in 1992 is below such planted acreage over the preceding five years, excluding the years with the highest and lowest planted acreages.

Issued at Washington, DC the 21st day of October, 1992.

Stephen L. Censky,

Acting Administrator, Foreign Agricultural Service.

[FR Doc. 92-26126 Filed 10-27-92; 8:45 am]

BILLING CODE 3410-10-M

Special Provisions for Fresh Fruit and Vegetable Imports Under the United States-Canada Free-Trade Agreement

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of determination of existence of necessary conditions for imposition of temporary duty on cucumbers from Canada.

SUMMARY: As required by section 301(a) of the United States-Canada Free-Trade

Agreement Implementation Act of 1988 ("FTA Implementation Act"), this is a notification that the necessary conditions exist with respect to United States acreage and import price criteria for cucumbers (Harmonized Tariff Schedule (HTS) 0707.00.50 and 0707.00.60) imported from Canada to permit the Secretary of Agriculture to consider recommending to the President the imposition of a temporary duty (snapback) by the United States pursuant to section 301(a) of the FTA Implementation Act, implementing Article 702 of the United States-Canada Free-Trade Agreement (FTA), Special Provisions for Fresh Fruits and Vegetables.

FOR FURTHER INFORMATION CONTACT: Fred Kessel, Western Europe and Inter-America Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, DC 20250–1000 or telephone at (202) 720–1335.

SUPPLEMENTARY INFORMATION: The United States-Canada Free-Trade Agreement Implementation Act of 1988, in accordance with the United States-Canada Free-Trade Agreement, provides for the possibility of imposition of a temporary duty (snapback) for a limited group of fresh fruits and vegetables when certain conditions apply. Cucumbers, fresh or chilled (HTS 0707.00.50 and 0707.00.60) is one of the goods subject to the special provision.

Two conditions must exist before imposition by the United States of a temporary snapback duty can be considered. First, the import price of a covered Canadian fruit or vegetable, for each of five consecutive working days, must be less than ninety percent of the corresponding five-year average monthly import price. This price is the average import price of a Canadian fresh fruit or vegetable imported into the United States from Canada, for the calendar month in which such days occur, excluding the years with the highest and lowest monthly averages.

Second, the planted acreage in the United States for the like fruit or vegetable must be no higher than the average planted acreage therefor over the preceding five years excluding the years with the highest and lowest acreage.

On August 12, 13, 14, 17, and 18, 1992 the price conditions with respect to Canadian cucumbers imported into the United States were met.

The most recent revision of planted acreage for cucumbers in the United States shows such that planted acreage in 1992 is below such planted acreage over the preceding five years, excluding the years with the highest and lowest planted acreages.

Issued at Washington, DC the 21st day of October, 1992.

Stephen L. Censky,

Acting Administrator, Foreign Agricultural Service.

[FR Doc. 92–26127 Filed 10–27–92; 8:45 am]

BILLING CODE 3410–10–M

Forest Service

Newspapers Used for Publication of Legal Notice of Appealable Decisions for Intermountain Region, Utah, Idaho, Nevada, and Wyoming

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: This notice lists the newspapers that will be used by all ranger districts, forests, and the Regional Office of the Intermountain Region to publish legal notice of all decisions subject to appeal under 36 CFR 217. The intended effect of this action is to inform interested members of the public which newspapers will be used to publish legal notices of decisions, thereby allowing them to receive constructive notice of a decision, to provide clear evidence of timely notice, and to achieve consistency in administering the appeals process.

DATES: Publication of legal notices in the listed newspapers will begin with decisions subject to appeal that are made on or after October 31, 1992. The list of newspapers will remain in effect until April 1993 when another notice will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: K. Dale Torgerson, Regional Appeals and Litigation Manager, Intermountain Region, 324 25th Street, Ogden, UT 84401, phone (801) 625–5279.

SUPPLEMENTARY INFORMATION: The administrative appeal procedures 36 CFR 217, of the Forest Service require publication of legal notice in a newspaper of general circulation of all decisions subject to appeal. This newspaper publication of notices of decisions is in addition to direct notice to those who have requested notice in writing and to those known to be interested and affected by a specific decision.

The legal notice is to identify: The decision by title and subject matter; the date of the decision; the name and title of the official making the decision; and how to obtain copies of the decision. In addition, the notice is to state the date the appeal period begins which is the day following publication of the notice.

The timeframe for appeal shall be based on the date of publication of the notice in the first (principal) newspaper listed for each unit.

The newspapers to be used are as follows:

Regional Forester, Intermountain Region

For decisions made by the Regional Forester affecting National Forests in Idaho.

The Idaho Statesman, Boise, Idaho

For decisions made by the Regional Forester affecting National Forests in Nevada:

The Reno Gazette-Journal, Reno, Nevada

For decisions made by the Regional Forester affecting National Forests in Wyoming:

Casper Star-Tribune, Casper, Wyoming

For decisions made by the Regional Forester affecting National Forests in Utah:

Standard-Examiner, Ogden, Utah

If the decision made by the Regional Forester affects all National Forests in the Intermountain Region, it will appear in:

Standard-Examiner, Ogden, Utah

Ashley National Forest

Ashley Forest Supervisors decisions:

Vernal Express, Vernal, Utah

Vernal District Ranger decisions:

Vernal Express, Vernal, Utah

Flaming Gorge District Ranger for decisions affecting Wyoming:

Casper Star-Tribune, Casper, Wyoming

Flaming Gorge District Ranger for decisions affecting Utah:

Vernal Express, Vernal, Utah

Roosevelt and Duchesne District Ranger decisions:

Uintah Basin Standard, Roosevelt, Utah

Boise National Forest

Boise Forest Supervisor decisions:

The Idaho Statesman, Boise, Idaho

Mountain Home District Ranger decisions:

Mountain Home News, Mountain Home, Idaho

Boise District Ranger decisions:

The Idaho Statesman, Boise, Idaho

Idaho City District Ranger decisions:

The Idaho City World, Idaho City, Idaho

Cascade District Ranger decisions:

The Advocate, Cascade, Idaho

Lowman District Ranger decisions:

The Idaho City World, Idaho City, Idaho

Emmett District Ranger decisions:

The Messenger-Index, Emmett, Idaho

Bridger-Teton National Forest

Bridger-Teton Forest Supervisor decisions:
Casper Star-Tribune, Casper, Wyoming
Jackson District Ranger decisions:
Casper Star-Tribune, Casper, Wyoming
Buffalo District Ranger decisions:
Casper Star-Tribune, Jackson, Wyoming
Big Piney District Ranger decisions:
Casper Star-Tribune, Jackson, Wyoming
Pinedale District Ranger decisions:
Casper Star-Tribune, Casper, Wyoming
Greys River District Ranger decisions:
Casper Star-Tribune, Casper, Wyoming
Kemmerer District Ranger decisions:
Casper Star-Tribune, Casper, Wyoming

Caribou National Forest

Caribou Forest Supervisor decisions:
Idaho State Journal, Pocatello, Idaho
Soda Springs District Ranger decisions:
Idaho State Journal, Pocatello, Idaho
Montpelier District Ranger decisions:
Idaho State Journal, Pocatello, Idaho
Malad District Ranger decisions:
Idaho State Journal, Pocatello, Idaho
Pocatello District Ranger decisions:
Idaho State Journal, Pocatello, Idaho

Challis National Forest

Challis Forest Supervisor decisions:
The Challis Messenger, Challis, Idaho
Middle Fork District Ranger decisions:
The Challis Messenger, Challis, Idaho
Challis District Ranger decisions:
The Challis Messenger, Challis, Idaho
Yankee Fork District Ranger decisions:
The Challis Messenger, Challis, Idaho
Lost River District Ranger decisions:
The Challis Messenger, Challis, Idaho

Dixie National Forest

Dixie Forest Supervisor decisions:
The Daily Spectrum, St. George, Utah
Pine Valley District Ranger decisions:
The Daily Spectrum, St. George, Utah
Cedar City District Ranger decisions:
The Daily Spectrum, St. George, Utah
Powell District Ranger decisions:
The Daily Spectrum, St. George, Utah
Escalante District Ranger decisions:
The Daily Spectrum, St. George, Utah
Teasdale District Ranger decisions:
The Daily Spectrum, St. George, Utah

Fishlake National Forest

Fishlake Forest Supervisor decisions:
Richfield Reaper, Richfield, Utah
Loa District Ranger decisions:
Richfield Reaper, Richfield, Utah
Richfield District Ranger decisions:
Richfield Reaper, Richfield, Utah
Beaver District Ranger decisions:
Beaver Press, Beaver, Utah
Fillmore District Ranger decisions:
Millard County Chronicle-Progress, Fillmore, Utah

Humboldt National Forest

Humboldt Forest Supervisor decisions:
Elko Daily Free Press, Elko, Nevada
Mountain City District Ranger decisions:
Elko Daily Free Press, Elko, Nevada
Jarbidge and Ruby Mountain District Ranger decisions:
Elko Daily Free Press, Elko, Nevada
Ely District Ranger decisions:
Ely Daily Times, Ely, Nevada
Santa Rosa District Ranger decisions:
Humboldt Sun, Winnemucca, Nevada
Jarbidge District Ranger decisions:
Twin Falls Times News, Twin Falls, Idaho

Manti-Lasal National Forest

Manti-Lasal Forest Supervisor decisions:
Sun Advocate, Price, Utah
Sanpete District Ranger decisions:
Mt. Pleasant Pyramid, Mt. Pleasant, Utah
Ferron District Ranger decisions:
Emery County Progress, Castle Dale, Utah
Price District Ranger decisions:
Sun Advocate, Price, Utah
Moab District Ranger decisions:
The Times Independent, Moab, Utah
Monticello District Ranger decisions:
The San Juan Record, Monticello, Utah

Payette National Forest

Payette Forest Supervisor decisions:
Idaho Statesman, Boise, Idaho
Weiser District Ranger decisions:
Signal American, Weiser, Idaho
Council District Ranger decisions:
Council Record, Council, Idaho
New Meadows, McCall, and Krassel District Ranger decisions:
Star News, McCall, Idaho

Salmon National Forest

Salmon Forest Supervisor decisions:
The Recorder-Herald, Salmon, Idaho
Cobalt District Ranger decisions:
The Recorder-Herald, Salmon, Idaho
North Fork District Ranger decisions:
The Recorder-Herald, Salmon, Idaho
Leadore District Ranger decisions:
The Recorder-Herarld, Salmon, Idaho
Salmon District Ranger decisions:
The Recorder-Herald, Salmon, Idaho

Sawtooth National Forest

Sawtooth Forest Supervisor decisions:
The Times News, Twin Falls, Idaho
Burley District Ranger decisions:
South Idaho Press, Burley, Idaho
Twin Falls District Ranger decisions:
The Times News, Twin Falls, Idaho
Ketchum District Ranger decisions:
Wood River Journal, Hailey, Idaho
Sawtooth National Recreation Area:
Challis Messenger, Challis, Idaho
Fairfield District Ranger decisions:
The Times News, Twin Falls, Idaho

Targhee National Forest

Targhee Forest Supervisor decisions:
The Post Register, Idaho Falls, Idaho
Dubois District Ranger decisions:
The Post Register, Idaho Falls, Idaho
Island Park District Ranger decisions:
The Post Register, Idaho Falls, Idaho
Ashton District Ranger decisions:
The Post Register, Idaho Falls, Idaho
Palisades District Ranger decisions:
The Post Register, Idaho Falls, Idaho
Teton Basin District Ranger decisions:
The Post Register, Idaho Falls, Idaho

Toiyabe National Forest

Toiyabe Forest Supervisor decisions:
Reno Gazette-Journal, Reno, Nevada
Carson District Ranger decisions:
Reno Gazette-Journal, Reno, Nevada
Austin District Ranger decisions:
Reno Gazette-Journal, Reno, Nevada
Bridgeport District Ranger decisions:
The Review-Herald, Mammoth Lakes, California
Tonopah District Ranger decisions:
Tonopah Times Bonanza-Goldfield News, Tonopah, Nevada
Las Vegas District Ranger decisions:
Las Vegas Review Journal, Las Vegas, Nevada

Uinta National Forest

Uinta Forest Supervisor decisions:
The Daily Herald, Provo, Utah
Pleasant Grove District Ranger decisions:
The Daily Herald, Provo, Utah
Heber District Ranger decisions:

The Daily Herald, Provo, Utah

Spanish Fork District Ranger decisions:

The Daily Herald, Provo, Utah

Wasatch-Cache National Forest

Wasatch-Cache Forest Supervisor decisions:

Salt Lake Tribune, Salt Lake City, Utah

Salt Lake District Ranger decisions:

Salt Lake Tribune, Salt Lake City, Utah

Kamas District Ranger decisions:

Salt Lake Tribune, Salt Lake City, Utah

Evanston District Ranger decisions:

Uintah County Herald, Evanston Wyoming

Mountain View District Ranger decisions:

Uintah County Herald, Evanston, Wyoming

Ogden District Ranger decisions:

Ogden Standard Examiner, Ogden, Utah

Long District Ranger decisions:

Logan Herald Journal, Logan, Utah

Dated: October 21, 1992.

Robert C. Joslin,

Deputy Regional Forester.

[FR Doc. 92-26140 Filed 10-27-92; 8:45 am]

BILLING CODE 3410-11-M

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Utah Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Utah Advisory Committee to the Commission will be held from 6:30 p.m. until 8:30 p.m. on Thursday, November 19, 1992, at the Quality Inn, 154 West 600 South, in Salt Lake City. The purpose of this meeting is to brief Advisory Committee members on Commission and regional activities, discuss current civil rights issues and plan for future activities.

Persons desiring additional information should contact Committee Chairperson, Mary Stovall Richards, or William F. Muldrow, Director of the Rocky Mountain Regional Division, (303) 866-1040 (TDD 303-866-1049). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter, should contact the Regional Division at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, October 20, 1992.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 92-26057 Filed 10-27-92; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Issuance of an Amended Export Trade Certificate of Review, Application No. 88-5A017.

SUMMARY: The Department of Commerce has issued an amendment to the Export Trade Certificate of Review granted to the Construction Industry Manufacturers Association ("CIMA") on May 26, 1989. Notice of issuance of the Certificate was published in the **Federal Register** on June 12, 1989 (54 FR 24932).

FOR FURTHER INFORMATION CONTACT: George Muller, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-482-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (1990) (50 FR 1804, January 11, 1985).

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Amended Certificate

Export Trade Certificate of Review No. 88-00017 was issued to the Construction Industry Manufacturers Association ("CIMA") on May 26, 1989 (54 FR 24932, June 12, 1989) and previously amended on April 4, 1990 (55 FR 14100, April 16, 1990), January 3, 1991 (56 FR 843, January 9, 1991), and December 11, 1991 (56 FR 65467, December 17, 1991).

CIMA's Export Trade Certificate of Review has been amended to:

1. Add Manufacturers Division of the American Mining Congress, an association, as a "Member" within the meaning of § 325.2(1) of the Regulations (15 CFR 325.2(1));

2. Add the following companies as "Members" within the meaning of § 325.2(1) of the Regulations (15 CFR 325.2(1): Cincinnati Mine Machinery Co., Cincinnati, Ohio; Getman Corp., Bangor, Michigan; T.J. Gundlach Machine Company, Belleville, Illinois; Service Machine Co., Huntington, West Virginia; and Manitowoc Engineering Co., Manitowoc, Wisconsin;

3. Add Power, Distribution, and Specialty Transformers (SIC code 3612), Switchgear and Switchboard Apparatus (SIC code 3613), Relays and Controls (SIC code 3625), Electrical Industrial Apparatus, Not Elsewhere Classified (SIC code 3629), Lighting Equipment, Not Elsewhere Classified (SIC code 3648), and Communications Equipment, Not Elsewhere Classified (SIC code 3669) as products to be covered by the Certificate; and

4. Delete Barber-Greene Overseas, Inc. and Gehl Company as "Members" under the Certificate.

A copy of the amended Certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: October 21, 1992.

George Muller,

Director, Office of Export Trading Company Affairs.

[FR Doc. 92-26087 Filed 10-27-92; 8:45 am]

BILLING CODE 3510-DR-M

National Institute of Standards and Technology

Malcolm Baldrige National Quality Award's Board of Overseers

AGENCY: National Institute of Standards and Technology, DOC.

ACTION: Notice of partially closed meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that there will be a meeting of the Board of Overseers of the Malcolm Baldrige National Quality Award on Monday, November 9, 1992, from 8 a.m. to 4 p.m. The Board of Overseers consists of seven members prominent in the field of quality management and appointed by the

Secretary of Commerce, assembled to advise the Secretary of Commerce on the conduct of the Baldrige Award. The purpose of the meeting on November 9, 1992, will be for the Board of Overseers to receive and then discuss reports from the National Institute of Standards and Technology (NIST) and the Panel of Judges of the Malcolm Baldrige National Quality Award. These reports will cover the following topics: Overview of the 1992 award program; report by the contractor, American Society for Quality Control; report by the chairman of the Judges Panel; discussions for plans for the 1993 award (outline key issues and plans and the outline recommendations). This session will include a working lunch. The discussion with the Secretary of Commerce, scheduled to begin at 3 p.m. on November 9, 1992, will be closed.

DATES: The meeting will convene November 9, 1992 at 8 a.m., and adjourn at 4 p.m. on November 9, 1992. The open part of the meeting will commence at 8 a.m. and end at 3 p.m. on November 9, 1992.

ADDRESSES: The meeting will be held at the Department of Commerce, Herbert C. Hoover Building, room 6029, 14th St. & Constitution Avenue, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Dr. Curt W. Reimann, Director for Quality Programs, National Institute of Standards and Technology, Gaithersburg, Maryland 20899, telephone number (301) 975–2036.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on March 27, 1992, that the meeting of the Board of Overseers will be closed pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app. 2, as amended by section 5(c) of the Government in the Sunshine Act, Public Law 94–409, that the portions of the meeting which is likely to disclose trade secrets and commercial or financial information obtained from a person which is privileged or confidential. All other portions of the meeting will be open to the public.

Dated: October 20, 1992.

John W. Lyons,
Director.

[FR Doc. 92–25885 Filed 10–27–92; 8:45 am]
BILLING CODE 3510–13–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Board of Visitors Meeting

AGENCY: Defense Systems Management College.

ACTION: Board of Visitors meeting.

SUMMARY: A meeting of the Defense Systems Management College (DSMC) Board of Visitors (BOV) will be held in Building 184, Fort Belvoir, Virginia, on Thursday, October 29, 1992, from 0800 until 1600. The agenda will include a report on items from the last BOV meeting, and a strategic assessment review. The meeting is open to the public; however, because of limitations on space available, allocation of seating will be made on a first-come, first-serve basis. Persons desiring to attend the meeting should call Mrs. Joyce Reniere on (703) 805–2756.

L.M. Bynum,
Alternate, OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92–26061 Filed 10–27–92; 8:45 am]
BILLING CODE 3810–01–M

Department of the Army

Intent to Prepare a Draft Environmental Impact Statement (DEIS) for the Section 216 Study of the Gulf Intracoastal Waterway in the Vicinity of the Aransas National Wildlife Refuge, Aransas and Calhoun Counties, Texas

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The proposed action to be addressed in the Draft EIS is to maintain safe, uninterrupted navigation and to reduce shoreline erosion along the Gulf Intracoastal Waterway (GIWW) in the vicinity of the Aransas National Wildlife Refuge. This reach of the DIWW is 12 feet deep with a 125-foot bottom width. It parallels the mainland shoreline from Port O'Conner to the vicinity of Turnstake Island near Mosquito Point, then traverses San Antonio Bay to the vicinity of Live Oak Point and parallels the shoreline of Blackjack Peninsula to the vicinity of Dunham Bay. This portion of the waterway passes through both the Aransas National Wildlife Refuge and surrounding designated critical habitat of the endangered whooping crane. Erosion along the GIWW and adjacent islands caused by a combination of wind-generated waves and vessel traffic along the GIWW is impacting this critical habitat. Also, disposal area capacities are rapidly diminishing and new areas will soon be needed. This study will focus on alleviating the erosion problem and develop dredged material disposal options that could provide new habitat suitable for the whooping cranes and other wildlife. A 50-year plan will be developed and will include beneficial uses of dredged material.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and DEIS can be answered by Mr. David J. Petit, (409) 766–3032, Environmental Specialist, Environmental Resources Branch, or Dr. Thomas H. Rennie, (409) 766–6303, Study Manager, Coastal Planning Branch, Planning Division, P.O. Box 1229, Galveston, Texas 77553–1229.

SUPPLEMENTARY INFORMATION:

1. The proposed action to be addressed in the Draft EIS is to maintain safe, uninterrupted navigation and to reduce shoreline erosion along the Gulf Intracoastal Waterway (GIWW) in the vicinity of the Aransas National Wildlife Refuge.

2. *Alternatives:* Alternatives to be evaluated include realignment of the channel, structures to maintain a stable shoreline along the existing channel, and the "No Action" plan. Channel realignments being considered would place the new channel beyond the limits of designated critical habitat inland or near the coast through the barrier island system. Another alignment to be investigated would be through the center of the bay system generally along the historical alignment of the channel. Various structures designed to stabilize the shoreline will be evaluated. Several options for beneficial uses of dredged material will also be evaluated. The "No Action" plan will be presented for comparison purposes in evaluating the various alternatives.

3. *Scoping:* The scoping process will involve Federal, State, and local agencies, and other interested persons and organizations. A series of scoping workshops will be conducted to discuss various issues associated with the erosion problem and placement of dredged material. Separate Scoping Notices will be issued for the various workshops. Issues to be considered in this process include beneficial uses of dredged material, water quality, erosion along the channel, and the protection of the endangered whooping cranes and their critical habitat. Any persons or organizations wishing to provide information on issues or concerns should contact the Corps of Engineers at the address in this notice. The U.S. Coast Guard will be invited to

participate as a cooperating agency in the NEPA process.

4. *Coordination:* Further coordination with environmental agencies will be conducted under the Fish and Wildlife Coordination Act, Endangered Species Act, Clean Water Act, and National Historic Preservation Act.

5. *DEIS Preparation:* It is estimated that the DEIS will be available to the public in April 1994.

Kenneth L. Denton,

Army Federal Register Liaison Officer.

[FR Doc. 92-26088 Filed 10-27-92; 8:45 am]

BILLING CODE 3710-GK-M

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for Proposed FallsHarbor and Waterfront Developments on the Ohio River in Louisville, Jefferson County, Kentucky

AGENCY: U.S. Army Corps of Engineers, Louisville District, DOD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Engineer District, Louisville, is presently undertaking the preparation of a DEIS for a regulatory permit application, 199200465 from the Louisville Waterfront Development Corporation. The proposed action is the construction of a 95-acre park, with harbor, along the left bank of the Ohio River between mile markers 602 and 603; the expansion of the existing Municipal Harbor (FallsHarbor); and construction of 600 residential units at FallsHarbor over the course of three phases. The purpose of the Waterfront Master Plan is to create a public Waterfront Park for area and regional residents and visitors. The purpose of the FallsHarbor development is to create housing units on the Ohio River, in close proximity to downtown, and to further enhance recreational activity along the water's edge by increasing the size of the Municipal Harbor and constructing a restaurant and riverwalk.

FOR FURTHER INFORMATION CONTACT: Questions or comments concerning the preparation of this DEIS should be addressed to Mr. Ray Haynes, U.S. Army Engineer District, Louisville, ATTN: CEORL-PD-R, P.O. Box 59, Louisville, Kentucky 40201-0059 or telephone (502) 582-6475.

SUPPLEMENTARY INFORMATION: Description of Proposed Action: The Waterfront Park to be constructed will include:

a. A Waterfront Plaza composed of a Wharf, Festival Plaza, Restaurant, Water Feature and Overlook.

b. A Great Lawn, 16 acres of lawn and a 60 slip harbor.

c. A Linear Park, comprised of 50 acres along the river's edge, including inlets and a conical landform at the base of the Big Four Bridge.

The FallsHarbor development includes the expansion of the Municipal Harbor, the construction of 600 residential units in 11 buildings built over the course of three phases, a restaurant, a riverwalk, a Beargrass Creek overlook, and a boat ramp in Beargrass Creek.

Reasonable Alternatives

Alternatives being considered are:

a. No action.

b. Phasing of the proposed action.

c. Creation of a Waterfront Park between the Clark Memorial Bridge, and just west of Towhead Island. The Park would include a promenade, a Waterfront Development Office Building, a "Great Flood" Memorial, a large harbor which extends south of River Road, an amphitheater and an aquarium. The FallsHarbor development would be constructed as planned.

Corps Scoping Process

a. A public meeting has been scheduled for 10 November 1992. The location is: Fiscal Courtroom, 3rd Floor of Jefferson County Court House, 6th and Jefferson Street, Louisville, Kentucky.

b. Significant issues thus far identified to be analyzed in depth in the DEIS include: Environmental Hazardous Waste Assessment, Water Resources, Cultural Resources, Biological Resources, Harbor/River Transportation Issues, Traffic and Transportation Issues, Noise/Odor/Air Quality Issues, Utilities and Solid Waste Issues and Socioeconomic Issues.

Kenneth L. Denton,

Army Federal Register Liaison Officer.

[FR Doc. 92-26089 Filed 10-27-92; 8:45 am]

BILLING CODE 3710-08-M

DELAWARE RIVER BASIN COMMISSION

Commission Meeting, Public Hearing and Public Briefings

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, November 4, 1992. The hearing will be part of the Commission's business meeting which is open to the public and scheduled to begin at 1 p.m. in the Goddard Conference Room of its offices at 25 State Police Drive, West Trenton, New Jersey.

An informal conference session among the Commissioners and staff will be open for public observation at 9:30 a.m. at the same location and will include a presentation by the Nature Conservancy on its Campaign for the Delaware program as well as reports on the Commission's Ground Water Advisory Committee deliberations and the Scenic Rivers water quality protection proposal.

The subjects of the hearing will be as follows:

Current Expense and Capital Budgets. A proposed current expense budget for the fiscal year beginning July 1, 1993, in the aggregate amount of $2,945,500 and a capital budget for the same period in the amount of $1,677,500 in revenue and $1,281,500 in expenditures. Copies of the current expense and capital budget are available from the Commission on request by contacting Richard C. Gore.

A Proposal to Adopt the 1992 Water Resources Program. A proposal that the 1992 Water Resources Program and the activities, programs, initiatives, concerns, projections and proposals identified and set forth therein be accepted and adopted, in accordance with the requirements of Section 13.2 of the Delaware River Basin Compact.

Applications for Approval of the Following Projects Pursuant to Article 10.3, Article 11 and/or Section 3.8 of the Compact

1. *Holdover Project: City of Wilmington D-92-29 CP.* An application for approval of the transfer of up to 10 million gallons per day (mgd) of treated water via an interconnection proposed near the City of Wilmington's Porter Filter Plant. The interconnection will enable the City of Wilmington to transfer the treated water to the Wilmington Suburban Water Corporation which serves portions of New Castle County. The interconnection will be located near the Augustine Cut-Off and Route 202 just north of the City of Wilmington in New Castle County, Delaware. This hearing continues that of September 23, 1992.

2. *Merrill Creek Owners Group (MCOG) D-77-110 CP (Amendment 3).* A Resolution to include an additional designated unit (Unit 10, four gas-fired combustion turbines and one steam turbine/generator at Public Service Electric and Gas Company's Burlington Station Generating Plant) to the list of designated units which is incorporated in the MCOG docket. Table A (Revision 3), attached to the Resolution, replaces Table A (Revision 2).

3. *Willingboro Municipal Utilities Authority D-86-3 CP.* An application for

an expansion and upgrading of the existing 4.812 mgd Willingboro Municipal Utilities Authority Wastewater Treatment Plant to a new design flow of 5.22 mgd. The facility will be designed to provide 90 percent removal of the BOD_5 load. The facility is located in the Township of Willingboro, Burlington County, New Jersey. Treated wastewater will continue to discharge to the Rancocas Creek at River Mile 111.06–4.4 in Zone 2 of the Delaware River Basin.

4. *Muhlenberg Township Authority D–87–58 CP Renewal.* An application for the renewal of a ground water withdrawal project to supply up to 64.8 million gallons (mg)/30 days of water to the applicant's distribution system from Well No. 14. Commission approval on October 27, 1987 was limited to five years. The applicant requests that the total withdrawal from all wells remain limited to 151.2 mg/30 days. The project is located in Muhlenberg Township, Berks County, Pennsylvania.

5. *Mercer County Correction Center D–91–11 CP.* An application for approval of a sewage treatment plant (STP) project which entails the construction of a new 0.09 mgd STP to serve the Mercer County Correction Center. The proposed STP will replace an existing 0.045 mgd secondary plant and allow for expansion of the correction center to approximately 720 inmates. The STP will discharge via the existing outfall to an unnamed tributary of Moore Creek, a tributary of the Delaware River, and will be located adjacent to the existing STP just southwest of the Mercer County Correction Center in Hopewell Township, Mercer County, New Jersey.

6. *Doylestown Township Municipal Authority D–91–40 CP.* An application for approval of a ground water withdrawal project to supply up to 24.78 mg/30 days of water to the applicant's distribution system from new Well Nos. BT–1, BT–2, and RT–1, to increase the existing withdrawal limit of Well Nos. LS–1 and LS–2 from 2.94 mg/30 days to 6 mg/30 days, and to increase the existing withdrawal limit of 10 mg/30 days from all wells to 38.14 mg/30 days. The project is located in Doylestown Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

7. *Perkiomen Township D–91–43 CP.* An application for approval of a ground water withdrawal project to supply up to 5.2 mg/30 days of water to the applicant's distribution system from new Well No. 4, and to increase the existing withdrawal limit of 1.95 mg/30 days from all wells to 7.15 mg/30 days. The project is located in Perkiomen Township, Montgomery County in the Southeastern Pennsylvania Ground Water Protected Area.

8. *C & M Developers, Inc. D–91–56 CP (G).* An application for approval of a ground water withdrawal project to supply up to 3.24 mg/30 days of water to the applicant's Country Gate development from new Well No. 1. The project is located in Plumstead Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

9. *Southwest Delaware County Municipal Authority D–91–67 CP.* A project to expand the applicant's existing 4.0 mgd capacity sewage treatment plant (STP) to treat an average daily flow of 6.0 mgd, discontinue discharging to Baldwins Run, a tributary of Chester Creek and discharge directly to Chester Creek. The STP will continue to serve Aston, Middletown, Upper Chichester and Chester Townships and the Borough of Brookhaven. The project is located at Park and Gamble Lane in Aston Township, Delaware County, Pennsylvania.

10. *Borough of Orwigsburg D–92–5 CP.* An application for approval of a ground water withdrawal project to supply up to 6.5 mg/30 days of water to the applicant's distribution system from new Well No. 4, and to retain the existing withdrawal limit from all wells of 11.6 mg/30 days. The project is located in Orwigsburg Borough, Schuylkill County, Pennsylvania.

11. *Hilltown Township Water and Sewer Authority D–92–20 CP.* An application to increase the ground water withdrawal limit from Well Nos. 1 and 2 from 6.9 to 8.22 mg/30 days, and to increase the existing withdrawal limit from all wells from 6.9 to 10.02 mg/30 days. The project is located in Hilltown Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

12. *Crown/Vista Limited Partnership D–92–22.* An application for approval of a proposed 362 megawatt (MW) independent electric power project. Electric power will be generated by two separate 181 MW steam turbines with the boiler fired by pulverized coal. The electric power will be distributed via an agreement with Public Service Electric and Gas for dispatch to the Jersey Central Power and Light Company and as needed in the Pennsylvania, New Jersey, Maryland Interconnect Grid System. Most process water will be obtained by diversion of treated wastewater from the Gloucester County Utility Authority's (GCUA) discharge pipe at an average rate of approximately 6.1 mgd, most of which will be evaporated in the project cooling towers. However, approximately 1.0 mgd will be returned to GCUA as industrial wastewater influent. Approximately 0.147 mgd of high quality water needs required by the project will be supplied by the West Deptford municipal system. The project site is comprised of approximately 303 acres situated between Mantua and Little Mantua Creeks adjacent to the Delaware River in West Deptford Township, Gloucester County, New Jersey.

13. *American Argo Corporation D–92–33.* an application to approve new Well No. 8 as a replacement for Well No. 5 in the applicant's water supply system that has become an unreliable source of supply. The applicant requests that the withdrawal from replacement Well No. 8 be limited to 6.9 mg/30 days and that the total withdrawal from all wells remain limited to 6.9 mg/30 days. The project is located in Schuylkill Haven Borough, Schuylkill County, Pennsylvania.

14. *Vineland Kosher Poultry D–92–43.* An application for approval of a ground water withdrawal project to supply up to 3.5 mg/30 days of water to the applicant's poultry processing facility from existing Well Nos. 1, 2 and 3, and to limit the withdrawal from all wells to 3.5 mg/30 days. The project is located in the City of Vineland, Cumberland County, New Jersey.

15. *Longwood Gardens, Inc. D–92–52.* An application for approval of a ground water withdrawal project to supply up to 8.4 mg/30 days of water to the applicant's display gardens from Well Nos. 5 and 27 which have not previously been approved, and to limit the withdrawal from all wells to 8.4 mg/30 days. The project is located in East Marlborough Township, Chester County, Pennsylvania.

16. *Public Service Electric and Gas Company (PSE&G) D–92–60.* A project to rehabilitate existing electrical power generating facility, Unit 10, consisting of four gas-fired combustion turbines (Units 101 through 104) and one steam turbine/generator (Module 105) at PSE&G's Burlington Generating Station located both in the Township and City of Burlington, Burlington County, New Jersey near the bank of the Delaware River. Four new heat recovery steam generators will be installed and the combustion turbine and steam turbine electric generators reconditioned. Module No. 105 of the rehabilitated Unit 10 will have a steam-electric generating capacity of 58 MW and the total steam-electric output of Burlington Station will be approximately 238 MWs. PSE&G proposes to operate the project within

its existing water allocation and the project will reduce PSE&Gs withdrawal needs. Also, PSE&G proposes to add a wedgewire screen to its existing intake structure to further reduce withdrawal impacts. PSE&G will also modify its Unit 10 cooling system and wastewater treatment system, reduce the thermal load in its discharge to the Delaware River, and retro-fit its existing outfall structure with a discharge diffuser. Unit 10 is proposed for inclusion in the Comprehensive Plan as a designated unit of the Merrill Creek Reservoir Project.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

* * * * *

Public Briefings Scheduled

The Delaware River Basin Commission has scheduled public briefings on proposed revisions to the Delaware River Basinwide Drought Operations Plan.

The briefings will be held as follows:

December 9, 1992 at 4 p.m. at the Harbour League Club, 800 Hudson Square, Camden, New Jersey.

December 16, 1992 at 7 p.m. at Tusten Town Hall, Bridge Street (Route 52), Narrowsburg, New York.

December 17, 1992 at 7 p.m. at Bethlehem Town Hall, 10 East Church Street, Bethlehem, Pennsylvania.

The Commission's Flow Management Technical Advisory Committee has developed a revised plan which incorporates the additional 22.9 billion gallons of water supply storage to be provided by the Francis E. Walter Reservoir Modification Project. The revised plan is proposed to replace both the current basinwide and lower basin drought operating plans once the F.E. Walter modifications are in place.

With the modification of the F.E. Walter Reservoir and the recent completion of Merrill Creek Reservoir, the lower basin storage available for repelling salt water intrusion, control of water quality, flow maintenance and depletive water use makeup would more than double. This additional lower basin storage would provide additional water for salinity control in the Delaware Estuary, and would result in considerably fewer drought emergencies basinwide. The revised plan of operation would also result in reduced impacts to recreation at Beltzville, Blue Marsh and Nockamixon Reservoirs.

The public briefings will present discussions of the proposal's purposes, premises and specific operating criteria. The proposal is contained in a report entitled "Proposed Delaware River Basinwide Drought Operations Plan (Revised)", October 1992. Copies of this report will be available at the briefing, or by contacting Christopher Roberts, Public Information Officer at the Commission.

It is the Commission's intent to consider all comments received at the public briefings before proposing the adoption of revisions to the Commission's regulations. Public hearings on any proposed regulatory amendments will be scheduled following public notice by the Commission. Again, any adopted amendments would not become effective until the Walter Reservoir modifications are completed. Contact: Christopher Roberts, Public Information Officer, at (609) 883–9500 X205.

Dated: October 20, 1992.

Susan M. Weisman,

Secretary.

[FR Doc. 92–26060 Filed 10–27–92; 8:45 am]

BILLING CODE 6360–01–M

DEPARTMENT OF ENERGY

International Energy Agency; Meetings

AGENCY: Department of Energy.

ACTION: Notice of meetings.

FOR FURTHER INFORMATION CONTACT: Samuel M. Bradley, Office of General Counsel, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, 202–586–2900.

SUPPLEMENTARY INFORMATION: In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)), the following notice of meetings is provided:

Meetings of the Industry Supply Advisory Group (ISAG) to the International Energy Agency (IEA) will be held at the offices of the IEA, 2, rule Andre-Pascal, Paris, France, beginning at 9 a.m. on November 3, 1992, and November 6, 1992. The purpose of these meetings is to permit ISAG representatives to participate in the training phrase, beginning on November 3, 1992, and in the operational phase, beginning on November 6, 1992, of the IEA's Seventh Allocation Systems Test (AST–7). The training phase is expected to end on or about November 5, 1992, and the operational phase upon completion of AST–7 as determined by the IEA Secretariat, on or about November 20, 1992.

As permitted by 10 CFR § 209.32, the usual 7-day period for publication of the notice of these meetings in the **Federal Register** has been shortened because unanticipated circumstances delayed the issuance of this notice.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting is open only to representatives of the ISAG and their counsel, representatives of the Departments of Energy, Justice, and State, the Federal Trade Commission, the General Accounting Office, Committees of Congress, the IEA, the Commission of the European Communities, and invitees of the IEA.

Issued in Washington, DC, October 22, 1992.

Eric J. Fygi,

Acting General Counsel.

[FR Doc. 92–26125 Filed 10–27–92; 8:45 am]

BILLING CODE 6450–01–M

Bonneville Power Administration

Decision to Sign Three Proposed Billing Credits Contracts; Notice of Intent to Sign One Billing Credits Contract

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Notice of Decision/Notice of Intent. BPA File No.: BCR–9. BPA announces that it has signed Billing Credit Contracts for two Customer System Efficiency Improvements (CSEI) projects and a contract for a generation project, and its intent to sign a billing credits contract for another generation project. All of these contracts are in response to the 1990 BPA Billing Credit Solicitation.

SUMMARY: BPA, in compliance with its Billing Credits Policy, as amended August 30, 1984, (49 FR 34395), and its Billing Credit Solicitation July 1990, signed three contracts with three public bodies for two proposed CSEI projects and one proposed generation project.

BPA has signed two CSEI contracts. One is for a 4 kV line upgrade project with City of Port Angeles, Washington. This project would increase distribution voltage from 4 kV to 12 kV, and replace existing distribution transformers with more efficiency transformers. The other contract is with the City of Rupert, Idaho, which will convert 4 kV feeders to 12 kV feeders in the central core of the City's substation.

In addition, BPA has signed a contract with Eugene Water and Electric Board (EWEB) for the Smith Creek hydroelectric project. This hydroelectric

project is wheeled over the BPA transmission grid and is dedicated to serve EWEB's firm load under its Power Sales Contract with BPA.

BPA intends to sign a generation contract with the City of Tacoma, Washington, for the Wynoochee Dam hydroelectric project located on the Wynoochee River in western Washington State.

The Administrative Record for BPA's Billing Credit Solicitation contains background on BPA's Billing Credits Policy, the need for billing credit resources a summary of the Billing Credit Solicitation, a summary of the evaluation process for proposals, and environmental considerations. The Administrative Record includes two appendices: Appendix A—Billing Credit Solicitation, and Appendix B-Issue Resolution Log. Addendum One of the Administrative Record-Customer System Efficiency Improvements Contract Development, and Amendment A to Addendum One provide specific information about CSEI projects and how billing credits for these projects are determined. Addendum two of the Administrative Record-Contract Development Conservation Proposals, provides specific information about the generation projects and how billing credits are determined for these projects.

BPA announced its intent to sign CSEI contracts, the availability of the contracts, Administrative Record, appendices, and Amendment A to Addendum One in one **Federal Register** notice published on March 17, 1992 (57 FR 9250). These documents were available for review for 30 days.

BPA announced its intent to sign the Smith Creek generation contract, the availability of the contracts, the Administrative Record, appendices, and Addendum Three in one **Federal Register** Notice published on May 27, 1992 (57 FR 22212). These documents were available for review for 30 days.

BPA has previously signed other billing credit contracts, in addition to those described in this notice. These prior contract signings were addressed in previous released **Federal Register** notices.

Responsible Official: Paul Norman, Billing Credits Project Manager, is the official responsible for BPA's Billing Credit contracts, the Administrative Record, and addenda.

DATES: Payment or credits will not be made or granted until 90 days after the date of this **Federal Register** notice.

FOR FURTHER INFORMATION CONTACT: For a copy of a specific Conservation, CSEI, Generation Billing Credit Contract(s), or the Administrative Record, please contact the Public Involvement Manager, Bonneville Power Administration, P.O. Box 12999, Portland, Oregon 97212.

Telephone numbers, voice/TTY, for the Public Involvement Office are 503–230–3478 in Portland, or toll-free 800–622–4519.

Information may also be obtained from: Mr. George E. Bell, Lower Columbia Area Manager, 1500 NE. Irving Street, room 243, Portland, Oregon 97208, 503–230–4551.

Mr. Robert Laffel, Eugene District Manager, Federal Building, room 206, 211 East Seventh Street, Eugene, Oregon 97410, 503–465–6952.

Mr. Wayne R. Lee, Upper Columbia Area Manager, room 561 U.S. Court House, 920 W. Riverside Avenue, Spokane, Washington 99201, 509–353–2518.

Ms. Carol S. Fleischman, Spokane District Manager, room 112 U.S. Court House, 920 W. Riverside Avenue, Spokane, Washington 99201, 509–353–3279.

Mr. George E. Eskridge, Montana District Manager, 800 Kensington, Missoula, Montana 59801, 406–329–3060.

Mr. Ronald K. Rodewald, Wenatchee District Manager, 301 Yakima Street, room 307, Wenatchee, Washington 98807, 509–662–4377.

Mr. Terence G. Esvelt, Puget Sound Area Manager, 201 Queen Avenue North, suite 400, Seattle, Washington 98109, 206–553–4130.

Mr. Thomas Wagenhoffer, Snake River Area Manager, West 101 Poplar, Walla Walla, Washington 99362, 508–522–6226.

Mr. Jim Normandeau, Boise District Manager, Federal Building, 304 North Eighth Street, room 450, Boise, Idaho 83702, 208–334–9137.

Ms. Ruth Bennett, Idaho Falls Acting District Manager, 1527 Hollipark Drive, Idaho Falls, Idaho 83401, 208–523–2706.

SUPPLEMENTARY INFORMATION:

I. Background

BPA is a self-financing power marketing agency with the United States Department of Energy. BPA was established by the Bonneville Project Act of 1937, 16 U.S.C. 832 et seq., to market wholesale power from Bonneville Dam and to construct power lines for the transmission of this power to load centers in the Northwest. BPA sells wholesale electric power and energy to 126 utilities, 13 direct service industrial customers (DSIs) and several government agencies.

The Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act) directs BPA to serve the net power requirements of any electric utility requesting service, and to serve existing DSIs in the Pacific Northwest. 16 U.S.C. 839c(b)(1) and (d). Although BPA cannot own or construct electric generating facilities, the Northwest Power Act directs BPA to acquire rights to the output or capability of electric power resources to serve increased customer requirements. See 16 U.S.C. 839a(1) and (d). The Northwest Power Act requires BPA to grant credits to BPA's customers on their power bills for electric power resources that reduce the Administrator's obligation to acquire resources to meet BPA's electric power requirements. 16 U.S.C. 839d(h). Billing credits may be adjustments to customers' power bills or equivalent cash payments. Resources eligible for billing credits include conservation and generation. Specific requirements for resources and the amount BPA can pay for these resources are outlined in the Northwest Power Act and BPA's Billing Credits Policy.

BPA's Billing Credits Policy interprets the billing credits provisions in the Northwest Power Act, prescribes criteria for customer and resource eligibility, and establishes procedures for granting billing credits.

BPA's 1990 Resource Program focused on choosing near-term resource actions for Fiscal Years 1992 and 1993. Subsequent to receiving comments from customers on the draft 1990 Resource Program that suggested BPA use billing credits. BPA developed a solicitation requesting proposals for billing credits resources. Billing credits provide a way to shift some of the risk for resource development to utilities and others, which was an objective of the chosen strategy in the 1990 Resource Program. In July 1990, BPA released the solicitation. It proposed to test the billing credit approach for acquiring energy resources by granting 50 average megawatts of billing credits to eligible resources. BPA's objective in the test was to ensure that the billing credit mechanism is workable for BPA customers.

II. Billing Credit Proposals

The proposals submitted in response to the Billing Credit Solicitation were divided into two groups, conservation and generation resources. Because CSEI projects reduce electric power consumption or losses by increasing efficiency of electric use, production, transmission, or distribution, they were considered a subset of conservation measures, but covered in separate contracts.

II. Description of the CSEI Proposals

Twenty-four CSEI proposals representing 30 public bodies or cooperative utilities were submitted pursuant to the July 1990 Billing Credit Solicitation. CSEI projects include voltage modifications reconductoring, transformer replacements, and other system improvements undertaken to reduce electric power consumption or losses as a result of an increase in the efficiency of electric use, production, transmission or distribution. Also, BPA released a previous **Federal Register** Notice announcing the signing of one CSEI contract on May 27, 1992.

BPA has signed contracts with these public bodies for the following CSEI projects:

1. City of Rupert, Idaho—distribution voltage upgrade program—4 kV to 12 kV upgrade project.

2. City of Port Angeles, Washington—4 kV upgrade—distribution upgrade and transformer replacement project.

These projects meet the qualifications for billing credits. Both actions are categorically excluded from the procedural requirements of the National Environmental Policy Act (52 FR 47669) under categorical exclusion determinations dated April 18, 1991, July 3, 1991, and November 1, 1991. Therefore, BPA signed contracts with these same customers.

IV. Description of the Generation Proposals

Seventeen generation proposals representing 11 public bodies or cooperative utilities were submitted pursuant to the July 1990 Billing Credit Solicitation. Proposed generation projects included hydroelectric, biomass, and cogeneration projects to produce electricity. Five of the 17 proposals were withdrawn during the evaluation process and three proposals were rejected for not meeting the threshold criteria. On July 29, 1992, BPA released a **Federal Register** Notice announcing the signing of one generation project.

BPA has signed a contract with this public body for the following generation project: 1. Eugene Water and Electric Board—Smith Creek Project—a hydroelectric project.

BPA signed this contract based on the analysis in the environmental assessment (DOE/EA 0373). In that analysis, DOE determined that the proposed action 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. Therefore, the preparation of an environmental impact statement is not required and DOE issued a Finding of No Significant Impact on November 4, 1988.

BPA intends to sign a billing credits contract with the City of Tacoma, Washington, for the Wynoochee Dam hydroelectric project. This project meets the qualifications for billing credits, and BPA has completed its obligations under NEPA. The customer has complied with all applicable environmental requirements in the construction of the project and will comply during the operation phase.

V. Methodology for Determining Generation Billing Credits

The payment of billing credit (BC) will be calculated by using the following formula: $BC=(AC-PF)\times Savings\times C_s$. As shown in Exhibit F of the contracts, alternative cost (AC), minus the Priority Firm (PF) rate, times the savings from the measures, times the cost share percentage (C_s), equals Billing Credit (BC).

VI. Methodology for Determining Generation Billing Credit

The payment for BC for this customer will be calculated and paid monthly as follows:

As EWEB is a Computed Requirements Customer under its Power Sales Contract with BPA, the monthly BC will be the lesser of the Adjusted Alternative Cost or Net Cost multiplied by the monthly amounts of Assured Energy Capability of the Billing Credit Resource, less the amount of Priority Firm Rate dollars the customer avoids paying as a result of the Billing Credit Resource. There is no true-up; this is because the customer is required to maintain the Assured Energy Capability for the Billing Credit Resource, as it must do for all its firm resources under the Power Sales Contract.

VII. Materials Available

Copies of the Billing Credits Policy, the Administrative Record, its appendices, Addendum One, Amendment A to Addendum One, Addendum Two, and Addendum Three are available from BPA's Public Involvement office. Refer to the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Edward W. Sienkiewicz,

Senior Assistant Administrator.

[FR Doc. 92–26120 Filed 10–27–92; 8:45 am]

BILLING CODE 6450–01–M

Office of Fossil Energy

[FE Docket No. 92–84–NG]

Alleghney Energy Marketing Co.; Order Granting Blanket Authorization To Import Natural Gas

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of an order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Alleghney Energy Marketing Company authorization to import up to 183 Bcf of Canadian natural gas over a two-year term beginning on the date of first delivery.

A copy of this order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 22, 1992.

Charles F. Vacek,

Deputy Assistant Secretary for Fuels Programs, Office of Fossil Energy.

[FR Doc. 92–26122 Filed 10–27–92; 8:45 am]

BILLING CODE 6450–01–M

[FE Docket No. 92–79–NG]

Czar Gas Corp. Inc.; Order Granting Blanket Authorization To Import and Export Natural Gas From and to Canada

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of an order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Czar Gas Corporation Inc. blanket authorization to import up to 146 Bcf of natural gas and to export up to 146 Bcf of natural gas from and to Canada over a two-year term, beginning on the date of first delivery after October 31, 1992.

A copy of this order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 21, 1992.

Charles F. Vacek,

Deputy Assistant Secretary for Fuels Programs, Office of Fossil Energy.

[FR Doc. 92-26121 Filed 10-27-92; 8:45 am]

BILLING CODE 6450-01-M

[FE Docket No. 92-83-NG]

Graham Energy Market Corp.; Order Granting Blanket Authorization To Import Natural Gas From Canada

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of an order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Graham Energy Marketing Corporation blanket authorization to import up to 183 Bcf of natural gas from Canada over a two-year term beginning on the date of first delivery.

A copy of this order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F-056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday except Federal holidays.

Issued in Washington, DC, October 22, 1992.

Charles F. Vacek,

Deputy Assistant Secretary for Fuels Programs, Office of Fossil Energy.

[FR Doc. 92-26123 Filed 10-27-92; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. 91-106-NG]

Northwest Natural Gas Co.; Application for Long-Term Authorization to Import Natural Gas From Canada

AGENCY: Department of Energy.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application filed December 13, 1991, by Northwest Natural Gas Company (Northwest Natural) for authorization to import a total of up to 48,168 MMBtu (one MMBtu is approximately the same as one Mcf) of Canadian natural gas per day purchased from Poco Petroleums, Ltd. (Poco), Unigas Corporation (Unigas), and Summit Resources Limited (Summit). In all cases, the volumes would be imported near Kingsgate, British Columbia and delivered from the international border through the proposed expansion of the Pacific Gas Transmission Company (PGT) pipeline system (the "PGT Expansion Project"). Northwest Natural would use the gas to supply customers on its distribution system in the States of Washington and Oregon. The requested term of the proposed import is 10 years beginning the earlier of November 1, 1993, or the date upon which the PGT Expansion Project becomes operational, through October 31, 2003.

The application is filed under section 3 of the Natural Gas Act (NGA) and DOE Delegation Order Nos. 0204-111 and 204-127. Protests, motions to intervene, notices of intervention and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures and written comments are to be filed at the address listed below no later than 4:30 p.m., eastern time, November 27, 1992.

ADDRESSES: Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, Forrestal Building, room 4F-056, FE-50, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9478.

FOR FURTHER INFORMATION CONTACT:

Thomas Dukes, Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, Forrestal Building, room 3F-070, FE-53, 1000 Forrestal Building, room 3F-070, FE-53, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9590.

Diane Stubbs, Office of Assistant General Counsel for Fossil Energy, U.S. Department of Energy, Forrestal Building, room 6E-042, GC-14, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-6667.

SUPPLEMENTARY INFORMATION: Northwest Natural, a local gas distribution company with its principal office in Portland, Oregon, provides services to residential, commercial and industrial customers in the Portland metropolitan area, western Oregon and southwest Washington. Northwest Natural would purchase the imported gas under four firm supply contracts: A 10-year contract with Poco, two 10-year contracts with Unigas, and a 7-year contract with Summit.

With regard to transportation, Northwest Natural has committed to an annual average firm capacity on PGT's expansion of 38,275 MMBtu per day over a 30-year term. This average comprises 46,549 MMBtu per day of winter capacity (October-March) and 30,000 MMBtu per day of summer capacity (April-September) for deliveries at Stanfield, Oregon. Allowing for fuel and tolerances, Northwest Natural expects maximum import volumes of 48,076 MMBtu per day in winter months and 30,985 MMBtu in summer months.

All four of Northwest Natural's gas purchases contracts are generally similar. The pricing structure in each contract is comprised of demand and commodity charge components. Both the commodity and demand charges will be renegotiated annually, but the commodity charges must be competitive with those the suppliers could achieve, and Northwest Natural would pay, in alternate markets. If renegotiation is unsuccessful, then the matter would be submitted to binding arbitration. The demand charge consists of the suppliers' cost of reserving firm pipeline transportation in Canada on the Nova Corporation of Alberta system. Also, the demand charge must be paid by (45 U.S.C. 562(c) of the Rail Passenger Service Act of 1970 Northwest Natural each month regardless of the amount of gas purchased. A further provision common to the four contracts is that each supplier will deliver sufficient additional gas in excess of the maximum daily quantity (MDQ) under contract to cover transportation fuel use. In this regard, DOE notes that the import quantity requested by Northwest Natural is slightly higher than the sum of the MDQ's because it includes a three percent fuel gas tolerance.

Under its contract with POCO, Northwest Natural would purchase up to 11,000 MMBtu per day during summer months and up to 15,516 MMBtu during winter months. The contract contains a minimum seasonal obligation equal to 50 percent of the seasonal MDQ, but this obligation is subject to change as a result of the annual price renegotiation. Any shortfall will be priced at a percentage of the commodity charge.

The first of Northwest Natural's two contracts with Unigas provides for a long-term firm winter peaking supply. Under this contract, Unigas will provide Northwest Natural with up to 9,275 MMBtu of gas per day during the winter season only. There is no minimum seasonal purchase obligation. The second contract covers 14,000 MMBtu per day of base volume gas. The base volume contract requires Northwest Natural to purchase 85 percent of the MDQ during winter months and 50 percent during summer months, with any deficiency to be priced at a percentage of the seasonal commodity charge.

Finally, Northwest Natural's contract with Summit provides for purchases of 7,983 MMBtu of gas per day during the winter season and 5,145 MMBtu of gas per day during season, with a minimum annual purchase obligation of 1,090,000

MMBtu. Any shortfall will be priced at a percentage of the commodity charge. There are three tiers of commodity charges based on the volume taken. As noted above, the Summit contract is for a term of seven years, but Northwest Natural intends to replace or renew this contract at its expiration so that the companies' contracted capacities on the PGT Expansion Project are fully subscribed. Because of the transportation service arrangements, Northwest Natural has applied to import the volumes under the Summit contract and its successor for 10 years, in order to match the terms of the longer Poco and Unigas contracts.

In support of its application, Northwest Natural states that its contracts with Poco, Unigas, and Summit are flexible, the prices are market-responsive, and that the proposed Canadian gas supply is reliable. Northwest Natural asserts that suppliers under the contracts have adequate reserves to ensure supply reliability. In addition, the contracts include term for payment of replacement gas costs by suppliers in the event it becomes necessary for Northwest Natural to obtain alternative gas supplies.

Northwest Natural also contends that the imports are needed to meet future load growth and to diversify its sources of supply to include Alberta gas. Historically, Northwest Natural has relied primarily on supplies from British Columbia and domestic supplies in the Rocky Mountain region. Northwest Natural states that the four contracts will provide an estimated 20 percent of the company's winter system supply requirements and approximately 25 percent of total annual system supply needs.

The decision on Northwest Natural's application for import authority will be made consistent with DOE's natural gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). In the case of a long-term arrangement such as this, other matters that will be considered in making a public interest determination include need for the natural gas and security of the long-term supply. Parties that may oppose this application should comment in their responses on the issues of competitiveness, need for the gas, and security of supply as they relate to the requested import authority. Northwest Natural asserts that this import arrangement is in the public interest because it is needed, competitive, and its natural gas source will be secure. Parties opposing the import arrangement bear the burden of overcoming these assertions. Also, parties that wish to comment or file additional motions in this proceeding are noticed that approval of Northwest Natural's import proposal would not result in any change to the environmental impacts analyzed in Order 619 or the PGT/PG&E ROD since it only involves dedicating some of the unused capacity on the PGT and PG&E systems to accommodate the increase in the transportation volumes.

NEPA Compliance. The National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed actions. DOE has previously considered the potential environmental effects of the PGT Expansion Project (*i.e.*, the addition of pipeline looping, compression, and metering facilities on the PGT system). On May 22, 1992, a Record of Decision (ROD) was published in the **Federal Register** (57 FR 21784) which addressed the environmental aspects of granting eight blanket applications to import Canadian natural gas under DOE/FE Opinion and Order No. 619. In the ROD, DOE concluded that the additional facilities planned by PGT could be built and operated in a manner which would adequately protect the environment. Under the import arrangements proposed by Northwest Natural, PGT would only be required to dedicate some of the expanded pipeline capacity to transport the proposed volumes. Therefore, approval of Northwest Natural's application would not change the environmental impacts analyzed in the ROD.

Public Comment Procedures. In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have their written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR part 590. Protests, motions to intervene, notices of intervention, requests for additional procedures, and written comments should be filed with the Office of Fuels Programs at the above address.

It is intended that a decisional record will be developed on the application through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an oral presentation, a conference, or trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final opinion and order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of Northwest Natural's application is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056 at the above address. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, October 22, 1992.

Charles F. Vacek,

Deputy Assistant Secretary for Fuels Programs, Office of Fossil Energy.

[FR Doc. 92–26124 Filed 10–27–92; 8:45 am]

BILLING CODE 6450–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 4527-6]

Industrial Pollution Prevention Project Focus Group of the Technology Innovation and Economics Committee, National Advisory Council for Environmental Policy and Technology (NACEPT); Notice of Open Meeting on November 17-18, 1992

Under Public Law 92-463 (The Federal Advisory Committee Act), EPA gives notice of a meeting of the Industrial Pollution Prevention Project Focus Group of the Technology Innovation and Economics (TIE) Committee. The TIE Committee is a standing committee of the National Advisory Council for Environmental Policy and Technology (NACEPT), an advisory committee to the Administrator of the EPA. The meeting will convene from 9 a.m. to 5 p.m. on November 17, 1992, and from 8:30 a.m. to 1 p.m. on November 18. It will be located in the Madison Hotel at 1177 15th Street, NW., Washington, DC 20005.

The Industrial Pollution Prevention Project Focus Group is examining methods by which pollution prevention can be encouraged, particularly through effluent guidelines. The Focus Group is investigating the possibility that among the most important barriers to the implementation of pollution prevention concepts and programs are disincentives inadvertently built into standard setting processes, including the effluent guidelines. The Focus Group, which includes individuals from industry, academia, environmental groups, all levels of government, and other interested parties, is developing recommendations for EPA about the incorporation of pollution prevention into EPA's Office of Water effluent guidelines process and about EPA's efforts to spread the pollution prevention ethic.

The Focus Group is an "Ongoing Forum" for the Industrial Pollution Prevention Project. At the meeting, the Focus Group will continue to discuss ideas originally presented at its March 1992 meeting about how to encourage pollution prevention through the effluent guidelines system. The objective of this discussion will be to formulate possible recommendations to EPA.

The November 17-18 meeting will be open to the public. Written comments submitted by November 13 will be received and considered by the Focus Group. Additional information about the meeting may be obtained from Jim Lund by calling 202-260-7811, or by writing him at EPA (WH-551), 401 M Street, SW., Washington, DC 20460 or by sending him a fax at 202-260-5394.

Dated: October 16, 1992.

Gordon Schisler,

Acting NACEPT Designated Federal Official.

[FR Doc. 92-26118 Filed 10-27-92; 8:45 am]

BILLING CODE 6560-50-M

[OPP-180879; FR 4170-2]

Receipt of Application for Emergency Exemption to Use Hydrogen Cyanamide; Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a specific exemption request from the California Environmental Protection Agency, Department of Pesticide Regulation (hereafter referred to as the "Applicant") to use the pesticide hydrogen cyanamide (CAS 420-04-2) on up to 20,000 acres of table grapes in Riverside, San Bernardino, and Imperial Counties, as a growth regulator, to promote uniform bud break. The Applicant proposes the use of a new chemical; therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

DATES: Comments must be received on or before November 12, 1992.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180879," should be submitted by mail to: Public Docket and Freedom of Information Section, Field Operations Division (H7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Andrea Beard, Registration Division (H7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 718, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-305-7890).

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at his discretion, exempt a State agency from any registration provision of FIFRA if he determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of hydrogen cyanamide on table grapes as a growth regulator to promote uniform bud break. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The Applicant states that the material is needed to provide an alternative to growers in anticipation of another mild dormant season. Grapevines, in general, have a low chilling requirement, but once dormancy is induced, chilling is obligatory for its release which leads to uniform bud opening and growth. This dormancy is caused by the temperature dropping below a specific thermal point. The period in which the temperature is below a thermal point is referred to as chilling hours. With insufficient chilling hours, spring shoot growth can be erratic with poor cluster development and irregular berry set. A lack of chilling hours (warming cyclical trend) can be traced back to about 1978 when the number of chilling hours providing dormancy for table grape vines in the Coachella Valley started to decline.

The Applicant claims that the only alternative for growers during periods with a lack of chilling hours is the use of the requested chemical, hydrogen cyanamide. The Applicant claims that hydrogen cyanamide has been shown to be effective for inducing bud break in table grapes. The Applicant claims that without the use of this material to induce bud break in years when there are not enough chilling hours, growers will experience poor yields and as a result incur significant economic losses.

The Applicant plans to treat up to 20,000 acres using up to 80,000 gallons of product (340,000 lbs. active ingredient). A single application would be applied (if conditions warrant) from December 1,

1992 through February 15, 1992, but no less than 4 weeks before normal bud break. A 4 gallons of product (17 lbs. active ingredient) plus 0.25–0.5 percent non-ionic surfactant solution will be prepared in water to make 100 gallons of spray solution. Fifty to 100 gallons of finished spray per acre would be applied using a ground spray rig with closed cab and low pressure nozzle.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient not contained in any currently registered pesticide). Such notice provides for the opportunity for public comment on the application. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the California Environmental Protection Agency.

Dated: October 17, 1992.

Lawrence E. Culleen,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 92–25903 Filed 10–27–92; 8:45 am]

BILLING CODE 6560–50–F

[OPPTS–51807; FRL–4173–6]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in thefinal rule published in the **Federal Register** of May 13,1983 (48 FR 21722). This notice announces receipt of 27 such PMNs and provides a summary of each.

DATES: Close of review periods:

P 93–15, 93–16, January 3, 1993.

P 93–17, 93–18, 93–19, 93–20, 93–21, 93–22, 93–23, 93–24, 93–25, 93–26, 93–27, 93–28, 93–29, 93–30, 93–31, 93–32, 93–33, 93–34, 93–35, January 4, 1993.

P 93–36, 93–37, 93–38, 93–39, 93–40, 93–41, January 5, 1993.

Written comments by:

P 93–15, 93–16, December 4, 1992.

P 93–17, 93–18, 93–19, 93–20, 93–21, 93–22, 93–23, 93–24, 93–25, 93–26, 93–27, 93–28, 93–29, 93–30, 93–31, 93–32, 93–33, 93–34, 93–35, December 5, 1992.

P 93–36, 93–37, 93–38, 93–39, 93–40, 93–41, December 6, 1992.

ADDRESSES: Written comments, identified by the document control number "(OPPTS–51807)" and the specific PMN number should be sent to: Document Processing Center (TS–790), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. 201ET, Washington, DC, 20460, (202) 260–3532.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (TS–799), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–545, 401 M St., SW., Washington, DC, 20460 (202) 554–1404, TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the TSCA Public Docket Office, NE–G004 at the above address between 8 a.m. and noon and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 93–15

Importer. SICPA Securink Corporation.

Chemical. (G) Epoxy acrylate.

Use/Import. (S) Ink additive. Import range: Confidential.

P 93–16

Importer. Dow Corning Corporation.

Chemical. (G) Polyamideimide.

Use/Import. (G) Resin binder for inductrial coating. Import range: Confidential.

P 93–17

Importer. Berol Nobel Inc.

Chemical. (G) Dicarboxylic acid derivative.

Use/Import. (G) Mining chemical. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 9.8 g/kg species (rat). Eye irritation: moderate species (rabbit). Skin irritation: moderate species (rabbit). Skin sensitization: negative species (guinea pig).

P 93–18

Importer. Confidential.

Chemical. (G) *N,N*-Dimethylethanolamine salted, acid functional, styrenated acrylic polymer.

Use/Import. (G) Paint. Import range: Confidential.

P 93–19

Manufacturer. Angus Chemical Company.

Chemical. (S) 3-Ethyl-2-methyl-2-(3-methylbutyl)-1,3-oxazolidine.

Use/Production. (S) Moisture scavenger for urethane coating. Prod. range: Confidential.

P 93–20

Importer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Import. (G) Coating. Import range: Confidential.

P 93–21

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93–22

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93–23

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93–24

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93–25

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols, and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-26

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-27

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-28

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-29

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-30

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-31

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-32

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-33

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-34

Manufacturer. Sanncor Industries, Inc.

Chemical. (G) Polyurethane based on polyisocyanates, polyols and polyamines.

Use/Production. (G) Coating. Prod. range: Confidential.

P 93-35

Manufacturer. Confidential.

Chemical. (G) Alkenone, trialkylcycloalkenyl, dimethyl acetyl.

Use/Production. (S) Site limited intermediate. Prod. range: Confidential.

P 93-36

Manufacturer. Confidential.

Chemical. (S) 2-Propenoic acid, docosyl ester.

Use/Production. (G) Polymer intermediate. Prod. range: Confidential.

P 93-37

Manufacturer. Confidential.

Chemical. (S) 2-Propenoic acid, C_{18-26} alkyl esters.

Use/Production. (G) Polymer intermediate. Prod. range: Confidential.

P 93-38

Manufacturer. Confidential.

Chemical. (S) 2-Propenoic acid, C_{20} alkyl esters.

Use/Production. (G) Polymer intermediate. Prod. range: Confidential.

P 93-39

Manufacturer. Dow Chemical U.S.A.

Chemical. (G) Modified starch.

Use/Production. (G) Binder. Prod. range: Confidential.

P 93-40

Manufacturer. Confidential.

Chemical. (G) Di functional ketoxiimino silane.

Use/Production. (G) Formulation component. Prod. range: Confidential.

P 93-41

Manufacturer. Confidential.

Chemical. (G) Blocked isocyanate crosslinked.

Use/Production. (S) Crosslinked for thermo-setting powder coating. Prod. range: Confidential.

Dated: October 20, 1992.

Frank V. Caesar,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 92-26112 Filed 10-27-92; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

October 21, 1992.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street, NW., Suite 640, Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, Room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0089.

Title: Application for Land Radio Station Authorization in the Maritime Services.

Form Number: FCC Form 503.

Action: Revision of a currently approved collection.

Respondents: Individuals or households, state or local governments, non-profit institutions, businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 2,926 responses; 1 hour average burden per response; 2,926 hours total annual burden.

Needs and Uses: FCC Rules require that applicants file FCC Form 503 when applying for a new station or when modifying an existing land radio station in the Maritime Mobile Service or an Alaska Public Fixed Station. FCC Form 503 is being revised to include fee processing data (from FCC Form 155) and the Anti-Drug Abuse certification statement. Questions about equipment owner and financial ability to construct and operate the station have been removed, as they are no longer needed on the form. Many questions about aliens and controlling corporations have been eliminated or re-worded into a certification. The data is necessary to evaluate a request for station authorization in the Maritime Services or an Alaska Public Fixed Station, to issue licenses, and to update the database.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-26102 Filed 10-27-92; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

October 21, 1992

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of these submissions may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street, NW., suite 640, Washington, DC 20036, (202) 452-1422. For further information on these submissions contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on these information collections should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0174.

Title: Section 73.1212, Sponsorship identification; list retention; related requirements.

Action: Extension of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: Recordkeeping requirement.

Estimated Annual Burden: 10,985 recordkeepers; 4 hours average burden per recordkeeper; 43,940 hours total annual burden.

Needs and Uses: Section 73.1212 requires a broadcast station to identify the sponsor of any matter for which consideration is provided. For matter advertising commercial products or services, generally the mention of the name of the product or service constitutes sponsorship identification. In addition, when an entity rather than an individual sponsors the broadcast of matter that is of a political or controversial nature, licensee is required to retain a list of the executive officers, or board of directors, or executive committee, etc., of the organization paying for such matter. Sponsorship announcements are waived with respect to the broadcast of "want ads" sponsored by an individual but the licensee shall maintain a list showing the name, address and telephone number of each such advertiser. These lists shall be made available for public inspection. The data is used by the public so that they know by whom they are being persuaded.

OMB Number: 3060-0374.

Title: Section 73.1690, Modification of transmission systems.

Action: Extension of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: Recordkeeping requirement.

Estimated Annual Burden: 628 recordkeepers; 1.69 hours average burden per recordkeeper; 1,061 hours total annual burden.

Needs and Uses: Section 73.1690(e) requires AM, FM and TV station licensees to prepare an informal statement or diagram describing any electrical and mechanical modification to authorized transmitting equipment that can be made without prior Commission approval provided that equipment performance measurements are made to ensure compliance with FCC rules. This informal statement or diagram is to be retained at the transmitter site as long as the equipment is in use. The data are used by broadcast licensees to provide prospective users of the modified equipment with necessary information. If no such information exists, any future problems could prove difficult to solve and could result in electronic frequency interference for long periods of time.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-26103 Filed 10-27-92; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

October 22, 1992.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street NW., suite 640, Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neinardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 0360-0028.

Title: Application for Authorization in the Auxiliary Broadcast Services.

Form Number: FCC Form 313.

Action: Revision of a currently approved collection.

Respondents: State or local governments, businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 1,500 responses; 5.166 hours average burden per response; 7,749 hours total annual burden.

Needs and Uses: FCC Form 313 is used by licensees or permittees of AM, FM and TV broadcast stations and eligible networks when applying for a remote pickup, aural microwave, television microwave and other various auxiliary broadcast stations. The form has been revised to include fee processing information (from the FCC form 155). The data is used by FCC Staff to determine if the proposal will meet statutory requirements and to ensure that interference will not be caused to other authorized stations.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-26105 Filed 10-27-92; 8:45 am]

BILLING CODE 6712-01-M

[Report No. 1914]

Petitions for Reconsideration and Clarification of Actions in Rulemaking Proceedings

October 21, 1992.

Petitions for reconsideration or clarification have been filed in the Commission rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in room 239, 1919 M Street, NW., Washington, DC or may be purchased from the Commission's copy contractor Downtown Copy Center (202) 452-1422. Oppositions to these petitions must be filed by November 12, 1992. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed 10 days after the time for filing oppositions has expired.

Subject: Telephone Company-Cable Television Cross-Ownership Rules. §§ 63.54-63.58. (CC Docket No. 87-266)

Number of Petitions Filed: 22.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-26104 Filed 10-27-92; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Mediterranean/Puerto Rican Conference et. al.; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 800 North Capitol Street NW., 9th floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202-010984-014.

Title: Mediterranean/Puerto Rican Conference.

Parties:

Compania Trasatlantica Espanola, S.A.
Nordana Line AS
P&O Containers Limited
Sea-Land Service, Inc.
Zim Israel Navigation Company, Ltd.

Synopsis: The proposed amendment adds a new Article 18.10 to the Agreement which sets forth guidelines for the submission of documents for cargo inspection.

Agreement No.: 203-011390.

Title: Agreement for Settlement and Release of Hopal Line Claims Relating to the Argentina/U.S. Atlantic Pool Agreement 1987-1990.

Parties:

American Transport Lines, Inc.
Van Nievelt Goudriaan & Co. B.V.

Synopsis: The proposed Agreement would settle disputes between the parties over revenue pool accounting payments for the years 1987-1990 under pooling Agreement No. 212-010386 (the Argentina/U.S. Atlantic Coast Agreement). The parties have requested a shortened review period.

Dated: October 22, 1992.

By Order of the Federal Maritime Commission.

Ronald D. Murphy,

Assistant Secretary.

[FR Doc. 92-26065 Filed 10-27-92; 8:45 am]

BILLING CODE 6730-01-M

Port of San Diego/Metropolitan Stevedore Company; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice that the following agreement(s) has been filed with the Commission pursuant to section 15 of the Shipping Act, 1916, and section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 800 North Capitol Street, NW., 9th Floor. Interested parties may submit protests or comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments and protests are found in § 560.602 and/or 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Any person filing a comment or protest with the Commission shall, at the same time, delivery a copy of that document to the person filing the agreement at the address shown below.

Agreement No.: 224-200701

Title: Port of San Diego/Metropolitan Stevedore Company Terminal Agreement.

Parties:

San Diego Unified Port District ("Port")
Metropolitan Stevedore Co. ("Metropolitan").

Filing Party: Stanley R. Westover, Manager, Marine Operations, Port of San Diego, P.O. Box 488, San Diego, California 92112.

Synopsis: The Agreement allows Metropolitan to provide terminal operator services at berths owned by the Port.

Dated: October 22, 1992.

By Order of the Federal Maritime Commission.

Ronald D. Murphy,

Assistant Secretary.

[FR Doc. 92-26064 Filed 10-27-92; 8:45 am]

BILLING CODE 6730-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[ATSDR-60]

Revised Priority List of Hazardous Substances That Will Be the Subject of Toxicological Profiles

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Public Health Service (PHS), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), as amended by the Superfund Amendments and Reauthorization Act (SARA), requires that ATSDR and the Environmental Protection Agency (EPA) annually revise the Priority List of Hazardous Substances to include additional substances most commonly found at facilities on the CERCLA National Priorities List (NPL). This announcement provides notification that the agencies have developed and are making available a revised CERCLA Priority List of 275 Hazardous Substances, based on the most recent information available to ATSDR and EPA. This revised priority list includes newly listed substances which have been determined to pose the most significant potential threat to human health at or around NPL hazardous waste sites. Each substance on the priority list is a candidate to become the subject of a toxicological profile prepared by ATSDR and subsequent identification of priority data needs.

ADDRESSES: Requests for a copy of the revised Priority List of Hazardous Substances, a copy of the "Supplemental Document for the 1992 Revised Priority List of Hazardous Substances", or comments on this notice should bear the docket control number ATSDR-60, and should be submitted to: ATSDR, Division of Toxicology, Quality Assurance Branch, Mail Stop E-29, 1600 Clifton Road, NE., Atlanta, GA 30333.

This is an informational notice only, and comments are not being solicited at this time. However, comments will be placed in a publicly accessible docket; therefore, please do not submit confidential business information.

Electronic Availability: The 1992 Revised Priority List is available as an electronic file on The Federal Bulletin Board the day of publication in the **Federal Register**. By modem dial 202-

512–1387 or call 202–512–1530 for disks or paper copies. This file is available in Wordperfect 5.1, Dbase III, and ASCII.

FOR FURTHER INFORMATION CONTACT: Bill Henriques, Quality Assurance Branch, Division of Toxicology, ATSDR, Atlanta, GA 30333, telephone (404) 639–6308.

SUPPLEMENTARY INFORMATION: CERCLA establishes certain requirements for ATSDR and EPA with regard to hazardous substances which are most commonly found at facilities on the CERCLA National Priorities List (NPL). Section 104(i)(2) of CERCLA, as amended (42 U.S.C. 9604(i)(2)), required that the two agencies prepare a list, in order of priority, of at least 100 hazardous substances that are most commonly found at facilities on the NPL and which, in their sole discretion, are determined to pose the most significant potential threat to human health (see 52 FR 12866, April 17, 1987). CERCLA also required the agencies to revise the priority list to include 100 or more additional hazardous substances (see 53 FR 41280, October 20, 1988), and to include at least 25 additional hazardous substances in each of the three successive years following the 1988 revision (see 54 FR 43619, October 26, 1989; 55 FR 42067, October 17, 1990; 56 FR 52166, October 17, 1991). CERCLA also requires that ATSDR and EPA shall not less often than once every year thereafter revise the list to include additional hazardous substances which are determined to pose the most significant potential threat to human health. Each substance on the CERCLA priority list of hazardous substances is a candidate to become the subject of a toxicological profile prepared by ATSDR and the subsequent identification of priority data needs.

The previous priority lists of hazardous substances were based on the most comprehensive and relevant information available when the lists were developed. More comprehensive sources of information on the frequency of occurrence and the potential for human exposure of substances at NPL sites became available for use in the 1991 priority list with the development of ATSDR's HAZDAT database; additional information from HAZDAT has become available for this year's listing activity. In the initial listing activities (1987–1990), new substances were added to the end of the list, without a comparative reranking. A notice announcing the intention of ATSDR and EPA to revise and rerank the priority list of hazardous substances were published on June 27, 1991 (56 FR 29485). In this year's listing activity, new candidate substances (substances which have been found at three or more NPL sites) were assigned a toxicity/environmental score (TES) using the EPA Reportable Quantity methodology, and were added to the pool of substances previously considered for the annual list. All substances were then evaluated together for consideration on the priority list.

The approach used to generate the revised priority list last year was summarized in the "Revised Priority List of Hazardous Substances" (56 FR 52166, October 17, 1991). Using the same approach, and the same algorithm this year, over 600 candidate substances have been ranked to create the current list of 275 substances.

The additional information used in this year's listing activity was entered into ATSDR's HAZDAT database since publication of last year's "Revised Priority List of Hazardous Substances". As with other site-specific information used in the listing activity, this information has been collected from ATSDR Public Health Assessments and from site file data packages used in the development of Public Health Assessments. The new information includes more recent NPL frequency of occurrence data, additional concentration data, and more information on exposure or potential exposure to substances present at NPL sites.

At this time the list includes 275 substances which ATSDR and EPA have determined to pose the most significant potential threat to human health based on the criteria of CERCLA section 104(i)(2) (42 U.S.C. 9604(i)(2)). All candidate substances have been analyzed and ranked with the current algorithm, and may become the subject of toxicological profiles in the future. ATSDR is currently evaluating criteria for formal expansion of the list beyond the required 275 substances.

The addition of approximately 15,000 contaminant data records (for air, water and soil) to the HAZDAT database since October 1991 has allowed the agencies to better assess the potential for human exposure to substances at NPL hazardous waste sites. With this additional data, 7 new candidate substances have been added to the list, and 10 substances under consideration last year have moved onto the list. Accordingly, 17 substances have moved out of the range of the 275 listed substances. These changes in the order of substances appearing on the CERCLA priority list of hazardous substances will be reflected in the program activities which rely on the list for future direction. For example, disulfoton and hydrazine moved up significantly on the 1992 list when compared to last year's list. As a result they will be included in the pool of substances that may become the subject of new toxicological profiles in the next fiscal year. Similarly, tetrachloroethane and hexachlorobenzene moved well into the range of those substances to be considered for the development of updated toxicological profiles (CERCLA) also requires ATSDR to evaluate new information on profiled substances for potential revision every three years). These changes reflect the dynamic nature of scientific data on substances present at NPL (and other) hazardous waste sites. Changes on the 1992 list did not affect those substances to be considered at this time for future identification of priority data needs.

This annual evaluation activity and announcement of a revised priority list of hazardous substances fulfills the conditions of CERCLA section 104(i), as amended, which requires ATSDR and EPA to revise the list yearly to include additional hazardous substances. The agencies intend to revise the list of hazardous substances annually thereafter to reflect changes and improvements in data collection and availability. Additional information on the methodology used in the development of the CERCLA Priority List of Hazardous Substances can be found in the **Federal Register** notices mentioned above.

Administrative Record

ATSDR and EPA are establishing a single administrative record entitled ATSDR–60 for materials pertaining to this notice. All materials received as a result of this notice will be included in the public file which is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, except Federal legal holidays, at the Agency for Toxic Substances and Disease Registry, #4

Executive Park Drive, suite 2400, Atlanta, Georgia.

Dated: October 21, 1992.

William L. Roper,

Administrator, Agency for Toxic Substances and Disease Registry.

[FR Doc. 92-26083 Filed 10-27-92; 8:45 am]

BILLING CODE 4160-70-M

Food and Drug Administration

[Docket No. 92F-0368]

Stockhausen, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Stockhausen, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of cross-linked sodium polyacrylate and/or a grafted copolymer of cross-linked sodium polyacrylate with vinyl alcohol for use as a fluid absorbent in food-contact material.

FOR FURTHER INFORMATION CONTACT: Hortense S. Macon, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9500.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2B4323) has been filed by Stockhausen, Inc., 2408 Doyle St., Greensboro, NC 27406. The petition proposes to amend the food additive regulations to provide for the safe use of cross-linked sodium polyacrylate and/or a grafted copolymer of cross-linked sodium polyacrylate with vinyl alcohol for use as a fluid absorbent in food-contact materials.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the Federal Register in accordance with 21 CFR 25.40(c).

Dated: October 7, 1992.

Douglas L. Archer,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-26050 Filed 10-27-92; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Fair Housing and Equal Opportunity

[Docket No. N-92-3522; FR-3348-N-01]

State and Local Fair Housing Laws: Notice of Certification of Substantially Equivalent Agency—State of Texas

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Notice.

SUMMARY: Title 24, part 115 of the Code of Federal Regulations describes the procedure for certifying State and local fair housing laws that provide substantive rights, procedures, remedies, and the availability of judicial review for alleged discriminatory housing practices that are substantially equivalent to those provided in the Fair Housing Act. In accordance with 24 CFR 115.6(c), this Notice announces the Department's decision to certify the agency administering the fair housing law of the State of Texas as substantially equivalent under the Fair Housing Act.

DATES: Comment Due Date: November 27, 1992.

ADDRESSES: Interested persons are invited to submit comments regarding this Notice to the Office of General Counsel, Rules Docket Clerk, room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410. Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying on weekdays between 7:30 a.m. and 5:30 p.m. at the above address.

FOR FURTHER INFORMATION CONTACT: Marcella O. Brown, Director, Funded Programs Division, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW., room 5234, Washington, DC 20410, telephone (202) 708-0455. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Background

Under the Fair Housing Act (42 U.S.C. 3600-3619), the Department is authorized to investigate complaints alleging discrimination in housing. Section 810(f) of the Fair Housing Act requires the Department to refer complaints to State and local agencies that have "substantially equivalent" fair housing standards, as determined and certified by the Department. The certification standards are codified at 24 CFR part 115.

On January 13, 1992 (57 FR 1277), the Department published the annual notice required by 24 CFR 115.6, which announced, among other things, the updated, consolidated list of all certified agencies, and a list of agencies with which an agreement for interim referrals or other utilization services had been entered into under 24 CFR 115.11. In the January 13, 1992 notice, the Department listed eight jurisdictions which had entered into an agreement with the Department, subsequent to September 12, 1988, for interim referrals, and were considered to have interim certification in accordance with section 810(f)(4) of the Fair Housing Amendments Act of 1988. (The Fair Housing Amendments Act of 1988 was enacted on September 13, 1988.) This notice, published today, announces that one of those eight jurisdictions—the State of Texas—has been certified as substantially equivalent in accordance with 24 CFR part 115.

This Notice

In Accordance with 24 CFR 115.6(c)(1), this Notice announces the certification of the fair housing law of the State of Texas as substantially equivalent. The Assistant Secretary for Fair Housing and Equal Opportunity has determined, after application of the criteria set forth in 24 CFR 115.3 and 115.4, that the fair housing law for the State of Texas provides substantive rights, procedures, remedies, and judicial review for alleged discriminatory housing practices that are substantially equivalent to those provided in the Fair Housing Act. On-site performance reviews conducted by the applicable HUD Regional Office have found, for those areas available to be assessed, that administrative enforcement of the agency administering the fair housing law for the State of Texas is substantially equivalent to the Fair Housing Act. The Department has executed a Memorandum of Understanding with this agency in accordance with 115.6(c).

In accordance with 24 CFR 115.6(b), the public is invited to submit written comments on the Department's determination of substantial equivalency for the State of Texas as set forth in this Notice. Specifically, the Department requests written comments on its determination that the current practices and past performance of the State of Texas agency charged with administration and enforcement of the State's fair housing law demonstrates that, in operation, the State law provides

substantive rights, remedies, procedures, and availability of judicial review that are substantially equivalent to the Fair Housing Act. This Notice also invites comments from the public on the Department's determination as to the adequacy, on its face, of the State of Texas fair housing law

Dated: October 19, 1992.

Gordon H. Mansfield,

Assistant Secretary for Fair Housing and Equal Opportunity.

[FR Doc. 92-26107 Filed 10-27-92; 8:45 am]

BILLING CODE 4210-28-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-943-4212-13; GP2-468; OR-45733 (WASH)]

Conveyance of Public Lands; Order Providing for Opening of Lands; Washington

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action informs the public of the conveyance of 1,201.36 acres of public lands out of Federal ownership. This action will also open 9,663.47 acres of reconveyed lands to surface entry, and 6,686.93 acres to mining and mineral leasing. The minerals in 856.54 acres are not in Federal ownership and the remaining 2,120 acres have been and continue to be open to mining and mineral leasing.

EFFECTIVE DATE: December 3, 1992.

FOR FURTHER INFORMATION CONTACT: Linda Sullivan, BLM Oregon State Office, P.O. Box 2965, Portland, Oregon 97208, 503-280-7171.

SUPPLEMENTARY INFORMATION:

1. Notice is hereby given that in an exchange of lands made pursuant to section 206 of the Act of October 21, 1976, 43 U.S.C. 1716, a patent has been issued transferring 1,201.36 acres in Ferry, Lincoln, Pend Oreille, and Stevens Counties, Washington, from Federal ownership to private ownership.

2. In the exchange, the following described lands have been reconveyed to the United States:

Willamette Meridian

T. 22N., R. 31 E.,
Sec. 26, N½SW¼, SE¼SW¼, and SW¼SE¼, excluding those portions conveyed for Great Northern Railroad right-of-way and Lincoln County for Road No. 1220.

T. 21 N., R. 32 E.,
Sec. 3, that portion lying north and west of the Great Northern Railroad right-of-way.

T. 22 N., R. 32 E.,
Sec. 2, S½;
Sec. 4, lots 1, 2, and 3, and SE¼NW¼;
Sec. 9;
Sec. 10, S½NE¼, and SE¼;
Sec. 11;
Sec. 12, N½, SW¼, and SE¼, except that portion beginning at a point 50' south of the northwest corner of Lots 4, Sec. 7, T. 22 N., R. 33 E.; Thence at a right angle west a distance of 50 feet; Thence at a right angle north to the south line of Pacific Lake; Thence easterly along the south line of Pacific Lake a distance of 50 feet to the west line of Lot 3, Sec. 7, T. 22 N., R. 33 E.; Thence south along the west lines of Lots 3 and 4, Sec. 7, R. 22 N., R. 33 E., W.M., to the place of beginning; and except that portion conveyed to Lincoln County for road purposes;
Sec. 15, all, except Lot 3 Block 2, and Lot 8 Block 103, Lot 13 Block 132, Lot 11 Block 166, Lot 17 Block 167, Lots 23 and 24 Block 170, Lot 22 Block 237, Lot 2 Block 238, Lots 1, 2, 3 and 16 Block 239, Lot 24 Block 240, Lot 19 Block 242, Lot 10 Block 246, Lot 8 Block 247, Lot 1 Block 266, and a 25.89 acre portion of the SE¼SE¼ known as the Waukesha Sanitorium Reservation and described as follows: Commencing at a point 30 feet south and 60 feet east of the southeast corner of Block 262 of the original plat of Waukesha, said point being the true point of beginning; Thence north a distance of approximately 1,074 feet to a point 60 feet south of the southwest corner of Block 213, Original Plat of the Town of Waukesha; Thence east a distance of approximately 1,050 feet to a point located on the east boundary line of said Sec. 15; Thence south along the east boundary line of said Sec. 15 a distance of 1,074 feet to the southwest corner of said Section; Thence west along the south boundary line of said Section a distance of approximately 1,050 feet to the True Point of Beginning, and streets and alleys designated in said plat;
Sec. 26, NW¼, and S½;
Sec. 34, N½, SW¼, and W½SE¼;
Sec. 35, E½ and E½W½.

T. 22 N., R. 33 E.,
Sec. 5, E½, SE¼SW¼NW¼, S½SE¼NW¼, and SW¼, except State Highway 21;
Sec. 6, that portion of the E½SE¼ lying south of State Highway 21 and that portion lying east of County Road No. 2705 and north of State Highway 21;
Sec. 7, lots 1, 2, and that portion of lot 3 lying north of Pacific Lake;
Sec. 8, E½E½ and W½E½ lying east of State Highway 21, EXCEPT that portion of the SE¼SE¼ described as follows: Beginning at a point on the south line of the SE¼ of Sec. 8, 1,042 feet east of the south quarter corner of said Section, said beginning point being situated at the intersection of the east line of right-of-way for that highway known as Permanent Highway No. 14 and the south line of said Sec. 8, running thence from said beginning point east along the south line of said Sec. 8, 180 feet; Thence north 7°52' east paralleling said Highway 237 feet; thence west 180 feet to the east line of said highway; Thence south 7°52' west 237 feet to the place of beginning, the herein described tract of land containing one acre more or less and being situated adjacent to the south line of Sec. 8 and adjacent to the east line of the right-of-way of aforesaid permanent highway.

T. 22 N., R. 34 E.,
Sec. 25, that portion of the S½SE¼ lying south of State Highway 28; sec. 36, those portions of the N½NW¼NE¼ and NE¼NW¼ lying between State Highway 28 and Great Northern Railroad's right-of-away.

T. 22 N., R. 35.,
Sec. 13, S½ excluding railroad right-of-away;
Sec. 24, N½NW¼NE¼, SW¼NW¼NE¼, N½SW¼, N½SW¼NW¼, and NW¼SE¼NW¼ excluding the railroad right-of-away;
Sec. 29, that portion of the S½SW¼ excluding the Washington State Pit Site No. PS-T-41 and Great Northern Railroad right-of-away;
Sec. 32, N½N½ and N½N½S½NE¼;
Sec. 33, NW¼.

T. 21 N., R. 36 E.,
Sec. 15, S½ except a tract of land lying in the N½S½ of said section being more particularly described as follows: Beginning at the west quarter corner of said Sec. 15; Thence eastward along the east-west midsection line a distance of 4,840 feet; Thence on an angle of 136°50' right a distance of 901 feet; Thence an angle of 22°04' left of a distance of 446 feet; Thence an angle of 66°06' right a distance of 541 feet; Thence an angle of 6°04' right a distance of 400 feet; Thence an angle of 5°06' right a distance of 700 feet; Thence an angle of 6°37' left a distance of 592 feet; Thence an angle of 40°12' left a distance of 851 feet; Thence an angle of 11°09' right a distance of 506 feet; Thence an angle of 27°53' right to the west line of said Sec. 15, a distance of 593 feet; Thence northward along Section line a distance of 593 feet; Thence northward along Section line a distance of 1,423 feet to the point of beginning;
Sec. 19, NW¼NE¼, S½NE¼, W½, SE¼, and the NE¼NE¼ except the north 264 feet;
Sec. 20, S½NE¼, W½, SE¼, and that portion of the N½NE¼ except of a tract more particularly described as follows: Beginning at the northeast corner of said Sec. 20; Thence westward along the north line of Sec. 20, a distance of 1,420 feet; Thence an angle of 83°58' left a distance of 493 feet; Thence an angle of 92°32' left a distance of 1,485 feet; Thence northward along Section line a distance of 581 feet to the point of beginning;
Sec. 21, all, except a tract more particularly described as follows: Beginning at the northwest corner of Sec. 21; Thence eastward along the north line of said Sec. 21, a distance of 2,663.5 feet;Thence an

angle of 86°02' right a distance of 571 feet; Thence an angle of 93°12' right a distance of 890 feet; Thence an angle of 0°15 ¹ right a distance of 800 feet; Thence an angle of 0°18' right a distance of 800 feet; Thence an angle of 3°26' right a distance of 200 feet; Thence northward along Section line a distance of 581 feet to the point of beginning;

Sec. 22;

Sec. 30, NE¼NE¼NE¼.

The areas described aggregate approximately 9,663.47 acres in Lincoln County.

3. The mineral estate in the lands in Sec. 36, T. 22 N., R. 34 E., and in Secs. 4 and 9, T. 22 N., R. 32 E., is not in Federal ownership and will not be opened to mining and mineral leasing.

4. The lands in Secs. 10, 12, and 34, T. 22 N., R. 32 E., E½NE¼ and a portion of the NW¼NE¼, Sec. 8, T. 22 N., R. 33 E., and the W½NE¼, NW¼, and S½ in Sec. 20, T. 21 N., R. 36 E., W.M., have been and remain open to mining and mineral leasing.

5. At 8:30 a.m., on December 3, 1992, the lands described in paragraph 2 will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid existing applications received at or prior to 8:30 a.m., on December 3, 1992, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

6. At 8:30 a.m., on December 3, 1992, the lands described in paragraph 2, except as provided in paragraphs 3 and 4, will be opened to location and entry under the United States mining laws. Appropriation of land under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

7. At 8:30 a.m., on December 3, 1992, the lands described in paragraph 2, except as provided in paragraphs 3 and 4, will be opened to applications and offers under the mineral leasing laws.

Dated: October 19, 1992.

Robert E. Mollohan,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 92-26059 Filed 10-27-92; 8:45 am]

BILLING CODE 4310-33-M

[OR-050-4212-11:GP3-007]

Realty Action—Recreation and Public Purposes Classification and Lease of Public Lands in Deschutes County, Oregon

OR-48823

The following described lands have been examined and found to be suitable for lease under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869 et. seq.).

T. 19 S., R. 15 E., W.M., Deschutes County, Oregon

Sec. 28, NWNW, S2NW, SW, W2SE, SESE;

Sec. 29, E2;

Sec. 32, NENE, portion lying north of Hwy. 20;

Sec. 33, N2N2, portion lying north of Hwy. 20.

The described lands, comprising approximately 850 acres, are being offered by lease to the Central Oregon Shooting Sports Association, to allow for the development of a shooting range.

This Decision/Notice is based on the following:

(1) The lands are found to be suitable for the proposed action.

(2) The affected lands are not considered to be of National Significance.

(3) The proposed use is in conformance with BLM, State and Local land use planning.

(4) The proposed action is not expected to have significant or controversial environmental effects.

(5) The area would be fenced and posted for safety purposes and to exclude livestock.

(6) Motorcycle trails in the Millican Valley ORV area would be routed around the site.

(7) Restrictions on use of the site would be applied during periods of severe winter weather conditions to preserve the integrity of designated deer winter range.

(8) To control access and curtail vandalism, the range would be open to the general public only on specific days. The public would have access to the site anytime a member is present to facilitate access.

(9) COSSA would sponsor hunter safety courses and have the range available for sight-in purposes preceding the fall hunting season.

(10) The classification/lease of the land to the Central Oregon Shooting Sports Association is in conformance with policy established by the Secretary of Interior to provide lands for needed recreational development.

The classification and granting of the lease will not be adverse to any known public or private interests. By classification, the lands are segregated from all appropriations, including locations under the mining laws, except as to applications under the Mineral Leasing Laws.

Detailed information concerning this application, including the field reports and environmental assessment, are available for review at the Prineville District Office, 185 E. Fourth, PO Box 550, Prineville, Oregon 97754.

Petition for classification OR-48823 is approved as to the land described above.

Dated: October 19, 1992.

James L. Hancock,

District Manager.

[FR Doc. 92-26058 Filed 10-27-92; 8:45 am]

BILLING CODE 4310-33-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-339]

Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Respondent Koch/Lumtech

In the Matter of Certain Commercial Food Portioners, components thereof, Including Software, and Process Thereof

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the initial determination (ID) issued by the presiding administrative law judge (ALJ) on September 24, 1992, in the above-captioned investigation, terminating the investigation as to respondent Koch/Lumetech.

ADDRESSES: Copies of the ID and all other non-confidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3104. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: On September 23, 1992, respondents Koch

Supplies Inc. and Koch/Lumetech filed a motion to terminate the investigation as to Koch/Lumetech. The motion was consented to by the other parties in this investigation.

The presiding ALJ granted the motion on the grounds that were argued in the motion, *i.e.*, (1) Koch/Lumetech is not an entity separate from Koch Supplies Inc.; (2) Koch/Lumetech is simply a designation used by Koch Supplies in marketing the Lumetech equipment, (3) the retaining of Koch/Lumetech as a separate party would result in needless duplication of filings, (4) there is no need for the continuation of Koch/Lumetech as a separate party; and (5) there is no opposition to the motion. The ID found that termination of Koch/Lumetech as a party to this investigation will not impede discovery or hamper any relief that might be provided complainant under section 337.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and 210.53(h) of the Commission's Interim Rules of Practice and Procedure (19 CFR 210.53(h).

Issued: October 19, 1992.

By order of the Commission.

Paul R. Bardos,

Acting Secretary.

[FR Doc. 92-26116 Filed 10-27-92; 8:45 am]

BILLING CODE 7020-02-M

[332-334]

United States-Canada Free-Trade Agreement: Probable Economic Effect on U.S. Industries and Consumers of Immediate Elimination of U.S. Tariffs on Certain Articles From Canada

AGENCY: United States International Trade Commission.

ACTION: Notice of amendment of scope of investigation to include additional articles and to modify certain article descriptions, and scheduling of public hearing.

SUMMARY: Following receipt on October 15, 1992, of a supplemental request from the United States Trade Representative (USTR), the Commission amended the scope of investigation No. 332-334 and will provide advice to the President with respect to each of the 22 additional and 6 modified articles listed in the notice published by the USTR in the **Federal Register** of October 23, 1992 (57 FR 48407), of its judgment as to the probable economic effect of the immediate elimination of the U.S. tariff, under the United States-Canada Free-Trade Agreement (CFTA), on domestic industries producing like or directly competitive articles and on consumers. The Commission will provide the advice on the additional articles along with its advice on the originally requested articles by November 27, 1992.

EFFECTIVE DATE: October 22, 1992.

FOR FURTHER INFORMATION CONTACT: The Project Leader, Ms. Gail Burns (202-205-2501), General Manufacturers Division, Office of Industries, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. For information on legal aspects of the investigation, contact Mr. William Gearhart of the Commission's Office of the General Counsel (202-205-3091). The media should contact Edward Carroll, Acting Director, Office of Public Affairs (202-205-1819).

Hearing impaired persons can obtain information on this study by contacting our TDD terminal on 202-205-1810.

Background

The 22 additional articles for which advice is requested are in addition to nearly 2,000 articles for which the USTR requested similar advice in a letter received by the Commission on August 28, 1992. The latter articles are listed in Annex 1 (and supplement) of a notice issued by the USTR and published in the **Federal Register** of September 4, 1992 (57 FR 40720). This investigation was instituted in response to that request under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)). It was instituted in order that the Commission might advise the President, with respect to each dutiable article listed in Annex 1 (and supplement) of the USTR request, of its judgment as to the probable economic effect of the immediate elimination of the U.S. tariff, under the CFTA, on domestic industries producing like or directly competitive articles, and on consumers. Notice of institution of the investigation was published in the **Federal Register** of September 18, 1992 (57 FR 43260).

The 22 additional articles for which the USTR requests that the Commission provide advice are as follows:

Article	U.S. HTS subheading
Roasted molybdenum ores and concentrates.	2613.10.00
Nonwovens solely of polyesters, suitable to be employed in the manufacture of printed circuit boards.	5603.00.30(pt)
Nonwovens suitable for use in the manufacture of sanitary towels, diapers, or panty liners.	5603.00.30(pt)
Nonwovens of polypropylene	5603.00.30(pt)
Nonwovens of polyester	5603.00.30(pt)
Nonwovens suitable for use in the manufacture of sanitary towels, diapers, or panty liners.	5603.00.90(pt)
Nonwovens of polypropylene	5603.00.90(pt)
Nonwovens of polyester	5603.00.90(pt)
Aluminized welded steel tubes, pipes, and hollow profiles.	7306.60.10(pt)
Aluminized welded steel tubes, pipes, and hollow profiles.	7306.60.50(pt)
Blind rivets	7318.23.00(pt)
Unworked copper tubing suitable for use in refrigeration units or air conditioners.	7411.10(pt)[1]
Freezers of the upright type, not exceeding 900 liters capacity.	8418.40.00(pt)
Refrigeration condensing units	8418.99.00(pt)
Water-cooled condensers	8418.99.00(pt)
Hubs for tractor trailers	8716.90.50(pt)
Brake drums for tractor trailers.	8716.90.50(pt)
Viewfinder eye cushions for cinematographic cameras.	9007.91.80(pt)
Light bases suitable for use in airfield lighting applications.	9032.89(pt)[2]

[1] Consists of 2 subheadings.
[2] Consists of 3 subheadings.

The 6 articles for which the USTR requests that the Commission provide advice based on a modified description are as follows:

Article	U.S. HTS subheading
Prepared meals with not less than 10% and not more than 20% meat, not dehydrated and not requiring refrigeration, in vacuum sealed airtight pouches or trays.	2106.90.60(pt)
Polyamide film suitable to be employed in the manufacture of printed circuit boards.	3920.92.00(pt)
Nonwovens of polyester or rayon fibers, suitable for use in fabric softener sheets.	5603.00.90(pt)
Nonwovens solely of polyesters, suitable to be employed in the manufacture of printed circuit boards.	5603.00.90(pt)
Furniture designed for goods of subheading 8418.10.00, 8418.30.00, or 8418.40.00, or for drinking water coolers, self-contained, or unit coolers of subheading 8418.69.00.	8418.91.00(pt)
Parts of freezers of subheading 8418.30.00 or 8418.40.00.	8418.99.00(pt)

Public Hearing

Persons with an interest in testifying with respect to the additional and modified articles may appear at the public hearing in this matter set for 9:30 a.m., November 9, 1992, in the

Commission Hearing Room, 500 E Street, SW., Washington, DC. All persons will have the right to appear by counsel or in person, to present information, and to be heard. Persons wishing to appear at the hearing should file requests to appear not later than November 4, 1992. Prehearing briefs (original and 14 copies) should also be filed with the Secretary not later than 5 p.m., November 4, 1992. Any posthearing briefs must be filed with the Secretary by November 13, 1992. In the event that no requests to appear at the November 9 hearing are received by the close of business on November 4, the hearing will be cancelled without publication of further notice. Any person interested in attending the hearing as an observer or non-participant should call the Commission (202–205–1808) after November 4 to determine whether the hearing will be held.

Written Submissions

In lieu of or in addition to appearance at the public hearing, interested persons are invited to submit written statements concerning the investigation. Written statements should be received by the close of business on November 4, 1992. Commercial or financial information which a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons. All submissions should be addressed to the Secretary at the Commission's office in Washington, DC.

By order of the Commission.

Issued: October 23, 1992.

Paul R. Bardos,

Acting Secretary.

[FR Doc. 92–26174 Filed 10–27–92; 8:45 am]

BILLING CODE 7020–02–M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32169]

Genesee & Mohawk Valley Railroad Co.—Acquisition and Operation Exemption—Consolidated Rail Corp.; Notice of Exemption

Genesee & Mohawk Valley Railroad Co. (G&MV), a noncarrier, has filed a notice of exemption to acquire and operate 16 miles of rail line, consisting of three segments, located in Oneida and Genesee Counties, NY, owned by the Consolidated Rail Corporation (Conrail). The line segments are as follows: (1) The Utica Yard, approximately 1.8 miles of yard track between milepost 237.7 East and milepost 235.9 along Conrail's Chicago Line, in Oneida County, NY; (2) a portion of the Rome Industrial Trackage, running approximately 8 miles from milepost 46 to milepost 38, which diverges from the Chicago Line at milepost 248.2, in Oneida County, NY; and (3) portions of the Batavia-Lehigh & Lower Town Industrial Trackage, a total of approximately 6.2 miles in three segments, diverging from the Chicago Line at CP 402, milepost 402.4, again at milepost 406.7, and milepost 406.9, in Genesee County, NY. The parties propose to consummate the transaction on or about November 10, 1992.

This transaction is related to a petition concurrently filed in Finance Docket No. 32170, *David Monte Verde, Michael Thomas, Charles Riedmiller, Jeffrey Baxter and John Herbrand and Genesee Valley Transportation Company, Inc.—Continuance in Control Exemption—Genesee & Mohawk Valley Railroad Co.*, under 49 U.S.C. 10505, to exempt G&MV's indirect and direct owners from the prior review and approval requirements of 49 U.S.C. 11343 for their continuance in control of G&MV, upon its becoming a class III rail carrier. G&MV's corporate parent, Genesee Valley Transportation Company, Inc., currently controls several other class III rail carriers.

Any comments must be filed with the Commission and served on: Mary Todd Carpenter, Gerst, Heffner, Carpenter & Precup, suite 1107, 1700 K Street, NW., Washington, DC 20006.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: October 21, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92–26133 Filed 10–27–92; 8:45 am]

BILLING CODE 7035–01–M

[Revised I.C.C. Order No. P–113]

Passenger Train Operation; Chicago and North Western Transportation Co.

The National Railroad Passenger Corporation (AMTRAK) has established through passenger train service between Chicago, Illinois and San Francisco, California. The operation of these trains require the use of tracks and other facilities of the Burlington Northern Railroad Company (BN). A portion of BN's main is out of service on account of high water between Osceola and Ottumwa, Iowa. An alternate route is available via the Chicago and North Western Transportation Company (CNW) between Omaha, Nebraska and Chicago, Illinois.

It is the opinion of the Commission that such operations are necessary in the interest of the public and the commerce of the people; 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,

(a) Pursuant to authority vested in me by order of the Commission, decided January 13, 1986, and the authority vested in the Commission by section 402(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 562(c)), the Chicago and North Western Transportation Company is directed to operate trains of the National Railroad Passenger Corporation (AMTRAK) over its line between Omaha, Nebraska and Chicago, Illinois.

(b) In executing the provisions of this order, the common carriers involved shall proceed even if no agreements or arrangements may now exist between them with reference to the compensation terms and conditions applicable to said operations. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of said carriers in accordance with pertinent authority conferred upon it by the Interstate Act and by the Rail Passenger Act of 1970, as amended.

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

(d)[1] *Effective date.* This order shall become effective at 1 a.m., (E.D.T.) September 15, 1992.

(e)[1] *Expiration date.* The provisions of this order shall expire at 6 a.m. (E.D.T.), September 24, 1992, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon the Chicago and North Western Transportation Company and the National Railroad Passenger Corporation, and a copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, DC, September 17, 1992, by Bernard Gaillard, Agent.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-26134 Filed 10-27-92; 8:45 am]

BILLING CODE 7035-01-M

[I.C.C. Order No. P-113]

Passenger Train Operation; Chicago and North Western Transportation Co

The National Railroad Passenger Corporation (AMTRAK) has established through passenger train service between Chicago, Illinois and San Francisco, California. The operation of these trains require the use of tracks and other facilities of the Burlington Northern Railroad Company (BN). A portion of BN's main is out of service on account of high water between Osceola and Ottumwa, Iowa. An alternate route is available via the Chicago and North Western Transportation Company (CNW) between Omaha, Nebraska and Chicago, Illinois.

It is the opinion of the Commission that such operations are necessary in the interest of the public and the commerce of the people; 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,

(a) Pursuant to authority vested in me by order of the Commission, decided January 13, 1986, and the authority vested in the Commission by section 402(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 562(c)), the Chicago and North Western Transportation Company is directed to operate trains of the National Railroad Passenger Corporation (AMTRAK) over its line between Omaha, Nebraska and Chicago, Illinois.

(b) In executing the provisions of this order, the common carriers involved shall proceed even if no agreements or arrangements may now exist between them with reference to the compensation terms and conditions applicable to said operations. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of said carriers in accordance with pertinent authority conferred upon it by the Interstate Act and by the Rail Passenger Act of 1970, as amended.

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

(d) *Effective date.* This order shall become effective at 6 a.m., (E.D.T.) September 15, 1992.

(e) *Expiration date.* The provisions of this order shall expire at 6 a.m. (E.D.T.), September 19, 1992, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon the Chicago and North Western Transportation Company and the National Railroad Passenger Corporation, and a copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, DC, September 15, 1992, by Bernard Gaillard, Agent.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-26135 Filed 10-27-92; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-2-92]

Canadian Standards Association

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Amendment to preliminary finding.

SUMMARY: This notice amends and offers further explanation of the preliminary finding on the application of the Canadian Standards Association for recognition as a nationally recognized testing laboratory which was published on June 3, 1992.

FOR FURTHER INFORMATION CONTACT: James J. Concannon, Director, Office of Variance Determination, NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, Third Street and Constitution Avenue, NW., Room N-3653, Washington, DC 20210.

SUPPLEMENTARY INFORMATION: On June 3, 1992 the Occupational Safety and Health Administration (OSHA) published in the **Federal Register** a notice of the application of the Canadian Standards Association (CSA) for OSHA recognition as a nationally recognized testing laboratory pursuant to 29 CFR 1910.7 (57 FR 23429). The notice included a preliminary finding that the Canadian Standards Association (Toronto) could meet the requirements for recognition detailed in 29 CFR 1910.7 and it invited public comment on the application.

The American Council of Independent Laboratories (ACIL) has objected to the preliminary notice, stating *inter alia* that the preliminary finding was flawed in that OSHA did not address the requirement in section I.A.1. of appendix A to the regulation (Exs. 4-1 and 4-24). Appendix A states in pertinent part:

> 1. *Eligibility.* a. Any testing agency or organization considering itself to meet the definition of nationally recognized testing laboratory as specified in § 1910.7 may apply for OSHA recognition as an NRTL.
>
> b. However, in determining eligibility for a foreign-based testing agency or organization, OSHA shall take into consideration the policy of the foreign government regarding both the acceptance in that country of testing data, equipment acceptances, and listings, and labeling, which are provided through nationally recognized testing laboratories recognized by the Assistant Secretary, and the accessibility to government recognition or a similar system in that country by U.S. based safety-related testing agencies, whether recognized by the Assistant Secretary or not, if such recognition or a similar system is required by that country.

Specifically, the ACIL objected to what it termed the Agency's failure to address the "foreign reciprocity requirement", the failure to provide any legal interpretation or factual finding with respect to this requirement, and the failure to give any indication of the Agency's reasoning with respect to this issue. While not conceding that the preliminary notice was procedurally flawed, OSHA has decided to address the appendix A issue herein. In light of the fact that appendix A (which requires that the Assistant Secretary consider the treatment of U.S. companies by a foreign government in entertaining applications from foreign-based certification organizations) raises issues that might

[1] Change of effective periods.

have an impact on foreign trade policy, the Agency also asked the General Counsel of the Office of the United States Trade Representative (USTR) for assistance in interpreting whether the requirement in appendix A to § 1910.7 is consistent with obligations under the U.S.-Canada Free Trade Agreement (CFTA).

According to the USTR, (Exhibit 2.S.), the CFTA requires that each party shall accord the other party "national treatment" with respect to trade in goods and services. The legislation implementing the CFTA provides that where there is a conflict between the CFTA and an existing statute or regulation, the existing statute or regulation will prevail. However, the Statement of Administrative Action accompanying the implementing legislation explains that this section is to be construed to allow for the interpretation of such statutes and regulations in a way that is consistent with the CFTA. By its own terms, section I.A.1.b. of appendix A requires OSHA to consider the treatment of U.S. companies by a foreign government but does not require that a finding of reciprocity is a precondition to NRTL accreditation. Since the United States has agreed to accord national treatment to Canadian service organizations, OSHA must accord a Canadian applicant for recognition as a nationally recognized testing laboratory the same treatment it would an American applicant.

OSHA believes that there is substantial merit in the opinion of the USTR on this issue. Therefore OSHA is inclined to adopt this opinion as its own and does not view the requirements of section I.A.1.b. of the appendix to 29 CFR 1910.7 to bar OSHA from proceeding further with the evaluation of the CSA application for recognition.

The Assistant Secretary's final decision on whether CSA satisfies the requirements for recognition as an NRTL will be made on the basis of the entire record in this proceeding.

This notice is published pursuant to section 6(b) of the Occupational Safety and Health Act of 1970 (84 Stat. 1593, 29 U.S.C. 655), Secretary of Labor's Order No. 1-90 (55 FR 9033).

Signed at Washington, DC this 23d day of October, 1992.

Dorothy L. Strunk,

Acting Assistant Secretary.

[FR Doc. 92-26137 Filed 10-27-92; 8:45 am]

BILLING CODE 4510-26-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: Office of Records Administration, NARA.

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 U.S.C. 3303a(a).

DATES: Request for copies must be received in writing on or before December 14, 1992. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

ADDRESSES: Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, Washington, DC 20408. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in the parentheses immediately after the name of the requesting agency.

SUPPLEMENTARY INFORMATION: Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending

1. Department of Agriculture, Cooperative State Research. (N1-164-92-2). Administrative and facilitative records.

2. Department of Commerce, Office of the Solicitor (N1-40-92-2). Contract settlement case files, 1944-1954.

3. Department of Commerce, Patent and Trademark Office (N1-241-92-3). Quality review samples of allowed patent applications.

4. Department of the Air Force. (NI-AFU-92-32). Routine weather reports.

5. Department of the Air Force. (NI-AFU-92-33). Routine records of closing bases.

6. Department of the Navy, Bureau of Naval Personnel (N1-NU-92-16). Physical readiness test results for naval personnel.

7. Department of the Navy, Bureau of Naval Personnel (N1-NU-92-17). Extract from a permanent electronic file of individual awards to naval personnel.

8. Department of Labor, Employment and Training Administration (N1-369-92-1). Comprehensive schedule for the Secretary's Commission on Achieving Necessary Skills.

9. Securities and Exchange Commission, Office of Filings, Information and Consumer Services. (N1-266-91-1). Compliance filings for foreign issuers and affiliate and small investment companies.

Dated: October 19, 1992.

Claudine J. Weiher,

Acting Archivist of the United States.

[FR Doc. 92-26055 Filed 10-27-92; 8:45 am]

BILLING CODE 7515-01-M

NATIONAL CREDIT UNION ADMINISTRATION

Public Information Collection Requirement Submitted to OMB for Review

October 14, 1992.

The National Credit Union Administration has submitted the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submissions may be obtained by calling the NCUA Clearance Officer listed. Comments regarding information collections should be addressed to the OMB reviewer listed and to the NCUA Clearance Officer, NCUA, Administrative Office, room 7344, 1776 G Street, Washington, DC 20456

National Credit Union Administration

OMB Number: 3133–0015.
Form Number: 4000, 4001, 4008, 4012, and 9500.
Type of Review: Reinstatement of a previously approved collection for which approval has expired.
Title: Federal Credit Union Charter Application.
Description: The forms constitute the application for, and investigation of, a new federal credit union charter. Statute requires investigating the organization, the character and fitness of charter subscribers, and the economic advisability of the proposed charter.
Respondents: Federal credit unions.
Estimated Number of Respondents: 75.
Estimated Burden Hours per Response: 4 hours.
Frequency of Response: Once at organizing.
Estimated Total Reporting Burden: 300.

OMB Number: 3133–0016.
Form Number: None.
Type of Review: Reinstatement of a previously approved collection for which approval has expired.
Title: Letter of Understanding and Agreement.
Description: Financial information to determine progress of federally insured credit unions receiving special assistance to avoid liquidation.
Respondents: Federally insured credit unions.
Estimated Number of Respondents: 812.
Estimated Burden Hours per Response: 1.077 hours.
Frequency of Response: Monthly.
Estimated Total Reporting Burden: 11,368.

OMB Number: 3133–0032.
Form Number: None.
Type of Review: Reinstatement of a previously approved collection for which approval has expired.
Title: Records, Preservation—12 CFR 149.
Description: 12 CFR 749 mandates the offsite storage of records of member's share and loan balances and credit union financial reports to be used for records reconstruction in the even event of destruction of the credit union's records.
Respondents: Federally insured credit unions.
Estimated Number of Respondents: 13,000.
Estimated Burden Hours per Response: 2 hours.
Frequency of Response: Quarterly.
Estimated Total Reporting Burden: 26,000.

OMB Number: 3133–0053.
Form Number: NCUA 4501 and NCUA 9610.
Type of Review: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.
Title: Report of Officials.
Description: This statutory provision requires that a record of the names and addresses of the the executive officers, members of the supervisory committee, credit committee, and loan officers, shall be filed with the Administration within 10 days of their election/appointment.
Respondents: Federally insured credit unions.
Estimated Number of Respondents: 13,030.
Estimated Burden Hours per Response: 5 hours.
Frequency of Response: Annually.
Estimated Total Reporting Burden: 6,515.

OMB Number: 3133–0057.
Form Number: None.
Type of Review: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.
Title: Monthly Board Meeting Minutes.
Description: This bylaw requires the board secretary to prepare and maintain full and correct records of all meetings of members and the board. The secretary must inform the NCUA Board in writing of any address change of the credit union office or in the location of its principal records.
Respondents: Federal credit union board of directors.
Estimated Number of Respondents: 8,335.
Estimated Burden Hours per Response: 3.25 hours.
Frequency of Response: Monthly.
Estimated Total Reporting Burden: 27,089.

OMB Number: 3133–0059.
Form Number: None.
Type of Review:. Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.
Title: Supervisory Committee Records.
Description: This section of the bylaws requires the secretary of the supervisory committee to prepare, maintain, and have custody of full and correct records of all actions taken by the committee.
Estimated Number of Respondents: 8,335.
Estimated Burden Hours per Response: 10 hours.
Frequency of Response: Annually.
Estimated Total Reporting Burden: 83,350.

OMB Number: 3133–0081.
Form Number: None.
Type of Review: Reinstatement of a previously approved collection for which approval has expired.
Title: Credit Union Bylaws and Certification, Bylaws, Article XIX, Section 5.
Description: This section of the bylaws requires each federal credit union to maintain of file copies of its organization certificate, bylaws, amendments, and any special authorizations. The bylaw also requires returns of nominations, elections, and proceedings of membership and board meetings be recorded in minute books and the minutes signed.
Estimated Number of Respondents: 8,335.
Estimated Burden Hours per Response: 2 hours.
Frequency of Response: On occasion.
Estimated Total Reporting Burden: 1,667.

Clearance Officer: Wilmer A. Theard, (202) 682–9700, National Credit Union Administration, room 7344, 1776 G Street, NW., Washington, DC 20456.

OMB Reviewer: Gary Waxman (202) 395–7340, Office of Management and Budget, room 3208, New Executive Office Building, Washington, DC 20503.

Becky Baker,
Secretary of the NCUA Board.

[FR Doc. 92–26056 Filed 10–27–92; 8:45 am]
BILLING CODE 7535–01–M

NUCLEAR REGULATORY COMMISSION

Advisory Committee On Reactor Safeguards, Subcommittee on Plant Operations; Postponement

A meeting of the ACRS Subcommittee on Plant Operations scheduled to be held on November 4, 1992, room P-110, 7920 Norfolk Avenue, Bethesda, MD has been postponed to December 9, 1992, at the request of the NRC staff. Notice of this meeting was published in the Federal Register on Tuesday, October 20, 1992 (57 FR 47883).

For further information contact: Mr. Douglas Coe, cognizant ACRS staff engineer, (telephone 301/492-8972) between 7:30 a.m. and 4:15 p.m. (E.S.T).

Dated: October 22, 1992.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 92-26095 Filed 10-27-92; 8:45 am]

BILLING CODE 7590-01-M

Biweekly Notice

Applications and Amendments to Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law (P.L.) 97-415, the Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. P.L. 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from October 2, 1992, through October 16, 1992. The last biweekly notice was published on October 14, 1992 (57 FR 47127).

Notice Of Consideration Of Issuance Of Amendment To Facility Operating License, Proposed No Significant Hazards Consideration Determination, And Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Directives Review Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 27, 1992, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room for the particular facility involved. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a

supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington DC 20555, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to (Project Director): petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room for the particular facility involved.

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of amendment request: September 25, 1992

Description of amendment request: The proposed changes to the Calvert Cliffs Nuclear Power Plant, Units 1 and 2, Technical Specifications (TS) were requested by the Baltimore Gas and Electric Company (BG&E, the licensee) in its submittal dated September 25, 1992.

The proposed amendments would revise TS 4.7.1.2.a.4. to exclude from the requirement to verify valve position every 31 days the valves that are locked, sealed, or otherwise secured in position in the direct flow path of the Auxiliary Feedwater System. These valves are included in the licensee's program that provides administrative control requirements for locked valves.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) Would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The safety function of the Auxiliary Feedwater System is to remove decay heat from the Reactor Coolant System following accidents which involve a loss of main feedwater. In support of this function, Technical Specification 4.7.1.2.a.4 requires each valve in the auxiliary feedwater flow path be periodically verified to be in its correct position. The proposed change would exclude those valves which are locked, sealed or otherwise secured in position. These valves are included in our procedure that provides administrative control requirements for locked valves. A locked, sealed or otherwise secured valve gives equivalent assurance that the valve will remain in the correct position as the 31-day surveillance does. This proposed change does not affect accidents evaluated in the Updated Final Safety Analysis Report (UFSAR). No change is being made to any accident initiators, mitigation features or assumptions. Therefore, this proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Would not create the possibility of a new or different type of accident from any accident previously evaluated.

The proposed change does not represent a change in the configuration or operation of the plant. The valves affected by this change will remain in their current position. Therefore, this proposed change does not create the possibility of a new or different type of accident from any accident previously evaluated.

(3) Would not involve a significant reduction in a margin of safety.

Valves affected by this change are locked, sealed, or otherwise secured in position prior to entering the applicable operating conditions. Although this proposed change will remove the requirement that they be periodically verified, the administrative controls to lock, seal, or otherwise secure them in position make this periodic verification requirement unnecessary. A locked, sealed or otherwise secured valve gives equivalent assurance that the valve will remain in the correct position as the periodic verification requirement does. The probability of inadvertent operation of these valves is very low, and administrative controls exist in procedures if any of these valves are removed from their locked, sealed or otherwise secured condition. Therefore, this proposed change would not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland 20678.

Attorney for licensee: Jay E. Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: Robert A. Capra

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of amendments request: September 25, 1992

Description of amendments request: The proposed changes to the Calvert Cliffs Nuclear Power Plant, Units 1 and 2, Technical Specifications (TS) were requested by Baltimore Gas and Electric Company (BG&E, the licensee) in its submittal dated September 25, 1992.

The proposed amendments would revise the TS by expanding the acceptable methods for obtaining samples from charcoal filter units. The current TS allow the charcoal samples to be taken from sectioned adsorber test trays only. The proposed change would include the option to take charcoal samples from standard adsorber trays in accordance with the Nuclear Regulatory Commission Regulatory Guide 1.52, "Design, Testing, and Maintenance Criteria for Post Accident Engineered Safety Feature Atmosphere Cleanup System Air Filtration and Absorption Units of Light-Water-Cooled Nuclear Power Plants," Revision 2, dated March 1978. The following TS and systems would be affected by the proposed change: TS 4.6.3.1b.3 and 4.6.3.1c.1 for the Iodine Removal System; TS 4.6.6.1b.3 and 4.6.6.1c.1 for the Penetration Room Exhaust Air Filtration System; TS 4.7.6.1c.3 and 4.7.6.1d for the Control Room Emergency Ventilation System; TS 4.7.7.1b.3 and 4.7.7.1c for the Emergency Core Cooling System Pump Room Exhaust Air Filtration System; and TS 4.9.12b.3 and 4.9.12c for the Spent Fuel Pool Ventilation System.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Would not involve a significant increase in the probability or consequences of an accident previously evaluated.

Charcoal filter units are used to remove radioactive iodine from air systems following an accident and are not a precursor to any accident previously evaluated. Changes to the test sample collection method would not affect any accident precursors and would not change the probability of any accident.

The proposed change would allow charcoal filter samples to be collected from standard adsorber trays. The testing performed on the charcoal samples to verify their effectiveness is unchanged. Charcoal filter sample collection from standard adsorber trays is an approved method of sample collection which will have no adverse effect on the accuracy of the charcoal filter testing. Therefore, the proposed change will have no adverse effect on charcoal filter performance following an accident and their ability to mitigate the consequences of an accident.

Therefore, the proposed change will not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Would not create the possibility of a new or difference type of accident from any accident previously evaluated.

This proposed change to the charcoal sample collection method does not involve a change in the design or operation of the plant. Therefore, this change would not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Would not involve a significant reduction in a margin of safety.

The margin of safety provided by the charcoal filter units is the rated removal efficiency for radioactive iodine following an accident. The proposed changes do not alter the removal efficiency test acceptance criteria for charcoal filter samples. The proposed charcoal filter sample collection option is an approved method. The margin of safety provided by the charcoal filter units is unaffected. Therefore, this change would not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendments request involves no significant hazards consideration.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland 20678.

Attorney for licensee: Jay E. Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: Robert A. Capra

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of amendments request: September 29, 1992

Description of amendments request: This amendment revises Technical Specifications Figure 5.1-1, Site Boundary Map, and Figure 5.1-2, Low Population Zone Map. This revision is needed to correct the discrepancy between the current site property lines and the property lines as shown on Technical Specifications Figure 5.1-1 and Figure 5.1-2. This discrepancy results from the purchase of land in 1986 and the failure to update the technical specifications to reflect the change in site property lines.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

The proposed changes have been evaluated against the standards of 10 CFR 50.92 and have been determined not to involve a significant hazards consideration, in that operation of the facility in accordance with the proposed amendment:

1. Would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed update of the Site Boundary Map and the Low Population Zone Map is administrative and does not constitute a substantive change to the Technical Specifications. Therefore, the changes do not involve a significant increase in the probability or consequence of an accident previously evaluated.

2. Would not create the possibility of a new or different type of accident from any accident previously evaluated.

The proposed changes do not modify the plant's configuration or operation as they are administrative. As a result, no new accident initiators are introduced. Therefore, the changes do not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Would not involve a significant reduction in a margin of safety.

As the proposed changes are administrative and do not constitute a substantive change to the Technical Specifications, the margin of safety is not affected. Therefore, the changes do not involve a significant reduction in a margin of safety.

Based on the above, we have concluded that these changes do not constitute a significant hazard.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendments request involves no significant hazards consideration.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland 20678.

Attorney for licensee: Jay E. Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: Robert A. Capra

Boston Edison Company, Docket No. 50-293, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts

Date of amendment request: October 8, 1992

Description of amendment request: The proposed amendment would revise Section 3.7.B.1.c, 3.7.B.1.e, 3.7.B.2.a, and 3.7.B.2.c, to incorporate an asterisk referencing a footnote granting relief to

allow only one train of the Standby Gas Treatment (SGTS) and one train of the Control Room High Efficiency Air Filtration (CRHEAF) System operable prior to and during activities involving irradiated fuel movement or operations conducted over irradiated fuel during Refueling Outage (RFO) ¢9 (April 3, 1993 to June 8, 1993).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

Technical Specifications 3.7.B.1 and 3.7.B.2 restrict the movement of irradiated fuel only when one train of SGTS or one train of CRHEAF are operable. Irradiated fuel movement may not begin and may only continue for seven days when the Limiting Condition of Operation is entered.

The temporary relief from these restrictions does not involve a significant increase in the probability or consequences of an accident previously evaluated because compensatory measures will be in place and because the relief is for a finite, relatively short period.

During the requested relief period, fuel movement will not commence until 5 days following plant shutdown and the reactor vessel will be flooded-up to elevation 114'. The 5 day period provides decay-time before irradiated fuel movement begins. Flooding-up to elevation 114' provides an enlarged inventory reducing the possibility of a loss-of-coolant event exposing fuel such that radioactive gasses are produced, an event SBGTS and CRHEAF could mitigate.

Other compensatory measures include requiring the SBO diesel or the shutdown transformer to be operable prior to and during fuel movement. This adds defense-in-depth by making available another power supply to the in-service safety-related bus. Also, the substitution of a non-safety power supply to the SGTS and CRHEAF "inoperable" systems while their safety-grade bus is

out-of-service for maintenance will provide offsite power to the "inoperable" train. While this electrical supply is not safety-grade, it is reliable and capable of powering the SGTS and CRHEAF systems. The components of the "inoperable" trains will be available with power from an alternate power source. The compensatory connection to the non-safety grade bus gives added confidence these trains can perform their design function although they are not "operable" as defined by Technical Specifications.

Operating Pilgrim in accordance with this relief request does not involve a significant increase in the probability or consequences of an accident previously analyzed because the relief is effective for a limited time and because compensatory measures will be in force to: restrict the commencement of irradiated fuel handling or new fuel handling over the spent fuel or core until 5 days following reactor shutdown; provide a reliable source of power to the "inoperable" SGTS and CRHEAF systems; provide an enlarged coolant inventory to protect irradiated fuel from the effects of an inadvertent draindown of the vessel; and provide an additional source of emergency power to the active SGTS and CRHEAF systems by ensuring the operability of the SBO diesel generator or the Shutdown Transformer.

2. The operation of Pilgrim Station in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

Planned maintenance activities require removing a safety-related bus and emergency diesel generator powering a train of SGTS and CRHEAF from service. The redundant trains are not affected. The affected trains of SGTS and CRHEAF will be connected to a non-safety bus, allowing them to operate but not allowing them to be considered operable under the purview of Technical Specifications. The relief requested by this amendment allows refueling activities to commence with one train of SGTS and CRHEAF fully operable and the other train available but not powered by its safety grade bus and associated emergency diesel generator. Compensatory measures will be in effect during refueling activities. The proposed relief does not create the possibility of a new or different kind of accident from the fuel-drop accident previously analyzed. Therefore, operating Pilgrim in accordance with this change will not create the possibility of a new or different kind of accident from any accident previously analyzed.

3. The operation of Pilgrim Station in accordance with the proposed amendment will not involve a significant reduction the margin of safety.

SGTS and CRHEAF contribute to the margin of safety by supporting the Secondary Containment System during fuel-handling by mitigating the consequences of a fuel-handling event. Relief from the requirements to have both trains of SGTS and CRHEAF operable prior to or during fuel movement activities for a limited time period does not involve a significant reduction in the margin of safety because the first line of defense, the other SGTS and CRHEAF trains, will be operable. The redundant trains will also be powered and operable in all ways except the "operable" concept required by Technical Specification.

Hence, the actual condition of the equipment allowing it to meet its design function except by the Technical Specification concept of operable, the limited time period allowed by the relief, and the described compensatory measures that will be in effect when the relief is employed, constrain the potential impact on the margin of safety by using the relief; therefore, operating Pilgrim in accordance with this proposed Technical Specification relief request does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis, and based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360.

Attorney for licensee: W. S. Stowe, Esquire, Boston Edison Company, 800 Boylston Street, 36th Floor, Boston, Massachusetts 02199.

Project Director: Walter R. Butler

Carolina Power & Light Company, et al., Docket No. 50-400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of amendment request: July 21, 1992

Description of amendment request: The proposed changes to the Technical Specifications (TS) would add new programmatic requirements governing radioactive effluents, radiological environmental monitoring and solid radioactive wastes to the Administrative Controls Section of the TS. The existing TS containing procedural details on radioactive effluents, radiological environmental monitoring, solid radioactive wastes and associated reporting requirements are being relocated to the Offsite Dose Calculation Manual (ODCM) or to the Process Control Program (PCP), as appropriate, in accordance with Generic Letter 89-01.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Transferring the procedural details from the TS to the ODCM and PCP and their replacement with programmatic controls have [sic] no impact on plant operation or safety. No safety-related equipment, safety function, or plant operation will be altered as a result of this proposed change. The changes are unrelated to the initiation and mitigation of accidents and equipment malfunctions addressed in the Final Safety Analysis Report.

Therefore, there would be no increase in the probability or consequences of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Transferring the procedural details from the TS to the ODCM and PCP and the replacement with programmatic controls have [sic] no impact on plant operation or safety. No safety-related equipment, safety function, or plant operation will be altered as a result of this proposed change. No changes to plant components or structures are introduced which could create new accidents or malfunctions not previously evaluated.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in the margin of safety.

The procedural details of the current RETS will be transferred to the ODCM and PCP and replaced with programmatic controls consistent with regulatory requirements, including controls on revisions to the ODCM and PCP. Thus, no requirements or controls will be reduced.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Cameron Village Regional Library, 1930 Clark Avenue, Raleigh, North Carolina 27605.

Attorney for licensee: R. E. Jones, General Counsel, Carolina Power & Light Company, P. O. Box 1551, Raleigh, North Carolina 27602

NRC Project Director: Elinor G. Adensam

Commonwealth Edison Company, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Date of amendment request: July 27, 1992

Description of amendment request: The proposed amendment would change a control room ventilation heater dissipation rate, change the nonaccessible area exhaust filter plenum ventilation (VA) flow rates, change the requirement for periodic bank flow testing, correct a typographical error and delete a footnote reference that is no longer applicable, and revise a VA testing requirement.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

A. The proposed changes [do] not involve a significant increase in the probability or consequences of an accident previously evaluated. The control room emergency make-up air filter unit heaters were designed to comply with ANSI N509-1976 and Regulatory Guide 1.52 Revision 2 (1978) requirements. These limit the relative humidity of air entering the carbon adsorbents to 70% at the design flow rate. For a LOCA, air conditions were assumed to conservatively reflect atmospheric conditions. It was determined that the relative humidity can be limited to approximately 70% with a heater capacity of 24.0 kW. The proposed Technical Specification change is consistent with this determination, so the probability and consequences of accident remain unaffected.

The revised total system air flow rates for the VA Non-Accessible Area Exhaust Filter Plenums are based on a maximum of 110% of the filter rated capacity. The minimum flow is based on the flow necessary to maintain non-accessible area ALARA and equipment qualification considerations. The new flow rates still ensure that radioactive materials leaking from the ECCS equipment within the pump rooms following a LOCA are filtered prior to reaching the outside environment. Therefore, the operation of this system with revised flow rates does not affect the assumptions of the safety analysis, and the consequences of an accident are not affected.

The deletion of the periodic bank flow testing will not affect the operation or effectiveness of the VA exhaust filter plenum system. The design basis assumes that the system will be tested in accordance with ANSI N510-1980. Since this change aligns the surveillance requirements with the approved method, the consequences of any accident previously evaluated are not affected. An additional surveillance requirement was added to ensure that bank flow testing is done following certain maintenance activities as required by the ANSI method.

The typographical correction does not affect any accident. The deletion of the footnotes has no effect on any accident since the footnotes are no longer applicable.

Deleting the word "cold" when describing the DOP testing is similar to the deletion of bank flow testing. The change is removing a restriction on the test requirement to allow testing to be performed in accordance with an approved method, ANSI N510-1980.

B. The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated. The change to required heater capacity is based upon an analysis that established a minimum heater capacity that envelopes the accident analysis results.

The new VA system flow rates result from a combination of testing, adjusting, and balancing of the VA system, and achieved acceptable system performance characteristics of the system design as outlined in the Updated Final Safety Analysis Report (UFSAR). Cooling and pressure requirements are maintained within the design and intent of the UFSAR. The basis for the VA non-accessible area system is to ensure that radioactive materials leaking from the ECCS equipment within the pump rooms following a LOCA are filtered prior to reaching the environment. The system's ability to perform this function is maintained.

Deleting the bank flow testing surveillance requirement does not affect the operation of the VA system. The change will align the testing requirements with the approved ANSI N510-1980 methods. The new surveillance requirement ensures that bank flow testing is performed after structural maintenance on the HEPA filter or charcoal absorber housing.

Correcting the typographical error has no effect on any accident. Deleting the footnotes that are no longer applicable has no effect on the creation of any accident.

Deleting the word "cold" [from] the description of DOP testing has no effect on system operation as described in the UFSAR analysis. Since no new equipment is being added and no control changes are being performed, the possibility of an accident or malfunction of a different type than previously evaluated in the UFSAR is not created.

C. The proposed changes do not involve a significant reduction in a margin of safety. The Bases for Technical Specification 3/4.7.6 state that the operability of the system in conjunction with the control room design provisions is based on limiting the radiation exposure to personnel occupying the control room to 5 rem or less whole body, or its equivalent. Dose calculations are based on a charcoal absorber capable of removing 99% of radioactive forms of iodine. Charcoal efficiency drops as relative humidity increases. The proposed change limits the relative humidity entering the adsorbents to 70% in accordance with ANSI N509-1976 and Regulatory Guide 1.52 design requirements. With entering air relative humidity maintained below 70%, charcoal efficiency remains above 99%, so the margin of safety is not affected.

The proposed VA system flow rates maintain all ECCS pump room pressures as required. The air flow provides negative pressure in the auxiliary building to ensure that all radioactive materials from ECCS equipment within the pump rooms following a LOCA are filtered prior to reaching the environment. This is consistent with the Basis for Technical Specification 3/4.7.7.

Deleting the periodic VA bank flow testing will not affect the margin of safety because the surveillance requirements are in accordance with ANSI N510-1980.

Deleting the footnotes that are no longer applicable has no effect on the margin of safety. The typographical correction is also editorial in nature and has no effect on the margin of safety.

Deleting the word "cold" from the description of the DOP testing will not affect the margin of safety because the basis document, ANSI N510-1980, allows both "hot" and "cold" DOP testing.

Therefore, based on the above evaluation, Byron Station has concluded that these changes do not involve significant hazards consideration.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are

satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Byron Public Library, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010

Attorney for licensee: Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60690

Project Director: Richard J. Barrett

Commonwealth Edison Company, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, IllinoisDocket Nos. STN 50-456 and STN 50-457, Braidwood Station, Unit Nos. 1 and 2, Will County, Illinois

Date of amendment request: August 5, 1992

Description of amendment request: The proposed amendment would revise the Technical Specifications to implement quarterly testing of the Engineered Safety Features. The proposed amendment would also revise the functional units governing the Auxiliary Feedwater Switchover to Essential Service Water and the Refueling Water Storage Tank level channels to reflect the as-built configuration.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

In regards to WCAP 10271 and the editorial changes:

1. Does the change involve a significant increase the probability or consequences of an accident previously evaluated?

The determination that the results of the proposed change are within all acceptable criteria have been established in the SERs prepared for WCAP-10271, WCAP-10271 Supplement 1, WCAP-10271 Supplement 2 and WCAP-10271 Supplement 2, Revision 1 issued by References 1, 2 and 5. Implementation of the proposed changes is expected to result in an acceptable increase in total Reactor Protection System yearly unavailability. This increase, which is primarily due to less frequent surveillance, results in an increase of similar magnitude in the probability of an Anticipated Transient Without Scram (ATWS) and in the probability of core melt resulting from an ATWS and also results in a small increase in core damage frequency (CDF) due to Engineered Safety Features Actuation System unavailability.

Implementation of the proposed changes is expected to result in a significant reduction in the probability of core melt from inadvertent reactor trips. This is a result of a reduction in the number of inadvertent reactor trips (0.5 fewer inadvertent reactor trips per unit per year) occurring during testing of RPS instrumentation. This reduction is primarily attributable to less frequent surveillance.

The reduction in inadvertent core melt frequency is sufficiently large to counter the increase in ATWS core melt probability resulting in an overall reduction in total core melt probability.

The values determined by the WOG and presented in the WCAP for the increase in CDF were verified by Brookhaven National Laboratory (BNL) as part of an audit and sensitivity analyses for the NRC Staff. Based on the small value of the increase compared to the range of uncertainty in the CDF, the increase is considered acceptable. The one plant-specific function evaluated on a plant specific basis for the Byron and Braidwood Nuclear Stations falls within the same criteria and is also considered to be acceptable.

The changes of an editorial nature have no impact on the severity or consequences of an accident previously evaluated.

Changes to Surveillance Test Frequencies for the Reactor Trip System Interlocks do not represent a significant reduction in testing. The currently specified test interval for interlock channels allow the surveillance requirement to be satisfied by verifying that the permissive logic is in its required state using the annunciator status light. The surveillance as currently required only verifies the status of the permissive logic and does not address verification of channel setpoint or operability. The setpoint verification and channel operability are verified after a refueling shutdown. The definition of the channel check includes comparison of the channel status with other channels for the same parameter. The requirement to routinely verify permissive status is a different consideration than the availability of trip or actuation channels which are required to change state on the occurrence of an event and for which the function availability is more dependent on the surveillance interval. The change in surveillance requirement to at least once every 18 months does not therefore represent a significant change in channel surveillance and does not involve a significant increase in unavailability of the Reactor Protection System.

The proposed changes do not result in an increase in the severity or consequences of an accident previously evaluated. Implementation of the proposed changes affects the probability of failure of the RPS but does not alter the manner in which protection is afforded nor the manner in which limiting criteria are established.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed changes do not involve hardware changes and do not result in a change in the manner in which the Reactor Protection System provides plant protection. No change is being made which alters the functioning of the Reactor Protection System. Rather the likelihood or probability of the Reactor Protection System functioning properly is affected as described above. Therefore the proposed changes do not create the possibility of a new of different kind of accident from any accident previously evaluated.

3. Does the change involve a significant reduction in a margin of safety.

The proposed changes do not alter the manner in which safety limits, limiting safety system setpoints or limiting conditions for operation are determined. The impact of reduced testing other than as addressed above is to allow a longer time interval over which instrument uncertainties (e.g., drift) may act. Experience has shown that the initial uncertainty assumptions are valid for reduced testing.

Implementation of the proposed changes is expected to result in an overall improvement in safety by:

a. Less frequent testing will result in less inadvertent reactor trips and actuation of Engineered Safety Features Actuation System components.

b. Higher quality repairs leading to improved equipment reliability due to longer repair times.

c. Improvements in the effectiveness of the operating staff in monitoring and controlling plant operation. This is due to less frequent distraction of the operator and shift supervisor to attend to instrumentation testing.

The foregoing analysis demonstrates that the proposed amendment to Byron and Braidwood Nuclear Station Technical Specifications does not involve a significant increase in the probability or consequences of an accident previously evaluated, does not create the possibility of a new or different kind of accident from any accident previously evaluated, and does not involve a significant reduction in a margin of safety.

In regards to the auxiliary feedwater pump suction pressure-low transfer to essential service water:

Specification Table 3.3-3, Functional Unit 6.g, Auxiliary Feedwater Pump Suction Pressure-Low (Transfer to Essential Service Water) Total Number of Channels, Channels to Trip, and Minimum Channels OPERABLE would be changed from two to one per train. The ACTION would also be changed such that if a channel were to become inoperable the associated AF pump would be declared inoperable and Specification 3.7.1.2 would be applied rather than placing the inoperable channel in the tripped condition and continuing operation until the performance of the next required ANALOG CHANNEL OPERATIONAL TEST.

The as-built plant configuration has only one suction pressure transmitter installed at the suction of each AF pump. A low suction pressure condition sensed by that transmitter in conjunction with an ESFAS actuation signal for its associated AF pump will initiate a transfer of the associated AF pump suction from the CST to the SX water supply. This actuation is train dependent and has a one-out-of-one actuation logic.

The current ACTION allows for continued operation until performance of the next required ANALOG CHANNEL OPERATIONAL TEST provided the inoperable channel is placed in the tripped condition within one hour. Rather than

reducing the actuation logic to one-out-of-one, placing the channel in the tripped condition arms the transfer of the associated AF pump suction to the SX water supply. If the associated AF pump were to subsequently receive an ESFAS actuation signal, then the associated AF pump would start, its suction would be transferred to the SX water supply, and SX water would be injected into the steam generators. Injection of untreated SX water into the steam generators would have a devastating effect on secondary water chemistry and potentially shorten steam generator life. At a minimum, an extended outage would be required for secondary water chemistry cleanup and evaluation of long term effects. In order to preclude this potential event from occurring, current operating practice is to place the control switch for the associated AF pump in the pull out position rendering that pump inoperable prior to placing the inoperable AF pump suction pressure channel in the tripped condition. Specification 3.7.1.2 then becomes limiting requiring the associated AF pump to be restored to OPERABLE status within 72 hours or be in HOT STANDBY in the next six hours and in HOT SHUTDOWN within the following six hours.

The proposed ACTION would effectively impose a 72 hour allowed outage time (AOT) by invoking Specification 3.7.1.2. By not requiring the inoperable AF pump suction pressure channel to be placed in the tripped condition the control switch for the associated AF pump need not be placed in the pull out position leaving that pump available to manually or automatically respond in the event of an ESFAS actuation signal during the 72 hour AOT.

The effect on plant operation will be to increase the availability of the affected AF pump to respond manually or automatically to an ESFAS actuation signal by not requiring the inoperable AF pump suction pressure channel to be placed in the tripped condition. The remainder of the changes only serve to reflect the as-built plant configuration and mimic current plant operating practice.

This change will have no effect on reactivity management.

This change will not affect the failure of AF pump suction pressure channels. However, should a channel fail the associated AF pump will be declared inoperable without placing the inoperable channel in the tripped condition. If the channel was inoperable for reasons other than failing low, then the AF pump, although inoperable, would be available to respond manually or automatically in the event of an ESFAS actuation signal during the period of time the suction pressure channel is inoperable without injecting SX water into the steam generators.

The accidents that require AF system initiation are:

Inadvertent Opening of a Steam Generator Relief or Safety Valve,

Steam System Piping Failure,

Loss of External Load,

Loss of Non-emergency AC Power to the Plant Auxiliaries,

Loss of Normal Feedwater Flow,

Feedwater System Pipe Break,

Steam Generator Tube Rupture,

Loss of Coolant Accidents Resulting from a Spectrum ofPostulated Piping Breaks within the Reactor Coolant Pressure Boundary, and Anticipated Transients Without Scram.

The function of the AF system is the same for all accidents. The following is a generic discussion which applies to all accidents listed above.

The probability of an accident will not be increased by this change. This change is being made to accurately reflect the as-built plant configuration and to prevent an inadvertent injection of SX water into the steam generators should an AF pump suction pressure channel become inoperable.

The offsite dose consequences of previously analyzed accidents will not be increased. If an AF pump suction pressure channel was to become inoperable and its associated AF pump was also declared inoperable, then the other 100% capacity train of AF would be available to automatically respond to an ESFAS actuation signal to mitigate the consequences of these accidents. This is consistent with the initial assumptions of the accident analyses.

The probability of a malfunction of equipment important to safety is not affected by this change. This change is being made to accurately reflect the as-built plant configuration. The probability of a failure of an AF pump suction pressure channel will not increase as result of this change. As a result of this change if an AF pump suction pressure channel was to become inoperable, then the associated AF pump will also be declared inoperable. This is consistent with the current operating practice that is required to ensure that SX water is not inadvertently injected into the steam generators when the inoperable AF pump suction pressure channel is placed in the tripped condition.

The consequences of a malfunction of equipment important to safety will not be increased. In the event that an AF pump suction pressure channel becomes inoperable and its associated AF pump is subsequently declared inoperable, the other 100% capacity train of AF would be available to automatically respond to an ESFAS actuation signal to mitigate the consequences of these accidents. Additionally, the revised ACTION limits the window of vulnerability during which an accident could occur while in this degraded condition to 72 hours. And, by not placing the inoperable channel in the tripped condition, the inoperable AF pump may, in some circumstances, remain available to help mitigate the consequences of these accidents.

The possibility of a new of different kind of accident or malfunction is not introduced. This change does not introduce any new plant equipment or require any installed plant equipment to be operated in a different manner. Declaring the affected AF pump inoperable has no impact on the initial assumptions of these accident analyses.

This change will not reduce the margin of safety. This change is being made to accurately reflect the as-built plant configuration and to prevent an inadvertent injection of SX water into the steam generators should an AF pump suction pressure channel become inoperable consistent with current operating practice of declaring the affected AF pump inoperable. Imposition of the 72 hour AOT for the AF pump will limit the window of vulnerability during which an accident could occur while in this degraded condition and will not reduce the margin of safety. The margin of safety will also not be reduced by not placing the inoperable AF pump suction pressure channel in the tripped condition since the other 100% capacity train of AF would be available to automatically respond to an ESFAS actuation signal to mitigate the consequences of these accidents and under certain circumstances the inoperable AF pump would also be available to respond manually or automatically to an ESFAS actuation signal.

In regards to the RWST level change:

The proposed change will clarify the Action Statement for an inoperable RWST level channel. The current Action Statement requires an inoperable channel to be bypassed. Byron and Braidwood are configured such that an inoperable channel is removed from service by placing that channel in the tripped condition. In order to bypass the channel, temporary jumpers must be installed, or a circuit card removed. Testing in this configuration is contrary to IEEE 279 and the SER associated with WCAP 10271.

The new action statement will require RWST channels that are inoperable to be placed in a tripped condition within 6 hours. Operation may continue until the next required ANALOG CHANNEL OPERATIONAL TEST.

Each RWST is equipped with 4 level channels. This is one more than required by IEEE 279-1971, because there are no control functions associated with the subject channels. Other than alarm functions, these level channels provide an input to the SSPS. These inputs are associated with the semi-automatic switchover of the ECCS to the containment recirculation sumps. Upon reaching a level of 46.7% on two of the four level channels, concurrent with an SI signal, the containment sump suction valves will open. Manual action is then required to complete the realignment, which would isolate the RWST from the RH system. Prior to the completion of this realignment, the RH pumps take suction jointly from the containment sump and the RWST, i.e. the sump and the RWST are crosstied.

While a channel is being surveilled or is otherwise inoperable, it is placed in a tripped condition, consistent with the installed configuration. This results in a 1/3 coincidence concurrent with an SI signal to effect the opening of the containment sump suction valves. In this configuration, full compliance with IEEE 279-1971 is maintained.

This change has no effect on reactivity management.

For the period during which an RWST channel is inoperable, the failure of an additional RWST channel (channel fails low) will not result in the undesirable opening of the sump suction valves because an SI signal is also required. The affected modes are Modes 1 through 4, which coincides with the modes of applicability for the affected ECCS systems. Although an SI pump is required to be available in some Mode 5 and 6

configurations (during periods of reduced inventory operation), no credit for the semiautomatic switchover to the sump is assumed.

The accidents which result in an SI signal are:

Increased heat removal by the secondary,
Feedwater line break,
Spurious SI,
The range of LOCAs, and
Certain ATWS scenarios.

The limiting accident is the Large Break LOCA, which results in the greatest demand for RWST inventory, and thus results in the need to switch the RH pump suction to the containment recirculation sump at the earliest time. This accident bounds all other transients for the purposes of this change.

The probability of an accident will not be increased by this change. The large Break LOCA is analyzed assuming a full complement of ECCS equipment, with the subsequent failure of an entire train of this equipment. No allowance is made for initiation of this transient with inoperable equipment, and it is recognized that the single failure criterion may not be met while operating under an Action Statement. The configuration used to remove inoperable RWST channels from service is unrelated to the probability that a catastrophic failure of the RCS piping will occur.

The offsite dose consequences of an accident are not increased by this change. As analyzed the Large Break LOCA does not result in unacceptable offsite dose consequences. In the event that a LOCA occurred with an RWST channel inoperable, the actuation logic to automatically open the sump suction valves would be one-out-of-three for the remaining operable RWST channels. This action would occur at the proper time assuming no failure of an additional RWST channel. It is recognized that single failure criterion cannot always be met when in an Action Statement due to already identified inoperable equipment.

The proposed revision will not increase the probability of a malfunction of equipment important to safety. No change is being made to installed plant equipment. The change is limited to method of removing an inoperable RWST Level channel from service.

The consequences of a malfunction of equipment important to safety is unchanged. This change does not render affected equipment vulnerable to a loss of suction, which could result in equipment failure. Multiple failures are required to result in the undesirable transfer of RWST inventory to the containment sump. The consequences of a loss of suction to the ECCS pumps due to multiple failures in the switchover circuitry are no worse than the consequences of a loss of suction to the ECCS pumps due to other causes, such as RWST catastrophic failure or personnel error. It must be reemphasized that the scenario leading to a loss of suction event requires multiple failures, which is beyond the design basis for the plant.

This change does not create the possibility for a new or different kind of accident or malfunction from those previously evaluated. No new equipment is being introduced, and no installed equipment is being operated in a new or different manner. Placing an inoperable RWST level channel in the tripped configuration does not render the plant vulnerable to a loss of suction which would result in equipment unavailability.

The margin of safety is not adversely impacted by the proposed change. The proposed change deals with the configuration of an inoperable RWST level channel. There is no change in the point at which a switchover of the ECCS pump suctions to the containment sumps is required. This change, as proposed, does not impact any analysis assumptions, and therefore, does not impact the analysis results. As such, the design margin of safety is unaffected.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: For Byron, the Byron Public Library, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481

Attorney for licensee: Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60690

NRC Project Director: Richard J. Barrett

Commonwealth Edison Company, Docket Nos. 50-237 and 50-249, Dresden Nuclear Power Station, Units 2 and 3, Grundy County, Illinois Docket Nos. 50-254 and 50-265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of amendment request: June 1, 1992

Description of amendment request: The proposed amendment would update the leakage test requirements of the drywell airlock to the standards of 10 CFR Part 50, Appendix J, Section III.D.2. The proposal is in response to an Unresolved Item in a Dresden Inspection Report.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated because:

A. Test Pressure to 48 psig, P_a and Leakage Limit

The proposed limiting condition for operation (LCO) change, Specification 3.7.A.2.d at QCNPS [Quad Cities Nuclear Power Station] and 3.7.A.2.b(2)(b) at DNPS [Dresden Nuclear Power Station], will increase the required air lock test pressure to 48 psig, P_a and operational leakage limit to 5.0 percent of L_a to support the testing methodology prescribed by 10 CFR 50, Appendix J. Testing the air lock at P_a yields results which are representative of postulated accident conditions. Establishing a 5.0 percent of L_a operational limit for air lock leakage is consistent with the Standard Technical Specifications (STS) and does not affect the maximum allowable leak rate used in the accident analysis of 1.0 weight percent per day at 48 psig nor the combined leakage limit of 0.60 weight percent per day at 48 psig used to evaluate Type B and C tests. No change is made to any accident initiator or precursor and the design assumptions of the containment system remain unaltered by the proposed amendment. Therefore, the probability of an accident previously evaluated is not affected by the proposed amendment nor are the consequences of any previously evaluated accident altered.

B. LCO - Action Provisions

The proposed Actions of Specifications 3.7.A.7.b, 3.7.A.7.c and 3.7.A.7.d at QCNPS and 3.7.A.8.b, 3.7.A.8.c, and 3.7.A.8.d at DNPS are based on similar provisions in the STS and later operating plant provisions. Specification 3.7.A.7.b at QCNPS and 3.7.A.8.b at DNPS, would provide the compensatory actions necessary to allow continued plant operations with an inoperable air lock door. This provision has been modeled after a similar provision in the Perry Technical Specifications. The proposed change would permit entry through an operable door to repair an inoperable door or remove personnel for a cumulative time not to exceed one hour per year. The low probability of an event that could pressurize the primary containment during this short time interval makes proposed change acceptable. Additionally, the operable door would otherwise be required to remain closed and locked to support continued operations. Action provision 3.7.A.7.c at QCNPS and 3.7.A.8.c at DNPS is based on a similar River Bend provision that recognizes the independent support function of air lock interlock mechanisms. The proposed Action would permit continued operation with an inoperable air lock interlock mechanism provided the air lock is otherwise operable and administrative controls are take to ensure that an operable door is locked closed or that a dedicated individual is stationed to control entry and exit of the primary containment. Proposed Action 3.7.A.7.d at QCNPS and 3.7.A.8.d at DNPS is consistent with the similar provision covering other conditions of primary containment air lock inoperability and would require that a least one air lock door be maintained closed and operability restored within 24 hours. Each of the proposed Actions would require a placement of the unit in a condition for which the LCO does not apply should the Action not be completed. The proposed changes do not affect any accident precursors or any design assumption since each air lock door is capable of maintaining the leak tight integrity of the primary containment and the compensatory measures are consistent with current BWR licensing provisions. Therefore,

the proposed Action provisions not increase the probability or consequences of an accident previously evaluated.

C. Surveillance Requirements for Air Locks

Proposed SRs 4.7.A.2.d(1) and 4.7.A.7.a at QCNPS and 4.7.A.2.e(3) and 4.7.A.8.a at DNPS are based on the STS with consideration given for the DNPS and QCNPS design which does not have testable seals and is rarely used during the operating cycle typical of General Electric BWR Mark I Containments plants. The methodology and terminology is consistent with the requirements of 10 CFR 50, Appendix J and the STS with the exception that the frequency of interlock mechanism testing, which is each overall air lock leakage test conducted prior to establishing primary containment integrity, is sufficient to ensure that this mechanism is operable prior to the low number of air lock uses during periods when primary containment integrity is required. The propose test and frequencies are sufficient to ensure operability of the primary containment air lock, and thereby provide reasonable assurance a fission product barrier in the event of a design basis accident. No accident initiators are affected by the proposed change nor are any of the design assumption for air lock system operation. Therefore, the proposed change to establish a testing methodology consistent with the requirements of 10 CFR 50, Appendix J, do not increase the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any previously evaluated because:

As part of the primary containment, the air lock's safety function is related to control of offsite radiation exposures resulting from a design basis accident. Therefore, the air lock's structural integrity and leak tightness are essential to the successful mitigation of such an event. The proposed changes are consistent with the methodology required by 10 CFR 50, Appendix J and typical General Electric BWR licensed plants. The ability of the air lock to perform as intended is improved by using a testing methodology that is more representative of a postulated accident. No new failure modes are introduced by the proposed changes, and adoption of the BWR-STS provisions increases the likelihood that plant operating personnel will identify a degraded condition. Therefore, the possibility of a new or different kind of accident from any previously evaluated is unaffected.

3. Involve a significant reduction in the margin of safety because:

Adopting the requirement 10 CFR 50, Appendix J, for air locks will provide reasonable assurance that the limits of 10 CFR 100 are not exceeded due to a design basis accident. The margins provide by an overall integrated leakage rate of 0.75 weight per day and combined leakage rate 0.60 weight percent per day are unaffected by the proposed changes. Therefore, there is no reduction in the margin of safety.

In addition, the Commission has provided guidance concerning the application of standards for determining whether significant hazards consideration exists by providing certain examples (51 FR 7751) of amendments that are considered not likely to involve significant hazards considerations. Commonwealth Edison was reviewed the proposed changes against these examples and believes that the proposed changes fall within scope of example (vii) "a change to conform a license to changes in the regulations, where the license change results in very minor changes to facility operations clearly in keeping with the regulations."

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: For Dresden, the Morris Public Library, 604 Liberty Street, Morris, Illinois 60450; for Quad Cities, the Dixon Public Library, 221 Hennepin Avenue, Dixon, Illinois 61021.

Attorney for licensee: Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60690

NRC Project Director: Richard J. Barrett

Consumers Power Company, Docket No. 50-255, Palisades Plant, Van Buren County, Michigan

Date of amendment request: November 15, 1991

Description of amendment request: The proposed amendment would make the following changes to the Technical Specifications:

A. Renumbering pages to eliminate unused pages.

B.Clarifying and reordering the definitions.

C. Moving a non-instrumentation requirement from Table 3.17.4 to Specification 3.11.2, Power Distribution Instrumentation.

D. Rewriting the Engineered Safety Features Instrumentation Settings LCO, Specification 3.16, into the form: LCO - Applicability - Action, and adding an Auxiliary Feedwater Actuation setpoint requirement.

E. Rewriting the Instrumentation Systems LCO, Specification 3.17, in the form: LCO - Applicability - Action; moving items between LCO sections to group all instrumentation operability requirements together; locating non-instrumentation requirements with the associated system LCO; and limiting the time an instrument channel may be bypassed.

F. Moving a non-instrumentation requirement from Table 3.17.4 to Specification 3.21, Heavy Loads.

G. Changing the Overpressure Protection System Tests, Specification 4.1, and the Safety Injection and Containment Spray System Tests, Specification 4.6, locating all Overpressure Protection surveillance requirements together.

H. Moving non-instrumentation requirements from Specification 4.1 to Specification 4.6, Safety Injection and Containment Spray System Tests.

I. Moving a non-instrumentation requirement from Table 4.1.3 to Specification 4.9, Auxiliary Feedwater System Tests.

J. Moving Instrumentation Systems Tests from Specification 4.1 to a newly written Specification 4.17, locating all instrumentation surveillance requirements together.

K. Deleting four surveillance items formerly in Specification 4.1.In addition completely rewritten Basis sections have been supplied for the proposed instrumentation specifications, 3.16, 3.17, and 4.17.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

Only one proposed change could have any effect on the probability of accidents previously evaluated. Requiring an inoperable RPS or ESF trip unit to be placed in trip, rather than left in bypass, could increase the probability of an inadvertent trip with the consequent possibility of a subsequent loss of decay heat removal. That increase in the probability of a loss of decay heat removal event is judged to be small; there is a compensating decrease in the probability of an ATWS event which is also judged to be small. Neither of these changes in probability is judged to be significant. The subject part of the proposed changes is a feature of the Standard Technical Specifications for CE plants.

As discussed above, the proposed changes have little effect on operation of the plant. The proposed changes require more equipment to be Operable, and state explicitly when that the [sic] equipment must be Operable and what Actions must be taken if it should become inoperable. The major effect of the proposed changes is an increase in clarity of the requirements by way of a uniform presentation of LCO, Action, and Surveillance. Changes 16 and 17 do affect operation, but not in such a way as to increase the probability or consequences of a previously evaluated accident nor to create any new kind of accident.

The proposed changes do not effect the availability or reliability of any equipment required to mitigate the effects of a previously evaluated accident. The specification of specific Instrumentation LCO applicabilities maintains the assurance that

the required instrumentation is available to initiate automatic actions and to allow monitoring of plant conditions, while clarifying the conditions under which the instrumentation may be removed from service for maintenance or testing.

Therefore, the proposed changes do not involve a significant increase [to] the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes would not alter the operating conditions of the plant systems, and would not reduce the reliability of any plant equipment.

Therefore, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Involve a significant reduction in a margin of safety.

With the exception of adding an Allowable Value specification for the Auxiliary Feedwater Actuation Signal (AFAS), where none is currently specified, the proposed changes would not affect the setpoints, capacities, or operating limits for any required equipment. The Allowable Value specified for AFAS is in agreement with the assumptions of the Safety Analyses.

Therefore, the proposed changes do not involve a significant reduction of a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Van Wylen Library, Hope College, Holland, Michigan 49423

Attorney for licensee: Judd L. Bacon, Esq., Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201

NRC Project Director: L. B. Marsh

Illinois Power Company and Soyland Power Cooperative, Inc., Docket No. 50-461, Clinton Power Station, Unit No. 1, DeWitt County, Illinois

Date of amendment request: August 17, 1992

Description of amendment request: The proposed amendment would change the Clinton Power Station (CPS) Technical Specification 3/4.8.1., "AC Sources-Operating," to update the testing requirements for the fuel oil used by the standby emergency diesel generators.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) The proposed changes to the Technical Specification surveillance requirements for sampling and testing of diesel generator fuel oil will not involve a significant increase in the probability or the consequences of any accident previously evaluated because the proposed changes primarily consist of replacing specified fuel oil tests with tests which are either more effective or equally effective in detecting unsatisfactory fuel oil properties.

The proposed change to allow use of the more current 1989 revision of ASTM-D975, rather than the 1977 revision, will not affect the quality of fuel oil or the reliability of the diesel generators as the updated standard is substantially equivalent to the one being replaced. There is no change in what fuel oil properties are required to be determined or in the limits on these properties between the 1977 and 1989 revisions of ASTM-D975. While ASTM D975-89 does provide for alternative methods of testing for sulfur content (ASTM-D1552, D2622 and D4294), IP believes that the results obtained by use of these alternative methods will be equivalent to those obtained using the method currently specified in D975-77 (i.e., ASTM-D129).

This proposed change adds, as an alternative to the current requirement to perform water and sediment tests using the centrifuge method (ASTM-D1796), performance of "Clear and Bright" appearance tests per ASTM-D4176-82. This is a conservative change in that the "Clear and Bright" appearance test is more sensistive in determining the presence of water and sediment in fuel oil than the test currently specified.

Adding specific gravity as an alternative to determining API gravity will not affect the reliability of the emergency diesel generators. Specific gravity is specifically identified as an aceptable alternative to API gravity in Regulatory Guie 1.137, Revision 1, and is therefore acceptable. The method for determining specific and API gravity are identical; only the units of the reported results are different.

Under the proposed fuel oil surveillance program, those fuel oil properties which, if not within specification, would have the most detrimental and immediate impact on diesel generator operation (water and sediment, viscosity, and gravity) are checked for conformance to applicable limits immediately prior to accepting the new fuel. The remaining fuel oil properties (the "other properties" of proposed Surveillance Requirement 4.8.1.1.2.d.2) are those which could impact diesel generator performance only on a long-term basis. Therefore, the proposal to extend the time limit for obtaining test results for these remaining fuel oil properties from two weeks to 31 days will not adversely affect diesel generator reliability.

The proposed change to remove the requirement to perform ASTM-D975 testing every 92 days for fuel contained in the storage tanks is based upon the rationale that the majority of fuel oil properties required to be determined by ASTM-D975 (flash point, Cetane number, viscosity, cloud point, etc.) do not change during storage. If these properties are within specification when the fuel oil is placed in storage, they will remain within specification unless other unacceptable pertroleum products are added to the storage tanks. The addition of unacceptable petroleum products is precluded by the proposed fuel oil surveillance program detailed above. However, over prolonged periods of time, stored fuel oil can oxidize to form particulates which, in significant concentrations, could impair diesel generator performance. Particulate concentrations and bacteria concentrations are the only characteristics that will change significantly in stored fuel oil. IP proposes that particulate concentrations in the fuel oil storage tanks be monitored every 31 days in accordance with ASTM-D2276-88 as discussed below. Bacteria growth is currently prevented (and will continue to be prevented) by periodic removal of water from the storage tanks as required by existing Surveillance Requirement 4.8.1.1.2.c. Considering that those fuel oil properties which can change during storage conditions and which could affect diesel generator operation will be closely monitored, further testing of stored fuel oil in accordance with ASTM-D975 every 92 days will not provide any additional, worthwhile data nor improve diesel generator reliability.

The proposed changes also involve replacing the requirement for testing stored fuel oil every 92 days and new fuel oil in accordance with ASTM-D2274-70 (accelerated oxidation stability test) with a requirement to test for actual particulate concentrations in the stored fuel only in accordance with ASTM-D2276-88 every 31 days. The proposed test, ASTM-D2276-88, addresses the actual condition of the fuel oil. The current surveillance requirement, ASTM-D2274-70, is based on predicting the tendency of fuel oil to oxidize and form particulates during long-term storage. Industry experience has shown that ASTM-D2274-70 is not an appropriate test for determining actual particulate contamination of fuel in storage. In addition, ASTM-D2274-70 test results may not accurately correlate with actual fuel conditions because test results tend to vary depending on factors such as storage conditions and fuel composition. Further, the proposed ASTM-D2276-88 test will be performed every 31 days rather than every 92 days as currently required for the ASTM-D2274-70 test. The more frequent testing for actual particulates in the stored fuel will provide better information regarding actual fuel condition as well as the tendency for formation of particulates under site storage conditions. The proposed, periodic test will therefore be more conservative in establishing the adequacy of the stored fuel oil than the present requirements.

Proposed Surveillance Requirements 4.8.1.1.2.d.2 and 4.8.1.1.2.d.3 verify, on a periodic basis, the quality of new fuel oil added to the storage tanks (4.8.1.1.2.d.2) and the quality of fuel oil in the storage tanks (4.8.1.1.2.d.3). In accordance with Regulatory Guide 1.137, Revision 1, Regulatory Position c.2.a, when the fuel oil in the storage tanks does not meet the specified requirements, the fuel oil may be replaced in a short period of

time (about a week). Therefore, Action Statement "j" has been proposed to allow up to seven days to correct the out-of-specification condition by replacing the fuel oil or taking other necessary actions.

Based on the above discussion of the proposed changes, it is evident that the performance capabilities of the diesel generators and their associated fuel oil systems will not be compromised. Therefore, these changes will not adversely impact the reliability of the emergency diesel generators or their capability to respond to mitigate transients/accidents. In addition, the proposed changes have no effect on the diesel generator control system, nor do they have any impact on the seismic or environmental qualification of the subject equipment. These proposed changes do not impact the independence and redundancy of the onsite safety-related power supplies. Furthermore, these proposed changes do not impact those systems/components whose failure could create an accident. Therefore, these proposed changes do not involve a significant increase in the probability or the consequences of any accident previously evaluated.

(2) The proposed changes do not involve a change in the design of any plant system or component, nor do they involve a change in the operation of any plant system or component. In addition, the proposed changes do not reduce the level of diesel generator reliability nor do they impact initiating events of any accident. Based on the above justification which demonstrates that performance, function, and redundancy of the original design remain unchanged, these proposed changes do not create the potential for a new event. Furthermore, since no new types of equipment have been introduced and the proposed fuel oil requirements will have no adverse effect on existing equipment, no potential for a different type of malfunction is created. Therefore, these proposed changes cannot create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) The margin of safety for the diesel generator fuel oil testing as defined in the Bases to Technical Specification Section 3/4.8 relates to the reliability of the onsite power supplies. As shown above, these proposed changes do not adversely affect the reliability of the diesel generators. As a result, these proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois 61727

Attorney for licensee: Sheldon Zabel, Esq., Schiff, Hardin and Waite, 7200 Sears Tower, 233 Wacker Drive, Chicago, Illinois 60606

NRC Project Director: John N. Hannon

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station Unit No. 1, Oswego County, New York

Date of amendment request: September 25, 1992

Description of amendment request: The proposed license amendment would revise Technical Specification Table 3.6.2a to permit bypassing of the High Reactor Pressure and Main Steam Line Isolation Valve Position scram signals during reactor coolant system pressure testing and/or control rod scram testing when the Reactor Mode Switch is in the Refuel Position.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not involve a significant increase in the probability or consequences of an accident previously evaluated.

Reactor coolant system pressure testing is performed with all control rods inserted and with the reactor mode switch in the refuel position. The systems required to be operable to mitigate a loss of coolant accident under these conditions are still required to be operable (core spray and containment spray). Inadvertent criticality is precluded by the refuel one-rod-out interlock and shutdown margin demonstration performed as required by Technical Specification 4.7.1. Therefore removal of the High Reactor Pressure and Main Steam Line Isolation Valve position during the above conditions will not involve a significant increase in the probability or consequences of an accident previously evaluated.

Control rod scram time testing is performed in conjunction with the reactor coolant system pressure testing. One control rod at a time is withdrawn to allow for insertion time testing. As provided above the refuel one-rod-out interlock and shutdown margin demonstration prevents inadvertent criticality. The systems required to mitigate a loss of coolant accident under test conditions are still required to be operable (core spray and containment spray). Therefore the removal of the Main Steam Line Isolation Valve position scram during control rod insertion time testing will not involve a significant increase in the probability or consequences of an accident previously evaluated.

Although the reactor mode switch will be in the refuel position, refuel operations cannot physically occur. The reactor vessel head will be required to be installed to achieve required test pressures precluding core alteration in the vessel. Therefore bypassing of reactor scram signals for the above tests will not affect the probability or consequences of refueling accidents.

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not create the possibility of a new or different kind of accident from any accident previously evaluated.

This proposed change removes the High Reactor Pressure and Main Steam Line Isolation Valve Scram functions during reactor coolant system pressure testing and/or control rod scram insertion time testing. The performance of shutdown margin demonstration and control rod exercise checks assure that the reactor cannot be made critical with only one control rod withdrawn. These tests in conjunction with the refuel one-rod-out interlock with the reactor mode switch in the refuel position, assures inadvertent criticality does not occur during reactor coolant system pressure and/or control rod scram insertion time testing. These changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not involve a significant reduction in a margin of safety.

The proposed amendment will allow bypassing of the Main Steam Line Isolation Valve Position and Reactor High Pressure Scram during reactor coolant pressure testing and control rod scram insertion time testing. Adequate protection from inadvertent criticality is provided by control rod exercise checks, shutdown margin demonstration, and refuel one-rod-out interlocks. Removal of these two scram signals from the Reactor Protection System circuitry during performance of the above testing does not involve a significant reduction in a margin of safety.

Although the reactor mode switch will be in the refuel position, refuel operations cannot physically occur. The reactor vessel head will be required to be installed to achieve required test pressures precluding core alteration in the vessel. Therefore bypassing of reactor scram signals for the above tests does not involve a significant reduction in a margin of safety for refueling operations.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Attorney for licensee: Mark J. Wetterhahn, Esquire, Winston & Strawn, 1400 L Street, NW., Washington, DC 20005-3502.

NRC Project Director: Robert A. Capra

North Atlantic Energy Service Corporation, Docket No. 50-443, SeabrookStation, Rockingham County, New Hampshire

Date of amendment request: September 30, 1992

Description of amendment request: The proposed amendment would change the Technical Specifications (TS) to increase the TS temperature limit for the cooling tower basin water from the current 67.3°F to 70.0°F and permit the cooling tower sprays and fans to be manually operated following a cooling tower actuation.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

Verification of the proper actuation of the automatic valves in the flowpath is currently performed during cooling tower surveillance testing; the addition of a Technical Specification surveillance requirement to perform this verification has no affect on the operation of the plant. This change affects only the operating mode for the cooling tower fans and the initial basin temperature. Chapter 9, Section 9.2.5.2 of the Updated Final Safety Analysis Report (UFSAR) recognizes the manual operating mode of the cooling tower fans and sprays by stating that greater than 30 minutes is available, following the design basis event, in which to initia'e fan and/or spray operation.

It has been determined by North Atlantic [Energy Service Corporation] that at least 74 minutes will be available to the operators in which to take manual action and initiate cooling tower fan and spray operation. This time includes the consideration of the increase in the initial cooling tower basin temperature. This is an acceptable amount of time in which to initiate manual action and is greater than the 20 minute minimum specified in NUREG 0800. Therefore, the probability of an accident previously evaluated in the UFSAR is not significantly increased by the proposed revision.

The cooling tower is automatically aligned as the ultimate heat sink following a seismic event which results in the blockage of the circulating water tunnels and subsequent loss of Service Water (SW) system pressure. Manual control of the cooling tower, while retaining the automatic switchover to the tower, will not adversely affect the ability of the cooling tower to function in this capacity. As discussed above, with the increased initial basin temperature, sufficient time exists for the manual initiation of cooling tower sprays and fans following the seismically induced Loss Of Coolant Accident (LOCA). Additionally, there is adequate procedural guidance, operator training and alarm indications to alert and direct operators to initiate cooling tower fan and spray operation.

With the ultimate heat sink available, all safety systems will function as designed. This change will therefore have no adverse affect on the doses to members of the public from any previously analyzed accident and therefore the consequences of an accident previously evaluated in the UFSAR is not significantly increased by the proposed revision.

2.The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change modifies the cooling tower operating mode from automatic actuation to manual actuation. This [is] not a new mode of operation; this mode of operation is presently acknowledged and described in UFSAR Chapter 9. Manual control of the cooling tower will not adversely affect the availability of the cooling tower or its heat removal capability. The cooling tower spray bypass valves, 1-SW-V139 and 1-SW-V140, are included in the Inservice Test program and are periodically surveilled pursuant to Technical Specification Surveillance Requirement 4.0.5. This requirement demonstrates that the valves will operate as required by performing valve stroke times and remote position indication verification. No credible failure mechanism is created by manual control of the cooling tower which could result in the initiation of an accident. The 70°F initial basin temperature allows sufficient time for operator action to initiate cooling tower fan and spray

operation in accordance with procedures. Therefore, the possibility of a new or different kind of accident from any accident previously evaluated in the UFSAR is not created.

3.The proposed changes do not result in a significant reduction in the margin of safety.

The Bases for Technical Specification 3/4.7.5 state that the OPERABILITY of the cooling tower ensures that sufficient cooling capability is available to provide normal cooldown of the facility or to mitigate the [e]ffects of accident conditions within acceptable limits. The proposed change modifies the operation of the cooling tower sprays and fans from automatic to manual initiation. Manual operation of the cooling tower sprays and fans will not adversely affect cooling tower operation or its heat removal capability and the cooling tower will still be verified to be OPERABLE. An OPERABLE Cooling Tower ensures that the assumptions in the Bases of Technical Specifications are not affected and ensures that the margin of safety is not reduced.

The design basis event for the cooling tower is a seismic event which collapses the circulating water system tunnels. The design basis assumes that the seismic event which collapsed the tunnels, also caused a Loss of Coolant Accident and Loss of Offsite Power. In this limiting scenario, greater than 74 minutes are available to initiate cooling tower sprays and fans following the seismic event. Adequate procedural guidance, operator training, and alarm indications are provided to facilitate operation of the fans and sprays. Following this manual action, the full capability of the cooling tower ultimate heat sink is available to meet the requirements of the design basis event. The 70°F initial basin temperature allows sufficient time for operator action to manually initiate cooling tower fans and sprays in accordance with procedures.

Therefore, the assumptions in the Bases of Technical Specifications are not affected and this change will not result in a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis, and based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Exeter Public Library, 47 Front Street, Exeter, New Hampshire, 03833.

Attorney for licensee: Thomas Dignan, Esquire, Ropes & Gray, One International Place, Boston, Massachusetts 02110-2624.

NRC Project Director: Walter R. Butler

Northeast Nuclear Energy Company, et al., Docket No. 50-423, Millstone Nuclear Power Station, Unit No. 3, New London County, Connecticut

Date of amendment request: September 22, 1992

Description of amendment request: The proposed amendment would revise the measurement range associated with a seismic monitoring instrument from +1g to +2g.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

The proposed change does not involve a significant hazards consideration because the change would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change to Table 3.3-7 involves an increase in the range of a seismic monitoring instrument. The instrument does not increase the probability or consequences of an accident previously analyzed because it is used to obtain building/equipment response data during and following an earthquake and does not impact the operation of the power plant.

2. Create the possibility of a new or different kind of accident from any previously evaluated.

The seismic monitoring instrument's sole function is to record data. The modification will increase the range of the existing instrument; thus, should a seismic event occur, the motion of the plant will be

accurately recorded thereby enabling the status of the plant to be adequately assessed after the event.

3. Involve a significant reduction in a margin of safety.

The proposed change involves an increase in range from a +1g to +2g. The change does not reduce the margin of safety, but rather increases it by providing plant personnel with accurate data that previously was unattainable with the old instrument range.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Learning Resources Center, Thames Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360.

Attorney for licensee: Gerald Garfield, Esquire, Day, Berry & Howard, City Place, Hartford, Connecticut 06103-3499.

NRC Project Director: John F. Stolz

Northern States Power Company, Docket No. 50-263, Monticello Nuclear Generating Plant, Wright County, Minnesota

Date of amendment request: September 16, 1992.

Description of amendment request: The proposed amendment would incorporate the maximum extended load line limit analysis and increased core flow analysis into the Technical Specifications to expand the operating region of the power-flow map. The changes would allow higher powers for reduced flow conditions and higher flows for rated power conditions.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below.

1. The proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated:

The increase in the allowed operation at higher and lower flows have been evaluated using approved analytical methods. The analyses demonstrate compliance with applicable regulatory acceptance criteria as does the previous loss-of-coolant accident (LOCA) analysis. Therefore, this change will not affect the consequences of previously analyzed accidents.

2. The proposed amendment will not create the possibility of a new or different kind of accident from any accident previously analyzed.No changes are being made that could cause a new or different kind of accident. The new and existing analyses will continue to encompass all postulated accidents.

3. The proposed amendment will not involve a significant reduction in the margin of safety.Analyses demonstrate compliance with all acceptance criteria. Therefore, there is no significant reduction in the margin of safety.

Based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037

NRC Project Director: L. B. Marsh

Philadelphia Electric Company, Docket Nos. 50-352 and 50-353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

Date of amendment request: October 15, 1992

Description of amendment request: The amendments would change the technical specifications (TSs) to facilitate operation of the Limerick Generating Station (LGS), Units 1 and 2, in a 24-month fuel cycle. The 24-month refueling cycle will require numerous revisions to the TSs to change the current 18-month TS surveillance testing interval to a 24-month testing interval. This amendment application is the third of three applications being submitted to the NRC to support the proposed changeover to a 24-month fuel cycle. The first application was submitted May 8, 1991 and May 15, 1992, noticed in the **Federal Register** on June 10, 1992 (57 FR 24675), and approved by Amendment Nos. 56 and 21 dated August 20, 1992. The second application was submitted September 1, 1992, and noticed in the **Federal Register** on September 16, 1992 (57 FR 42778). In the applications, the licensee stated that "These TS changes were evaluated in accordance with the guidance provided in NRC Generic Letter (GL) No. 91-04, 'Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle'" dated April 2, 1991.

The subject application involves proposed changes to the TS surveillance intervals for instrumentation calibration TS line items, a change to the definition of "R" (i.e., for "Refueling Interval>) and the remaining TS line items to support 24-month refueling cycles that were not in the two previous submittals.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed TS changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed TS changes involve a change in the surveillance testing intervals to facilitate the current change in the LGS

Unit 1 and Unit 2 refueling cycles from 18 months to 24 months. The proposed TS changes do not physically impact the plant nor do they impact any design or functional requirements of the associated systems. That is, the proposed TS changes do not degrade the performance or increase the challenges of any safety systems assumed to function in the accident analysis. The proposed TS changes do not impact the TS surveillance requirements themselves nor the way in which the surveillances are performed. In addition, the proposed TS changes do not introduce any new accident initiators since no accidents previously evaluated have as their initiators anything related to the change in the frequency of surveillance testing. Also, the proposed TS changes do not affect the availability of equipment or systems required to mitigate the consequences of an accident because of other, more frequent testing or the availability of redundant systems or equipment. Furthermore, an historical review of surveillance test results indicated that there was no evidence of any failures that would invalidate the above conclusions. Therefore, the proposed TS changes do not increase the probability or consequences of an accident previously evaluated.

2. The proposed TS changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed TS changes involve a change in the surveillance testing intervals to facilitate the current change in the LGS

Unit 1 and Unit 2 refueling cycles from 18 months to 24 months. The proposed TS changes do not introduce nor increase the number of failure mechanisms of a new or different type than those previously evaluated since there are no physical changes being made to the facility. Additionally, the surveillance test requirements themselves, other than the frequency, and the way surveillance tests are performed will remain unchanged. Furthermore, an historical review of surveillance test results indicated that there was no evidence of any failures that would invalidate the above conclusions. Therefore, the proposed TS changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. The proposed TS changes do not involve a significant reduction in a margin of safety.

Although the proposed TS changes will result in an increase in the interval between surveillance tests, the impact on system availability, if any, is small based on other, more frequent testing or redundant systems

or equipment. Furthermore, a review of surveillance test history demonstrated that there is no evidence of any failures that would impact the availability of the systems. Therefore, the assumptions in the plant licensing basis are not impacted, and the proposed TS changes do not reduce the margin of safety of the affected equipment/components.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Attorney for licensee: J. W. Durham, Sr., Esquire, Sr. V.P. and General Counsel, Philadelphia Electric Company, 2301 Market Street, Philadelphia, Pennsylvania 19101

NRC Project Director: Charles L. Miller

Philadelphia Electric Company, Public Service Electric and Gas Company,Delmarva Power and Light Company, and Atlantic City Electric Company,Dockets Nos. 50-277 and 50-278, Peach Bottom Atomic Power Station,Units Nos. 2 and 3, York County, Pennsylvania

Date of application for amendments: October 5, 1992

Description of amendment request: As part of the Mark I Containment Improvement Program, the NRC issued Generic Letter (GL) 89-16, "Installation of a Hardened Wetwell Vent" on September 1, 1989 to all holders of operating licenses for nuclear power reactors with Mark I containments. On October 30, 1989, in response to the GL, Philadelphia Electric Company committed to proceed with plant modifications to improve venting capabilities at Peach Bottom Atomic Power Station. The planned modification, evaluated against the criteria established in 10 CFR 50.59, consists of a 16" wetwell vent line connected to existing 18" pipe between primary containment isolation valves AO-2(3)511 and AO-2(3)512. A new 16" butterfly valve, designated AO-8(9)0290 and a 16" rupture disc will be installed in series in the new piping system for each unit. The Technical Specification (TS) change request proposes to add the new valves, AO-8(9)0290, to Tables 3.7.1 and 3.7.4 of the TS. These two tables define the operability and testing requirements of primary containment isolation valves. The changes are administrative in that addition of the valves to the Tables does not change operability or testing requirements for Primary Containment Isolation Valves. The testing requirements for Primary Containment Isolation Valves are governed by 10 CFR Part 50, Appendix J.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

No Significant Hazards Consideration

The two change requests proposed in this application do not constitute a significant hazards consideration in that:

1) The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated because they do not affect operation, equipment, or a safety related activity and are hence administrative in nature. Thus, these administrative changes cannot affect the probability or consequences of any accident.

2) The proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated because these changes are purely administrative and do not affect the plant. Therefore, these changes cannot create the possibility of any accident.

3) The proposed changes do not involve a significant reduction in a margin of safety because the changes do not affect any safety related activity or equipment. These changes are purely administrative in nature and do not affect the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Government Publications Section, State Library of Pennsylvania, (REGIONAL DEPOSITORY) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Attorney for licensee: J. W. Durham, Sr., Esquire, Sr. V.P. and General Counsel, Philadelphia Electric Company, 2301 Market Street, Philadelphia, Pennsylvania 19101

NRC Project Director: Charles L. Miller

Portland General Electric Company, et al., Docket No. 50-344, Trojan Nuclear Plant, Columbia County, Oregon

Date of amendment request: September 25, 1992 and supplementedOctober 14, 1992

Description of amendment request: This amendment request would delete License Condition 2.C.(11), "Fuel Assemblies," from Facility Operating License NPF-1. This is an administrative change since the license condition is no longer necessary at Trojan Nuclear Plant. This request was designated as LCA-216 by the licensee.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensees have provided their analysis of the issue of no significant hazards consideration, which is presented below:

1.This change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The purpose of Paragraph 2.C.(11) was to delineate restrictions on fuel assemblies modified to cope with baffle-jetting-induced fuel failures observed in Cycles 2 and 4. In 1984 a modification of the core bypass flow characteristics was performed that eliminated baffle-jetting-induced fuel damage and Paragraph 2.C.(11) was revised to prohibit fresh fuel modified to cope with baffle jetting from being introduced into the core and to allow continued use of modified assemblies already in the core. The intent of the change was to allow operation for subsequent cycles without prior NRC review and approval, unless the baffle-jetting condition reappeared. Since baffle-jetting-induced fuel damage has not been observed, Paragraph 2.C.(11) is no longer necessary.

In addition, each reload receives a cycle-specific safety evaluation to address the composition and configuration of the core relative to the current accident analyses. Therefore, removal of Paragraph 2.C.(11) will not involve a significant increase in the probability or consequences of an accident.

2.This change does not create the possibility of a new or different kind of accident from any accident previously analyzed.

Paragraph 2.C.(11) is no longer necessary since a modification to the core bypass flow characteristics was performed to eliminate baffle-jetting-induced fuel damage. The composition and configuration of each core is evaluated with respect to creating the possibility of new or different kinds of accidents in the cycle-specific reload safety evaluation. Therefore, this change will not create the possibility of a new or different kind of accident from any accident previously analyzed.

3.This change does not involve a significant reduction in a margin of safety.

Paragraph 2.C.(11) was created to address baffle-jetting-induced fuel damage. A modification to the core bypass flow characteristics has been performed that eliminates baffle-jetting-induced fuel damage. Therefore, removal of the license condition has no impact on the margin of safety. A cycle-specific safety evaluation is performed for each reload to address how the composition and configuration of each core impacts the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this

review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Branford Price Millar Library, Portland State University, 934 S.W. Harrison Street, P.O. Box 1151, Portland, Oregon 97207

Attorney for licensees: Leonard A. Girard, Esq., Portland General Electric Company, 121 S.W. Salmon Street, Portland, Oregon 97204

NRR Project Director: Theodore R. Quay

Power Authority of The State of New York, Docket No. 50-286, Indian PointNuclear Generating Unit No. 3, Westchester County, New York

Date of amendment request: September 16, 1992

Description of amendment request: The licensee requests an amendment to the technical specifications to change the frequency of battery load testing (specified in Section 4.6.B.4) to accommodate operation on a 24-month fuel cycle. The licensee commenced operating on a 24-month fuel cycle, instead of the previous 18-month fuel cycle, with fuel cycle nine. Fuel cycle nine started in August 1992. This proposed change follows the guidance provided in Generic Letter 91-04, "Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle," as applicable.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Consistent with the requirements of 10 CFR 50.92, the enclosed application is judged to involve no significant hazards based on the following information:

(1) Does the proposed license amendment involve a significant increase in the probability or consequences of any accident previously evaluated?

Response:

The proposed change does not involve a significant increase in the probability or consequences of any accident previously analyzed. The change proposes extending the surveillance interval for battery load testing. The change does not involve any physical changes to the plant, nor does it alter the way any equipment functions. Other [on-line] battery testing provides assurance of system operability. An evaluation of past equipment performance provides additional assurance that the longer surveillance intervals will not degrade system performance.

(2) Does the proposed license amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response:

The proposed change does not create the possibility of a new or different kind of accident from any previously evaluated. The change proposes extending the surveillance interval for battery load testing. The change does not involve any physical changes to the plant, nor does it alter the way any equipment functions. Other [on-line] battery testing provides assurance of system operability. An evaluation of past equipment performance provides additional assurance that the longer surveillance intervals will not degrade system performance.

(3) Does the proposed amendment involve a significant reduction in a margin of safety?

Response:

The proposed change does not involve a significant reduction in a margin of safety. The change proposes extending the surveillance interval for battery load testing. The change does not involve any physical changes to the plant, nor does it alter the way any equipment functions. Other [on-line] battery testing provides assurance of system operability. An evaluation of past equipment performance provides additional assurance that the longer surveillance intervals will not degrade system performance.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Attorney for licensee: Mr. Charles M. Pratt, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Robert A. Capra

Power Authority of The State of New York, Docket No. 50-286, Indian PointNuclear Generating Unit No. 3, Westchester County, New York

Date of amendment request: September 29, 1992

Description of amendment request: The licensee commenced operating on a 24-month fuel cycle, instead of the previous 18-month fuel cycle, with fuel cycle 9. Fuel cycle 9 started in August 1992. In order to accommodate operation on a 24-month cycle, the licensee requested a Technical Specifications (TS) amendment to incorporate the changes listed below:

(1) The licensee proposed changing the frequency of pressurizer safety valve set pressure checks (specified in TS Table 4.1-3) to accommodate operation on a 24-month cycle.

(2) The licensee proposed changing the frequency of pressurizer safety valve position indicator calibration and testing (specified in TS Table 4.1-1) to accommodate operation on a 24-month cycle.

(3) The licensee proposed changing the frequency of the PORV and PORV block valve operability testing (specified in TS Table 4.1-3) to accommodate operation on a 24-month cycle.

(4) The licensee proposed changing the frequency of the PORV position indicator (limit switch and acoustic monitor) calibration and testing (specified in TS Table 4.1-1) to accommodate operation on a 24-month cycle.

(5) The licensee proposed changing the frequency of the reactor vessel head vent operability checks (specified in TS Table 4.1-3) to accommodate operation on a 24-month cycle.

These proposed changes follow the guidance provided in Generic Letter 91-04, "Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle," as applicable.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Consistent with the requirements of 10 CFR 50.92, the enclosed application is judged to involve no significant hazards based on the following information:

(1) Does the proposed license amendment involve a significant increase in the probability or consequences of any accident previously evaluated?

Response:

The proposed changes do not involve a significant increase in the probability or consequences of any accident previously analyzed. These changes propose extending the surveillance intervals for reactor coolant systems testing. The changes do not involve any physical changes to the plant, nor do they alter the way any equipment functions. An evaluation of past equipment performance and other means of detecting system problems provides assurance that the longer surveillance intervals will not degrade system performance.

(2) Does the proposed license amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response:

The proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated. These changes propose extending the surveillance intervals for reactor coolant systems testing. The changes do not involve any physical changes to the plant, nor do they alter the way any equipment functions. An evaluation of past equipment performance and other means of detecting system problems provides assurance that the

longer surveillance intervals will not degrade system performance.

(3) Does the proposed amendment involve a significant reduction in a margin of safety?

Response:

The proposed changes do not involve a significant reduction in a margin of safety. These changes propose extending the surveillance intervals for reactor coolant systems testing. The changes do not involve any physical changes to the plant, nor do they alter any equipment functions or system setpoints. An evaluation of past equipment performance and other means of detecting system problems provides assurance that the longer surveillance intervals will not degrade system performance.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Attorney for licensee: Mr. Charles M. Pratt, 10 Columbus Circle, New York, New York 10019.

NRC Project Director: Robert A. CapraSouth Carolina Electric & Gas Company, South Carolina Public Service Authority, Docket No. 50-395, Virgil C. Summer Nuclear Station, Unit No. 1, Fairfield County, South Carolina

Date of amendment request: July 22, 1992

Description of amendment request: The proposed amendment would revise section 3/4.3.3.6 of the Technical Specifications (TS) to include 19 category instruments in Table 3.3-10 and Table 4.3.7 and to remove 10 non-category 1 instruments from the same tables. The licensee has stated that these changes are in accordance with Regulatory Guide 1.97 (RG 1.97), Revision 3.

The plant is currently allowed to operate for 7 days if the number of channels of any given instrument listed in Table 3.3-10 is less than the required number of channels as listed in that table. The proposed TS change would increase the time that the licensee was allowed to operate in this condition from 7 days to 30 days.

The plant is currently allowed to operate for 48 hours if the number of channels of any given instrument listed in Table 3.3-10 is less than the minimum channels operable as listed in that table. The proposed TS change would increase the time that the licensee was allowed to operate in this condition from 48 hours to 7 days.

The proposed change would include allowable outage times for the reactor building radiation level and the reactor building hydrogen concentration that are consistent with the current TS.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), South Carolina Electric & Gas Company (SCE&G or the licensee) has reviewed the proposed changes and has determined that the proposed amendment does not involve a significant hazards consideration since the changes will not:

(1) Involve a significant increase in the probability or the consequences of an accident previously evaluated.

Regulatory Guide 1.97 furnishes standards acceptable to the NRC for providing instrumentation to monitor plant variables and systems during and following an accident. The purpose of the accident monitoring instrumentation is to display plant variables that provide information required by the control room operators for manual actions and long term recovery. Determination of variable types and category designations for VCSNS [Virgil C. Summer Nuclear Station] was accomplished from a review of the Emergency Response Guidelines (ERGs), the Final Safety Analysis Report, and the Westinghouse Owners Group (WOG) ERGs. The WOG ERGs were used at VCSNS as a basis for the Emergency Response Procedures. Operability of the instruments used for accident monitoring ensures there is sufficient information available on selected plant parameters to monitor plant status during and following an accident. The changes proposed do not affect components that can cause an accident. The increase in allowable outage time from 7 to 30 days or from 48 hours to 7 days does not significantly affect the consequences of an event previously evaluated. The channel redundancy and the relatively short outage times, coupled with the low probability of an event requiring accident monitoring instrumentation during this interval, ensure that sufficient information is available for operator manual actions. The condition of the plant in either HOT STANDBY or HOT SHUTDOWN, the first stage of the plant shutdown process, has no impact on the assumptions made in the accident analysis. Therefore, the proposed change does not increase the probability or consequences of any accident previously evaluated.

(2) Create the possibility of a new or different kind of accident from any previously analyzed.

The proposed change is consistent with the requirements of RG 1.97. The accident monitoring instrumentation will make available reliable information to plant control room operators to mitigate the consequences of a design basis accident. The first state of plant shutdown, HOT STANDBY and HOT SHUTDOWN, are plant modes for which VCSNS has been analyzed. Therefore, the changes proposed do not create the possibility of a new or different kind of accident from any previously analyzed.

(3) Involve a significant reduction in a margin of safety.

The inclusion of category 1, type A or B, instrumentation in the TS provides assurance that adequate information is available to the operators to maintain VCSNS in a safe condition during and following a design basis accident. Accomplishment of specific manual action by the control room operators is enhanced due to the availability and reliability of the indications. The proposed changes do not affect the design or operation of safety related components relied upon to automatically mitigate the consequences of a design basis event. The proposed change from HOT SHUTDOWN to HOT STANDBY as the first stage of plant shutdown will not affect the design or operation of any safety related system or component. Therefore, the changes proposed would not involve a reduction in any margin of safety.

Local Public Document Room location: Fairfield County Library, Garden and Washington Streets, Winnsboro, South Carolina 29180

Attorney for licensee: Randolph R. Mahan, South Carolina Electric & Gas Company, P.O. Box 764, Columbia, South Carolina 29218

NRC Project Director: Elinor G. Adensam

Tennessee Valley Authority, Docket Nos. 50-259, and 50-296, BrownsFerry Nuclear Nuclear Plant, Units 1, and 3, Limestone County, Alabama.

Date of amendment request: July 2, 1992 (TS 314)

Description of amendment request: The proposed amendment modifies the Technical Specifications for the Browns Ferry Nuclear Plant Units 1 and 3. To allow installation of improved reactor pressure switches, the isolation logic for two Residual Heat Removal isolation valves is proposed to be modified to eliminate an unnecessary permissive signal generated by one set of contacts. The proposed change deletes this function from Technical Specifications. The proposed change also includes new Technical Specification calibration and surveillance intervals appropriate for the new reactor pressure switches. The proposed amendment is similar to an amendment previously approved for the Browns Ferry Nuclear Plant Unit 2.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not significantly increase the probability or consequences of an accident previously evaluated.

The existing non-class 1E pressure switches (PS-68-93 and 94) are being replaced by class 1E pressure switches to resolve problems with inadequate pressure switch accuracy and excessive drift. The existing

pressure switches contain two internal microswitches (SW#1, SW#2) while the replacement switches contain one internal microswitch. As a result, the function of present SW #1, which is to provide a low pressure permissive signal to the isolation logic for RHR valves FCV-74-53 and FCV-74-67, is being deleted from Tables 3.2.B and 4.2.B by this change. This function is redundant to the limit switches on RHR valves FCV-74-47 and FCV-74-48. As such, it is not required nor was it considered in the FSAR analysis. Changes are also being made to [Technical Specification] Table 4.2.A to reflect the revised functional testing and calibration requirements for the new pressure switches.

No new failure modes have been identified for the proposed changes. Misoperation of the replacement pressure switches could not increase the probability or consequences of any accident previously evaluated in the plant Final Safety Analysis Report (FSAR). Further, the replacement pressure switches do not require relocation, do not adversely affect system function or operations, and do not adversely affect other systems or components. Therefore, this change will not significantly increase the probability or consequences of any accident previously evaluated in the FSAR.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The function and operation of the affected systems are not changed by the amendment. Seismic qualification of the affected components remain intact after this modification and other systems will not be adversely affected. Operation and failure modes of the replacement switches can cause no different effects than the existing switches. Thus, the credible failure modes of the replacement switches would be bounded by existing FSAR Section 14.6.3.3.2 accident analysis. Therefore, this modification will not create the possibility of an accident of a different type than any previously evaluated in the FSAR.

3. The proposed change does not involve a significant reduction in a margin of safety.

The change replaces the existing non-Class 1E pressure switches with Class 1E pressure switches that are more accurate. In addition, one of the two contacts from each pressure switch will be removed from the current valve control logic. This contact is redundant to other logic that controls these valves and is not required for proper operation of any logic required for Technical Specification compliance.

The margin of safety defined by the bases for Technical Specifications 3.2.A/4.2.A (Primary Containment and Reactor Building Isolation Functions) and 3.2.B/4.2.B (Core and Containment Cooling-Initiation & Control) is not reduced by this modification. This modification results in increased instrument accuracy and a reduction of failure modes as a result of the deletion of redundant contacts. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposed to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, Ell B33, Knoxville, Tennessee 37902

NRC Project Director: Mr. Frederick J. Hebdon

Tennessee Valley Authority, Docket Nos. 50-259, 50-260 and 50-296, BrownsFerry Nuclear Plant, Units 1, 2 and 3, Limestone County, Alabama

Date of amendment request: July 20, 1992 (TS 310)

Description of amendment request: The proposed amendments change the Technical Specifications for the Browns Ferry Nuclear Plant Units 1, 2, and 3 to eliminate requirements for the Rod Sequence Control System (RSCS) and to relax the setpoint for the Rod Worth Minimizer (RWM). The RSCS and RWM function to ensure the effects of control rod drop accidents are within specified regulatory limits.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendment does not involve a significant increase in the probability or consequences of any accident previously evaluated.

Eliminating the RSCS [Rod Sequence Control System] and decreasing the RWM [Rod Worth Minimizer] setpoint have no effect on the probability of any previously evaluated accident because these systems play no role in any accident initiating mechanism. These systems act to mitigate the consequences of the rod drop accident (RDA). The probability of an RDA is dependent only on the control rod drive system and mechanisms themselves, and not in any way on the RSCS or RWM. Therefore the proposed changes do not involve a significant increase in the probability of any accident previously evaluated.

A study of the RDA sponsored by the BWR [Boiling Water Reactor] Owner's Group (NEDE-24011-A-P) has concluded that the RSCS is unnecessary. This study was approved by the NRC in a safety evaluation dated December 27, 1987. The RSCS functions as a redundant system to the RWM. As long as the RWM is operable, the RSCS is not needed since the RWM prevents control rod pattern errors. In the event the RWM is unavailable, the proposed technical specifications require that control rod movement and compliance with the prescribed control rod pattern be verified by a second licensed operator or other technically qualified member of the plant staff. In addition, to further minimize control rod movement at low power with the RWM out of service, the proposed technical specifications permit only one plant startup per year with the RWM out of service prior to or during the withdrawal of the first twelve control rods. Therefore, the consequences of an RDA as previously evaluated will not be increased as a result of the elimination of the RSCS.

The effects of [an] RDA are more severe at low power levels and are less severe as power level increases. Although the original calculations showed that no significant RDA could occur above 10 percent power, the NRC required that the generic BWR technical specifications be written to require operation of the RWM below 20 percent power to account for uncertainties in the analysis. Recently, more refined calculations conducted for the NRC (NUREG-28109, "Thermal Hydraulic Effects on Control Rod Drop Accident in a BWR") have shown that even with the maximum single control rod position error, and most multiple control rod pattern errors, the peak fuel rod enthalpy reached during an RDA from these control rod patterns would not exceed the NRC limit of 280 calories per gram for RDAs above 10 percent power. These more recent calculations corroborate the original GE [General Electric Company] analyses. Therefore, the proposed decreased setpoint for the RWM will not result in a significant increase in the consequences of any accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Operation of the RSCS and RWM cannot cause or prevent an accident. These systems function to minimize the consequences of [an] RDA. The RDA is evaluated in the FSAR [Final Safety Analysis Report], and the effect of the proposed changes are discussed in item 1) above.

Elimination of the RSCS and decreasing the RWM setpoint will have no impact on the operation of any other systems, and therefore would not contribute to a malfunction in any other equipment nor create the possibility for an accident to occur which has not previously been evaluated.

3. The proposed amendment does not involve a significant reduction in the margin of safety.

Elimination of the RSCS will not result in a significant reduction in the margin of safety for the reasons discussed in Item 1 above and summarized below:

a. NRC and industry studies have demonstrated that the possibility of [an] RDA resulting in unacceptable consequences is so low as to negate the requirement for the RSCS.

b. Current calculations have shown that the consequences of an RDA are acceptable above 10 percent power.

c. The RSCS is redundant in function to the RWM. Eliminating the RSCS does not

eliminate the control rod pattern monitoring function performed by the RWM.

d. To ensure that RWM unavailability will be minimized, the proposed technical specification changes allow only one startup per calendar year with the RWM out of service prior to or during the withdrawal of the first twelve control rods. If the RWM is out of service below 10 percent power, control rod movement and compliance with prescribed control rod patterns will be verified by a second licensed operator or other technically qualified member of the plant staff.

No significant reduction in the margin of safety will result from decreasing the RWM setpoint from 20 percent power to 10 percent power because calculations have shown that even with the maximum single control rod position error, and most multiple control rod pattern errors, the peak fuel rod enthalpy reached during an RDA from these control rod patterns would not exceed the NRC limit of 280 calories per gram for RDAs above 10 percent power.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET llH, Knoxville, Tennessee 37902

NRC Project Director: Frederick J. Hebdon

Tennessee Valley Authority, Docket Nos. 50-259, 50-260 and 50-296, BrownsFerry Nuclear Plant, Units 1, 2 and 3, Limestone County, Alabama

Date of amendment request: August 20, 1992 (TS 309)

Description of amendment request: The proposed amendment would modify the Browns Ferry Nuclear Plant Units 1, 2, and 3 reactor core-related Technical Specifications which have nuclear fuel cycle-specific parameter limits. It is proposed that these limits will be given in a unit and fuel cycle specific Core Operating Limits Report, which will be referenced by the appropriate Technical Specifications. The Tennessee Valley Authority has stated that the proposed changes are consistent with the guidance given by Generic Letter 88-16, "Removal of Cycle-Specific Parameter Limits from Technical Specifications."

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendment does not involve a significant increase in the probability or consequences of any accident previously evaluated.

The removal of specific values for the noted core operating limits [and] restrictions from the BFN [Browns Ferry Nuclear Plant] TS [Technical Specifications] will have no influence on the probability of an accident previously evaluated. No changes will be made to any safety-related equipment or its functions, neither will any changes be made to any equipment, systems, or setpoints used in determining the probability of an evaluated accident. The plant design will therefore remain the same.

The removal of specific values from the BFN TS will have no influence on the consequences of an accident previously evaluated. Although these numerical values will no longer reside in the TS, compliance will still be required during plant operations. The TS amendments will reference the COLR [Core Operating Limits Report] as the source of these values. Actions to be taken in the event of noncompliance with the COLR specified values will remain the same as those currently specified in the TS. Additionally, specific numerical values for these limits [and] restrictions are appropriately set such that in the event of an evaluated accident, the consequences will remain within the acceptance criteria assumed in [Final Safety Analysis Report, (FSAR)] Chapter 14 analyses. Accordingly, the Chapter 14 analyses will be evaluated for each reload using the NRC-approved methodologies delineated in Section 6.9 of the TS (per this license amendment) to confirm applicable acceptance criteria are met.

Therefore, based on the above arguments, no significant increases in the probability or consequences of an accident previously evaluated will result from this license amendment.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Operation of the facility, in accordance with the proposed amendment, would not create the possibility of a new or different kind of accident from any accident previously evaluated because the removal of specific numerical values for the noted core operating limits [and] restrictions from the TS will not result in any changes to any safety-related equipment or its functions, nor will any changes be made to equipment, systems, or setpoints designed to prevent or mitigate accidents. No changes in the design bases will be made.

Therefore, the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in the margin of safety.

Operation of the facility, in accordance with the proposed amendment, would not involve a significant reduction in the margin of safety because an adequate margin of safety is ensured by performing analyses using NRC-approved methodologies specified in Section 6.9 of the TS (per this license amendment) to verify compliance with the conditions and acceptance criteria assumed in the FSAR. As these analyses are performed, specific numerical values for core operating limits [and] restrictions are appropriately set to insure that adequate margin to safety is maintained should an event occur. The TS will continue to require compliance with and operation within the bounds of these limits [and] restrictions and no changes will be made to actions required by the TS in the event of noncompliance. Development of limits [and] restrictions for future cycles will conform to the NRC-approved methods specified in Section 6.9 of the TS, and in addition, a safety review in accordance with 10 CFR 50.59 will be performed for each reload to ensure no unreviewed safety questions exist.

Therefore, no significant reduction in the margin of safety will result from the proposed amendment.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, Ell B33, Knoxville, Tennessee 37902

NRC Project Director: Frederick J. Hebdon

Tennessee Valley Authority, Docket Nos. 50-260 and 50-296, BrownsFerry Nuclear Nuclear Plant, Units 2, and 3, Limestone County, Alabama

Date of amendment request: August 25, 1992 (TS 327)

Description of amendment request: The proposed changes are administrative revisions of the Browns Ferry Nuclear Plant Unit 2 and 3 Technical Specifications. The proposed changes modify the indication range for the low range drywell pressure indicator and recorder, and correct labelling of various recorders. These changes address some issues identified by the control room design review at the Browns Ferry Nuclear Plant.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not significantly increase the probability orconsequences of an accident previously evaluated.

The proposed changes are administrative changes of the indicated range of the indicator and recorder for the low range drywell pressure indicator and to correct the labeling of various recorders. The proposed changes do not effect the design basis or the safety functions of the Primary Containment System, since the sensing range of the drywell pressure is not changed. Therefore, the proposed changes do not significantly increase the probability or consequences of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes are administrative changes of the indicated range of the low range drywell pressure indication and to correct the labeling of various recorders, which resolves a HED [Human Engineering Deficiency] identified through the CRDR [Control Room Design Review] effort. There are no automatic actions effected by the proposed change. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety.

The proposed changes are administrative changes to indicated range and to correct the labeling of various recorders, and does not affect the setpoint, calibration interval or functional test interval of the low range drywell pressure indication. The proposed changes do not affect any limiting conditions of operation or analysis assumption found in the technical specifications or their bases. Therefore, the changes do not involve a significant reduction in any margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11H, Knoxville, Tennessee 37902

NRC Project Director: Mr. Frederick J. Hebdon

Tennessee Valley Authority, Docket Nos. 50-259, 50-260 and 50-296, BrownsFerry Nuclear Nuclear Plant, Units 1, 2, and 3, Limestone County, Alabama

Date of amendment request: August 25, 1992 (TS 321)

Description of amendment request: The proposed change deletes Technical Specification surveillance requirements for equalizer valves between reactor coolant recirculation loops for the Browns Ferry Nuclear Plant Units 1, 2, and 3. These valves are being removed during modifications of the reactor coolant recirculation piping systems at these plants.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The deletion of the Technical Specification reference to the recirculation equalizer valves will clarify present requirements by removing an unnecessary restriction on performance of Surveillance Requirement 4.6.E.2 on jet pump differential pressure. This restriction is unnecessary since BFN does not use the equalizer lines or valves, one valve of the two stays closed, and motive power to the valves is removed. The frequency of performance of Surveillance Requirement 4.6.E.2 is not modified by the proposed change.

During normal plant operation, one equalizer valve between the two recirculation loops is closed and the other redundant valve is open with no power supply to operate the valves. As such, the deletion of the equalizer valves does not change system function during normal plant operation. These valves do not provide a safe shutdown function other than reactor coolant pressure boundary integrity.

When the new recirculation system ringheaders and risers are installed on Units 1 and 3 (and potentially on Unit 2), the hydraulic characteristics of the system will change. A calculation was performed to analyze the thermal and hydraulic effects of the new recirculation system configuration. The analysis concludes that the new design produces no change to the overall external loop resistance and slightly changes the flow distribution to the jet pumps. The lower plenum provides mixing such that the small change in flow distribution to the jet pumps has no effect on core flow distribution and therefore will not affect reactor core parameters. Since the new design does not change the external loop flow resistance, the recirculation flow capability is not affected by this design change. There are also no affects on the other modes of cooling provided through the recirculation system, i.e., Low Pressure Coolant Injection and Residual Heat Removal shutdown cooling.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The existing recirculation equalizer valves and equalizer line are not assumed to function during an accident and do not perform any accident mitigation functions. The deletion of these components will not affect normal system operation or operation during accident conditions, since the equalizer line is normally closed with motive power removed from the equalizer valves. The proposed change to the technical specifications clarifies system configuration without changing system operability or surveillance requirements from the provisions currently in use at BFN. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety.

The proposed change to the technical specifications will not change the method or reduce the frequency of performance of Surveillance Requirement 4.6.E.2.

The proposed change to the technical specifications will reflect system configuration after removal of the equalizer line and replacement of the recirculation system ringheaders and risers on Units 1 and 3 (and potentially on Unit 2). The present operating configuration has one equalizer valve closed on each unit, with motive power removed. Since the equalizer line is not presently used, the deletion of the equalizer lines during the ringheader replacement does not change system lineup or intended use.

The replacement recirculation system piping for the affected BFN Units does change the hydraulic characteristics of the system. Analysis concludes that the new design produces no change to the overall external loop resistance and slightly changes the flow distribution to the jet pumps. The small change in flow distribution to the jet pumps has no effect on core flow distribution and does not affect reactor core parameters.

Since present technical specification requirements for operability are maintained by the proposed change, there is no significant reduction in any margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11H, Knoxville, Tennessee 37902

NRC Project Director: Mr. Frederick J. Hebdon

Tennessee Valley Authority, Docket Nos. 50-259, 50-260 and 50-296, BrownsFerry Nuclear Plant, Units 1, 2 and 3, Limestone County, Alabama

Date of amendment request: September 10, 1992 (TS 323)

Description of amendment request: The proposed amendment wouldremove previous temporary changes made to the Browns Ferry (BFN) Technical Specifications (TS) by license amendments dated September 18, 1989, regarding operability of the Control Room Emergency Ventilation System (CREVS). These temporary TS changes allowed the Tennessee Valley Authority

(TVA) to operate BFN, Unit 2, for one fuel cycle with CREVS in a degraded condition. The proposed TS changes will reflect a new design basis for CREVS that will fully comply with General Design Criteria 19. Additionally, TVA proposed TS changes that will remove the list of dampers necessary for isolation of the Control Bay Habitability Zone and proper alignment of CREVS. Removal of component lists from TS is addressed by Generic Letter 91-08.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. This proposed change does not significantly increase the probability or consequences of an accident previously evaluated.

The proposed Technical Specification change to remove the temporary revisions, which were in place only for CREVS operation during Unit 2 Cycle 6, is administrative. The Limiting Conditions for Operation and Surveillance Requirements will be as they were prior to Unit 2 Cycle 6. Therefore, the proposed changes will not significantly increase the consequences of an accident previously evaluated.

The removal of the temporary changes does not reflect any significant change to any precursor for the design basis events or operational transients that are analyzed in the Browns Ferry Final Safety Analysis Report. Therefore, the probability of an accident previously evaluated is not significantly increased.

The relocation of the list of dampers necessary for the isolation of the Control Bay Habitability Zone and the proper alignment of the CREVS from the Technical Specifications to a functional test procedure conforms to current NRC guidelines as cited in Generic Letter 91-08. The proposed Technical Specification changes result in an acceptable alternative to identifying these dampers by their [plant] identification number as currently listed in the present BFN Technical Specifications. The functional test procedure is subject to the change control provisions of Administrative Controls Section 6.8.1.1 of the current Technical Specifications. This section provides an adequate means to control changes to these component lists without processing a license amendment. Therefore, the proposed changes will not significantly increase the consequences of an accident previously evaluated.

The proposed relocation of the list of dampers does not reflect any significant change to any precursor for the design basis events or operational transients that are analyzed in the Browns Ferry Final Safety Analysis Report. Therefore, the probability of an accident previously evaluated is not significantly increased.

2. This proposed change does not create the possibility of a new or different kind of accident from an accident previously evaluated.

The proposed Technical Specification changes to remove the temporary changes that were in place only for CREVS operation during Unit 2 Cycle 6 are administrative. The Limiting Conditions for Operation and Surveillance Requirements will be as they were prior to Unit 2 Cycle 6.

The relocation of the list of dampers necessary for the isolation of the Control Bay Habitability Zone and the proper alignment of the CREVS from the Technical Specifications to a functional test procedure is a Technical Specification line item improvement and is in accordance with the guidance contained in Generic Letter 91-08. The list of dampers will move from one controlled location, the Technical Specifications, to another controlled location, a plant procedure. This plant procedure is subject to the change control provisions of Administrative Controls Section 6.8.1.1 of the current Technical Specifications.

Therefore, these proposed changes do not create the possibility of a new or different kind of accident from an accident previously evaluated.

3. These proposed temporary and permanent changes do not involve a significant reduction in a margin of safety.

The proposed Technical Specification changes to remove the temporary changes that were in place only for Unit 2 Cycle 6 are administrative. The Limiting Conditions for Operation and Surveillance Requirements will be as they were prior to Unit 2 Cycle 6. Therefore, this proposed change does not involve a significant reduction in a margin of safety.

The relocation of the list of dampers necessary for the isolation of the Control Bay Habitability Zone and the proper alignment of the CREVS from the Technical Specifications to a functional test procedure is a Technical Specification line item improvement and is in accordance with the guidance contained in Generic Letter 91-08. The relocation of the list of dampers will permit administrative control of changes to these lists while still assuring changes to the list receive appropriate review. Therefore, this proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Athens Public Library, South Street, Athens, Alabama 35611

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11H, Knoxville, Tennessee 37902

NRC Project Director: Frederick J. Hebdon

Toledo Edison Company, Centerior Service Company, and The Cleveland Electric Illuminating Company, Docket No. 50-346, Davis-Besse Nuclear Power Station, Unit No. 1, Ottawa County, Ohio

Date of amendment request: September 3, 1992

Description of amendment request: The proposed amendment would revise Technical Specification (TS) 3/4.4.5, "Steam Generators," and its bases to permit the maximum allowable steam generator level to be a variable limit based on the plant's mode of operation. The amount of main steam superheat, the status of the main feedwater pumps, and the status of the Steam and Feedwater Rupture Control System are also considerations involved in determining the appropriate limit for the steam generator level.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Toledo Edison had reviewed the proposed change and determined that a significant hazards consideration does not exist because operation of the Davis-Besse Nuclear Power Station, Unit 1 in accordance with this change would:

1a. Not involve a significant increase in the probability of an accident previously evaluated because the inventory contained in the Steam Generator does not affect the probability of experiencing any accident initiator.

b. Not involve a significant increase in the consequences of an accident previously evaluated because the consequences of the proposed change have been determined to be within the acceptance criteria for previously evaluated accident analyses.

2a. Not create the possibility of a new kind of accident from any accident previously evaluated because no new failure modes are being introduced, and therefore no new accident scenarios can be postulated.

2b. Not create the possibility of a different kind of accident from any accident previously evaluated because no new failure modes are being introduced, and therefore no different accident scenarios can be postulated.

3. Not involve a significant reduction in a margin of safety since the original accident analysis acceptance criteria are still met.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: University of Toledo Library,

Documents Department, 2801 Bancroft Avenue, Toledo, Ohio 43606

Attorney for licensee: Gerald Charnoff, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, DC 20037

NRC Project Director: John N. Hannon

Washington Public Power Supply System, Docket No. 50-397, Nuclear Project No. 2, Benton County, Washington

Date of amendment request: October 31, 1991

Description of amendment request: The amendment proposes to eliminate the main steam line radiation monitor (MSLRM) SCRAM and isolation valve closure functions from the Technical Specification. The proposed changes will reduce the potential for unnecessary reactor shutdown due to spurious MSLRM trip actuation and increase plant operational flexibility by maintaining the condenser heat sink capabilities. The proposed changes are based on recommendations of General Electric Topical Report NEDO-31400, "Safety Evaluation for Eliminating the Boiler Water Reactor Main Steam Line Isolation Valve Closure Function and Scram Function of the Main Steam Line Radiation Monitor," dated May 1987.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated because the functions being removed do not contribute to avoidance or mitigation of any previously evaluated accidents. Further the changes have been shown to have an insignificant impact to overall reactivity control failure frequency. This insignificant impact is in turn offset by the 0.3 percent reduction in core damage frequency realized by the implementation of these changes. Hence the probability or consequences of previously evaluated accidents are not significantly increased due to this change. To the contrary as stated in the topical report the changes provide a net improvement in overall plant safety.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated because the changes do not introduce any new features to the plant design nor any new modes of plant operation. Therefore, no new or different kind of accident is credible.

3. The proposed changes do not involve a significant reduction in a margin of safety because as shown in the topical report the changes represent an overall improvement in plant safety. Safe operation of the plant is further enhanced by elimination of the unnecessary scram and isolation of the reactor vessel. With implementation of these changes the primary heat sink remains available, a large transient on the vessel and safety-related actuations are avoided, and the Offgas Processing System remains available to control the pathway of a potential release. As such the margin of safety is enhanced by the proposed changes.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: Richland Public Library, 955 Northgate Street, Richland, Washington 99352

Attorney for licensee: Nicholas S. Reynolds, Esq., Winston & Strawn, 1400 L Street, N.W., Washington, D.C. 20005-3502

NRC Project Director: Theodore R. Quay

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

Date of amendment request: August 20, 1992

Description of amendment request: The amendment would revise Technical Specification (TS) Table TS 3.5-1, Table 3.5-3, Table TS 3.5-5 and Table TS 4.1-1 together with the TS Section 3.5 basis. The proposed amendment would change the instrument setting limits, the respective basis section, and the table notes pertaining to the degraded grid voltage channel of the safeguards bus second level undervoltage instrumentation for the Kewaunee Nuclear Power Plant (KNPP). Administrative changes are also being proposed dealing with format, typographical and other inconsistencies in both the TS and the TS bases.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change will not involve a significant increase in the probability or consequences of an accident previously evaluated. The probability of an accident previously evaluated is not increased by this TS change. The degraded grid voltage circuitry is designed to detect a degraded voltage condition at the required setpoint and initiate a bus transfer to an alternate supply source. The revision to the setting limits of the circuitry assures the operation of safeguards equipment occurs as assumed in the accident analyses. The probability of an accident occurring is independent of the operability of the circuitry. The changes being made do not affect any structure, system, or component that initiates an accident analyzed in the USAR.

The consequences of an accident previously evaluated will not be increased by this TS change. The change to the setting limits and circuitry ensures the operability of safeguards equipment under degraded grid conditions as assumed in the accident analyses. The configuration of safeguards equipment used to mitigate the consequences of accidents previously evaluated will not change.

The proposed changes do not revise any equipment requirements or existing plant parameters required to provide undervoltage protection. The removal of one time delay relay from the undervoltage protection circuitry results in a simplified circuit configuration with decreased probability of failure. The more frequent surveillance testing of the revised circuit configuration provides additional assurance of reliability.

Therefore the proposed changes do not increase the probability or consequences of accidents previously analyzed.

2. The proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

A new or different kind of accident from those previously evaluated will not be created by this TS change. The proposed changes do not change the operation, function or modes of plant or equipment operation. The ability of the degraded voltage protection circuitry to detect degraded voltage and initiate a bus transfer is maintained. The proposed changes reflect the necessary constraints on setting limits to ensure operation of the plant will continue within the limits of the existing accident analyses and margins of safety.

3. The proposed change will not involve a significant reduction in the margin of safety. The margin of safety will not be reduced by this TS change. These changes revise the current specifications to reflect the more restrictive setting limits necessary to assure safeguards equipment will operate as assumed in the accident analyses. The ability of the degraded voltage circuitry to perform its detection and actuation function is confirmed by existing surveillance requirements. The associated safeguards bus configuration is not changed.

A number of formatting changes and correction of minor typographical errors are being included with this proposed TS change. These changes are being proposed in conjunction with converting the TS document over to the WordPerfect software now being used at WPSC for word processing. Among these changes are renumbering the footnotes and boxing in the tables to give the specification a neater appearance. These changes have been reviewed to ensure that they do not alter the intent or interpretation of the specifications, therefore, there is no effect on public health or safety.

The proposed changes are administrative in nature and do not alter the intent or

interpretation of the TS. Therefore, no significant hazards exist.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that theamendment request involves no significant hazards consideration.

Local Public Document Room location: University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301

Attorney for licensee: Bradley D. Jackson, Esq., Foley and Lardner, P. O. Box 1497, Madison, Wisconsin 53701-1497

NRC Project Director: John N. Hannon

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

Date of amendment request: August 31, 1992

Description of amendment request: The amendment would revise the Technical Specifications (TS) in Section 6, "Administrative Controls." The proposed amendment includes organizational, administrative and formatting changes, in addition to changes to Section 6.13, "High Radiation Area," to more closely resemble Standard TS.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

This proposed amendment reflects organizational changes at Wisconsin Public Service Corporation in addition to administrative and format changes. These revisions do not change the intent of the Technical Specifications or decrease WPSC's management support or involvement in activities at the Kewaunee Plant.

The proposed changes... were reviewed in accordance with the provisions of 10 CFR 50.92 to show no significant hazards exist. The proposed changes will not:

1) involve a significant increase in the probability of occurrence or consequences of an accident previously evaluated,

2) create the possibility of a new or different kind of accident from any previously analyzed,

3) involve a significant decrease in the margin of safety.

The proposed changes will not reduce the level of commitment to the radiation protection practices, or control over high radiation areas at Kewaunee. The changes are intended to clarify the specification and are equivalent to the requirements of Westinghouse STS 6.12. Therefore, no significant hazards exist.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that theamendment request involves no significant hazards consideration.

Local Public Document Room location: University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301

Attorney for licensee: Bradley D. Jackson, Esq., Foley and Lardner, P. O. Box 1497, Madison, Wisconsin 53701-1497

NRC Project Director: John N. Hannon

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

Date of amendment request: September 10, 1992

Description of amendment request: The proposed amendment would revise Technical Specification (TS) Table TS 4.1-1, "Minimum Frequencies for Checks, Calibrations and Test of Instrument Channels." Specifically, Item 19, "Radiation Monitoring System," will be changed to remove the surveillance requirements for the component cooling water radiation monitor.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change will not involve a significant increase in the probability or consequences of an accident previously evaluated. Currently, the Component Cooling Water radiation monitor R-17 initiates the automatic closure of the Component Cooling Water Surge Tank atmospheric vent valve on a high radiation alarm. Upon final implementation of design change request (DCR) 2172, the atmospheric vent and the automatic actuation signal generated by R-17 to close the atmospheric vent valve will be eliminated. The functional objective of the atmospheric vent on the Component Cooling Surge Tank is satisfied by an open vent to the Waste Holdup Tank. Radioactive inleakage to the Component Cooling Water System which passes through the open vent to the Waste Holdup Tank will be processed by the Waste Disposal System or vented to the auxiliary building basement special ventilation zone. Therefore, the elimination of the atmospheric vent and the automatic actuation signal generated by R-17 to close the associated atmospheric vent valve will in fact preclude the possibility of a direct release of radioactive liquid or gaseous effluents to the auxiliary building fan floor area. Therefore, this proposed change to remove surveillance requirements for R-17 from the KNPP Technical Specifications will not increase the probability or consequences of an accident previously evaluated.

2. The proposed change will not create the possibility of a new or different type of accident from an accident previously evaluated. Upon final implementation of DCR 2172, the Component Cooling Water radiation monitor's (R-17) only function will be to provide continuous informational monitoring for radioactive inleakage to the Component Cooling Water system. Therefore, the surveillance requirements associated with R-17 as addressed in this TS change do not create the possibility of a new or different type of accident from an accident previously evaluated.

3. The proposed change will not involve a significant reduction in the margin of safety. Since radiation monitor R-17 is not a part of the liquid or gaseous effluent monitoring instrumentation and controls installed at Kewaunee for controlling and monitoring normal radioactive material releases in accordance with 10 CFR 50, Appendix A, Criteria 60 and 64, this proposed TS change will have no impact on the conclusions of the KNPP Offsite Dose Calculation Manual (ODCM). Thus, the removal of radiation monitor R-17 from the surveillance requirements of Table TS 4.1-1 is consistent with regulatory guidance for RETS. Therefore, this proposed TS change will not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) aresatisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301

Attorney for licensee: Bradley D. Jackson, Esq., Foley and Lardner, P. O. Box 1497, Madison, Wisconsin 53701-1497

NRC Project Director: John N. Hannon

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

Date of amendment request: September 11, 1992.

Description of amendment request: This amendment would revise the Technical Specifications (TS) in Section 3.5, "Instrumentation System," Table 3.5-6, "Instrumentation Operating Conditions for Indication," and Table 4.4-1, "Minimum Frequencies for Checks, Calibrations and Test of Instrument Channels." The proposed amendment would add operability and surveillance requirements for the reactor vessel level indication and core exit thermocouple instrumentation which was installed at

Kewaunee in 1987 as part of the instrumentation to detect inadequate core cooling. Administrative changes are also being proposed dealing with format and typographical inconsistencies.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The staff's review is presented below:

The proposed changes would not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed changes are consistent with the guidance provided in NRC Generic Letter 83-37. Specifically, surveillance requirements, limiting conditions for operation, and required actions are provided for the instrumentation. These new specifications help to ensure instrument reliability and availability, and add restrictions not presently included in the TS. The other proposed changes are administrative in nature. Hence, the probability or consequences of an accident previously evaluated would not be increased.

The proposed changes would not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed changes would not alter the plant configuration, operating setpoints or overall plant performance. Therefore, the possibility of a new or different kind of accident from any accident previously evaluated would not be created.

The proposed changes would not involve a significant reduction in the margin of safety. The proposed changes include enhancements to the specifications and additional controls and limitations. Hence, overall plant safety would be enhanced, and the margin of safety would not be reduced.

Based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301

Attorney for licensee: Bradley D. Jackson, Esq., Foley and Lardner, P. O. Box 1497, Madison, Wisconsin 53701-1497

NRC Project Director: John N. Hannon

Notice Of Issuance Of Amendment To Facility Operating License

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing in connection with these actions was published in the Federal Register as indicated. No request for a hearing or petition for leave to intervene was filed following this notice.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendments, (2) the amendments, and (3) the Commission's related letters, Safety Evaluations and/or Environmental Assessments as indicated. All of these items are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, D.C., and at the local public document rooms for the particular facilities involved. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects.

Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Maricopa County, Arizona

Date of application for amendments: September 9, 1991; supplemented by letter dated September 3, 1992.

Brief description of amendments: These amendments authorize the removal of the feature which causes the shutdown cooling isolation valves to automatically close on rising reactor coolant system pressure.

Date of issuance: October 7, 1992

Effective date: October 7, 1992

Amendment Nos.: 66, 52, and 39

Facility Operating License Nos. NPF-41, NPF-51, and NPF-74: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: October 30, 1991 (56 FR 55942) In response to the notice, on November 25, 1991, Allan L. Mitchell and Linda E. Mitchell filed a petition for leave to intervene and requested a hearing on the amendments. An Atomic Safety and Licensing Board was established. The Licensing Board established a deadline for filing contentions of January 27, 1992. On that date, the petitioners filed a Notice of Voluntary Dismissal of Petition for Leave to Intervene. On March 4, 1992, the Licensing Board found the petitioners to be in default in the proceeding for failing to comply with the Licensing Board's Order to file contentions by January 27, 1992. Accordingly, the petition for leave to intervene was denied and the petitioners were dismissed from the proceeding, with prejudice.The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 7, 1992.No significant hazards consideration comments received: Yes. Petitioners Allan L. Mitchell and Linda E. Mitchell alleged that the proposed amendment requests involve significant hazards considerations, but gave no reasons for the NRC staff to consider.

Local Public Document Room location: Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004

Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Maricopa County, Arizona

Date of application for amendments: December 30, 1991

Brief description of amendments: These amendments revise the containment purge supply and exhaust isolation valve ACTION statements to require the facility to be placed in hot standby as the first stage of shutdown, rather than hot shutdown, in six hours in the event uncorrectable problems are encountered with these valves.

Date of issuance: October 15, 1992

Effective date: October 15, 1992

Amendment Nos.: 67, 53, and 40

Facility Operating License Nos. NPF-41, NPF-51, and NPF-74: The amendments revised the Technical Specifications.

Date of initial notice in **Federal Register:** March 18, 1992 (57 FR 9437) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 15, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of application for amendments: August 13, 1992

Brief description of amendments: The amendments revise the implementation date for Amendments Nos. 166 and 146 for Units 1 and 2, respectively. The amendments were issued on January 17, 1992, and were to be implemented when the spent fuel cask handling crane modifications were complete but no later than July 31, 1992. However, the modifications were delayed and the implementation date is revised to no later than December 31, 1992.

Date of issuance: October 2, 1992

Effective date: October 2, 1992

Amendment Nos.: 175 and 152

Facility Operating License Nos. DPR-53 and DPR-69: Amendments revised the implementation date of Amendments Nos. 166 and 146 for Units 1 and 2, respectively.

Date of initial notice in **Federal Register:** September 2, 1992 (57 FR 40208) The Commission's related evaluation of these amendments is contained in a Safety Evaluation dated October 2, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland 20678.

Commonwealth Edison Company, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, IllinoisDocket Nos. STN 50-456 and STN 50-457, Braidwood Station, Unit Nos. 1 and 2, Will County, Illinois

Date of application for amendments: July 28, 1992Brief description of amendments: The amendments revise the Technical Specifications to reflect changes to the current Boron Dilution Analyses.

Date of issuance: October 5, 1992

Effective date: October 5, 1992

Amendment Nos.: 51, 51, 40, and 40

Facility Operating License Nos. NPF-37, NPF-66, NPF-72 and NPF-77: The amendments revised the Technical Specifications.

Date of initial notice in **Federal Register:** September 2, 1992 (57 FR 40208) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 5, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: For Byron, the Byron Public Library, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481.

Consolidated Edison Company of New York, Docket No. 50-247, Indian PointNuclear Generating Unit No. 2, Westchester County, New York

Date of application for amendment: February 6, 1992, as supplemented September 17, 1992.

Brief description of amendment: The amendment would revise the Technical Specifications (TS) to permit core reload with fuel assemblies enriched to 5 w/o U-235 (TS Section 5.3.A.3), permit reload fuel assemblies enriched to 5.0 w/o U-235 to be stored in the new fuel racks (TS Section 5.4.2.A), and redefine the limit on fuel assembly enrichment permitted in the spent fuel storage racks from grams U-235 per axial centimeter to w/o U-235 (TS Section 5.4.2.B). The storage of 5.0 w/o U-235 spent fuel in the spent fuel storage racks at Indian Point 2 (IP2) was approved by the NRC staff in Amendment No. 150, issued April 19, 1990.

Date of issuance: October 8, 1992

Effective date: October 8, 1992

Amendment No.: 158

Facility Operating License No. DPR-26: Amendment revised License Condition 2.B.(2) and the Technical Specifications.

Date of initial notice in **Federal Register:** April 17, 1992 (57 FR 9441) The Commission prepared an Environmental Assessment and Finding of No Significant Impact which was published in the **Federal Register** on (57 FR 46200). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 8, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: White Plains Public Library, 100 Martine Avenue, White Plains, New York 10610.

Detroit Edison Company, Docket No. 50-341, Fermi-2, Monroe County, Michigan Date of application for amendment: November 16, 1989 as supplemented November 14, 1991.

Brief description of amendment: This amendment changes the Technical Specification (TS) to require periodic leakage tests and visual inspection of the Control Room Emergency Filtration System to assure the integrity of the parts both internal and external to the Control Room. The application was submitted pursuant to License Condition 2.C.(7) of the Fermi-2 Operating License No. NPF-43 and satisfies the requirements of this License Condition. Therefore, the deletion of License Condition 2.C.(7) is included in the amendment.

Date of issuance: October 15, 1992

Effective date: October 15, 1992

Amendment No.: 88

Facility Operating License No. NPF-43. The amendment revises the Technical Specifications

Date of initial notice in **Federal Register:** January 22, 1992 (57 FR 2591) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 15, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Entergy Operations, Inc., Docket No. 50-368, Arkansas Nuclear One,Unit No. 2, Pope County, Arkansas

Date of application for amendment: August 4, 1992

Brief description of amendment: The amendment revised TS 4.7.1.2.a.1 to decrease the value of the secondary steam supply pressure specified for surveillance of the turbine-driven emergency feedwater (EFW) pump from greater than 865 psig to greater than 800 psia (785 psig). In addition, "secondary steam supply pressure" is changed to "steam generator pressure."

Date of issuance: October 2, 1992

Effective date: October 2, 1992

Amendment No.: 136

Facility Operating License No. NPF-6. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** September 2, 1992 (57 FR 40210), as corrected September 11, 1992 (57 FR 41793)The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 2, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Entergy Operations, Inc., Docket No. 50-368, Arkansas Nuclear One,Unit No. 2, Pope County, Arkansas

Date of application for amendment: July 9, 1992, as supplemented by letter dated September 14, 1992.

Brief description of amendment: The amendment revised Technical Specification (TS) Table 2.2-1, Reactor Protective Instrumentation Trip Setpoint Limits, and TS Table 3.3-4, Engineered Safety Feature Actuation System (ESFAS) Instrumentation Trip Values, to allow for the replacement of the narrow range containment building pressure transmitters.

Date of issuance: October 5, 1992

Effective date: October 5, 1992

Amendment No.: 137

Facility Operating License No. NPF-6. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: August 5, 1992 (57 FR 34581) The additional information contained in the supplemental letter dated September 14, 1992, was clarifying in nature and, thus, within the scope of the initial notice and did not affect the staff's proposed no significanthazards consideration determination.The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 5, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Entergy Operations, Inc., Docket No. 50-368, Arkansas Nuclear One,Unit No. 2, Pope County, Arkansas

Date of application for amendment: July 22, 1992, as supplemented by letters dated September 11 and 14, 1992.

Brief description of amendment: The amendmnent revised the Technical Specification (TSs) to increase the allowable pressurizer pressure range from between 2225 and 2275 psia to between 2025 and 2275 psia. The revision also allowed a lower low pressurizer pressure setpoint for reactor trip, safety injection, and containment cooling, along with associated Bases changes.

Date of issuance: October 5, 1992

Effective date: October 5, 1992

Amendment No.: 138

Facility Operating License No. NPF-6. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: August 19, 1992 (57 FR 37567) The additional information contained in the supplemental letters dated September 11 and 14, 1992, was clarifying in nature and, thus, within the scope of the initial notice and did not affect the staff's proposed no significant hazards consideration determination.The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 5, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Entergy Operations, Inc., Docket No. 50-368, Arkansas Nuclear One,Unit No. 2, Pope County, Arkansas

Date of application for amendment: July 9, 1992, as supplemented by letters dated September 11, and October 7, 1992.

Brief description of amendment: The amendment revised TS Figure 3.6-1, "Containment Internal Pressure vs. Containment Average Air Temperature," to incorporate values consistent with the emergency core cooling system (ECCS) analysis assumptions, and increased the allowable upper limits based on recent containment design-basis accident (DBA) analysis. Additionally, the amendment reduced the allowable peak linear heat rate (PLHR) of TS Figure 3.2-1 to maintain a large-break loss-of-coolant accident (LBLOCA) peak clad temperature (PCT) within the 10 CFR 50.46 limit of 2200°F.

Date of issuance: October 8, 1992

Effective date: October 8, 1992

Amendment No.: 139

Facility Operating License No. NPF-6. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: August 5, 1992 (57 FR34582). The additional information contained in the supplemental letters dated September 11, and October 7, 1992, was clarifying in nature and thus, within the scope of the staff's proposed no significant hazards consideration determination.The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 8, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Entergy Operations, Inc., Docket No. 50-382, Waterford Steam ElectricStation, Unit 3, St. Charles Parish, Louisiana

Date of amendment request: January 30, 1992

Brief description of amendment: The amendment revised the Technical Specifications by raising the average electrolyte temperature of a sample of battery cells from 60°F to 70°F and adjusting the limits for specific gravity accordingly.

Date of issuance: October 14, 1992

Effective date: October 14, 1992

Amendment No.: 77

Facility Operating License No. NPF-38. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: March 4, 1992 (57 FR 7811) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 14, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50-321 and 50-366, Edwin I. Hatch Nuclear Plant, Units 1 and 2, Appling County, Georgia

Date of application for amendments: July 17, 1992

Brief description of amendments: The amendments would change several portions of the Technical Specfifications which involve shutdown and refueling operations.

Date of issuance: October 1, 1992

Effective date: no later than 60 days from the date of issuance

Amendment Nos.: 183 and 123

Facility Operating License Nos. DPR-57 and NPF-5. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: August 5, 1992 (57 FR 34584) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 1, 1992. No significant hazards consideration comments received: No.

Local Public Document Room location: Appling County Public Library, 301 City Hall Drive, Baxley, Georgia 31513

Gulf States Utilities Company, Docket No. 50-458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: February 5, 1992

Description of amendment request: The amendment changes the River Bend Station's Technical Specifications to clarify the operability of the Automatic Depressurization System (ADS) by introducing a new surveillance requirement to periodically verify the minimum ADS accumulator air supply header pressure during normal plant operation. Surveillance Requirement 3/4.5.1, "ECCS-Operating," has been modified to require that the ADS accumulator air supply header pressure be verified once every 12 hours to be greater than or equal to 131 psig. The amendment is a result of a licensee commitment following an enforcement conference regarding the operability of the ADS when the normal air supply system was out of service.

Date of issuance: October 2, 1992

Effective date: October 2, 1992, to be implemented within 30 days of issuance.

Amendment No.: 65

Facility Operating License No. NPF-47. The amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** March 18, 1992 (57 FR 9444) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 2, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803

Nebraska Public Power District, Docket No. 50-298, Cooper Nuclear Station, Nemaha County, Nebraska

Date of amendment request: July 28, 1992

Brief description of amendment: The amendment validates the existing pressure vs. temperature operating limit curves for Cooper beyond the current 12 effective full-power years and removes the vessel material surveillance capsule withdrawal schedule from the Cooper Technical Specifications in accordance with the guidance in Generic Letter 91-01.

Date of issuance: October 13, 1992

Effective date: October 13, 1992

Amendment No.: 155

Facility Operating License No. DPR-46. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** September 2, 1992 (57 FR 40214) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 13, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305.

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station Unit No. 1, Oswego County, New York

Date of application for amendment: January 7, 1992

Brief description of amendment: The amendment deletes the fire protection technical specifications and their associated Bases and definitions from the Nine Mile Point Unit 1 Technical Specifications. The deleted requirements have been relocated to the Nine Mile Point Unit 1 Fire Hazard Analysis, which has been incorporated into Appendix 10A of the Nine Mile Point Unit 1 Final Analysis Report (Updated). The amendment augments the Administrative Controls section of the Technical Specifications to require (1) that written procedures be established, implemented, and maintained for activities involving implementation of the Fire Protection Program, (2) periodic review of the Fire Protection Program and implementing procedures by a qualified individual/organization, and (3) submittal of recommended changes to the Fire Protection Program and implementing procedures to the Safety Review and Audit Board. Conforming changes are also being made to the Index for the technical specifications. License Condition 2.D.(7) is being revised to: (1) require Niagara Mohawk Power Corporation (NMPC) to implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report (Updated) as approved in the Fire Protection Safety Evaluation Report dated July 26, 1979, and in the fire protection Exemption issued March 21, 1983, and (2) to permit NMPC to make changes to the approved Fire Protection Program without prior approval of the NRC provided those changes do not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire. The changes are in accordance with the guidance provided in NRC Generic Letter 88-12, "Removal of Fire Protection Requirements from Technical Specifications," dated August 2, 1988, and NRC Generic Letter 86-10, "Implementation of Fire Protection Requirements," dated April 24, 1986.

Date of issuance: October 2, 1992

Effective date: October 2, 1992

Amendment No.: 132

Facility Operating License No. DPR-63: Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** February 5, 1992 (57 FR 4489) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 2, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station Unit No. 1, Oswego County, New YorkDate of application for amendment: September 20, 1991, as supplemented March 12, 1992, and September 17, 1992.

Brief description of amendment: The amendment revises Technical Specifications 3.1.4/4.1.4 (Core Spray System), 3.3.2/4.3.2 (Pressure Suppression System Pressure and Suppression Chamber Water Temperature and Level), 3.3.7/4.3.7 (Containment Spray System), and associated Bases to authorize an increase in the maximum allowable water temperature limit of Lake Ontario (ultimate heat sink) from 77 °F to 81 °F.

Date of issuance: October 14, 1992

Effective date: October 14, 1992

Amendment No.: 133

Facility Operating License No. DPR-63: Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** October 30, 1991 (56 FR 55948) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 14, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Northern States Power Company, Docket Nos. 50-282 and 50-306,Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2, Goodhue County,Minnesota

Date of application for amendments: December 13, 1991

Brief description of amendments: The amendments delete requirements related to chlorine detectors.

Date of issuance: September 29, 1992

Effective date: September 29, 1992

Amendment Nos.: 102 and 95

Facility Operating License Nos. DPR-42 and DPR-60. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** February 5, 1992 (57 FR 4490) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 29, 1992. No significant hazards consideration comments received: No.

Local Public Document Room location: Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Pennsylvania Power and Light Company, Docket Nos. 50-387 and 50-388 Susquehanna Steam Electric Station, Units 1 and 2, Luzerne County, Pennsylvania

Date of application for amendments: January 7, 1991, and its supplements dated August 19, 1991, June 22, 1992, and August 3, 1992

Brief description of amendments: These amendments made changes to the technical specifications to prevent inadvertent isolation of the Reactor Water Cleanup (RWCU) system due to high seasonal temperatures while still providing timely leak detection capability.

Date of issuance: October 3, 1992

Effective date: October 3, 1992

Amendment Nos.: 123 and 90

Facility Operating License Nos. NPF-14 and NPF-22. These amendments revised the Technical Specifications.

Date of initial notice in **Federal Register:** September 1, 1992 (57 FR 39713) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 3, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, Pennsylvania 18701.

Public Service Electric & Gas Company, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

Date of application for amendment: June 15, 1992

Brief description of amendment: Provides an allowable-out-of-service time for the discharge line "keep filled" alarm instrumentation associated with the Low Pressure Coolant Injection System and the Core Spray System.

Date of issuance: October 13, 1992

Effective date: October 13, 1992

Amendment No.: 55

Facility Operating License No. NPF-57: This amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** July 22, 1992 (57 FR 32576) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 13, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070

Sacramento Municipal Utility District, Docket No. 50-312, Rancho SecoNuclear Generating Station, Sacramento County, California

Date of application for amendment: November 19, 1991

Brief description of amendment: This amendment deletesAppendix B to Facility Operating License DPR-54, Non-RadiologicalEnvironmental Technical Specifications.

Date of issuance: October 13, 1992

Effective date: October 13, 1992

*Amendment No.*120

Facility Operating License No. DPR-54. This amendment deletes Non-Radiological Environmental Technical Specifications.

Date of initial notice in **Federal Register:** June 1, 1992, (57 FR 23113) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 13, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Martin Luther King Regional Library, 7340 24th Street Bypass, Sacramento, California 95822Southern Nuclear Operating Company, Inc., Docket No. 50-348, Joseph M. Farley Nuclear Plant, Unit 1, Houston County, Alabama.

Date of application for amendment: October 29, 1991, as supplemented July 1, 1992.

Brief description of amendment: The amendment changes Technical Specification Section 3.4.7.2 and Bases Sections 3.4.4.6 and 3/4.4.7.2. to lower the primary-to-secondary leakage limit through all steam generators from one gallon per minute (gpm) (1440 gallons per day (gpd)) to 420 gpd, and lowers the primary-to-secondary leakage limit through any one steam generator from 500 gpd to 140 gpd.

Date of issuance: October 1, 1992

Effective date: October 1, 1992

Amendment No.: 94

Facility Operating License No. NPF-2. Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** January 22, 1992 (57 FR 2580) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated Ocotber 1, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Houston-Love Memorial Library, 212 W. Burdeshaw Street, P. O. Box 1369, Dothan, Alabama 36302Southern Nuclear Operating Company, Inc., Docket No. 50-348, Joseph M. Farley Nuclear Plant, Unit 1, Houston County, Alabama.

Date of application for amendment: August 24, 1992, as supplemented on September 29, 1992.

Brief description of amendment: The amendment modifies Technical Specification 4.4.6.4 and Bases 3/4.4.6 to allow the implementation of interim steam generator tube plugging criteria for the tube support plate elevations. This amendment is only applicable for the twelfth operating cycle.

Date of issuance: October 8, 1992

Effective date: October 8, 1992

Amendment No.: 95

Facility Operating License No. NPF-2: Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** September 2, 1992 (57 FR 40231) The September 29, 1992, letter provided clarifying information concerning steam generator tube pull commitments that did not change the proposed initial determination of no significant hazards consideration as published in the **Federal Register.** The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 8, 1992.No significant hazards consideration comments received: No

Local Public Document Room location: Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama 36302

Tennessee Valley Authority, Docket Nos. 50-327 and 50-328, Sequoyah Nuclear Plant, Units 1 and 2, Hamilton County, Tennessee

Date of application for amendment: May 28, 1992, modified July 14, 1992 (TS 92-06)

Brief description of amendment: The changes reflect a restructuring within the Tennessee Valley Authority's Nuclear Power Organization affecting the Independent Safety Engineering manager, a change to the reference document that contains the facility staff qualification requirements, and updates the title of the Quality Audit and Monitoring Manager serving on the Plant Operations Review Committee.

Date of issuance: September 28, 1992

Effective date: September 28, 1992Amendment No.: 163-Unit 1; 153-Unit 2

Facility Operating License Nos. DPR-77 and DPR-79: Amendments revise the technical specifications.

Date of initial notice in Federal Register: July 8, 1992 (57 FR 30262) and renoticed on August 5, 1992 (57 FR 34591).The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 28, 1992.No significant hazards consideration comments received: None

Local Public Document Room location: Chattanooga-Hamilton County Library, 1101 Broad Street, Chattanooga, Tennessee 37402

Virginia Electric and Power Company, et al., Docket Nos. 50-338 and 50-339, North Anna Power Station, Units No. 1 and No. 2, Louisa County, Virginia

Date of application for amendments: October 2, 1989, as supplemented by letters dated April 29 and August 24, 1992.

Brief description of amendments: The amendments delete from the NA-1&2 TS 3/4.7.12 the settlement monitoring of most of the Category I structures and increase the allowable differential settlement limits for certain structures. The amendments delete from the NA-1&2 TS 47 out of 51 markers located in the main plant area and 5 out of 17 markers located in the Service Water area. The amendments reduce the total number of settlement markers being monitored from 68 to 16.

Date of issuance: October 5, 1992

Effective date: October 5, 1992

Amendment Nos.: 167, 147

Facility Operating License Nos. NPF-4 and NPF-7. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: February 7, 1990 (55 FR 4283) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 5, 1992.No significant hazards consideration comments received: No.

Local Public Document Room location: The Alderman Library, Special Collections Department, University of Virginia, Charlottesville, Virginia 22903-2498.

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

Date of amendment request: May 27, 1992, and supplemented July 9, 1992

Brief description of amendment: The amendment revised the Pressure/Temperature limits in Technical Specification (TS) Section 3.1.b, "Heatup and Cooldown Limit Curves for Normal Operation;" and TS Figures 3.1-1 and 3.1-2 were replaced with new heatup and cooldown limit curves. Also, administrative changes were made to correct typographical errors and format inconsistencies.

Date of issuance: October 14, 1992

Effective date: October 14, 1992

Amendment No.: 96

Facility Operating License No. DPR-43. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: August 5, 1992 (57 FR 34591) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 14, 1992. No significant hazards consideration comments received: No.

Local Public Document Room location: University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301.

Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf CreekGenerating Station, Coffey County, Kansas

Date of amendment request: June 11, 1992

Brief description of amendment: The amendment removes Technical Specification Table 4.4.5 associated with the schedule for reactor vessel material specimen withdrawal. Guidance related to this change was issued in Generic Letter 91-01, "Removal of the Schedule for the Withdrawal of Reactor Vessel Material Specimens from Technical Specifications," dated January 4, 1991.

Date of Issuance: October 5, 1992

Effective date: October 5, 1992

Amendment No.: 57

Facility Operating License No. NPF-42. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: August 5, 1992 (57 FR 34592). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 5, 1992.No significant hazards consideration comments received: No.Local Public Document Room Locations: Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801 and Washburn University School of Law Library, Topeka, Kansas 66621

Dated at Rockville, Maryland, this 21st day of October 1992.

FOR THE NUCLEAR REGULATORY COMMISSION

Jack W. Roe,

Director Division of Reactor Projects - III/IV/V, Office of Nuclear Reactor Regulation

[Doc. 92-25993 Filed 10-27-92; 8:45 am]

BILLING CODE 7590-01-F

[Docket No. 50-440]

Cleveland Electric Illuminating Co., et al. Perry Nuclear Power Plant; Receipt of Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given that by Petition of September 29, 1992, the Lake County Board of County Commissioners requested that the Director, Office of Nuclear Reactor Regulation, take immediate action on the Perry Nuclear Power Plant operated by the Cleveland Electric Illuminating Company. The Petitioners request that (1) a public hearing be held before the licensee constructs an onsite, low-level radioactive waste storage facility; and (2) the construction of the storage facility be suspended until (a) the NRC or the licensee produces an environmental impact statement on the risks caused by the onsite storage of low-level radioactive waste, and (b) the NRC promulgates regulations for storing low-level radioactive wastes at nuclear power plant sites. The Petition asserts as grounds for this request that the temporary storage will have to be extended beyond the current 5-year limit for temporary storage, necessitating licensing approval under 10 CFR part 30, thus needing an environmental impact statement and a public hearing; the risk of low-level radioactive waste storage on site was not discussed in the original environmental impact statement; and the construction of a storage facility is a fundamental change in the operating license of the plant and a more significant change than anticipated by the 10 CFR 50.59 procedures.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. As provided by § 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of this Petition is available for inspection in the Commission's Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC 20555.

Dated at Rockville, Maryland this 21st day of October, 1992.

For the Nuclear Regulatory Commission.

Thomas E. Murley,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 92-26093 Filed 10-27-92; 8:45 am]

BILLING CODE 7590-01-M

POSTAL RATE COMMISSION

[Docket No. A93-7; Order No. 944]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

In the Matter of: Frontenac, Minnesota 55026 (Doris Berlin, *et al.*, Petitioners)

Issued October 22, 1992.

Docket Number: A93-7.

Name of Affected Post Office: Frontenac, Minnesota 55026.

Name(s) of Petitioner(s): Doris Berlin and others.

Type of Determination: Consolidation.

Date of Filing of Appeal Papers: October 13, 1992.

Categories of Issues Apparently Raised: 1. Effect on the community [39 U.S.C. 404(b)(2)(A)]. 2. Effect on postal services [39 U.S.C. 404(b)(2)(C)]. 3. Economic savings [39 U.S.C. 404(b)(2)(D)]

Other legal issues may be disclosed by the record when it is filed; or, conversely, the determination made by the Postal Service may be found to dispose of one or more of these issues.

In the interest of expedition, in light of the 120-day decision schedule [39 U.S.C. 404(b)(5)], the Commission reserves the right to request of the Postal Service memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request; a copy shall be served on the petitioner. In a brief or motion to dismiss or affirm, the Postal Service may incorporate by reference any such memoranda previously filed.

The Commission orders

(A) The record in this appeal shall be filed on or before October 28, 1992.

(B) The Secretary shall publish this Notice and Order and Procedural Schedule in the **Federal Register**.

By the Commission.

Charles L. Clapp,

Secretary.

Appendix

October 13, 1992
Filing of Petition.
October 22, 1992
Notice and Order of Filing of Appeal.
November 9, 1992
Last day of filing of petitions to intervene [see 39 CFR 3001.111(b)].
November 17, 1992
Petitioners' Participant Statement or Initial Brief [see 39 CFR 3001.115 (a) and (b)].
December 7, 1992
Postal Service Answering Brief [see 39 CFR 3001.115(c)].
December 22, 1992
Petitioners' Reply Brief should Petitioner choose to file one [see 39 CFR 3001.115(d)].
December 29, 1992
Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR 3001.116].
February 10, 1993
Expiration of 120-day decisional schedule [see 39 U.S.C. 404(b)(5)].

[FR Doc. 92-26066 Filed 10-27-92; 8:45 am]

BILLING CODE 7710-FW-M

[Docket No. A93-5 Order No. 942]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

In the Matter of: Pershing, Iowa 50221 (Mary Monteleone *et al.*, Petitioners)

Issued October 22, 1992.

Docket Number: A93-5.

Name of Affected Post Office: Pershing, Iowa 50221.

Name(s) of Petitioner(s): Mary Monteleone and others.

Type of Determination: Closing.

Date of Filing of Appeal Papers: October 9, 1992.

Categories of Issues Apparently Raised: 1. Effect on the community [39 U.S.C. 404(b)(2)(A)]; 2. Effect on postal services [39 U.S.C. 404(b)(2)(C)].

Other legal issues may be disclosed by the record when it is filed; or, conversely, the determination made by the Postal Service may be found to dispose of one or more of these issues.

In the interest of expedition, in light of the 120-day decision schedule [39 U.S.C. 404(b)(5)], the Commission reserves the right to request of the Postal Service memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request; a copy shall be served on the petitioner. In a brief or motion to dismiss or affirm, the Postal Service may incorporate by reference any such memoranda previously filed.

The Commission Orders

(A) The record in this appeal shall be filed on or before October 26, 1992.

(B) The Secretary shall publish this Notice and Order and Procedural Schedule in the **Federal Register**.

By the Commission.

Charles L. Clapp,

Secretary.

Appendix

October 9, 1992
Filing of Petition.
October 22, 1992
Notice and Order of Filing of Appeal.
November 3, 1992
Last day of filing of petitions to intervene [see 39 CFR 3001.111(b)].
November 13, 1992
Petitioners' Participant Statement or Initial Brief [see 39 CFR 3001.115 (a) and (b)].
December 3, 1992
Postal Service Answering Brief [see 39 CFR 3001.115(c)].
December 18, 1992
Petitioners' Reply Brief should Petitioners choose to file one [see 39 CFR 3001.115(d)].
December 28, 1992
Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR 3001.116].
February 6, 1993
Expiration of 120-day decisional schedule [see 39 U.S.C. 404(b)(5)].

[FR Doc. 92-26067 Filed 10-27-92; 8:45 am]

BILLING CODE 7710-FW-M

[Docket No. A93-6 Order No. 943]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

In the Matter of: Schroeder, Minnesota 55613 (Linda M. Lamb, petitioner)

Issued October 22, 1992.

Docket Number: A93-6.

Name of Affected Post Office: Schroeder, Minnesota 55613.

Name(s) of Petitioner(s): Linda M. Lamb.

Type of Determination: Consolidation.

Date of Filing of Appeal Papers: October 13, 1992.

Categories of Issues Apparently Raised: 1. Effect on the community [39 U.S.C. 404(b)(2)(A)]. 2. Effect on postal services [39 U.S.C. 404(b)(2)(C)]. 3. Economic savings [39 U.S.C. 404(b)(2)(D)]. 4. Effect on employees [39 U.S.C. 404(b)(2)(B)]. 5. Compliance with procedural requirements [39 U.S.C. 404(b)(1)].

Other legal issues may be disclosed by the record when it is filed; or, conversely, the determination made by the Postal Service may be found to dispose of one or more of these issues.

In the interest of expedition, in light of the 120-day decision schedule [39 U.S.C. 404(b)(5)], the Commission reserves the right to request of the Postal Service memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request; a copy shall be served on the petitioner. In a brief or motion to dismiss or affirm, the Postal Service may incorporate by reference any such memoranda previously filed.

The Commission Orders

(A) The record in this appeal shall be filed on or before October 28, 1992.

(B) The Secretary shall publish this Notice and Order and Procedural Schedule in the Federal Register.

By the Commission.

Charles L. Clapp,

Secretary.

Appendix

October 13, 1992
Filing of Petition.
October 22, 1992
Notice and Order of Filing of Appeal.
November 9, 1992
Last day of filing of petitions to intervene [see 39 CFR 3001.111(b)].
November 17, 1992
Petitioner's Participant Statement or Initial Brief [see 39 CFR 3001.115(a) and (b)].
December 7, 1992
Postal Service Answering Brief [see 39 CFR 3001.115(c)].
December 22, 1992
Petitioner's Reply Brief should Petitioner choose to file one [see 39 CFR 3001.115(d)].
December 29, 1992
Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR 3001.116].
February 10, 1993
Expiration of 120-day decisional schedule [see 39 U.S.C. 404(b)(5)].

[FR Doc. 92-26068 Filed 10-27-92; 8:45 am]

BILLING CODE 7710-FW-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-31346; File No. SR-Phlx-92-24]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to Buy-Write Options Unitary Derivatives ("BOUNDs")

October 22, 1993.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on September 1, 1992, the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx, pursuant to Rule 19b-4 under the Act, proposes to add new Exchange Rules 1000C through 1007C to permit trading in "BOUNDs" ("Buy-Write Options Unitary Derivatives"). As described in more detail below, BOUNDs are long term options with a duration of up to 60 months which have the same economic characteristics as covered call options.[1] BOUND holders will be able to participate in a stock's price appreciation up to but not exceeding a specified strike price while receiving payments equivalent to any cash dividends declared on the underlying stock. The Exchange also proposes to amend Commentary .03 to Phlx Rule 1012 to permit the listing of long term equity options ("LEAPs") with a duration of up to 60 months. The text of the proposed rule change is available at the Office of the Secretary, Phlx, and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The securities industry, for some time, has sought a product to offer the investment community with features that would complement LEAPs [2] by providing the holder an opportunity to retain dividends on an underlying security, while potentially participating in its capital appreciation up to a fixed dollar amount. Accordingly, the Exchange, in conjunction with the other U.S. options exchanges, proposes to list BOUNDs as a complement to LEAPs.

BOUNDs trading will be regulated, except as described herein, by the rules governing standardized options. The Options Clearing Corporation ("OCC") will be the issuer of all BOUNDs traded on the Exchange. As with all OCC issued options, BOUNDs will be created when an opening buy and an opening sell order are executed.[3] The execution of such orders will increase the open interest in BOUNDs. The Exchange anticipates listing BOUNDs on those underlying securities that already have LEAPs listed on them. The criteria for stocks underlying BOUNDS will be the same as the criteria for stocks underlying LEAPs.

BOUNDs will have the same strike prices and expiration dates as their corresponding LEAPs. The Exchange anticipates that it will list new complementary LEAPs and BOUNDs on the same underlying securities annually, or at more frequent intervals, depending on market demand. While it currently has authority to list LEAPs with up to 39 months until expiration, the Exchange is proposing: (i) To amend Commentary .03 to Exchange Rule 1012 to permit the listing of LEAPs with up to 60 months (five years) until expiration, and (ii) to introduce BOUNDs with up to the same five year duration.

The Exchange anticipates that the sum of the market prices of a LEAP and a BOUND on the same underlying stock with the same expiration will closely approximate the market price for the underlying stock. If the combined price of the LEAP and BOUND diverge from that of the underlying common stock, there will be an arbitrage opportunity which, when executed, will tend to bring the price relationships back into line.

Economically, BOUNDs will essentially reproduce covered calls, while offering the added benefits that they may be traded in a single transaction and are not subject to early exercise. BOUND holders will profit from appreciation in the underlying stock's price up to the strike price and will receive payments equivalent to any cash dividends declared on the underlying stock. On the ex-dividend date for the underlying stock, OCC will debit all accounts with short positions in BOUNDs and credit all accounts with long positions in BOUNDs with an amount equal to the cash dividend on the underlying stock.

Upon expiration, BOUND holders will receive 100 shares of the underlying stock for each BOUND held if, on the last day of trading, the underlying stock closes at or below the strike price.

[1] Covered call writing is a strategy by which an investor sells a call option while simultaneously owning the number of shares of the stock underlying the call.

[2] LEAPs is an acronym for Long-Term Equity Anticipation Securities. Currently, Phlx rules provides for the listing of LEAPs that expire 39 months from the date of issuance for all products other than index options.

[3] This is not say, however, that an opening BOUND order cannot be executed against a closing BOUND order. Although a BOUNDs position may be established by executing an opening BOUND order against a closing BOUND order, this transaction would not increase the net open interest in the particular BOUND series.

However, if at expiration the underlying stock closes above the strike price, the BOUND holder will receive a payment equal to 100 times the BOUND's strike price for each BOUND held. Conversely, at expiration, BOUND writers will be required to deliver either 100 shares of the underlying stock or the strike price multiplied by 100. This settlement design is similar to the economic result that accrues to an investor who has sold a covered call and held that position to the expiration of the call option.

For example, if the XYZ BOUND has a strike price of $50 and XYZ stock closes at $50 or less at expiration, the holder of the XYZ BOUND will receive 100 shares of XYZ stock. This is the same result as if the call option in a buy-write position had expired out of the money; *i.e.*, the option would expire worthless and the writer would retain the underlying stock. If XYZ closes above $50 per share, then the holder of an XYZ BOUND will receive $5,000 in cash (100 times the $50 strike price). This mimics the economic result to the covered call writer when the call expires in-the-money, *i.e.*, the writer would receive an amount equal to 100 times the strike price and would forfeit any appreciation above that price because the stock would be delivered to satisfy the settlement obligations created upon the exercise of the call option.

The settlement mechanism for the BOUNDs will operate in conjunction with that of LEAP calls. For example, if at expiration the underlying stock closes at or below the strike price, the LEAP call will expire worthless, and the holder of a BOUND will receive 100 shares of stock from the short BOUND. If, on the other hand, the LEAP call is in the money at expiration, the holder of the LEAP call is entitled to 100 shares of stock from a short LEAP holder upon payment of the strike price, and the holder of a BOUND is entitled to the cash equivalent of the strike price times 100 from the short BOUND holder. An investor long both a LEAP and a BOUND, where XYZ closes above the $50 strike price at expiration, would be entitled to receive $5,000 in cash from the short BOUND and, upon exercise of the LEAP, would be obligated to pay $5,000 to receive 100 shares of XYZ stock.

An investor long the underlying stock, and who writes both a LEAP and a BOUND, will be obligated to deliver the stock to the long LEAP call if the underlying stock closes above the strike price, and will receive in return payment of the strike price times 100, which amount will then be delivered to the long BOUND. A covered writer's position, therefore, effectively is closed upon the delivery of the underlying stock. If a writer of both instruments has deposited cash or securities other than the underlying stock as margin for a short LEAP call and BOUND, then the writer delivers 100 shares of stock (purchased on the open market) to the long LEAP call upon payment of the strike price times 100. The writer of the BOUND then delivers the cash value of 100 times the strike price to the holder of the long BOUND.

It should be noted that LEAPs are "American" style options whereas BOUNDs are "European" style. The Exchange believes that a European style BOUND will have greater acceptance among investors than an American style product since a European style BOUND will permit purchasers to receive for a definite period of time the dividend yield provided by the BOUND.

The terms of a BOUND will not be adjusted because of cash distributions to the shareholders of the underlying security. As noted above, OCC will debit all accounts with short BOUND positions and credit all accounts with long BOUND positions on the underlying stock's ex-dividend date with an amount equal to any cash dividend declared with respect to the underlying stock. Any cash distributions payable with respect to an underlying security by virtue of a regular, special, liquidating or any other dividend or distribution will be debited to the accounts of persons that have sold BOUNDs and credited to the accounts of persons that have bought BOUNDs.

If the issuer of an underlying security has a stock split, stock dividend or otherwise makes a non-cash distribution to its shareholders, the terms of the outstanding BOUNDs with respect to that issuer will be adjusted as of the ex-date for the distribution so that the sellers of such BOUNDs will be obligated to deliver the additional securities to the BOUND purchasers at the expiration of the then outstanding BOUNDs. It is the intention of the Exchange to list new series of complementary BOUNDs and LEAPs with respect to any underlying security making a non-cash distribution, provided the underlying security meets the established criteria required for listing LEAPs and BOUNDs. In addition, should an underlying security terminate prior to the expiration date due to some extraordinary event, *e.g.*, a takeover of the issuer, the BOUNDs will terminate prior to their expiration date, and holders will receive either the stock (and possibly other securities) or the stated strike price from sellers according to the settlement protocol described above.

BOUNDs will be subject to the position limits for equity options set forth in Exchange Rule 1001. In addition, BOUNDs will be aggregated with other equity options on the same underlying stock for purposes of calculating position limits. However, since a BOUND, from the perspective of the holder, is the equivalent of a long stock/short call position, long BOUNDs will be aggregated with short call and long put positions. Similarly, since the BOUND, from the perspective of the seller, is the equivalent of a long call/short stock position, short BOUNDs will be aggregated with long call and short put positions. In addition, since BOUNDs are equivalent to either a long stock/short call or a short stock/long call position, investors in BOUNDs may be eligible for larger positions pursuant to the Exchange's hedged position limit exemption pilot program set forth in Exchange Rule 1001, Commentary .07. Thus, the largest position that any one person or group of persons acting in concert may establish would be 16,000 BOUNDs, *i.e.* two times the maximum regular position limit of 8,000 option contracts.

Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act, in general, and furthers the objectives of section 6(b)(5), in particular, in that it is designed to further promote the mechanism of free trade and open markets and to protect investors and the public interest by facilitating transactions in securities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe the proposed rule change will impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were either solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii)

as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by November 18, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-26131 Filed 10-27-92; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATE: Comments should be submitted by November 27, 1992. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (S.F. 83), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Cleo Verbillis, Small Business Administration, 409

Issued October 22, 1992. 3rd Street, SW., 5th Floor, Washington, DC 20416, Telephone: 202 205-6629.

OMB Reviewer: Gary Waxman, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

Title: Service Corps of Retired Executives (SCORE), Application for Membership.

SBA Form No.: SBA Form 610.

Frequency: On Occasion.

Description of Respondents: Individuals Seeking SCORE Membership.

Annual Responses: 2,800.

Annual Burden: 1,400.

Dated: October 22, 1992.

Cleo Verbillis,

Chief, Administrative Information Branch.

[FR Doc. 92-26049 Filed 10-27-92; 8:45 am]

BILLING CODE 8025-01-M

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATE: Comments should be submitted within 30 days of this publication in the **Federal Register**. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (S.F. 83), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Cleo Verbillis, Small Business Administration, 409 3RD Street, SW., 5th Floor, Washington, DC 20416. Telephone: (202) 205-6629.

OMB Reviewer: Gary Waxman, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

Title: Application Forms for Participation in the 8(a) Program.

SBA Form No.: SBA Forms 1010A, 1010B, and 1010C.

Frequency: On occasion.

Description of Respondents: The data submitted by small business concerns will be evaluated by SBA personnel to determine whether the business is owned and controlled by economically and socially disadvantaged individuals and meets other eligibility criteria.

Annual Responses: 11,000.

Annual Burden: 110,000.

Dated: October 23, 1992.

Cleo Verbillis,

Chief, Administrative Information Branch.

[FR Doc. 92-26136 Filed 10-27-92; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Vehicle Theft Prevention Standard; Mazda

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Grant of petition for exemption.

SUMMARY: This notice grants the petition by Mazda for exemption from the parts marking requirements of the vehicle theft prevention standard for two new high theft car lines (whose nameplates are confidential), pursuant to 49 CFR part 543, Exemption from Vehicle Theft Prevention Standard. The petition is granted because the agency has determined that the antitheft device to be placed on the car lines as standard equipment, is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts marking requirements.

DATES: The exemption granted by this notice is effective beginning with the 1994 model year.

FOR FURTHER INFORMATION CONTACT: Ms. Barbara A. Gray, Office of Market Incentives, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Gray's telephone number is (202) 366-1740.

SUPPLEMENTARY INFORMATION: In a letter dated May 5, 1992, Mazda (North America), Inc. (Mazda), informed NHTSA that it planned to introduce two new car lines for the 1994 model year. Mazda requested that, in the event the agency determined that the two new car lines were likely to be high theft, Mazda's letter be treated as a petition for exemption from the parts marking requirement in the theft prevention standard (49 CFR part 541) for the two new car lines. The agency informed Mazda that NHTSA does not process a petition for exemption of a car line from parts marking until there is a final determination that the car line that is the subject of the petition is likely to be a high theft car line. (See 49 CFR 543.3.) On June 25, 1992, the agency's determination that the two new Mazda car lines for the 1994 model year are likely to be high theft, became final. Therefore, the agency began processing Mazda's petition for exemption on that date.

The information submitted by Mazda constitutes a complete petition, as required by 49 CFR 543.7, in that it meets the general requirements contained in section 543.5 and the specific content requirements of section 543.6. In a letter dated May 20, 1992, to Mazda, the agency granted Mazda's request for confidential treatment of certain information in its petition. Among the information for which confidential treatment was granted was the nameplates of the two car lines.

In its petition, Mazda provided a description of the identity, design, and location of the components of the antitheft device proposed for the car lines that are the subject of this notice, including diagrams of the components and their location in the vehicle. Mazda stated that the proposed antitheft device includes an audible alarm, a visual alarm, and a starter-interrupt mechanism that prevents the engine from being started.

Mazda stated that the proposed antitheft device is automatically activated by the normal locking of the vehicle doors. In order to arm the system, the key must be removed from the ignition switch, and all of the doors must be locked. This procedure also ensures that the hood and trunk are automatically locked. A security lamp within the vehicle informs the vehicle operator whether the device is armed or properly functioning. Mazda stated its belief that because the security lamp provides feedback to the vehicle operator during the locking and system actuation process, there is little likelihood of error in arming the system.

Once armed, sensors in the antitheft device monitor the vehicle's doors, hood, and trunk for unauthorized entry. If the system is armed and unauthorized entry is attempted by opening any of the doors, or any attempt is made to gain access to the engine or trunk compartment, the antitheft device will be triggered.

Triggering the antitheft device will cause the headlights and hazard warning lights to continuously flash. In addition, the horn will sound, for five minutes. Mazda noted that because the headlights and four hazard warning lamps, which are located on the rear as well as front of the vehicle, flash indefinitely, the flashing lights will be visible from virtually all directions. Mazda stated that it considers this increased visibility to be an advantage over systems that utilize only flashing headlights. In addition, the starter motor circuit will be interrupted, disabling the engine indefinitely, until the correct ignition key is used to gain entry into the vehicle.

The antitheft device is deactivated by unlocking either the front door or the trunk with the ignition key. Using the correct ignition key to start the vehicle will terminate the starter-interrupt feature and allow operation of the vehicle. Removal of the key, and locking all doors, will again actuate the device.

Mazda stated that to prevent defeat of the antitheft device, all system components have been placed in inaccessible locations. A drawing provided by Mazda depicted the sensors, horn, wiring harnesses, circuitry, and logical control of the device as in fact all located in areas that are inaccessible from the exterior of the vehicle.

Mazda described other measures to prevent unauthorized operation of its new car lines. Mazda stated that the battery terminals and cables leading to the terminals are completely enclosed with a protective shroud to prevent access to the electrical power supply of the antitheft device from underneath the engine compartment. Mazda stated that the horns and wiring harnesses are also located so as to prevent access from underneath the vehicle.

Mazda addressed the reliability and durability of its proposed antitheft device by listing the tests that were conducted on the device. Mazda asserted that these specific tests, conducted under actual field conditions, validate the integrity of its device under those conditions. Mazda reported the following testing criteria were used: surge resistance, thermal shock resistance, vibration durability, computer noise, humidity and moisture tolerance, extreme temperature tolerance, and cycling/fatigue durability. Mazda further asserted that other components of the antitheft device, such as the sensors, wiring harnesses, audible alarm, hazard warning lamps, and starter-interrupt solenoid, have been used in past applications and have proven to be highly reliable while exposed to extreme operating conditions.

In discussing why it believes its antitheft device will be effective in reducing and deterring motor vehicle theft, Mazda compared its proposed antitheft device with similar antitheft devices, manufactured by other manufacturers, that have been previously determined by this agency to likely be as effective as parts marking. Mazda compared its proposed antitheft device with the devices installed on the Toyota Cressida, Nissan Maxima, Toyota Supra, Nissan 300ZX, and the Mazda RX–7 car lines. Providing theft data before and after installation of the antitheft devices on these car lines, Mazda stated that the theft rates of these comparable lines decreased when the antitheft systems were made standard equipment.

Using data from NHTSA, Mazda showed that in MY 1985, before installation of its antitheft device, the Toyota Cressida had a theft rate of 4.70 (all figures provided are per thousand vehicles produced). In MY 1986, after installation of its antitheft device, the Cressida had a theft rate of 4.26. In MY 1984, before installation of its antitheft device, the Nissan Maxima had a theft rate of 4.18. In MY 1985, after installation of its antitheft device, the Maxima had a theft rate of 1.99. In MY 1985, before installtion of its antitheft device, the Toyota Supra had a theft rate of 10.39. In MY 1986, after installation of its antitheft device, the Supra had a theft rate of 2.79. In MY 1986, before installation of its antitheft device, the Nissan 300ZX had a theft rate of 7.71. In MY 1987, after installation of its antitheft device, the 300ZX had a theft rate of 5.97. In MY 1987, before installation of its antitheft device, the Mazda RX–7 had a theft rate of 5.83. In MY 1988, after installation of its antitheft device, the RX–7 had a theft rate of 5.64.

Mazda implies that the lowering of the theft rates, after these car lines were equipped with comparable antitheft devices, suggests that Mazda's device on its two new car lines will similarly result in lower theft rates than if the car lines had their parts marked. The agency concurs with Mazda that these antitheft

devices manufactured by other manufacturers are comparable to the device proposed by Mazda for its two new car lines, and are probative of the potential theft experience of the two new Mazda car lines.

NHTSA believes that there is substantial evidence indicating that the antitheft device to be installed as standard equipment in the two new Mazda car lines that are the subject of this notice, will likely be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of the theft prevention standard (49 CFR part 541). This determination is based on the information Mazda submitted with its petition and on other available information. The agency believes that the device will provide all of the types of performance listed in § 543.6(a)(3): promoting activation; preventing defeat or circumventing of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by section 605(b) of the statute and 49 CFR 543.6(a)(4), the agency also finds that Mazda has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Mazda provided on its device. This information included a description of reliability and functional tests conducted by Mazda for the antitheft systems and its components.

Based on the foregoing, the agency hereby exempts the two Mazda car lines that are the subject of this notice, in whole, from the requirements of 49 CFR part 541.

If Mazda decides not to use the exemption for the two car lines that are the subject of this notice, it should formally notify the agency. If such a decision is made, the car line(s) must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

The agency notes that the limited and apparently conflicting data on the effectiveness of the pre-standard parts marking programs continue to make it difficult to compare the effectiveness of an antitheft device with the effectiveness of compliance with the theft prevention standard. The statute clearly invites such a comparison, which the agency has made on the basis of the limited data available.

NHTSA notes that if Mazda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that the part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "(t)o modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden which § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, then it should consult the agency before preparing and submitting a petition to modify.

Issued on: October 21, 1992.

Howard M. Smolkin,

Executive Director.

[FR Doc. 92-26084 Filed 10-27-92; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

October 22, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515-0079.
Form Number: CF 4790.
Type of Review: Reinstatement.
Title: Report of International Transportation of Currency or Monetary Instruments.
Description: The CF 4790 establishes a record, where none previously existed, of currency and negotiable instruments entering the United States, and has a high level of usefulness in criminal, tax and regulatory investigations and proceedings.
Respondents: Individuals or households, Businesses or other for-profit.
Estimated Number of Respondents: 178,943.
Estimated Burden Hours Per Respondent: 10 minutes.
Frequency of Response: On occasion.
Estimated Total Reporting Burden: 29,830 hours.
Clearance Officer: Ralph Meyer (202) 927-1552, U.S. Customs Service, Paperwork Management Branch, room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.
OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 92-26108 Filed 10-27-92; 8:45 am]

BILLING CODE 4820-02-M

Public Information Collection Requirements Submitted to OMB for Review

Dated: October 22, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Special Request

The Department is requesting review and approval from OMB on the information collection listed below by November 9, 1992 in order to provide this form to the public not later than January 1, 1993. The affected public will inventory cigarettes subject to the floor stocks tax between December 26, 1992 and January 10, 1993. The floor stocks return must be filed, and the floor stocks tax paid by June 30, 1993. In order to allow for public review and comment, the form and its instructions are being published with this notice.

Bureau of Alcohol, Tobacco and Firearms

OMB Number: New.
Form Number: ATF F 5000.28T.
Type of Review: New collection.
Title: 1993 Floor Stocks Tax Return (Cigarettes), Recordkeeping and Reporting Requirements.
Description: The Omnibus Budget Reconciliation Act of 1990 raises the excise tax on tobacco products effective January 1, 1993. The Act also imposes a Floor Stocks Tax affecting wholesale and retail dealers in cigarettes as well as producing/warehouse facilities. ATF F 5000.28T and the regulations (already published) implement the law and are necessary to protect the revenue.
Respondents: Businesses or other for-profit.
Estimated Number of Respondents/Recordkeepers: 60,000.
Estimated Burden Hours Per Respondent/Recordkeeper: 12 hours.
Frequency of Response: Other (One-Time Only January 1993).
Estimated Total Reporting/Recordkeeping Burden: 750,000 hours.

Clearance Officer: Robert N. Hogarth (202) 927–8930, Bureau of Alcohol, Tobacco and Firearms, room 3200, 650 Massachusetts Avenue, NW., Washington, DC 20226.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.

BILLING CODE 4810-31-M

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

1993 FLOOR STOCKS TAX RETURN (CIGARETTES)

(See Instructions)

SECTION 1 - TAXPAYER IDENTIFYING INFORMATION

1. NAME AND ADDRESS:	2. EMPLOYER IDENTIFICATION NUMBER:
	3a. NUMBER OF LOCATIONS COVERED BY THIS RETURN:
	3b. ☐ CONTROLLED GROUP CHECK HERE IF MEMBER OF CONTROLLED GROUP (SEE INSTRUCTIONS)

SECTION II - EXEMPTIONS (Check the appropriate block)

4. ☐ I am not engaged in a business involving **CIGARETTES** liable for floor stocks tax. Do not complete Section III or IV if you checked this block. Complete only Section V - Taxpayer Certification (items 16,17 and 18).

5 ▒ RESERVED

6. ☐ The total large and small (**CIGARETTES**) held by me, on January 1, 1993, does not exceed 30,000 cigarettes (excluding vending machines). Do not complete Section III or IV if you checked this block. Complete only Section V - Taxpayer Certification (items 16, 17 and 18).

SECTION III - CALCULATION OF TAXES

ARTICLE (a)	INVENTORY TOTAL (As of 1/1/93) (See Instructions) (b)	FLOOR STOCKS TAX RATE (c)	COMPUTED TAX Column (b) x Column (c) (d)
7. SMALL CIGARETTES (Class A) (All Standard Sizes, Including 100mm and 120mm) 42		$2.00 Per Thousand Cigarettes Multiply .002 x Column (b) and enter total in Column (d)	
8. LARGE CIGARETTES (Class B) (Weighing More Than 3 Pounds Per Thousand) 43		$4.20 Per Thousand Cigarettes Multiply .0042 x Column (b) and enter total in Column (d)	
9. TOTAL COMPUTED CIGARETTE TAX (Add items 7(d) and 8(d), enter total computed tax in line 9(d).			
10. TAX CREDIT. MULTI-LOCATION TAXPAYERS AND CONTROLLED GROUP TAXPAYERS MAY ONLY CLAIM ONE $60.00 CREDIT - SEE INSTRUCTIONS. THE TAX CREDIT CANNOT EXCEED THE AMOUNT DUE. Enter correct figure if less than $60.00			$60.00
11. TOTAL TAX DUE (Subtract line 10 from line 9) This is your tax liabilty.			

SECTION IV - TAX AND PAYMENT SUMMARY PAY BY JUNE 30, 1993

12. METHOD OF PAYMENT → ☐ EFT ☐ CHECK ☐ MONEY ORDER ☐ OTHER (Specify) | 13. AMOUNT PAID

MAKE CHECK OR MONEY ORDER PAYABLE TO "BUREAU OF ALCOHOL, TOBACCO AND FIREARMS." WRITE YOUR EMPLOYER IDENTIFICATION NUMBER ON THE CHECK AND SEND IT ALONG WITH THE TAX RETURN IN THE RETURN ENVELOPE, OR ADDRESS ENVELOPE TO BUREAU OF ATF, P.O. BOX 371984, PITTSBURGH, PA 15250-7984.

	FAILURE TO FILE	FAILURE TO PAY	INTEREST	
14. OFFICIAL USE ONLY				
15. OFFICIAL USE ONLY				

SECTION V - TAXPAYER CERTIFICATION

Under penalties of perjury, I declare that I have examined this return (including any supporting inventory records and accompanying statements) and to the best of my knowledge and belief it is true, correct, complete, and includes all tax liabilities required by law or regulations to be reported.

16. SIGNATURE	17. TITLE	18. DATE

ATF F 5000.28T ( )

INSTRUCTIONS

Section I — Taxpayer Identifying Information

Items 1 and 2. Verify and correct all pre-printed information. If you receive a blank tax return, enter your complete business name, address, and ZIP code in item 1. Enter your Employer Identification Number (EIN) in item 2.

Item 3. Specify the number of locations covered by this return. Enter the number "1" if the return covers only one location. It is suggested that you file a consolidated return covering multiple locations with the same EIN.

Section II — Exemptions

Items 4 and 6. Check the appropriate block if you meet either of the exemptions listed. Do not complete section III or IV if you checked either block.

Section III — Calculation of Taxes

Items 7 through 11. Enter inventory totals in Column (b). Multiply Column (b) by the tax rate in Column (c) and enter the result in Column (d). Add Items 7 and 8, Column (d), and enter total in Item 9. Subtract the $60 tax credit and enter the result in Item 11. This is your total tax due.

Only one $60 Tax Credit is allowed for a controlled group. The credit may be divided among the controlled group members in any way the members choose. Attach a separate sheet showing, for each member of the group: the location, EIN, and portion of the tax credit taken.

Section IV — Tax and Payment Summary

Item 12. Check the appropriate block for the method of payment.

Item 13. Enter the amount paid.

Section V — Taxpayer Certification

Items 16 through 18. Sign the tax return in Item 16 and enter the title of the signing official in Item 17. Enter the date the return is signed in Item 18. The person signing the tax return must be authorized to act on behalf of the business. Agents signing on behalf of a business must have a power of attorney on file with ATF or may attach a copy with the tax return.

Mailing. Use the enclosed self-addressed envelope to submit the return and payment, or mail to:

Bureau of Alcohol, Tobacco and Firearms
P.O. Box 371984
Pittsburgh, PA 15250-7984

Electronic Funds Transfer (EFT). Submit your floor stocks tax payment by EFT if you currently pay your Federal excise taxes by EFT.

Retention of Records. Keep your inventory sheets and other supporting records available for inspection by ATF officers for a period of 3 years from the date you file your return. It is also recommended that you maintain a copy of this tax return for your records.

Inspection Authority. Whenever it is necessary to establish, verify, or investigate floor stocks tax liabilities, ATF officers are authorized by 26 U.S.C. Section 7602 and 7606 to:

(a) Examine any books, records, or other data which may be relevant to an investigation of floor stocks tax, and

(b) Enter premises where articles subject to the floor stocks tax are stored and inventory or examine these articles, and

(c) Issue summonses compelling the production of books of account or other data, or the appearance of appropriate persons.

Penalties. Civil and criminal penalties are imposed for failure to file, failure to pay, failure to allow ATF officers access to premises where taxable articles are stored, failure to furnish officers access to records pertinent to tax liabilities, or filing a fraudulent return.

THIS FLOOR STOCKS TAX RETURN IS NOT A SPECIAL TAX RETURN. FILE EACH RETURN AND PAYMENT IN THE SEPARATE ENVELOPES PROVIDED.

IF YOU ARE ENGAGED IN THE BUSINESS OF SELLING ALCOHOLIC BEVERAGES AND HAVE NOT PAID SPECIAL OCCUPATIONAL TAX; CONTACT THE APPROPRIATE REGIONAL OFFICE LISTED IN THE SUPPLEMENTAL INSTRUCTIONS.

PAPERWORK REDUCTION ACT NOTICE

This request is in accordance with the Paperwork Reduction Act of 1980. The purpose of this information is to identify taxpayers and the amount of tax due for each tax return. The information is used by the Government to ensure that the correct tax was determined and paid. This information is mandated by Public Law 101-508, 104 Stat., 1388.

The estimated average burden associated with this collection is 12. hours per respondent or recordkeeper depending on individual circumstances. The time will vary widely depending on inventory.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Reports Management Officer, Information Program Branch, Room 3110, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, N.W., Washington, DC 20226., and the Office of Management and Budget, Paperwork Reduction Project, 1512-xxxx, Washington, DC 20503.

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

DIRECTOR

MESSAGE FROM THE DIRECTOR

TO: All Tobacco Producers, Wholesalers, Importers, Retailers, and Others Concerned

The Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508, 104 Stat., 1388 imposed a floor stocks tax on cigarettes and increased the Federal excise tax rates on tobacco products, effective January 1, 1993.

In order to comply with this law, you must document (either by authorized record or physical inventory) all taxpaid or tax determined cigarettes held for sale on January 1, 1993. You must also file a floor stocks tax return and pay any floor stocks tax due by June 30, 1993.

This package contains an ATF Form 5000.28T, 1993 Floor Stocks Tax Return (Cigarettes), detailed instructions, and a return envelope for your use. Please advise any suppliers or customers who may be unaware of the floor stocks tax obligation to contact us for the appropriate forms and instructions.

We appreciate the efforts you make to ensure that your inventory is accurate and timely taken, and that your floor stocks tax return is accurate and timely filed, even if no tax is due.

Contact the appropriate ATF regional office listed in the supplemental instructions if you have any questions about the floor stocks tax.

Stephen E. Higgins

Director

SUPPLEMENTAL FLOOR STOCKS TAX INSTRUCTIONS

INTRODUCTION

The Omnibus Budget Reconciliation Act (Public Law 101-508) increased the rate of Federal excise tax on tobacco products effective January 1, 1993. All such products removed from bonded premises on or after the effective date will be subject to an increased tax rate.

As a transition to the new tax rates, the law imposes a floor stocks tax. A floor stocks tax is a one-time excise tax placed on a commodity undergoing a tax increase. This floor stocks tax applies to cigarettes held for sale on January 1, 1993.

Who Must Take Inventory and File a Return. You must take an inventory and file a floor stocks tax return, if you hold taxpaid or tax determined cigarettes for sale at wholesale or retail on January 1, 1993.

When to Take the Inventory. Inventory all cigarettes subject to floor stocks tax which you are holding for sale as of the beginning of business January 1, 1993.

When the Tax Return and Remittance are Due. Your floor stocks tax return and remittance are due by June 30, 1993.

Tax Rates. The Federal floor stocks tax rates on cigarettes are as follows:

Product	Floor Stocks Tax Rate
Small cigarettes	$2.00 per thousand
Large cigarettes	$4.20 per thousand

Exemptions. Persons exempt from the tax are still required to file a return. However, you are not required to pay floor stocks tax if the total number of cigarettes held for sale on January 1, 1993, does not exceed 30,000. **Note:** No floor stocks tax is imposed on cigarettes held in vending machines.

Taxpayers qualifying for an exemption are not required to make the conversion to taxable units as shown on the floor stocks tax return. These taxpayers should retain a record of their inventory, complete parts I, II and V of the return, and file the tax return promptly.

If you do not qualify for an exemption, a maximum tax credit of $60 may be deducted from the calculated tax due. See "Tax Credits" in this booklet.

All members of a controlled group are considered as a single taxpayer and must combine their inventories for purposes of determining the exemption allowance and tax credits.

Controlled Groups. "Controlled group" means any group of incorporated or nonincorporated businesses that have common ownership interests (including individuals, partnerships, corporations, and States or political subdivisions of States). A business is considered to be part of a controlled group if more than 50 percent of the business is owned either by, or in common with, another business (or businesses). IF YOU ARE A MEMBER OF A CONTROLLED GROUP, CHECK ITEM 3B. If a controlled group does not have a single EIN, each member of the group must file a separate return.

INVENTORY INSTRUCTIONS

General Provisions. The liability for the floor stocks tax must be established either by a physical inventory or a record (book) inventory supported by the appropriate source records.

Physical Inventory. If you choose not to take a physical inventory on January 1, 1993, you may take it anytime between December 26, 1992 and January 10, 1993. If the business is closed before December 26, 1992 and will remain closed through January 1, the inventory may be taken on the last business day before closing.

The inventory must be reconciled (adjusted) to the beginning of business, January 1, 1993. This reconciliation must be supported by records of all receipts and dispositions between January 1, 1993, and the date of the inventory.

Book Inventory. If your records of receipt and disposition (such as invoices) contain the information shown below and the name of your supplier or customer and the transaction date, you may use a record, or "book" inventory. If your records do not contain that information, you must take a physical inventory.

Inventory Details. The inventory must be recorded on the day of inventory. Supporting documentation for record or book inventories must include the name of your supplier or customer and the transaction date. The summary record of inventory must include:

(1) The name of preparer and date of preparation.

(2) For cigarettes in inventory:

- brand name
- cigarette size (large or small)
- total number of cigarettes by size

Special Rules for Inventories:

Unmerchantable Products. Inventory and retain a separate inventory record of unmerchantable products you are holding for return on January 1, 1993. Do not include these products in your taxable inventory or when determining if you are exempt. Unmerchantable products are those which are being returned through the merchandising chain because of some defect. **Products returned because of poor market demand or to reduce inventory are NOT considered unmerchantable.** If the unmerchantable products are not returned or destroyed, you must file an amended return and pay tax on these products.

[FR Doc. 92-26109 Filed 10-27-92; 8:45 am]
BILLING CODE 4810-31-C

In-transit Merchandise. Include in your inventory any in-transit merchandise which you own on January 1, 1993. Generally, merchandise shipped FOB destination is the property of the shipper, and merchandise already paid for when shipped belongs to the consignee.

Retention of Inventory Records. All inventory sheets and supporting records must be kept available for inspection by ATF officers for a period of three years from the date the return is filed. Civil and criminal penalties are imposed by law for failure to file, failure to pay, failure to allow officers access to premises where taxable articles are stored, failure to furnish officers access to records pertinent to tax liabilities, filing a fraudulent return, etc.

What to Inventory. Keep separate counts for small and large cigarettes, because the floor stocks tax rates are different. Small cigarettes (Class A) include 100mm and 120mm sizes. Large cigarettes (Class B) weigh more than 3 pounds per thousand. **There are not many Class B cigarettes produced, so you may not find any in your stock.**

Standard of Measurement. The package should clearly show the size or class and the number of cigarettes it contains. Most cartons of small cigarettes are marked "200 Class A Cigarettes." Their cases show "6M (6,000) Class A cigarettes". These are the standard packages, but there are exceptions.

Cigarettes, both large and small, are taxed by the thousand. You will have to convert your count of cigarette packs, cartons and cases to thousands of cigarettes. For instance, if you have 3 cases of 6,000 Brand T small cigarettes, multiply the number of cases by the number of cigarettes in the case for a total of 18,000 cigarettes. Do the same calculation for each brand and package size of small cigarettes and total the results.

Large cigarettes are cigarettes which weigh more that 3 pounds per thousand. If such cigarettes are more than 6 1/2 inches in length, each 2 3/4 inches, or fractions thereof, must be counted as one small cigarette, for purposes of tax payment. This also applies when determining whether your inventory is exempt from floor stocks tax (inventory of 30,000 cigarettes or less).

Combine all subtotals to get a total inventory for each cigarette size. Enter the total inventory for each size in Items 7 and 8, column (b), of the tax return.

TAX CREDITS

Dealers. Wholesale and retail dealers including producers liable for floor stocks tax will be allowed a tax credit of $60.

Credits cannot exceed the amount due. The $60 cigarette tax credit must be taken on the combined floor stocks tax owed on small and large cigarettes. The credit may be taken only once by the combined members of a controlled group. The credit may be taken in full by one member of the controlled group, or divided among the members. A member of a controlled group must attach a separate sheet showing, for each member of the controlled group, the location, EIN, and portion of the tax credit taken ($0 - $60). Enter the appropriate credit (if different than $60) in Item 10, column (d) of the tax return.

Public Information Collection Requirements Submitted to OMB for Review

Dated: October 22, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Bureau of Alcohol, Tobacco and Firearms

OMB Number: 1512–0030.
Form Number: ATF F 4483–A (5300.11).
Type of Review: Extension.
Title: Annual Firearms Manufacturing and Exportation Report.
Description: ATF collects this data for the purposes of law enforcement, witness qualification, congressional inquiries, disclosure to the public in compliance with a Court order, furnishing information to other Federal agencies, compliance inspections, and insuring that the requirements of the National Firearms Act (26 USC 5801–5872) are met.
Respondents: Businesses or other for-profit.
Estimated Number of Respondents: 1,016.
Estimated Burden Hours Per Respondent: 45 minutes.
Frequency of Response: Annually.
Estimated Total Reporting Burden: 762 hours.
Clearance Officer: Robert N. Hogarth (202) 927–8930, Bureau of Alcohol, Tobacco and Firearms, room 3200, 650 Massachusetts Avenue, NW., Washington, DC 20226.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.

[FR Doc. 92–26110 Filed 10–27–92; 8:45 am]
BILLING CODE 4810–31

Corrections

Federal Register
Vol. 57, No. 209
Wednesday, October 28, 1992

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. 92-111-1]

Hass Avocados From Mexico

Correction

In proposed rule document 92-25284 beginning on page 47573 in the issue of Monday, October 19, 1992, make the following corrections:

1. On page 47574, in the first column, in the first full paragraph, in the fourth line from the bottom remove the phrase "Sanidad Vegetal".

2. On page 47575, in the first column, in the third full pargraph, in the fourth line from the bottom "475" should read "375".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

[Regulations Nos. 4 and 16]

RIN 0960-AD05

Deemed Application Date Based on Misinformation

Correction

In proposed rule document 92-25030 beginning on page 47415 in the issue of Friday, October 16, 1992, make the following corrections:

1. On page 47416, in the 2d column, in the 2d full paragraph, in the 14th line, "telephone" should read "telephones".

2. On page 47417, in the 2d column, in the 11th line, "Claimant," should be lowercased.

§ 404.633 [Corrected]

3. On page 47419, in the third column, in § 404.633(a), under *Example 2:*, in the fourth line from the bottom, "SAA" should read "SSA".

§ 416.325 [Corrected]

4. On page 47421, in the second column, in § 416.325(b)(3), in the first line, "established" should read "establish".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8418]

RIN 1545-AJ67; 1545-AO14; 1545-AO33; 1545-AQ19; 1545-AO19; 1545-AO15

Arbitrage Restrictions on Tax-exempt Bonds

Correction

In the issue of Monday, October 5, 1992, on page 45878, in the correction of rule document 92-11321, make the following corrections:

§ 1.148-1 [Corrected]

1. On page 45878, in the third column, in correction 2., in the second line, "§ 1.148-1(b)(ii)" should read "§ 1.148-1(b)(1)(ii)".

§ 1.148-2 [Corrected]

2. On the same page, in the same column, in correction 4., in the second line, "1.148-2(c)" should read "§ 1.148-2(c)(2)"

§ 1.148-11 [Corrected]

3. On page 45879, in the second column, correction 9. should read as follows:

§ 1.148-11 Arbitrage rules for refunding issues.

9. On page 21025, in the second column, the section heading should read as set forth above.

BILLING CODE 1505-01-D

Federal Register

Wednesday
October 28, 1992

Part II

Department of Health and Human Services

Health Resources and Services Administration

List of Designated Primary Medical Care Health Professional Shortage Areas (HPSAs); List of Withdrawals From Primary Medical Care HPSA Designation; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

List of Designated Primary Medical Care Health Professional Shortage Areas (HPSAs); List of Withdrawals From Primary Medical Care HPSA Designation

AGENCY: Health Resources and Services Administration, HHS
ACTION: Notice

SUMMARY: This notice provides two lists. The first is a list of all areas, population groups, or facilities designated as primary medical care health professional shortage areas (HPSAs) as of June 30, 1992. Second is a list of previously-designated primary medical care HPSAs that have been found to no longer meet the HPSA criteria and therefore are being withdrawn from the HPSA list. HPSAs are designated or withdrawn by the Secretary of Health and Human Services (HHS) under the authority of section 332 of the Public Health Service Act.

FOR FURTHER INFORMATION CONTACT: For further information on the HPSA designations and withdrawal listed below, or to request additional designations or withdrawals or reinstatement of a withdrawn designation, please contact Richard C. Lee, Director, Division of Shortage Designation, Bureau of Primary Health Care, Health Resources and Services Administration, Parklawn Building, Room 8A–23, 5600 Fishers Lane, Rockville, Maryland 20857 (301–443–6932).

SUPPLEMENTARY INFORMATION:

1. Background

Section 332 of the Public Health Service Act provides that the Secretary of Health and Human Services shall designate health professional shortage areas based on criteria established by regulation. Health professional shortage areas (HPSAs) are defined in section 332 to include (1) urban and rural geographic areas, (2) population groups, and (3) facilities with shortages of health professionals. Section 332 further requires that the Secretary annually publish a list of the designated geographic areas, population groups, and facilities. The list of HPSAs is to be reviewed at least annually and revised as necessary. The Health Resources and Services Administration's Bureau of Primary Health Care has the responsibility for designating and updating these HPSAs.

Public or nonprofit entities in (or with a demonstrated interest in) these HPSAs are eligible to apply for assignment of National Health Service Corps (NHSC) personnel to provide health services in, or to, the areas or populations involved. These HPSAs are also eligible obligated-service areas for certain Public Health Service scholarship, loan repayment, and traineeship programs. Programs with clinical training sites located in HPSAs are eligible to receive priority for certain Public Health Service training grant programs. Physicians delivering services in geographic HPSAs are eligible for increased levels of Medicare reimbursement; physician assistants delivering services in geographic, nonmetropolitan HPSAs are eligible for direct Medicare reimbursement; and nurse practitioners and physician assistants serving Rural Health Clinics in HPSAs are eligible for direct Medicaid and Medicare reimbursement.

2. Development of the Designation and Withdrawal Lists

Criteria for designating HPSAs were published by the Department of Health and Human Services as Final regulations (42 CFR Part 5) in the **Federal Register** on November 17, 1980. Criteria were defined for each of seven health professional types (primary medical care, dental, psychiatric (now mental health), vision care, podiatric, pharmacy, and veterinary care). However, most currently-funded Public Health Service programs which use the HPSA designations involve primary medical care, dental, or psychiatric HPSAs.

The first lists of HPSAs (developed under Interim-Final criteria) were published in 1978. A different list was included for each of the seven professional types mentioned above. Since then, updated lists have been published approximately annually to reflect those changes which occur as a result of the shortage area designation process. Individual requests for designation or withdrawal of particular areas, population groups, or facilities as HPSAs are continuously received and reviewed. The review process includes routine submission of such requests to the appropriate State Health Planning and Development Agency (SHPDA) and Health System Agency (HSA), if any, or to a unit of the State Health Department where no SHPDA or HSA is active, and to the Governor and other interested organizations or individuals for their comments and recommendations. Requests regarding primary medical care or mental health HPSAs are also provided to the appropriate State medical society for comment, while requests regarding dental HPSAs are provided to the appropriate State dental society for comment.

Annually, data listings are provided to all SHPDAs and/or State Health Departments, HSAs, State medical societies and others showing the latest available data contained in the HPSA data base for each county and designated HPSA within their State, together with a request for their review and update of this data, and their recommendations regarding possible additions to, continuations or revisions of, and/or withdrawals from the HPSA list.

The Division of Shortage Designation within the Bureau of Primary Health Care reviews each HPSA designation or withdrawal request, together with any recommendations received on individual requests or on the annual review data listings. The results of these reviews are provided by letter to the agency or individual requesting action or providing data, with copies to other interested organizations and individuals. These letters constitute the official notice of designation as a HPSA, rejection of recommendations for HPSA designation, revision of a HPSA designation, and/or advance notice of pending withdrawals from the HPSA list. Designations (or revisions of designations) are effective as of the date of the letter making (or revising) the designation; proposed withdrawals become effective after a 60-day waiting period and publication in the **Federal Register.**

This notice contains two lists relevant to primary medical care HPSA designation. The first, "List of Designated Primary Medical Care HPSAs" includes all those areas, population groups, and facilities which were designated as primary medical care HPSAs as of June 30, 1992. This list incorporates the most recent annual review of designated HPSAs and supersedes the Primary Medical Care HPSA list which appeared in the **Federal Register** on September 27, 1991. The list includes the current definitions for each designated service area, excluding any portions withdrawn since the last such listing was published.

The second, "List of Withdrawals from Primary Medical Care HPSA Designation" includes those areas, population groups, and facilities previously designated as primary medical care HPSAs which were found, between July 1, 1991, and June 30, 1992, to no longer meet the HPSA criteria. (This withdrawal list does not include any former HPSAs already listed in previous **Federal Register** lists of withdrawals.)

Some service area definitions may have been modified in such a way that portions of some areas have effectively been withdrawn. The list of withdrawals below does not include such technical withdrawals, but rather consists of those whole counties, service areas, population groups, and facilities that have been completely withdrawn.

3. Format of Lists

a. List of Designated Primary Medical Care HPSAs

The list of primary medical care HPSAs is arranged by state. Within each State, the list is first presented by county. If only a portion (or portions) of a county has been designated, or if the county is part of a larger designated service area, or if a population group residing in the county or a facility located in the county has been designated, the name of the service area, population group, or facility involved is listed under the county name.

Following the county listing, a list of any designated service areas is presented identifying their component parts in terms of counties, towns, townships, census tracts (CTs), minor civil divisions (MCDs), census county divisions (CCDs), enumeration districts (EDs), block numbering areas (BNAs), magisterial districts, or other definable geographic divisions recognized by the Bureau of the Census. Those counties (or parts of counties included in service areas) which are classified as nonmetropolitan are indicated by an asterisk (*).

Following the service area listing, a list of any designated population groups is presented identifying each such group and the geographic area wherein it resides. Following the population group listing, a list by name and location of any separately-designated facilities (including prisons, correctional institutions, health centers, or hospitals) is presented.

In addition to the specific listings included in this notice, all Indian tribes which meet the definition of such tribes referenced in Section 4(d) of Public Law 94-437, the Indian Health Care Improvement Act of 1976, are automatically designated as population groups with primary medical care and dental professional shortages. Such Indian tribes are automatically considered assigned to degree-of-shortage group 4 (unless otherwise indicated in this listing based on specific data provided for this purpose).

In the listings below, beside the name of each designated area, population group, or facility, its calculated "degree-of-shortage" group is indicated, corresponding to the criteria for these groupings contained in the regulations. (Group 1 represents areas with the highest calculated degree of shortage, Group 2 with next highest degree of shortage, etc.) These groups are defined in terms of population-to-practitioner ratios and the presence or absence of other indicators of high need, and were originally developed for use in determining relative priorities for placement of NHSC personnel. However, the NHSC Revitalization Amendments of 1990 (Public Law 101-697, enacted November 16, 1990) amended existing authorities to require that priority in assignment of NHSC personnel be given to entities serving HPSAs with the greatest health professional shortage, measured by using certain exclusive factors. A separate notice was published at 56 FR 41363 on August 20, 1991, dealing with the application of those factors to determine the HPSAs of greatest shortage. Therefore, the degree-of-shortage groups shown in the listings below will not necessarily be a determining factor in NHSC placement decisions.

b. List of Withdrawals from Primary Medical Care HPSA Designation

The list of withdrawals from primary medical care HPSA designation is also arranged by State. Within each State, whole counties being withdrawn are presented first. Following the county listing, a list of those service areas, population groups, and facilities being withdrawn is presented, identifying their component parts in terms of counties and subparts of counties.

4. Future Updates of List of Designated HPSAs

The list of primary medical care HPSAs below consists of all those which were designated as of June 30, 1992. It should be noted that additional HPSAs have been designated by letter since June 30, 1992, and the appropriate agencies and individuals notified of these actions by letter.

Any designated HPSA listed below is subject to withdrawal from designation if new information received and confirmed by the Division of Shortage Designation indicates that the situation in the area involved has changed since its designation or that erroneous or incomplete data were used in making the original designation. Interested parties will be notified by mail of any proposed withdrawal, which will become effective only after interested parties in the area affected have been afforded the opportunity to submit additional information in support of its continued or revised designation.

All requests for new designations, updates, or withdrawals should be based on the criteria in the regulations as published on November 17, 1980, plus amendments made for correctional facilities on March 2, 1989, for mental health HPSAs on January 22, 1992 and any future amendments made after the date of this notice.

Dated: October 9, 1992.

John H. Kelso,

Acting Administrator

LIST OF DESIGNATED PRIMARY MEDICAL CARE HEALTH PROFESSIONAL SHORTAGE AREAS

PRIMARY CARE: Alabama

County Listing

County Name	Degree of shortage group
Autauga	3
*Barbour	
Service Area: Clayton	1
*Bibb	2
Blount	2
Bullock	
Service Area: Bullock-Macon	4
*Butler	3
*Chambers	
Service Area: La Fayette	1
*Cherokee	2
*Chilton	3
*Choctaw	
Population Group: Med. Ind. Pop.—Choctaw Co.	1
*Clarke	
Service Area: Coffeeville	1
Service Area: Grove Hill/Fulton	2
*Cleburne	2
Colbert	
Service Area: Cherokee	3
*Conecuh	2
*Coosa	1
*Covington	
Service Area: Florala	2
*Crenshaw	1
*Dale	3
*Dallas	
Population Group: Med. Ind. Pop.—Dallas Co.	2
*Escambia	
Service Area: Flomaton	3
Etowah	
Population Group: Pov. Pop.—Gadsden	1
*Franklin	
Population Group: Pov. Pop.—Red Bay/Vina/Belmont(Al/Ms)	4
*Geneva	2
*Greene	2
*Hale	4
*Henry	4
Houston	
Service Area: Gordon	1
*Jackson	
Service Area: Bryant/Flat Rock	1
Service Area: Paint Rock/Trenton	1
Population Group: Med. Ind. Pop.—Jackson Co.	4
Jefferson	
Population Group: Pov. Pop.—Central Birmingham	3
*Lamar	3
Lauderdale	
Service Area: Waterloo	3
Service Area: West Limestone	2
*Lawrence	3
Facility: Univ S. Al. Childrns Md. Ctr.	1
*Limestone	
Service Area: West Limestone	2
Population Group: Pov. Pop.—Limestone Co.	1
*Lowndes	1

PRIMARY CARE: Alabama—Continued

County Listing

County Name	Degree of shortage group
Macon	
Service Area: Bullock-Macon	4
Madison	
Population Group: Pov. Pop.—Madison Co.	1
*Marengo	
Population Group: Med. Ind. Pop.—Marengo Co.	1
Mobile	
Service Area: Bayou La Batre	2
Population Group: Pov. Pop.—E. Mobile	1
Montgomery	
Population Group: Pov. Pop.—Montgomery Co.	3
*Morgan	
Population Group: Pov. Pop.—Morgan Co.	3
*Perry	1
*Pickens	4
*Randolph	4
Russell	
Service Area: Cottonton/Hurtsboro	1
Shelby	2
St Clair	2
*Sumter	2
*Talladega	4
*Tallapoosa	
Service Area: Camp Hill	2
Tuscaloosa	
Service Area: West Tuscaloosa	1
*Washington	1
*Wilcox	1
*Winston	3

PRIMARY CARE: Alabama

Service Area Listing

Service Area Name	Degree of shortage group
Bayou La Batre	2
County—Mobile	
Parts:	
C.T. 66-67 (Pts.)	
C.T. 72.02	
C.T. 73 (Pts.)	
Bryant/Flat Rock	1
County—Jackson	
Parts:	
Long Island CCD	
Pisgah CCD	
Bullock-Macon	4
County—Bullock	
County—Macon	
Camp Hill	2
County—Tallapoosa	
Parts:	
*Camp Hill CCD	
*Dadeville CCD	
*Tallassee CCD	
Cherokee	3
County—Colbert	
Parts:	
*Cherokee CCD (C.T. 210)	
Clayton	1
County—Barbour	
Parts:	
*Clayton CCD	
*Clio CCD	
*Louisville CCD	
Coffeeville	1
County—Clarke	
Parts:	
*Coffeeville CCD	
Cottonton/Hurtsboro	1
County—Russell	
Parts:	
Cottonton-Seale CCD	
Hurtsboro CCD	
Flomaton	3
County—Escambia	
Parts:	
Flomaton CCD	
Florala	2
County—Covington	
Parts:	
Florala CCD	

PRIMARY CARE: Alabama—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Gordon	1
County—Houston	
Parts:	
Gordon CCD	
Grove Hill/Fulton	2
County—Clarke	
Parts:	
Fulton CCD	
Grove Hill CCD	
La Fayette	1
County—Chambers	
Parts:	
*Five Points CCD	
*Lafayette CCD	
*Milltown CCD	
Paint Rock/Trenton	1
County—Jackson	
Parts:	
Paint Rock CCD	
Princeton CCD	
Waterloo	3
County—Lauderdale	
Parts:	
Waterloo CCD	
West Limestone	2
County—Lauderdale	
Parts:	
C.T. 117-118	
County—Limestone	
Parts:	
*C.T. 202-203	
West Tuscaloosa	1
County—Tuscaloosa	
Parts:	
C.T. 116-119	

PRIMARY CARE: Alabama

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Choctaw Co.	1
County—Choctaw	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Dallas Co.	2
County—Dallas	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Jackson Co.	4
County—Jackson	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Marengo Co.	1
County—Marengo	
Parts:	
Med. Ind. Pop.	
Pov. Pop.—Central Birmingham	3
County—Jefferson	
Parts:	
C.T. 5-9	
C.T. 15-17	
C.T. 24-25	
C.T. 26.01-26.02	
C.T. 27	
C.T. 28.01-28.02	
C.T. 29	
C.T. 30.02	
C.T. 41-42	
C.T. 44-46	
C.T. 51.01	
C.T. 55	
Pov. Pop.—E. Mobile	1
County—Mobile	
Parts:	
C.T. 1-3	
C.T. 4.01-4.02	
C.T. 5-6	
C.T. 7.01-7.02	
C.T. 8	
C.T. 10.01-10.02	
C.T. 11	
C.T. 12.01	

PRIMARY CARE: Alabama—Continued

Population Group Listing

Population Group	Degree of shortage group
C.T. 13.01-13.02	
C.T. 14	
C.T. 15.01-15.02	
C.T. 23.01-23.02	
C.T. 26	
C.T. 38.01	
C.T. 39.01-39.02	
C.T. 40-50	
Pov. Pop.—Gadsden	1
County—Etowah	
Parts:	
C.T. 1-17	
Pov. Pop.—Limestone Co.	1
County—Limestone	
Parts:	
Pov. Pop.	
Pov. Pop.—Madison Co.	1
County—Madison	
Parts:	
Pov. Pop.	
Pov. Pop.—Montgomery Co.	3
County—Montgomery	
Parts:	
Pov. Pop.	
Pov. Pop.—Morgan Co.	3
County—Morgan	
Parts:	
Pov. Pop.	
Pov. Pop.—Red Bay/Vina/Belmont(Al/Ms)	4
County—Franklin	
Parts:	
Red Bay CCD	
Vina CCD	

PRIMARY CARE: Alabama

Facility Listing

Facility Name	Degree of shortage group
Univ S. Al. Childrns Md. Ctr.	1
County—Lawrence 3	

PRIMARY CARE: Alaska

Census Area Listing

Census Area Name	Degree of shortage group
*Aleutians East Area	1
*Aleutians West Area	1
Anchorage Borough	
Population Group: Med. Ind. Pop.—Anchorage Boro	3
Facility: Cook Inlet Pre-Trial Fac.	2
Facility: Highland Mtn/Meadow Crk Corr. C.	3
Facility: 3rd Ave/6th Ave Annex/Ridgeview	2
*Bethel Area	1
Bristol Bay Borough	
Service Area: Bristol Bay/Kokhanok	1
*Dillingham Area	
Service Area: Bristol Bay/Kokhanok	1
Service Area: Chignik/Perryville	1
Service Area: Togiak/Twin Hills	1
*Kenai Peninsula Borough	
Facility: Spring Creek Corr. C.	2
Facility: Wildwood Corr. C.	2
*Matanuska-Susitna Borough	
Facility: Palmer Corr. C.	3
*Nome Area	
Service Area: St. Lawrence Is.	1
Service Area: Unalakleet	1
*North Slope Borough	1
*Prince Of Wales-Outer Ket	2
*Skagway-Yakutat-Angoon	1
*Southeast Fairbanks	1
*Valdez-Cordova Area	
Service Area: Whittier	1
*Wade Hampton Area	1

PRIMARY CARE: Alaska—Continued

Census Area Listing

Census Area Name	Degree of shortage group
*Wrangell-Petersburg Area	
Service Area: Kake	1
*Yukon-Koyukuk	1

PRIMARY CARE: Alaska

Service Area Listing

Service Area Name	Degree of shortage group
Bristol Bay/Kokhanok	1
Census Area—Bristol Bay Borough	
Census Area—Dillingham Area	
Parts:	
Igurigig	
Kokhanok	
Pedro Bay	
Chignik/Perryville	1
Census Area—Dillingham Area	
Parts:	
Chignik	
Chignik Lake	
Chignik Lagoon	
Ivanhof Bay	
Perryville	
Kake	1
Census Area—Wrangell-Petersburg Area	
Parts:	
Kupreanof Is. (N.W. Pt.)	
St. Lawrence Is.	1
Census Area—Nome Area	
Parts:	
Gambell Vil.	
Savoonga Vil.	
Togiak/Twin Hills	1
Census Area—Dillingham Area	
Parts:	
Togiak City	
Twin Hills	
Unalakleet	1
Census Area—Nome Area	
Parts:	
Koyuk Vil.	
Shaktoolik Vil.	
St. Michaels Vil.	
Stebbins Vil.	
Unalakleet City	
Whittier	1
Census Area—Valdez-Cordova Area	
Parts:	
Whittier City	

PRIMARY CARE: Alaska

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Anchorage Boro	3
Census Area—Anchorage Borough	
Parts:	
Mun. Of Anchorage	

PRIMARY CARE: Alaska

Facility Listing

Facility Name	Degree of shortage group
Cook Inlet Pre-Trial Fac.	2
Census Area—Anchorage Borough	
Highland Mtn/Meadow Crk Corr. C.	3
Census Area—Anchorage Borough	
Palmer Corr. C.	3

PRIMARY CARE: Alaska—Continued

Facility Listing

Facility Name	Degree of shortage group
Census Area—Matanuska-Susitna Borough	
Spring Creek Corr. C.	2
Census Area—Kenai Peninsula Borough	
Wildwood Corr. C.	2
Census Area—Kenai Peninsula Borough	
3rd Ave/6th Ave Annex/Ridgeview	2
Census Area—Anchorage Borough	

PRIMARY CARE: Arizona

County Listing

County Name	Degree of shortage group
Apache	
Service Area: Ganado/Rough Rock	1
Service Area: Kayenta	1
Service Area: Puerco Valley	1
Service Area: Tsaile	1
Population Group: White Mountain Apache Indian Tribe	1
*Cochise	
Service Area: Bisbee	4
Service Area: Bowie	1
Service Area: Douglas	3
Service Area: Elfrida	1
Service Area: Tombstone	1
Coconino	
Service Area: Kanab/Fredonia (Ut/Az)	2
Service Area: Page/Tuba City	2
Population Group: Hopi Indian Tribe	1
*Gila	
Population Group: White Mountain Apache Indian Tribe	1
*La Paz	2
Maricopa	
Service Area: Gila Bend	1
Population Group: Gila River Indian Community	1
Population Group: Med. Ind. Pop.—Guadalupe	1
Population Group: Med. Ind. Pop.—Central/S Phoenix	1
Population Group: Med. Ind./Mig.Frwkr.—El Mirage	1
Facility: Maricopa Co. Jails	2
Mohave	
Service Area: Bullhead City	4
Service Area: Dolan Springs	1
*Navajo	
Service Area: Ganado/Rough Rock	1
Service Area: Heber/Overgaard	1
Service Area: Holbrook	3
Service Area: Kayenta	1
Population Group: Hopi Indian Tribe	1
Population Group: White Mountain Apache Indian Tribe	1
Pima	
Service Area: Arivaca	1
Service Area: Catalina-Oracle Junction	2
Service Area: Marana	2
Service Area: Sahaurita-Continental	1
Population Group: Med. Ind. Pop.—South Tucson	2
*Pinal	
Service Area: Catalina-Oracle Junction	2
Service Area: San Pedro Valley	2
Service Area: Superior	2
Population Group: Gila River Indian Community	1
Population Group: Med. Ind. Pop.—Central/W Pinal	3
*Santa Cruz	1
*Yavapai	
Service Area: Mayer/Humboldt	2
Service Area: Seligman	1
*Yuma	
Service Area: Gila Bend	1
Service Area: Wellton/Mohawk	3
Population Group: Pov./Mig. Pop.—Somerton	1

PRIMARY CARE: Arizona

Service Area Listing

Service Area Name	Degree of shortage group
Arivaca	1
County—Pima	
Parts:	
E.D. 257–262 (C.T. 43.05)	
Bisbee	4
County—Cochise	
Parts:	
Bisbee CCD	
Bowie	1
County—Cochise	
Parts:	
*Bowie CCD	
Bullhead City	4
County—Mohave	
Parts:	
Bullhead City-Riviera	
Catalina-Oracle Junction	2
County—Pima	
Parts:	
Catalina CDP	
County—Pinal	
Parts:	
*Oracle Junction	
Dolan Springs	1
County—Mohave	
Parts:	
E.D. 23–25 (Kingman N. CCD)	
E.D. 33–35 (Kingman N. CCD)	
E.D. 37 (Kingman N. CCD)	
Douglas	3
County—Cochise	
Parts:	
Douglas CCD	
E.D. 86 (Elfrida CCD)	
Elfrida	1
County—Cochise	
Parts:	
E.D. 87–89 (Elfrida CCD)	
Ganado/Rough Rock	1
County—Apache	
Parts:	
*Chinle CCD (W. Pt.)	
*Ft. Defiance CCD (W. Pt.)	
County—Navajo	
Parts:	
*Indian Wells CCD (E. Pt.)	
*Pinon CCD (S.E. Pt.)	
Gila Bend	1
County—Maricopa	
Parts:	
E.D. 394–396 (Gila Bend CCD)	
E.D. 399–400 (Gila Bend CCD)	
County—Yuma	
Parts:	
E.D. 233 (Wellton CCD)	
E.D. 235 (Wellton CCD)	
Heber/Overgaard	1
County—Navajo	
Parts:	
*E.D. 418–423 (Snowflake CCD)	
Holbrook	3
County—Navajo	
Parts:	
Little Colo. CCD (E.1/2)	
Kanab/Fredonia (Ut/Az)	2
County—Coconino	
Parts:	
E.D. 111 (Kaibab CCD)	
E.D. 114–116 (Kaibab CCD)	
Kayenta	1
County—Apache	
Parts:	
Dennehotso CCD	
County—Navajo	
Parts:	
Western CCD	
Marana	2
County—Pima	
Parts:	
C.T. 44.05 (N. Pt.)	
Mayer/Humboldt	2
County—Yavapai	
Parts:	
Humboldt CCD	
Page/Tuba City	2
County—Coconino	
Parts:	
Kaibab CCD (E. Pt)	

PRIMARY CARE: Arizona—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Tuba City CCD (N. Pt.)	
Puerco Valley	1
County—Apache	
Parts:	
*Ft. Defiance CCD (S. Pt.)	
*Puerco CCD (E.D. 552, 553, 557)	
Sahaurita-Continental	1
County—Pima	
Parts:	
E.D. 238-243	
San Pedro Valley	2
County—Pinal	
Parts:	
*E.D. 76-82 (San Manuel CCD)	
*E.D. 86-88 (San Manuel CCD)	
*E.D. 90 (San Manuel CCD)	
Seligman	1
County—Yavapai	
Parts:	
Ashfork CCD	
Superior	2
County—Pinal	
Parts:	
E.D. 1-6 (c.T. 4)	
Tombstone	1
County—Cochise	
Parts:	
Tombstone City	
E.D. 72-73 (Tombstone CCD)	
E.D. 76 (Tombstone CCD)	
Tsaile	1
County—Apache	
Parts:	
*Chinle CCD (N.E. Pt.)	
*Sweetwater CCD (S.W. Pt.)	
Wellton/Mohawk	3
County—Yuma	
Parts:	
E.D. 228-229 (Wellton CCD)	
E.D. 239-240 (Wellton CCD)	

PRIMARY CARE: Arizona

Population Group Listing

Population Group	Degree of shortage group
Gila River Indian Community	1
County—Maricopa	
Parts:	
Gila River Res.	
County—Pinal	
Parts:	
Gila River Res.	
Hopi Indian Tribe	1
County—Coconino	
Parts:	
Hopi CCD	
County—Navajo	
Parts:	
Hopi CCD.	
Med. Ind. Pop.—Central/S Phoenix	1
County—Maricopa	
Parts:	
C.T. 1129-1133	
C.T. 1138-1161	
C.T. 1163-1165	
C.T. 1166.02	
Med. Ind. Pop.—Central/W Pinal	3
County—Pinal	
Parts:	
Casa Grande CCD	
Coolidge CCD	
Eloy CCD	
Maricopa-Stanfield CCD	
Sacaton CCD	
Med. Ind. Pop.—Guadalupe	1
County—Maricopa	
Parts:	
C.T. 3200.02	
Med. Ind. Pop.—South Tucson	2
County—Pima	
Parts:	
C.T. 1-12	

PRIMARY CARE: Arizona—Continued

Population Group Listing

Population Group	Degree of shortage group
C.T. 13.01-13.02	
C.T. 14	
C.T. 20-24	
C.T. 25.01-25.02	
C.T. 37.01-37.03	
C.T. 38-39	
C.T. 41.03-41.04	
C.T. 43.01	
Med. Ind./Mig.Frwkr.—El Mirage	1
County—Maricopa	
Parts:	
C.T. 405.01	
C.T. 608-609	
C.T. 610.01	
Pov./Mig. Pop.—Somerton	1
County—Yuma	
Parts:	
C.T. 114-116	
White Mountain Apache Indian Tribe	1
County—Apache	
Parts:	
Ft. Apache CCD	
County—Gila	
Parts:	
Reservation CCD (N.1/2)	
County—Navajo	
Parts:	
Apache CCD	

PRIMARY CARE: Arizona

Facility Listing

Facility Name	Degree of shortage group
Maricopa Co. Jails	2
County—Maricopa	

PRIMARY CARE: Arkansas

County Listing

County Name	Degree of shortage group
*Arkansas	
Service Area: Dewitt	4
*Ashley	
Service Area: Portland/Wilmot	2
*Boone	
Service Area: Lead Hill	1
*Bradley	
Service Area: Hermitage	1
*Calhoun	1
*Chicot	
Service Area: Eudora	1
*Clark	
Service Area: Glenwood/Amity	1
*Clay	2
*Cleburne	3
*Cleveland	4
Crawford	
Service Area: West Fork/Mountainburg	1
Crittenden	
Service Area: Parkin/Earle	1
*Cross	
Service Area: Parkin/Earle	1
*Dallas	
Service Area: Carthage	1
Service Area: Sparkman	1
*Desha	
Service Area: Snow Lake	1
Faulkner	
Service Area: Vilonia	1
*Franklin	2
*Fulton	
Service Area: Mammoth Spring	2
*Howard	
Service Area: Umpire	1

PRIMARY CARE: Arkansas—Continued

County Listing

County Name	Degree of shortage group
*Izard	
Service Area: Horseshoe Bend	4
Jefferson	
Service Area: Altheimer	1
Service Area: North Pine Bluff	1
Service Area: Richland	1
Facility: Tucker/Tucker Maximum Prs.	2
*Johnson	
Service Area: Oark	1
*Lafayette	1
*Lawrence	4
*Lee	2
*Lincoln	2
Facility: Cummins Prison	2
*Logan	2
*Madison	1
*Marion	
Service Area: Lead Hill	1
*Mississippi	
Population Group: Med. Ind. Pop.—Mississippi Co.	2
*Monroe	
Service Area: Clarendon	2
*Montgomery	3
*Nevada	4
*Newton	1
*Ouachita	
Service Area: Reader	1
Service Area: Stephens	1
*Perry	4
*Phillips	
Service Area: Elaine	1
*Pike	
Service Area: Glenwood/Amity	1
*Polk	
Service Area: Grannis/Wickes	1
*Pope	
Service Area: Hector	1
*Prairie	2
Pulaski	
Service Area: College Station	1
Facility: Wrightsville Prison	2
*Scott	1
*Searcy	2
Sebastian	
Service Area: Diamond	3
*Sharp	3
*Union	
Service Area: Strong	2
*Van Buren	3
Washington	
Service Area: West Fork/Mountainburg	1
Service Area: West Washington	2
*Woodruff	3
*Yell	
Service Area: Havana	1

PRIMARY CARE: Arkansas

Service Area Listing

Service Area Name	Degree of shortage group
Altheimer	1
County—Jefferson	
Parts:	
C.T. 1	
C.T. 7	
Carthage	1
County—Dallas	
Parts:	
Chester Twp.	
Smith Twp.	
Willow Twp.	
Clarendon	2
County—Monroe	
Parts:	
*Cache Twp.	
*Cypress Ridge Twp.	
*Hindman Twp.	
*Keevil Twp.	
*Pine Ridge Twp.	
*Roc Roe Twp.	
College Station	1

PRIMARY CARE: Arkansas—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Pulaski	
Parts:	
C.T. 2	
C.T. 4-5	
C.T. 40.01	
C.T. 40.03	
C.T. 40.05	
Dewitt	4
County—Arkansas	
Parts:	
Arkansas Twp.	
Bayou Meto Twp.	
Brewer Twp.	
Chester Twp.	
Crockett Twp.	
Garland Twp.	
La Grue Twp.	
Point De Luce Twp.	
Prairie Twp.	
Stanley Twp.	
Diamond	3
County—Sebastian	
Parts:	
Diamond Twp.	
Hartford Twp.	
Jim Fork Twp.	
Mississippi Twp.	
Sugarloaf Twp.	
Elaine	1
County—Phillips	
Parts:	
Mooney Twp.	
Tappan Twp.	
Eudora	1
County—Chicot	
Parts:	
Planters Twp.	
Glenwood/Amity	1
County—Clark	
Parts:	
Amity Twp.	
County—Pike	
Parts:	
Antoine Twp.	
Clark Twp.	
Eagle Twp.	
Mountain Twp.	
Self Creek Twp.	
Grannis/Wickes	1
County—Polk	
Parts:	
Ozark Twp.	
White Twp.	
Havana	1
County—Yell	
Parts:	
Bluffton Twp.	
Briggsville Twp.	
Crawford Twp.	
Dutch Creek Twp.	
Gravelly Hill Twp.	
Herring Twp.	
Ions Creek Twp.	
Richland Twp.	
Riley Twp.	
Waveland Twp.	
Hector	1
County—Pope	
Parts:	
Center Twp.	
Freeman Twp.	
Griffin Twp.	
Jackson Twp.	
Liberty Twp.	
Martin Twp.	
Phoenix Twp.	
Smyrna Twp.	
Hermitage	1
County—Bradley	
Parts:	
Eagle Twp.	
Marion Twp.	
Ouachita Twp.	
Palestine Twp.	
River Twp.	
Sumpter Twp.	
Washington Twp.	
Horseshoe Bend	4

PRIMARY CARE: Arkansas—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Izard	
Parts:	
Baker Twp.	
Franklin Twp.	
Jefferson Twp.	
New Hope Twp.	
Violet Hill Twp.	
Lead Hill	1
County—Boone	
Parts:	
Sugarloaf Twp.	
County—Marion	
Parts:	
Crockett Twp.	
Franklin Twp.	
Keesee Twp.	
Sugarloaf Twp.	
Mammoth Spring	2
County—Fulton	
Parts:	
Afton Twp.	
Mammoth Spring Twp.	
Myatt Twp.	
Wilson Twp. (E. 1/2)	
Mayer/Humboldt	2
North Pine Bluff	1
County—Jefferson	
Parts:	
C.T. 5.01-5.02	
C.T. 6	
C.T. 6.99	
C.T. 10-13	
C.T. 14.02	
C.T. 21.01	
Oark	1
County—Johnson	
Parts:	
Batson Twp.	
Dickerson Twp.	
Hill Twp.	
Low Gap Twp.	
Mulberry Twp.	
Parkin/Earle	1
County—Crittenden	
Parts:	
Tyronza Twp.	
County—Cross	
Parts:	
Tyronza Twp.	
Portland/Wilmot	2
County—Ashley	
Parts:	
Banner Twp.	
Bayou Twp.	
Beachcreek Twp.	
Bearhouse Twp.	
De Bastrop Twp.	
Montrose Twp.	
Portland Twp.	
Prairie Twp.	
Union Twp.	
Wilmot Twp.	
Reader	1
County—Ouachita	
Parts:	
Behestian Twp.	
Red Hill Twp.	
Richland	1
County—Jefferson	
Parts:	
C.T. 8	
Snow Lake	1
County—Desha	
Parts:	
Mississippi Twp.	
Sparkman	1
County—Dallas	
Parts:	
Manchester Twp.	
Nix Twp.	
Owen Twp.	
Stephens	1
County—Ouachita	
Parts:	
Jefferson Twp.	
Liberty Twp.	
Smackover Twp.	
Strong	2

PRIMARY CARE: Arkansas—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Union	
Parts:	
Harrison Twp.	
Lapile Twp.	
Umpire	1
County—Howard	
Parts:	
Burg Twp.	
Clay Twp.	
Duckett Twp.	
Mountain Twp.	
Umpire Twp.	
Vilonia	1
County—Faulkner	
Parts:	
Benton Twp.	
Bristol Twp.	
California Twp.	
Cypress Twp.	
Eagle Twp.	
Enola Twp.	
Hardin Twp.	
Harve Twp.	
Matthews Twp.	
Mountain Twp.	
Mt. Vernon Twp.	
Newton Twp.	
Palarm Twp.	
Union Twp.	
Walker Twp.	
Wilson Twp.	
West Fork/Mountainburg	1
County—Crawford	
Parts:	
Chester Twp.	
Mountain Twp.	
Porter Twp.	
Sand Point Twp.	
Shepherd Twp.	
Upper Twp.	
Whitley Twp.	
Wintrey Twp.	
County—Washington	
Parts:	
Crawford Twp.	
Lees Creek Twp.	
Reed Twp.	
Winslow Twp.	
West Washington	2
County—Washington	
Parts:	
Boston Twp.	
Cane Hill Twp.	
Cove Creek Twp.	
Dutch Mills Twp.	
Illinois Twp.	
Morrow Twp.	
Price Twp.	
Rheas Hill Twp.	
Starr Hill Twp.	
Vineyard Twp	
Wedington Twp.	

PRIMARY CARE: Arkansas

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Mississippi Co.	2
County—Mississippi	
Parts:	
Med. Ind. Pop.	

PRIMARY CARE: Arkansas

Facility Listing

Facility Name	Degree of shortage group
Cummins Prison	2
County—Lincoln 2	
Tucker/Tucker Maximum Prs	2
County—Jefferson	
Wrightsville Prison	2

PRIMARY CARE: California

County Listing

County Name	Degree of shortage group
Alameda	
Service Area: Central Oakland	4
Service Area: East Oakland	1
Service Area: West Berkeley	1
Alpine	
Service Area: Markleeville	1
Butte	
Service Area: Feather Falls	1
*Calaveras	
Service Area: West Point/Wilseyville	1
*Colusa	4
Contra Costa	
Service Area: East Contra Costa	2
*Del Norte	
Population Group: Indian Pop.—Trinidad	1
Population Group: Medi-Cal Pop.—Del Norte Co.	3
El Dorado	
Service Area: Georgetown Divide	1
Fresno	
Service Area: Coalinga/Huron	2
Service Area: Edison/Easton	1
Service Area: Firebaugh/Mendota	2
Service Area: Hanford/Lemoore	4
Service Area: Kerman	1
Service Area: Riverdale/Caruthers	2
Service Area: San Joaquin	3
Service Area: Sierra	3
Population Group: Pov. Pop.—Fowler/Selma/Kingsburg	1
*Glenn	3
*Humboldt	
Service Area: Willow Creek	2
Population Group: Indian Pop.—Trinidad	1
Population Group: Medi-Cal—Arcata/Eureka/Redway	4
*Imperial	
Service Area: Imperial Valley	4
Inyo	
Service Area: Southern Inyo	2
Kern	
Service Area: Arvin/Lamont	1
Service Area: Delano/Mcfarland	4
Service Area: Frazier Park	2
Service Area: Lake Isabella	3
Service Area: Southeast Kern	2
Population Group: Medi-Cal Pop.—Ridgecrest	3
Population Group: Pov./Mig.—Buttonwillow/Wasco/Shafter	1
*Kings	
Service Area: Avenal	2
Service Area: Corcoran	2
Service Area: Hanford/Lemoore	4
Lassen	
Service Area: Honey Lake	1
Service Area: North Lassen	1
Los Angeles	
Service Area: Avalon/Goodyear/Main	1
Service Area: East Compton	1
Service Area: East L.A./City Terrace/Commerce	1
Service Area: El Monte	1
Service Area: Florence/Huntington Park	1
Service Area: Highland Pk/Linc Hts/Mt Wash	2
Service Area: Maple/Santa Barbara	1
Service Area: Maywood Bell	1
Service Area: Santa Catalina Island	3
Service Area: Venice	1
Service Area: Watts/Figueroa/Firestone	1
Service Area: West Compton	1
Population Group: Mono. Hispanic—Pacoima/San Fernando	2

PRIMARY CARE: California—Continued

County Listing

County Name	Degree of shortage group
Facility: Martin Luther King Jr. General Hospital	1
*Madera	
Service Area: Oakhurst	3
Marin	
Service Area: Bolinas/Stinson Beach	2
*Mariposa	
Service Area: Mariposa/Coulterville	3
*Mendocino	
Service Area: Covelo	4
Service Area: Northwest Mendocino	2
Service Area: Potter Valley	2
Service Area: Redwood Coast	2
Population Group: Medi-Cal Pop.—Ukiah/Hopland	4
Merced	
Service Area: Gustine/Newman	3
Population Group: Indochinese Pop.—Atwater/Merced	2
Population Group: Mig./Mono. Span. Sp. Pop.—Planada Le G	1
Population Group: Mig./Span. Sp. Pop.—Los Banos/Dos Palo	3
Population Group: Span. Sp. Pop—N.W. Merced	1
Modoc	
Service Area: Adin-Lookout	1
Service Area: Surprise Valley	2
Service Area: Tulelake/Butte Valley	2
Mono	
Service Area: North Mono	1
Monterey	
Service Area: King City/Greenfield/Soledad	2
Population Group: MSFW—Pajaro Valley	3
Orange	
Facility: Juvenile Detention Facilities	2
Placer	
Population Group: Medi-Cal Pop.—Auburn/Colfax/Foresthill	4
*Plumas	
Service Area: Greenville	4
Population Group: Medi-Cal Pop.—Loyalton	1
Population Group: Pov. Pop.—Quincy	2
Riverside	
Service Area: Anza/Aguanga/Terwilliger	3
Population Group: Morongo Indian Pop.	1
Population Group: MSFW—Lower Coachella Valley	1
Population Group: Soboba Indian Pop.	1
Sacramento	
Population Group: Pov. Pop.—South Sacramento	1
*San Benito	
Service Area: Hollister	3
Service Area: San Benito-Bitterwater	1
San Bernardino	
Service Area: Arrowhead	4
Service Area: 29 Palms/Morango Valley	2
Population Group: Morongo Indian Pop.	1
Population Group: San Manual Indian Pop.	1
San Diego	
Service Area: Anza	2
Service Area: Barrio Logan	1
Service Area: Mountain Empire	2
Service Area: Palomar/Laguna	2
Service Area: Ramona	3
Service Area: San Ysidro	1
Service Area: Valley Center/Pauma Valley	1
Population Group: Indochinese/Pov. Pop.—Linda Vista	2
Population Group: Medi-Cal Pop.—Vista/Oceanside/Carlsbad	1
San Francisco	
Service Area: Tenderloin	3
San Mateo	
Service Area: East Palo Alto	2
Santa Barbara	
Service Area: Cuyama Valley	1
Santa Cruz	
Population Group: MSFW—Pajaro Valley	3
Shasta	
Service Area: Burney Basin	2
Service Area: Shingletown	1
Sierra	
Service Area: Downieville	1
Population Group: Medi-Cal Pop.—Loyalton	1
*Siskiyou	
Service Area: Etna/Ft. Jones	3
Service Area: Happy Camp	2

PRIMARY CARE: California—Continued

County Listing

County Name	Degree of shortage group
Service Area: Tulelake/Butte Valley	2
Solano	
Population Group: Medi-Cal Pop.—Vacaville	1
Sonoma	
Service Area: Redwood Coast	2
Population Group: Pov./Homeless/Aids Pop.—Guerneville	1
Population Group: Span. Sp. Pop.—Healdsburg	2
Stanislaus	
Service Area: Gustine/Newman	3
Population Group: Medi-Cal Pop.—Waterford	1
Population Group: Mig./Span. Sp. Pop.—Sw Stanislaus	4
Population Group: MSFW/S.E. Asian Refugees—W. Modesto	2
*Tehama	
Population Group: Medi-Cal Pop.—Tehama Co.	3
Trinity	
Service Area: Hayfork/Mad River	3
Service Area: Willow Creek	2
Tulare	
Service Area: Earlimart	1
Service Area: Springville	1
Service Area: Woodlake	4
Population Group: Medi-Cal Pop.—Cutler/Orosi/Dinuba	2
Population Group: Pov./Mig. Pop.—Visalia	4
Population Group: Span. Sp. Pop.—Porterville	3
*Tuolumne	
Service Area: Groveland	4
Service Area: Stanislaus/Yosemite	1
Population Group: Medi-Cal Pop.—Tuolumne Co.	4
Ventura	
Population Group: Mig./Mono. Span. Sp. Pop.—Cen. Ventura	1

PRIMARY CARE: California

Service Area Listing

Service Area Name	Degree of shortage group
Adin-Lookout	1
County—Modoc	
Parts:	
*Adin-Lookout CCD	
Anza	2
County—San Diego	
Parts:	
C.T. 210	
Anza/Aguanga/Terwilliger	3
County—Riverside	
Parts:	
C.T. 444 (S. 1/2)	
Arrowhead	4
County—San Bernardino	
Parts:	
C.T. 101 (S. 1/2)	
Arvin/Lamont	1
County—Kern	
Parts:	
C.T. 62-64	
Avalon/Goodyear/Main	1
County—Los Angeles	
Parts:	
C.T. 2281-2289	
C.T. 2291-2294	
C.T. 2311	
C.T. 2318-2319	
C.T. 2328	
C.T. 2391-2396	
Avenal	2
County—Kings	
Parts:	
Avenal CCD	
Stratford CCD (E.D. 45)	
Stratford CCD (E.D. 47b)	
Barrio Logan	1
County—San Diego	
Parts:	
C.T. 33	
C.T. 34.02	
C.T. 35-36	

PRIMARY CARE: California—Continued

Service Area Listing

Service Area Name	Degree of shortage group
C.T. 38-41	
C.T. 45-54	
Bolinas/Stinson Beach	2
County—Marin	
Parts:	
C.T. 1321	
Burney Basin	2
County—Shasta	
Parts:	
E.D. 326-327 (East Shasta CCD)	
E.D. 329 (East Shasta CCD)	
E.D. 332-333 (East Shasta CCD)	
E.D. 335-337 (Central Shasta CCD)	
E.D. 340-341 (Central Shasta CCD)	
Central Oakland	4
County—Alameda	
Parts:	
C.T. 4053-4063	
C.T. 4065	
C.T. 4071-4072	
Coalinga/Huron	2
County—Fresno	
Parts:	
C.T. 78-81	
Corcoran	2
County—Kings	
Parts:	
Corcoran CCD	
Stratford CCD (E.D.44)	
Stratford CCD (E.D.47a)	
Stratford CCD (E.D.48)	
Covelo	4
County—Mendocino	
Parts:	
*Covelo CCD	
Cuyama Valley	1
County—Santa Barbara	
Parts:	
Cuyama CCD	
Delano/Mcfarland	4
County—Kern	
Parts:	
C.T. 46-50	
Downieville	1
County—Sierra	
Parts:	
West Sierra CCD	
Earlimart	1
County—Tulare	
Parts:	
C.T. 42-44	
East Compton	1
County—Los Angeles	
Parts:	
C.T. 5416.01-5416.02	
C.T. 5420	
C.T. 5421.01-5421.02	
C.T. 5422	
C.T. 5424.01-5424.02	
East Contra Costa	2
County—Contra Costa	
Parts:	
East Contra Costa CCD	
East LA./City Terrace/Commerce	1
County—Los Angeles	
Parts:	
C.T. 5303-5306	
C.T. 5308-5315	
C.T. 5316.01-5316.02	
C.T. 5317.01-5317.02	
C.T. 5318-5319	
C.T. 5323.01-5323.02	
East Oakland	1
County—Alameda	
Parts:	
C.T. 4073-4075	
C.T. 4084-4097	
C.T. 4102-4104	
East Palo Alto	2
County—San Mateo	
Parts:	
C.T. 6117-6121	
Edison/Easton	1
County—Fresno	
Parts:	
C.T. 2-3	
C.T. 7-11	
C.T. 19	

PRIMARY CARE: California—Continued

Service Area Listing

Service Area Name	Degree of shortage group
El Monte	1
County—Los Angeles	
Parts:	
C.T. 4324	
C.T. 4327-4328	
C.T. 4331-4335	
C.T. 4337-4340	
Etna/Ft. Jones	3
County—Siskiyou	
Parts:	
*Etna CCD	
*Ft. Jones CCD	
Feather Falls	1
County—Butte	
Parts:	
Feather Falls CCD	
Firebaugh/Mendota	2
County—Fresno	
Parts:	
Firebaugh CCD (C.T. 83)	
Mendota CCD (C.T. 84.01 & 84.02)	
Florence/Huntington Park	1
County—Los Angeles	
Parts:	
C.T. 5325	
C.T. 5326.01-5326.02	
C.T. 5327-5330	
C.T. 5331.01-5331.02	
C.T. 5332	
C.T. 5335	
C.T. 5345	
C.T. 5347-5348	
Frazier Park	2
County—Kern	
Parts:	
C.T. 33.02	
Georgetown Divide	1
County—El Dorado	
Parts:	
C.T. 306	
Greenville	4
County—Plumas	
Parts:	
Greenville CCD	
Groveland	4
County—Tuolumne	
Parts:	
Groveland CCD	
Gustine/Newman	3
County—Merced	
Parts:	
Gustine CCD	
County—Stanislaus	
Parts:	
Newman CCD	
Hanford/Lemoore	4
County—Fresno	
Parts:	
C.T. 74	
County—Kings	
Parts:	
C.T. 1-3	
C.T. 4.01-4.02	
C.T. 5-12	
C.T. 16 (Pt)	
Happy Camp	2
County—Siskiyou	
Parts:	
Happy Camp CCD	
Hayfork/Mad River	3
County—Trinity	
Parts:	
*Hayfork CCD	
*Mad River CCD	
Highland Pk/Linc Hts/Mt Wash	2
County—Los Angeles	
Parts:	
C.T. 1831.01-1831.02	
C.T. 1832-1833	
C.T. 1835-1838	
C.T. 1851	
C.T. 1852.01-1852.02	
C.T. 1853	
C.T. 1991-1999	
C.T. 2011-2013	
C.T. 2014.01-2014.02	
C.T. 2015.01-2015.02	
C.T. 2016-2017	

PRIMARY CARE: California—Continued

Service Area Listing

Service Area Name	Degree of shortage group
C.T. 5307	
Hollister	3
County—San Benito	
Parts:	
*Hollister CCD	
*San Juan Bautista CCD	
Honey Lake	1
County—Lassen	
Parts:	
*Honey Lake CCD	
Imperial Valley	4
County—Imperial	
Parts:	
Brawley CCD	
Calexico CCD	
Calipatra-Westmorland CCD	
El Centro CCD	
Holtville CCD	
Imperial CCD	
Kerman	1
County—Fresno	
Parts:	
C.T. 39-41	
King City/Greenfield/Soledad	2
County—Monterey	
Parts:	
C.T. 111-113 (King City)	
Lake Isabella	3
County—Kern	
Parts:	
C.T. 51.01	
C.T. 52	
Maple/Santa Barbara	1
County—Los Angeles	
Parts:	
C.T. 2214.01-2214.02	
C.T. 2215.01-2215.02	
C.T. 2216.01-2216.02	
C.T. 2217.01-2217.02	
C.T. 2218-2219	
C.T. 2221-2227	
C.T. 2244-2247	
C.T. 2264-2267	
Mariposa/Coulterville	3
County—Mariposa	
Parts:	
Coulterville CCD	
Mariposa CCD	
Markleeville	1
County—Alpine	
Parts:	
Markleeville CCD	
Maywood Bell	1
County—Los Angeles	
Parts:	
C.T. 5333-5337	
C.T. 5338.01-5338.02	
C.T. 5339-5343	
E.D. 5344.01-5344.02	
E.D. 5 (portola CCD)	
Mountain Empire	2
County—San Diego	
Parts:	
C.T. 211 (portola CCD)	
North Lassen	1
County—Lassen	
Parts:	
*Big Valley CCD	
*Madeline Plains CCD	
North Mono	1
County—Mono	
Parts:	
*Mono North CCD	
*E.D. 21 (Mono South CCD)	
Northwest Mendocino	2
County—Mendocino	
Parts:	
Laytonville-Leggett CCD	
Oakhurst	3
County—Madera	
Parts:	
Oakhurst-North Fork CCD	
Palomar/Laguna	2
County—San Diego	
Parts:	
C. T. 209.01	
C.T. 209.02	
Potter Valley	2

PRIMARY CARE: California—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Mendocino	
Parts:	
*E.D. 200-202 (Redwood-Potter CCD)	
Ramona	3
County—San Diego	
Parts:	
Ramona CCD	
Redwood Coast	2
County—Mendocino	
Parts:	
Point Arena CCD	
County—Sonoma	
Parts:	
C.T. 1543 (N.1/2)	
Riverdale/Caruthers	2
County—Fresno	
Parts:	
C.T. 75-77	
San Benito-Bitterwater	1
County—San Benito	
Parts:	
*San Benito-Bitterwater CCD	
San Joaquin	3
County—Fresno	
Parts:	
San Joaquin-Tranquility C	
San Ysidro	1
County—San Diego	
Parts:	
C.T. 100.01-100.07	
C.T. 101.03-101.07	
C.T. 102-105	
Santa Catalina Island	3
County—Los Angeles	
Parts:	
C.T. 5990	
Shingletown	1
County—Shasta	
Parts:	
E.D. 343-347 (Central Shasta CCD)	
Sierra	3
County—Fresno	
Parts:	
Sierra CCD	
Southeast Kern	2
County—Kern	
Parts:	
C.T. 55.02	
C.T. 56-59	
Southern Inyo	2
County—Inyo	
Parts:	
Death Valley CCD	
Independence CCD (S 1/2)	
Lone Pine CCD	
Springville	1
County—Tulare	
Parts:	
C.T. 27	
Stanislaus/Yosemite	1
County—Tuolumne	
Parts:	
Stanislaus/Yosemite CCD	
Surprise Valley	2
County—Modoc	
Parts:	
Surprise Valley CCD	
Tenderloin	3
County—San Francisco	
Parts:	
C.T. 122-125	
Tulelake/Butte Valley	2
County—Modoc	
Parts:	
Tule Lake CCD	
County—Siskiyou	
Parts:	
Butte Valley CCD	
Tule Lake CCD	
Valley Center/Pauma Valley	1
County—San Diego	
Parts:	
C.T. 191.01-191.02	
Venice	1
County—Los Angeles	
Parts:	
C.T. 2731-2739	
Watts/Figueroa/Firestone	1

PRIMARY CARE: California—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Los Angeles	
Parts:	
C.T. 2397-2399	
C.T. 2401-2409	
C.T. 2411-2416	
C.T. 2421-2429	
C.T. 2431	
C.T. 5349-5350	
C.T. 5351.01-5351.02	
C.T. 5352-5354	
C.T. 5404	
West Berkeley	1
County—Alameda	
Parts:	
C.T. 4220-4223	
C.T. 4230-4234	
C.T. 4240	
West Compton	1
County—Los Angeles	
Parts:	
C.T. 5411-5415	
C.T. 5425-5432	
West Point/Wilseyville	1
County—Calaveras	
Parts:	
E.D. 50 (W. Pt. Wlsyvl CCD)	
E.D. 55-59 (W. Pt. Wlsyvl CCD)	
Willow Creek	2
County—Humboldt	
Parts:	
*Trinity-Klamath CCD	
County—Trinity	
Parts:	
*Lower Trinity CCD	
Woodlake	4
County—Tulare	
Parts:	
Woodlake—Three Rivers CCD	
29 Palms/Morango Valley	2
County—San Bernardino	
Parts:	
C.T. 104.01	
C.T. 104.03-104.04	

PRIMARY CARE: California

Population Group Listing

Population Group	Degree of shortage group
Indian Pop.—Trinidad	1
County—Del Norte	
Parts:	
Indian Pop.	
County—Humboldt	
Parts:	
Indian Pop.	
Indochinese Pop.—Atwater/Merced	2
County—Merced	
Parts:	
Atwater CCD	
Merced CCD	
Indochinese/Pov. Pop.—Linda Vista	2
County—San Diego	
Parts:	
C.T. 86	
C.T. 87.01	
C.T. 88	
C.T. 89.01	
C.T. 90	
C.T. 91.05	
Medi-Cal—Arcata/Eureka/Redway	4
County—Humboldt	
Parts:	
Arcata CCD	
Eureka CCD	
Ferndale CCD	
Fortuna CCD	
Garberville CCD	
North Coastal CCD	
Medi-Cal Pop.—Auburn/Colfax/Foresthill	4
County—Placer	
Parts:	
C.T. 202-205	

PRIMARY CARE: California—Continued

Population Group Listing

Population Group	Degree of shortage group
C.T. 215-220	
Medi-Cal Pop.—Cutler/Orosi/Dinuba	2
County—Tulare	
Parts:	
Dinuba CCD	
Orosi-Cutler CCD	
Medi-Cal Pop.—Del Norte Co.	3
County—Del Norte	
Parts:	
Medi-Cal Eligible	
Medi-Cal Pop.—Loyalton	1
County—Plumas	
E.D. 5 (portola CCD)	
County—Sierra	
Parts:	
East Sierra CCD	
Medi-Cal Pop.—Ridgecrest	3
County—Kern	
Parts:	
C.T. 53-55	
Medi-Cal Pop.—Tehama Co.	3
County—Tehama	
Parts:	
Medi-Cal Eligible Pop.	
Medi-Cal Pop.—Tuolumne Co.	4
County—Tuolumne	
Parts:	
Medi-Cal Eligible Pop.	
Medi-Cal Pop.—Ukiah/Hopland	4
County—Mendocino	
Parts:	
Hopland CCD	
Ukiah CCD	
Medi-Cal Pop.—Vacaville	1
County—Solano	
Parts:	
Vacaville CCD	
Medi-Cal Pop.—Vista/Oceanside/Carlsbad	1
County—San Diego	
Parts:	
C.T. 178.01	
C.T. 178.03	
C.T. 178.05-178.08	
C.T. 179-184	
C.T. 185.01	
C.T. 185.04	
C.T. 185.07-185.08	
C.T. 185.97-185.98	
C.T. 186.01	
C.T. 186.03	
C.T. 186.05-186.07	
C.T. 192.02-192.04	
C.T. 193	
C.T. 194.01-194.02	
C.T. 195	
C.T. 196.01-196.02	
C.T. 197.01-197.02	
C.T. 198.01-198.02	
C.T. 199.01-199.03	
C.T. 200.05-200.12	
C.T. 203.01	
Medi-Cal Pop.—Waterford	1
County—Stanislaus	
Parts:	
Waterford CCD	
Mig./Mono. Span. Sp. Pop.—Planada Le G	1
County—Merced	
Parts:	
Planada-Le Grand CCD	
Mig./Mono. Span. Sp. Pop.—Cen. Ventura	1
County—Ventura	
Parts:	
Fillmore-Piru CCD	
Moorpark CCD	
Oxnard CCD	
Santa Paula CCD	
Saticoy CCD	
Mig./Span. Sp. Pop.—Los Banos/Dos Palo	3
County—Merced	
Parts:	
Migrants (C.T. 21-24)	
Mono. Span. (C.T. 21-24)	
Mig./Span. Sp. Pop.—Sw Stanislaus	4
County—Stanislaus	
Parts:	
Patterson CCD	
Mono. Hispanic—Paccima/San Fernando	2

PRIMARY CARE: California—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Los Angeles	
Parts:	
C.T. 1041.01-1041.02	
C.T. 1042.01-1042.02	
C.T. 1043-1048	
C.T. 1091	
C.T. 1094-1095	
C.T. 1191-1192	
C.T. 1194-1195	
C.T. 1198	
C.T. 3201-3203	
Morongo Indian Pop.	1
County—Riverside	
Parts:	
Indian Pop.	
County—San Bernardino	
Parts:	
Indian Pop.(Banning Area	
MSFW—Lower Coachella Valley	1
County—Riverside	
Parts:	
C.T. 456.01-456.02	
C.T. 457.01-457.02	
MSFW—Pajaro Valley	3
County—Monterey	
Parts:	
Pajaro CCD	
County—Santa Cruz	
Parts:	
Watsonville CCD	
MSFW/S.E. Asian Refugees—W. Modesto	2
County—Stanislaus	
Parts:	
C.T. 16-18	
C.T. 22	
Pov. Pop.—Fowler/Selma/Kingsburg	1
County—Fresno	
Parts:	
C.T. 16-17	
C.T. 70-73	
Pov. Pop.—Quincy	2
County—Plumas	
Parts:	
Quincy CCD	
Pov. Pop.—South Sacramento	1
County—Sacramento	
Parts:	
C.T. 27-28	
C.T. 30	
C.T. 31.01-31.02	
C.T. 32.01-32.02	
C.T. 35.01-35.02	
C.T. 36-37	
C.T. 44.01-44.02	
C.T. 45	
C.T. 46.01-46.02	
Pov./Homeless/Aids Pop.—Guerneville	1
County—Sonoma	
Parts:	
Homeless	
Persons With Aids	
C.T. 1537.01-1537.02	
C.T. 1543 (S.1/2)	
Pov./Mig.—Buttonwillow/Wasco/Shafter	1
County—Kern	
Parts:	
C.T. 33.01	
C.T. 37 (S.1/2)	
C.T. 39-45	
Pov./Mig. Pop.—Visalia	4
County—Tulare	
Parts:	
C.T. 9	
C.T. 10.01-10.02	
C.T. 11-13	
C.T. 17.01-17.02	
C.T. 18-19	
C.T. 20.01-20.05	
San Manual Indian Pop.	1
County—San Bernardino	
Parts:	
San Manual Res.	
Soboba Indian Pop.	1
County—Riverside	
Parts:	
Indian Pop.	
Span. Sp. Pop—N.W. Merced	1

PRIMARY CARE: California—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Merced	
Parts:	
Hilmer-Irwin CCD	
Livingston-Delhi CCD	
Span. Sp. Pop.—Healdsburg	2
County—Sonoma	
Parts:	
C.T. 1538-1539	
C.T. 1541	
Span. Sp. Pop.—Porterville	3
County—Tulare	
Parts:	
C.T. 33-41	
C.T. 45	

PRIMARY CARE: California

Facility Listing

Facility Name	Degree of shortage group
Juvenile Detention Facilities	2
County—Orange	
Martin Luther King Jr. General Hospital	1
County—Los Angeles	

PRIMARY CARE: Colorado

County Listing

County Name	Degree of shortage group
Adams	
Service Area: Bennett/Strasburg	2
Service Area: Commerce City	3
Population Group: MSFW—Ft.Lupton/Brighton	1
Arapahoe	
Service Area: Bennett/Strasburg	2
Baca	1
Bent	
Population Group: Med. Ind. Pop.—Bent/Crowley/Otero	1
Boulder	
Population Group: MSFW—Ft.Lupton/Brighton	1
Population Group: Pov. Pop.—Lafayette/Louisville	1
Cheyenne	1
*Clear Creek	2
Conejos	
Population Group: Med. Ind. Pop.—Conejos Co.	1
Costilla	1
Crowley	
Population Group: Med. Ind. Pop.—Bent/Crowley/Otero	1
Custer	2
Dolores	1
Douglas	
Service Area: Castle Rock	4
*Eagle	
Service Area: Eagle-Gypsum	2
El Paso	
Service Area: Calhan-Yoder	2
Population Group: Med. Ind. Pop.—Colorado Springs	1
Elbert	
Service Area: Kiowa/Elizabeth	1
Service Area: Limon	4
*Gilpin	1
Grand	
Service Area: Kremmling	4
Hinsdale	1
Huerfano	
Service Area: Gardner	4
Jackson	1
Kiowa	2
Las Animas	
Population Group: Pov. Pop.—Las Animas Co.	2
Lincoln	
Service Area: Limon	4

PRIMARY CARE: Colorado—Continued

County Listing

County Name	Degree of shortage group
Moffat	
Service Area: Rangely	1
*Montrose	
Service Area: Nucla/Norwood	2
*Otero	
Population Group: Med. Ind. Pop.—Bent/Crowley/Otero	1
Park	
Service Area: Fairplay	1
Service Area: Lake George	1
*Prowers	1
Pueblo	
Service Area: Avondale/Boone	1
Population Group: Med. Ind. Pop—City Of Pueblo	1
Rio Blanco	
Service Area: Meeker	3
Service Area: Rangely	1
Routt	
Service Area: Oak Creek/Yampa	1
Saguache	1
San Juan	2
San Miguel	
Service Area: Nucla/Norwood	2
Washington	3
Weld	
Population Group: MSFW—Ft.Lupton/Brighton	1

PRIMARY CARE: Colorado

Service Area Listing

Service Area Name	Degree of shortage group
Avondale/Boone	1
County—Pueblo	
Parts:	
C.T. 32-34	
Bennett/Strasburg	2
County—Adams	
Parts:	
East Adams CCD	
County—Arapahoe	
Parts:	
East Arapahoe CCD	
Calhan-Yoder	2
County—El Paso	
Parts:	
C.T. 39.01	
C.T. 46	
Castle Rock	4
County—Douglas	
Parts:	
Castle Rock Div.	
E.D. 350 (Parker Div.)	
E.D. 352-353 (Parker Div.)	
E.D. 355-356 (Parker Div.)	
E.D. 360-365 (Sedalia Div.)	
Commerce City	3
County—Adams	
Parts:	
C.T. 87.03	
C.T. 87.05-87.06	
C.T. 88.01-88.02	
C.T. 89.01	
C.T. 89.52	
Cripple Creek	1
Eagle-Gypsum	2
County—Eagle	
Parts:	
Eagle-Gypsum CCD	
Fairplay	1
County—Park	
Parts:	
Fairplay Div.	
Gardner	4
County—Huerfano	
Parts:	
Gardner Div.	
Kiowa/Elizabeth	1
County—Elbert	
Parts:	
Kiowa Div.	
Kremmling	4

PRIMARY CARE: Colorado—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Grand	
Parts:	
Kremmling Div.	
Lake George	1
County—Park	
Parts:	
Lake George Div.	
Limon	4
County—Elbert	
Parts:	
Agate CCD	
Simla CCD	
County—Lincoln	
Meeker	3
County—Rio Blanco	
Parts:	
Meeker CCD	
Nucla/Norwood	2
County—Montrose	
Parts:	
Nucla Div.	
County—San Miguel	
Parts:	
Norwood Div.	
Oak Creek/Yampa	1
County—Routt	
Parts:	
Oak Creek CCD	
Yampa CCD	
Rangely	1
County—Moffat	
Parts:	
*Artesia Div.	
County—Rio Blanco	
Parts:	
*Rangely Div.	

PRIMARY CARE: Colorado

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop—City Of Pueblo	1
County—Pueblo	
Parts:	
City Of Pueblo	
Med. Ind. Pop.—Bent/Crowley/Otero	1
County—Bent	
Parts:	
Med. Ind. Pop.	
County—Crowley	
Parts:	
Med. Ind. Pop.	
County—Otero	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Colorado Springs	1
County—El Paso	
Parts:	
C.T. 13.01	
C.T. 14–17	
C.T. 21.01	
C.T. 22–23	
C.T. 26–29	
Med. Ind. Pop.—Conejos Co.	1
County—Conejos	
Parts:	
Med. Ind. Pop.	
MSFW—Ft.Lupton/Brighton	1
County—Adams	
Parts:	
C.T. 85.13–85.14 (MSFW)	
C.T. 86.01–86.02 (MSFW)	
County—Boulder	
Parts:	
C.T. 128 (MSFW)	
C.T. 132.01 (MSFW)	
C.T. 132.04 (MSFW)	
C.T. 133.02–133.04 (MSFW)	
C.T. 134 (MSFW	
C.T. 135.01–135.02 (MSFW)	

PRIMARY CARE: Colorado—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Weld	
Parts:	
MSFW	
Pov. Pop.—Lafayette/Louisville	1
County—Boulder	
Parts:	
C.T. 129.01–129.02	
C.T. 130	
C.T. 131.02–131.05	
Pov. Pop.—Las Animas Co.	2
County—Las Animas	
Parts:	
Pov. Pop.	

PRIMARY CARE: Connecticut

County Listing

County Name	Degree of shortage group
Fairfield	
Service Area: Southwest Bridgeport	3
Population Group: Pov. Pop.—Central/E. Bridgeport	4
Hartford	
Service Area: Charter Oak/Rice Hts	1
Service Area: North-Central Hartford	1
Middlesex	
Population Group: Med. Ind. & Homeless Pop.—Middletown	1
New Haven	
Service Area: Fair Haven	1
New London	
Population Group: Pov. Pop.—New London	3

PRIMARY CARE: Connecticut

Service Area Listing

Service Area Name	Degree of shortage group
Charter Oak/Rice Hts	1
County—Hartford	
Parts:	
C.T. 5046	
C.T. 5049	
Fair Haven	1
County—New Haven	
Parts:	
C.T. 1421–1426	
North-Central Hartford	1
County—Hartford	
Parts:	
C.T. 5006–5015	
C.T. 5017–5018	
C.T. 5035	
C.T. 5037	
Southwest Bridgeport	3
County—Fairfield	
Parts:	
C.T. 702–711	

PRIMARY CARE: Connecticut

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. & Homeless Pop.—Middletown	1
County—Middlesex	
Parts:	
Middletown City	
Pov. Pop.—Central/E. Bridgeport	4

PRIMARY CARE: Connecticut—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Fairfield	
Parts:	
C.T. 713–717	
C.T. 735–744	
Pov. Pop.—New London	3
County—New London	
Parts:	
C.T. 6901	
C.T. 6903–6907	

PRIMARY CARE: DELAWARE

County Listing

County Name	Degree of shortage group
New Castle	
Service Area: Middletown-Odessa	3
Service Area: Wilmington—Southbridge	3

PRIMARY CARE: DELAWARE

Service Area Listing

Service Area Name	Degree of shortage group
Middletown-Odessa	3
County—New Castle	
Parts:	
C.T. 166–169	
Wilmington—Southbridge	3
County—New Castle	
Parts:	
C.T. 1	
C.T. 6.01–6.02	
C.T. 7–9	
C.T. 15–17	
C.T. 19–23	
C.T. 154–155	

PRIMARY CARE: District Of Columbia

County Listing

County Name	Degree of shortage group
Dist Of Columbia	
Service Area: Anacostia	1
Population Group: Span. Sp. Pop.—Adams-Morgan	1
Facility: D.C. Detention Facility	2

PRIMARY CARE: District Of Columbia

Service Area Listing

Service Area Name	Degree of shortage group
Anacostia	1
County—Dist Of Columbia	
Parts:	
C.T. 77.03	
C.T. 77.07–77.09	
C.T. 78.03–78.05	
C.T. 78.07–78.08	
C.T. 96.01–96.04	
C.T. 99.01–99.07	

PRIMARY CARE: District Of Columbia

Population Group Listing

Population Group	Degree of shortage group
Span. Sp. Pop.—Adams-Morgan County—Dist Of Columbia Parts: C.T. 27.20 C.T. 28 C.T. 37–40 C.T. 42.10 C.T. 43	1

PRIMARY CARE: District Of Columbia

Facility Listing

Facility Name	Degree of shortage group
D.C. Detention Facility County—Dist Of Columbia	2

PRIMARY CARE: Florida

County Listing

County Name	Degree of shortage group
*Baker	1
Bay Population Group: Medicaid Pop.—Bay Co.	3
Bradford	2
Brevard Population Group: Medicaid/Mig. Pop.—Brevard Co.	1
Broward Population Group: Pov./Mig. Pop.—Pompano	2
*Calhoun	4
*Charlotte Population Group: Medicaid/Mig. Pop.—Charlotte Co.	1
*Citrus Population Group: Medicaid Pop.—Citrus Co.	1
Collier Service Area: Everglades	1
Service Area: Imokalee	1
*Columbia Population Group: Pov. Pop.—Columbia Co.	3
Dade Service Area: Model Cities	1
Service Area: Southern Dade (Homestead)	2
Service Area: Wynwood	1
Population Group: Pov. Pop.—S. Miami Beach	3
*De Soto Population Group: Pov./Mig. Pop.—Desoto Co.	1
*Dixie	2
Duval Population Group: Pov. Pop.—No. Jacksonville	4
Escambia Service Area: Northwestern Escambia	1
*Franklin	2
Gadsden	2
*Gilchrist	3
*Glades Service Area: Glades/Hendry	2
*Hamilton	2
*Hardee Population Group: Medicaid Pop.—Hardee Co.	4
*Hendry Service Area: Glades/Hendry	2
Hernando	3
*Highlands Population Group: Pov./Mig. Pop.—Highlands Co.	3
Hillsborough Service Area: East Tampa/Ybor City	1
Population Group: Pov./Mig. Pop.—E. Hillsborough	1
*Holmes	2
*Indian River Population Group: Medicaid/Mig. Pop.—Indian River Co.	1

PRIMARY CARE: Florida—Continued

County Listing

County Name	Degree of shortage group
*Jackson Population Group: Medicaid Pop.—Jackson Co.	1
*Jefferson	3
*Lafayette	2
*Lake Population Group: Medicaid/Mig. Pop.—Lake Co.	1
Lee Population Group: Medicaid Mig. Pop.—Lee Co.	1
*Levy	4
Liberty	2
*Madison	3
Manatee Population Group: Medicaid/Mig. Pop.—Manatee Co.	1
Marion Population Group: Medicaid/Mig. Pop.—Marion Co.	1
Martin Service Area: Indiantown	2
Nassau Service Area: Callahan/Hilliard	2
*Okeechobee Population Group: Medicaid/Mig. Pop.—Okeechobee Co.	2
Orange Population Group: Medicaid/Mig. Pop.—Orange Co.	2
Osceola	4
Palm Beach Service Area: Belle Glade/Pahokee	1
Service Area: West Palm Beach	1
Pasco Population Group: Medicaid/Mig. Pop.—Pasco Co.	4
Pinellas Population Group: Pov. Pop.—Inner St. Petersburg	2
Polk Population Group: Medicaid Pop.—Polk Co.	1
*Putnam	4
Santa Rosa Service Area: Northern Santa Rosa	3
Seminole Population Group: Medicaid/Mig. Pop.—Seminole Co.	1
St Johns Population Group: Medicaid/Mig. Pop.—St. Johns Co.	1
St Lucie Population Group: Pov./Mig. Pop.—St. Lucie Co.	1
*Sumter	2
*Suwannee	2
*Taylor Population Group: Medicaid Pop.—Taylor Co.	1
*Union Facility: R.M.C. Corr. Inst.	2 2
Volusia Population Group: Medicaid/Mig. Pop.—Volusia Co.	1
*Wakulla	3
*Walton	1
*Washington Population Group: Medicaid Pop.—Washington Co.	1

PRIMARY CARE: Florida

Service Area Listing

Service Area Name	Degree of shortage group
Belle Glade/Pahokee County—Palm Beach Parts: C.T. 80–83	1
Callahan/Hilliard County—Nassau Parts: C.T. 504–505	2
East Tampa/Ybor City	1

PRIMARY CARE: Florida—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Hillsborough Parts: C.T. 10 C.T. 18–19 C.T. 30–44 C.T. 49–51	
Everglades County—Collier Parts: C.T. 111	1
Glades/Hendry County—Glades County—Hendry	2
Imokalee County—Collier Parts: Mig. Pop. C.T. 112–114	1
Indiantown County—Martin Parts: Indiantown CCD	2
Model Cities County—Dade Parts: C.T. 9.03 C.T. 10.01–10.04 C.T. 14 C.T. 15.01–15.02 C.T. 17.01–17.02 C.T. 18.01–18.03 C.T. 19.01–19.02 C.T. 20.01–20.02 C.T. 22.01–22.02 C.T. 23	1
Northern Santa Rosa County—Santa Rosa Parts: Jay (C.T. 102) Munson-Mclellen (C.T. 101)	3
Northwestern Escambia County—Escambia Parts: Century Northwestern Escambia	1
Southern Dade (Homestead) County—Dade Parts: C.T. 103–105 C.T. 106.02 C.T. 107.01 C.T. 108–114	2
West Palm Beach County—Palm Beach Parts: C.T. 21–26	1
Wynwood County—Dade Parts: C.T. 26 C.T. 27.01–27.02 C.T. 28 C.T. 31	1

PRIMARY CARE: Florida

Population Group Listing

Population Group	Degree of shortage group
Medicaid Mig. Pop.—Lee Co. County—Lee Parts: Medicaid/Mig. Pop.	1
Medicaid Pop.—Bay Co. County—Bay Parts: Medicaid Pop.	3
Medicaid Pop.—Citrus Co. County—Citrus Parts: Medicaid Pop.	1
Medicaid Pop.—Hardee Co.	4

PRIMARY CARE: Florida—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Hardee	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Jackson Co.	1
County—Jackson	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Polk Co.	1
County—Polk	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Taylor Co.	1
County—Taylor	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Washington Co.	1
County—Washington	
Parts:	
Medicaid Pop.	
Medicaid/Mig. Pop.—Brevard Co.	1
County—Brevard	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Charlotte Co.	1
County—Charlotte	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Indian River Co.	1
County—Indian River	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Lake Co.	1
County—Lake	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Manatee Co.	1
County—Manatee	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Marion Co.	1
County—Marion	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Okeechobee Co.	2
County—Okeechobee	
Parts:	
Medicaid	
Migrants	
Medicaid/Mig. Pop.—Orange Co.	2
County—Orange	
Parts:	
Medicaid Pop.	
Mig. Pop.	
Medicaid/Mig. Pop.—Pasco Co.	4
County—Pasco	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—St. Johns Co.	1
County—St Johns	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Seminole Co.	1
County—Seminole	
Parts:	
Medicaid/Mig. Pop.	
Medicaid/Mig. Pop.—Volusia Co.	1
County—Volusia	
Parts:	
Medicaid/Mig. Pop.	
Pov. Pop.—Columbia Co.	3
County—Columbia	
Parts:	
Pov. Pop.	
Pov. Pop.—Inner St. Petersburg	2
County—Pinellas	
Parts:	
C.T. 201.01	
C.T. 203.01	
C.T. 204–208	
C.T. 209.95	
C.T. 210.95	
C.T. 212–215	
C.T. 216.95	
C.T. 218.95	
C.T. 219.95	
C.T. 220	
C.T. 234–235	
Pov. Pop.—No. Jacksonville	4

PRIMARY CARE: Florida—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Duval	
Parts:	
C.T. 1–5	
C.T. 9–19	
C.T. 26–29	
C.T. 107–109	
C.T. 112–116	
C.T. 118	
C.T. 121	
Pov. Pop.—S. Miami Beach	3
County—Dade	
Parts:	
C.T. 42–45	
Pov./Mig. Pop.—Desoto Co.	1
County—De Soto	
Parts:	
Pov./Mig. Pop.	
Pov./Mig. Pop.—E. Hillsborough	1
County—Hillsborough	
Parts:	
Mig.	
Mig.	
C.T. 121.01–121.02	
C.T. 122.01–122.02	
C.T. 123.01–123.02	
C.T. 124–132	
C.T. 133.01–133.03	
C.T. 134	
C.T. 135.01–135.02	
C.T. 136–138	
C.T. 139.01–139.03	
C.T. 140	
C.T. 141.01–141.02	
Pov./Mig. Pop.—Highlands Co.	3
County—Highlands	
Parts:	
Migrants	
Pov. Pop.	
Pov./Mig. Pop.—Pompano	2
County—Broward	
Parts:	
C.T. 103.01–103.02	
C.T. 107	
C.T. 303–306	
C.T. 308.01	
Pov./Mig. Pop.—St. Lucie Co.	1
County—St Lucie	
Parts:	
Pov./Mig. Pop.	

PRIMARY CARE: Florida

Facility Listing

Facility Name	Degree of shortage group
R.M.C. Corr. Inst.	2
County—Union 2	

PRIMARY CARE: Georgia

County Listing

County Name	Degree of shortage group
*Atkinson	4
*Baker	2
*Banks	2
*Bartow	4
*Ben Hill	
Population Group: Pov. Pop.—Ben Hill Co.	4
*Berrien	3
*Brantley	2
*Brooks	4
*Bryan	
Service Area: Pembroke	1
*Burke	3
*Calhoun	1
*Charlton	2

PRIMARY CARE: Georgia—Continued

County Listing

County Name	Degree of shortage group
Chatham	
Population Group: Pov. Pop.—N.W. Savannah	2
*Chattooga	2
Cherokee	3
Clarke	
Population Group: Pov. Pop.—Athens NHC	1
*Clinch	
Population Group: Pov. Pop.—Clinch Co.	3
*Crawford	1
Dade	2
*Dawson	3
De Kalb	
Service Area: South Decatur/Candler/Mcafee	1
*Dodge	4
*Dooly	3
Dougherty	
Service Area: East Albany	1
Service Area: South Albany	1
Effingham	3
*Emanuel	3
Fannin	
Service Area: Fannin/Suches	4
Forsyth	4
*Franklin	
Population Group: Pov. Pop.—Franklin Co.	3
Fulton	
Service Area: Atlanta/Southside	1
Service Area: West Atlanta	1
Population Group: Pov. Pop.—Palmetto	1
*Gilmer	2
*Glascock	1
*Greene	2
*Hall	
Population Group: Med. Ind. Pop.—Hall Co.	1
*Hancock	2
Henry	3
*Irwin	2
Jackson	3
*Jasper	2
*Jeff Davis	
Population Group: Med. Ind. Pop.—Jeff Davis Co.	1
*Jefferson	3
*Johnson	1
Jones	
Population Group: Pov. Pop.—Jones Co.	1
*Lamar	
Population Group: Pov. Pop.—Lamar Co.	1
Lee	1
*Liberty	2
*Lincoln	1
*Long	1
Madison	2
*Meriwether	2
*Mitchell	3
Montgomery	
Service Area: Montgomery/Wheeler	2
*Morgan	2
*Murray	4
*Oglethorpe	2
Paulding	4
*Pierce	4
*Pike	1
*Polk	2
*Putnam	1
*Randolph	4
*Schley	1
Stewart	
Service Area: Stewart/Webster	1
*Sumter	
Population Group: Pov. Pop.—Sumter Co.	1
*Talbot	1
*Taliaferro	1
*Tattnall	2
*Taylor	4
*Telfair	4
*Terrell	3
*Towns	
Population Group: Pov. Pop.—Towns Co.	2
*Turner	4
*Twiggs	1
*Union	
Service Area: Fannin/Suches	4
Walker	
Service Area: Lafayette	3
Walton	2
*Warren	1

PRIMARY CARE: Georgia—Continued

County Listing

County Name	Degree of shortage group
Webster	
Service Area: Stewart/Webster	1
Wheeler	
Service Area: Montgomery/Wheeler	2
*Whitfield	
Population Group: Pov. Pop.—Whitfield Co	3
*Wilcox	4
*Wilkinson	2
*Worth	4

PRIMARY CARE: Georgia

Service Area Listing

Service Area Name	Degree of shortage group
Atlanta/Southside	1
County—Fulton	
Parts:	
C.T. 44	
C.T. 46.95	
C.T. 48	
C.T. 49.95	
C.T. 50	
C.T. 52–53	
C.T. 55.01–55.02	
C.T. 56–58	
C.T. 63–64	
C.T. 67	
C.T. 68.01–68.02	
C.T. 69–73	
East Albany	1
County—Dougherty	
Parts:	
C.T. 1–2	
C.T. 101–102	
C.T. 103.01–103.02	
C.T. 107–108	
Fannin/Suches	4
County—Fannin	
County—Union	
Parts:	
Suches CCD	
Lafayette	3
County—Walker	
Parts:	
Kensington CCD	
Lafayette CCD	
Rock Springs CCD	
Villanow CCD	
Montgomery/Wheeler	2
County—Montgomery	
County—Wheeler	
Pembroke	1
County—Bryan	
Parts:	
C.T. 201 (Pembroke CCD)	
South Albany	1
County—Dougherty	
Parts:	
C.T. 12 (Pembroke CCD)	
C.T. 14.01–14.02	
C.T. 15	
C.T. 106.01–106.02	
South Decatur/Candler/Mcafee	1
County—De Kalb	
Parts:	
C.T. 205–209	
C.T. 227	
C.T. 231.01	
C.T. 235.01–235.02	
C.T. 236–237	
Stewart/Webster	1
County—Stewart	
County—Webster	
West Atlanta	1
County—Fulton	
Parts:	
C.T. 8	
C.T. 22–26	
C.T. 36–41	
C.T. 42.95	
C.T. 43	
C.T. 60–62	

PRIMARY CARE: Georgia—Continued

Service Area Listing

Service Area Name	Degree of shortage group
C.T. 66.20	
C.T. 78.04	
C.T. 80	
C.T. 81.01–81.02	
C.T. 82.01–82.02	
C.T. 83.01–83.02	
C.T. 84–85	
C.T. 86.01–86.02	
C.T. 87.01–87.02	

PRIMARY CARE: Georgia

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Hall Co.	1
County—Hall	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Jeff Davis Co	1
County—Jeff Davis	
Pov. Pop.—Athens NHC	1
County—Clarke	
Parts:	
C.T. 1–7	
C.T. 9–10	
Pov. Pop.—Ben Hill Co.	4
County—Ben Hill	
Parts:	
Pov. Pop.	
Pov. Pop.—Clinch Co.	3
County—Clinch	
Parts:	
Clinch	
Pov. Pop.—Franklin Co.	3
County—Franklin	
Parts:	
Pov. Pop.	
Pov. Pop.—Jones Co.	1
County—Jones	
Parts:	
Pov. Pop.	
Pov. Pop.—Lamar Co.	1
County—Lamar	
Parts:	
Pov. Pop.	
Pov. Pop.—N.W. Savannah	2
County—Chatham	
Parts:	
C.T. 1	
C.T. 3	
C.T. 6.01–6.02	
C.T. 8–13	
C.T. 15	
C.T. 17–28	
C.T. 32	
C.T. 33.01–33.02	
C.T. 36.01	
C.T. 37	
C.T. 45	
C.T. 106.04	
Pov. Pop.—Palmetto	1
County—Fulton	
Parts:	
C.T. 104	
C.T. 105.04–105.06	
Pov. Pop.—Sumter Co.	1
County—Sumter	
Parts:	
Pov. Pop.	
Pov. Pop.—Towns Co.	2
County—Towns	
Parts:	
Pov. Pop.	
Pov. Pop.—Whitfield Co.	3
County—Whitfield	
Parts:	
Pov. Pop.	

PRIMARY CARE: Hawaii

County Listing

County Name	Degree of shortage group
Honolulu	
Population Group: Pov. Pop.—Kokua/Kalihi-Palama	1
Facility: Oahu Comm. Corr. C.	2
*Maui/Kalawao	
Service Area: Island Of Molokai	3

PRIMARY CARE: Hawaii

Service Area Listing

Service Area Name	Degree of shortage group
Island Of Molokai	3
County—Maui/Kalawao	
Parts:	
C.T. 317–319	

PRIMARY CARE: Hawaii

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Kokua/Kalihi-Palama	1
County—Honolulu	
Parts:	
C.T. 51–57	
C.T. 59–62	
C.T. 63.01–63.02	
C.T. 64.01–64.02	
C.T. 65–66	

PRIMARY CARE: Hawaii

Facility Listing

Facility Name	Degree of shortage group
Oahu Comm. Corr. C.	2
County—Honolulu	

PRIMARY CARE: Idaho

County Listing

County Name	Degree of shortage group
Ada	
Facility: Idaho State Pen.	1
*Bannock	
Service Area: Lava Hot Springs	1
Service Area: Malad City/Downey	2
*Benewah	
Service Area: St. Maries	4
*Bingham	
Service Area: American Falls	1
Population Group: MSFW—E. Snake River Valley	1
Boise	1
*Bonner	
Service Area: Clark Fork	1
Service Area: Priest River	4
Butte	
Service Area: Arco/Mackay	2
Camas	1
*Canyon	
Service Area: Nyssa (Or/Id)	1
Population Group: MSFW—S. Treasure Valley	1
Caribou	2

PRIMARY CARE: Idaho—Continued

County Listing

County Name	Degree of shortage group
*Cassia	
Service Area: Albion/Malta	1
Service Area: Oakley	1
Population Group: MSFW—E. Magic Valley	1
Clark	1
Clearwater	
Service Area: Pierce/Weippe	2
Custer	
Service Area: Arco/Mackay	2
Service Area: Challis	1
Service Area: Stanley	1
*Elmore	
Service Area: Glenns Ferry	1
*Franklin	3
Fremont	3
*Gem	4
Population Group: MSFW—N. Treasure Valley (Id/Or)	1
*Gooding	2
Population Group: MSFW—W. Magic Valley	1
Idaho	
Service Area: Riggins	2
*Jefferson	
Service Area: Mud Lake	1
Population Group: MSFW—E. Snake River Valley	1
*Jerome	
Population Group: MSFW—W. Magic Valley	1
*Kootenai	
Service Area: Spirit Lake/Athol	2
Service Area: St. Maries	4
*Lewis	4
Service Area: Winchester	1
Lincoln	1
*Minidoka	
Service Area: Minidoka	1
Population Group: MSFW—E. Magic Valley	1
Oneida	
Service Area: Malad City/Downey	2
Owyhee	
Service Area: Grand View/Bruneau	1
Service Area: N.W. Owyhee	1
Population Group: MSFW—S. Treasure Valley	1
*Payette	
Service Area: New Plymouth	1
Population Group: MSFW—N. Treasure Valley (Id/Or)	1
Power	
Service Area: American Falls	1
Population Group: MSFW—E. Magic Valley	1
*Teton	1
*Twin Falls	
Service Area: Buhl	2
Population Group: MSFW—W. Magic Valley	1
Washington	4
Population Group: MSFW—N. Treasure Valley (Id/Or)	1

PRIMARY CARE: Idaho

Service Area Listing

Service Area Name	Degree of shortage group
Albion/Malta	1
County—Cassia	
Parts:	
*Albion Div.	
American Falls	1
County—Bingham	
Parts:	
*Aberdeen Div.	
County—Power	
Parts:	
*American Falls Div.	
*Rockland Div.	
Arco/Mackay	2
County—Butte	
County—Custer	
Parts:	
Mackay CCD	
Buhl	2

PRIMARY CARE: Idaho—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Twin Falls	
Parts:	
*Buhl Div.	
*W. Salmon Falls Div.	
Challis	1
County—Custer	
Parts:	
*Challis Div.	
Clark Fork	1
County—Bonner	
Parts:	
Clark Fork CCD	
Glenns Ferry	1
County—Elmore	
Parts:	
*Glenns Ferry Div.	
Grand View/Bruneau	1
County—Owyhee	
Parts:	
*Bruneau CCD	
*Grand View CCD	
Lava Hot Springs	1
County—Bannock	
Parts:	
E.D. 1137–1142 (S.Bannock CCD)	
E.D. 1144–1149 (S.Bannock CCD)	
E.D. 1152–1153 (S.Bannock CCD)	
Malad City/Downey	2
County—Bannock	
Parts:	
E.D. 1143 (S.Bannock CCD)	
E.D. 1150–1151 (S.Bannock CCD)	
E.D. 1157 (S.Bannock CCD)	
County—Oneida	
Minidoka	1
County—Minidoka	
Parts:	
Minidoka CCD	
Mud Lake	1
County—Jefferson	
Parts:	
*Hamer Div.	
N.W. Owyhee	1
County—Owyhee	
Parts:	
*Homedale Div.	
*Marsing Div.	
*Murphy Div.	
New Plymouth	1
County—Payette	
Parts:	
*New Plymouth Div.	
Nyssa (Or/Id)	1
County—Canyon	
Parts:	
*Parma Div.	
*Wilder Div.	
Oakley	1
County—Cassia	
Parts:	
*Oakley Div.	
Pierce/Weippe	2
County—Clearwater	
Parts:	
Pierce-Headquarters CCD	
Weippe CCD	
Priest River	4
County—Bonner	
Parts:	
Priest River CCD	
E.D. 559–563 (Blanch-Glen CCD	
Riggins	2
County—Idaho	
Parts:	
Riggins CCD	
Spirit Lake/Athol	2
County—Kootenai	
Parts:	
Spirit Lake-Athol CCD	
St. Maries	4
County—Benewah	
County—Kootenai	
Parts:	
*Harrison Div. (S. 1/2)	
*Worley Div.	
Stanley	1

PRIMARY CARE: Idaho—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Custer	
Parts:	
*Stanley Div.	
Winchester	1
County—Lewis	
Parts:	
Winchester CCD	

PRIMARY CARE: Idaho

Population Group Listing

Population Group	Degree of shortage group
MSFW—E. Magic Valley	1
County—Cassia	
Parts:	
MSFW Pop.	
County—Minidoka	
Parts:	
MSFW Pop.	
County—Power	
Parts:	
MSFW Pop.	
MSFW—E. Snake River Valley	1
County—Bingham	
Parts:	
MSFW Pop.	
County—Jefferson	
Parts:	
MSFW Pop.	
MSFW—N. Treasure Valley (Id/Or)	1
County—Gem 4	
Parts:	
MSFW	
County—Payette	
Parts:	
MSFW	
County—Washington 4	
Parts:	
MSFW	
MSFW—S. Treasure Valley	1
County—Canyon	
Parts:	
MSFW Pop.	
County—Owyhee	
Parts:	
MSFW Pop.	
MSFW—W. Magic Valley	1
County—Gooding 2	
Parts:	
MSFW Pop.	
County—Jerome	
Parts:	
MSFW Pop.	
County—Twin Falls	
Parts:	
MSFW Pop.	

PRIMARY CARE: Idaho

Facility Listing

Facility Name	Degree of shortage group
Idaho State Pen.	1

PRIMARY CARE: Idaho—Continued

Facility Listing

Facility Name	Degree of shortage group
County—Ada	

PRIMARY CARE: Illinois

County Listing

County Name	Degree of shortage group
Alexander	
Service Area: Cairo	1
*Brown	2
*Carroll	4
*Cass	2
Champaign	
Service Area: Northend Champaign-Urbana	1
*Clay	3
Cook	
Service Area: Austin/Garfield	1
Service Area: Chatham (Near Southeast)	1
Service Area: Douglas/Armour Square/Near South Side	1
Service Area: Humboldt Park/West Town	2
Service Area: Near North Side	2
Service Area: New City/W. Englewood/Englewood	1
Service Area: Oakland	1
Service Area: Riverdale	1
Service Area: Roseland	1
Service Area: S. Lawndale/Lower W. Side	2
Service Area: South Chicago	3
Service Area: South Deering	1
Service Area: South Shore	1
Service Area: Uptown	4
Facility: Cook Co. Dept. Of Corr. Comp	2
Facility: Fantus Clinic-Cook Co Hosp	1
Facility: S. Chicago Comm. Hosp.	1
*Cumberland	3
*De Witt	4
*Douglas	4
*Edwards	4
*Fayette	2
*Franklin	3
*Fulton	
Service Area: Lewistown/Astoria	2
*Gallatin	2
*Hamilton	3
*Hardin	2
*Henderson	2
*Iroquois	
Service Area: Hoopeston	3
*Jackson	
Population Group: Med. Ind. Pop.—Jackson Co.	1
*Jasper	2
*Jo Daviess	
Service Area: Galena/Hanover	3
Service Area: Stockton/Warren	2
*Johnson	3
Kankakee	
Service Area: Pembroke	1
Macon	
Service Area: Decatur Inner City	4
*Marion	
Service Area: Salem	4
*Mason	4
*Massac	4
Mercer	
*Mercer	
Service Area: Aledo/Alexis	3
Service Area: Aledo/Alexis	3
Peoria	
Service Area: South Peoria	2
*Pope	1
Pulaski	
Service Area: Cairo	1
Rock Island	
Population Group: Medicaid Pop.—Quad-Cities (Ia/Il)	4
*Scott	2
St Clair	
Service Area: East St. Louis	1
*Union	2
*Vermilion	
Service Area: Hoopeston	3

PRIMARY CARE: Illinois—Continued

County Listing

County Name	Degree of shortage group
*Warren	
Service Area: Aledo/Alexis	3
*Washington	4
*Wayne	2
Will	
Service Area: Eastside Joliet	1
Facility: Joliet Corr. I.	3
Winnebago	
Service Area: Rockford Inner City	2

PRIMARY CARE: Illinois

Service Area Listing

Service Area Name	Degree of shortage group
Aledo/Alexis	3
County—Mercer	
County—Warren	
Parts:	
Alexis Vil.	
Austin/Garfield	1
County—Cook	
Parts:	
C.T. 2506–2510	
C.T. 2514–2523	
C.T. 2601–2610	
C.T. 2701–2719	
C.T. 2801–2828	
C.T. 2838–2843	
C.T. 2901–2927	
Cairo	1
County—Alexander	
County—Pulaski	
Chatham (Near Southeast)	1
County—Cook	
Parts:	
C.T. 4401–4409	
C.T. 4501–4503	
C.T. 4701	
C.T. 6901–6915	
C.T. 7101–7115	
Decatur Inner City	4
County—Macon	
Parts:	
C.T. 1	
C.T. 4–9	
Douglas/Armour Square/Near South Side	1
County—Cook	
Parts:	
C.T. 3301–3305	
C.T. 3401–3406	
C.T. 3501–3515	
East St. Louis	1
County—St Clair	
Parts:	
C.T. 4007	
C.T. 5004–5006	
C.T. 5008–5014	
C.T. 5021–5022	
C.T. 5024.01	
C.T. 5024.03–5024.04	
C.T. 5025	
C.T. 5027–5030	
C.T. 5041	
C.T. 5042.01–5042.02	
Eastside Joliet	1
County—Will	
Parts:	
C.T. 8812–8813	
C.T. 8820–8821	
C.T. 8824–8825	
Galena/Hanover	3
County—Jo Daviess	
Parts:	
*Council Hill Twp.	
*East Galena Twp.	
*Elizabeth Twp.	
*Guilford Twp.	
*Hanover Twp.	
*Rawlins Twp.	
*Rice Twp.	
*Scales Mound Twp.	
*Vinegar Hill Twp.	
*West Galena Twp.	
Hoopeston	3
County—Iroquois	
Parts:	
Fountain Creek Twp.	
Lovejoy Twp.	
Prairie Green Twp.	
County—Vermilion	
Parts:	
Butler Twp.	
Grant Twp.	
Middlefork Twp.	
Ross Twp.	
South Ross Twp.	
Humboldt Park/West Town	2
County—Cook	
Parts:	
C.T. 2301–2316	
C.T. 2316–2317	
C.T. 2401	
C.T. 2401–2436	
Lewistown/Astoria	2
County—Fulton	
Parts:	
Astoria Twp.	
Bernadotte Twp.	
Cass Twp.	
Farmers Twp.	
Isabel Twp.	
Kerton Twp.	
Lewistown Twp.	
Liverpool Twp.	
Pleasant Twp.	
Putnam Twp.	
Vermont Twp.	
Waterford Twp.	
Woodland Twp.	
Near North Side	2
County—Cook	
Parts:	
C.T. 803–810	
C.T. 817–819	
New City/W. Englewood/Englewood	1
County—Cook	
Parts:	
C.T. 6101–6122	
C.T. 6701–6720	
C.T. 6801–6814	
Northend Champaign-Urbana	1
County—Champaign	
Parts:	
C.T. 2	
C.T. 7 (blkgrps 1 & 2)	
C.T. 53 (Blkgrps 2 & 3)	
Oakland	1
County—Cook	
Parts:	
C.T. 3601–3605	
C.T. 3701–3704	
C.T. 3801–3820	
C.T. 3901–3903	
C.T. 4001–4008	
Pembroke	1
County—Kankakee	
Parts:	
Pembroke Twp.	
St. Anne Twp. (E 1/3)	
Riverdale	1
County—Cook	
Parts:	
C.T. 5401	
Rockford Inner City	2
County—Winnebago	
Parts:	
C.T. 10–11	
C.T. 21	
C.T. 24–29	
C.T. 31–32	
Roseland	1
County—Cook	
Parts:	
C.T. 4901–4914	
S. Lawndale/Lower W. Side	2
County—Cook	
Parts:	
C.T. 3001–3020	
C.T. 3101–3115	
Salem	4

PRIMARY CARE: Illinois—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Marion	
Parts:	
Alma Twp.	
Foster Twp.	
Haines Twp	
Iuka Twp.	
Kinmundy Twp.	
Meacham Twp.	
Omega Twp.	
Romine Twp.	
Salem Twp.	
Stevenson Twp.	
Tonti Twp.	
South Chicago	3
County—Cook	
Parts:	
C.T. 4601-4610	
South Deering	1
County—Cook	
Parts:	
C.T. 5101-5104	
C.T. 5104.99-5105.00	
South Peoria	2
County—Peoria	
Parts:	
C.T. 1-13	
South Shore	1
County—Cook	
Parts:	
C.T. 4301-4314	
Stockton/Warren	2
County—Jo Daviess	
Parts:	
*Apple River Twp.	
*Berreman Twp.	
*Derinda Twp.	
*Nora Twp.	
*Pleasant Valley Twp.	
*Rush Twp.	
*Stockton Twp.	
*Thompson Twp.	
*Wards Grove Twp.	
*Warren Twp.	
*Woodbine Twp.	
Uptown	4
County—Cook	
Parts:	
C.T. 310-313	
C.T. 315-321	

PRIMARY CARE: Illinois

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Jackson Co.	1
County—Jackson	
Parts:	
Med. Ind. Pop.	
Medicaid Pop.—Quad-Cities (Ia/Il)	4
County—Rock Island	
Parts:	
Medicaid-Eligible	

PRIMARY CARE: Illinois

Facility Listing

Facility Name	Degree of shortage group
Cook Co. Dept. Of Corr. Comp.	2
County—Cook	
Fantus Clinic-Cook Co Hosp	1
County—Cook	
Joliet Corr. I.	3
County—Will	
S. Chicago Comm. Hosp.	1

PRIMARY CARE: Illinois—Continued

Facility Listing

Facility Name	Degree of shortage group
County—Cook	

PRIMARY CARE: Indiana

County Listing

County Name	Degree of shortage group
*Adams	3
*Benton	2
*Brown	3
*Crawford	2
*Franklin	2
*Grant	
Population Group: Med. Ind. Pop.—Grant Co.	1
*Greene	3
Harrison	
Service Area: Elizabeth	2
Service Area: Fredricksburg	2
Hendricks	
Facility: Indiana Youth/Diagnostic Center	3
Howard	
Population Group: Med. Ind. Pop.—Kokomo	2
*Jennings	2
*Knox	
Service Area: Bicknell	2
*La Porte	
Facility: Indiana State Pre	3
Lake	
Service Area: Gary	3
Marion	
Service Area: Highland-Brookside (Indianapolis)	1
Service Area: Near North Side (Indianapolis)	2
Service Area: South Central Indianapolis	1
*Ohio	2
*Owen	2
*Perry	4
Facility: Branchville Training C.	2
*Pike	2
*Putnam	
Facility: Indiana State Farm	3
*Ripley	
Service Area: Osgood/Versailles	2
*Scott	3
*Spencer	2
St Joseph	
Service Area: Southwest South Bend	1
*Starke	4
*Sullivan	2
*Switzerland	3
*Vermillion	
Service Area: Northern Vermillion	1
*Washington	
Service Area: Fredricksburg	2
*White	3

PRIMARY CARE: Indiana

Service Area Listing

Service Area Name	Degree of shortage group
Bicknell	2
County—Knox	
Parts:	
Vigo Twp.	
Washington Twp. (E. 1/2)	
Widner Twp.	
Elizabeth	2
County—Harrison	
Parts:	
Boone Twp.	
Posey Twp.	
Taylor Twp.	
Fredricksburg	2
County—Harrison	
Parts:	
Blue River Twp.	
Morgan Twp.	

PRIMARY CARE: Indiana—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Washington	
Parts:	
Posey Twp.	
Gary	3
County—Lake	
Parts:	
C.T. 103-120	
C.T. 122-129	
C.T. 411-412	
Highland-Brookside (Indianapolis)	1
County—Marion	
Parts:	
C.T. 3526-3527	
C.T. 3544-3545	
C.T. 3547-3551	
Near North Side (Indianapolis)	2
County—Marion	
Parts:	
C.T. 3517	
C.T. 3519	
C.T. 3521	
C.T. 3528	
C.T. 3531-3532	
Northern Vermillion	1
County—Vermillion	
Parts:	
Eugene Twp.	
Highland Twp.	
Vermillion Twp.	
Osgood/Versailles	2
County—Ripley	
Parts:	
Brown Twp.	
Center Twp.	
Johnson Twp.	
Otter Creek Twp.	
Shelby Twp.	
Washington Twp.	
South Central Indianapolis	1
County—Marion	
Parts:	
C.T. 3556-3557	
C.T. 3559	
C.T. 3562	
C.T. 3569-3572	
C.T. 3578-3580	
Southwest South Bend	1
County—St Joseph	
Parts:	
C.T. 6	
C.T. 17-24	
C.T. 27	
C.T. 29-30	

PRIMARY CARE: Indiana

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Grant Co.	1
County—Grant	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Kokomo	2
County—Howard	
Parts:	
Kokomo City	

PRIMARY CARE: Indiana

Facility Listing

Facility Name	Degree of shortage group
Branchville Training C.	2
County—Perry 4	
Indiana State Farm	3

PRIMARY CARE: Indiana—Continued

Facility Listing

Facility Name	Degree of shortage group
County—Putnam	
Indiana State Prs	3
County—La Porte	
Indiana Youth/Diagnostic Center	3
County—Hendricks	

PRIMARY CARE: Iowa

County Listing

County Name[49]	Degree of shortage group
*Adair	
Service Area: Redfield	2
*Benton	
Service Area: North Benton	3
Black Hawk	
Population Group: Medicaid Pop.—Blackhawk Co.	4
*Boone	
Service Area: Dayton/Gowrie	2
Bremer	
Service Area: Sumner/Tripoli	2
*Buchanan	4
*Butler	2
*Calhoun	
Service Area: Dayton/Gowrie	2
*Cedar	
Service Area: Lowden/Lost Nation	2
*Cherokee	
Service Area: Kingsley/Anthon/Mapleton	4
*Clinton	
Service Area: Lowden/Lost Nation	2
*Crawford	4
Dallas	
Service Area: Redfield	2
*Davis	4
*Delaware	
Service Area: Central City	2
*Fayette	
Service Area: South Fayette	4
*Greene	
Service Area: Dayton/Gowrie	2
*Grundy	
Service Area: Grundy	2
*Guthrie	
Service Area: Guthrie Center	2
Service Area: Redfield	2
*Hamilton	
Service Area: Dayton/Gowrie	2
Service Area: Hubbard/Eldora	3
*Hardin	
Service Area: Hubbard/Eldora	3
*Harrison	
Service Area: Onawa (Ia/Ne)	2
*Jackson	
Service Area: Lowden/Lost Nation	2
*Jasper	
Service Area: Monroe	1
*Jones	
Service Area: Lowden/Lost Nation	2
*Kossuth	
Service Area: North Kossuth	2
Linn	
Service Area: Central City	2
*Louisa	
Service Area: Columbus/Wapello	4
*Lucas	4
*Lyon	
Service Area: Rock Rapids	2
*Madison	
Service Area: Redfield	2
*Marion	
Service Area: Monroe	1
*Mills	2
*Monona	
Service Area: Kingsley/Anthon/Mapleton	4
Service Area: Onawa (Ia/Ne)	2
*Muscatine	
Service Area: Columbus/Wapello	4
*Osceola	3
*Plymouth	
Service Area: Kingsley/Anthon/Mapleton	4
Service Area: Le Mars/Akron	3

PRIMARY CARE: Iowa—Continued

County Listing

County Name	Degree of shortage group
Pottawattamie	
Service Area: Oakland	2
*Sac	
Service Area: Sac/Lake View	4
Scott	
Service Area: Lowden/Lost Nation	2
Population Group: Medicaid Pop.—Quad-Cities (Ia/Il)	4
*Story	
Service Area: Hubbard/Eldora	3
*Tama	3
*Taylor	2
*Webster	
Service Area: Dayton/Gowrie	2
Woodbury	
Service Area: Kingsley/Anthon/Mapleton	4
Service Area: Onawa (Ia/Ne)	2

PRIMARY CARE: Iowa

Service Area Listing

Service Area Name	Degree of shortage group
Central City	2
County—Delaware	
Parts:	
Adams Twp.	
Hazel Green Twp.	
County—Linn	
Parts:	
Boulder Twp.	
Buffalo Twp.	
Jackson Twp.	
Maine Twp.	
Spring Grove Twp.	
Columbus/Wapello	4
County—Louisa	
Parts:	
Columbus City Twp.	
Concord Twp.	
Elm Grove Twp.	
Grandview Twp.	
Jefferson Twp.	
Marshall Twp.	
Oakland Twp.	
Port Louisa Twp.	
Union Twp.	
Wapello Twp.	
County—Muscatine	
Parts:	
Cedar Twp.	
Orono Twp.	
Dayton/Gowrie	2
County—Boone	
Parts:	
Dodge Twp.	
Grant Twp.	
Pilot Mound Twp.	
County—Calhoun	
Parts:	
Reading Twp.	
County—Greene	
Parts:	
Dawson Twp.	
Paton Twp.	
County—Hamilton	
Parts:	
Marion Twp.	
Webster Twp.	
County—Webster	
Parts:	
Burnside Twp.	
Clay Twp.	
Dayton Twp.	
Gowrie Twp.	
Hardin Twp.	
Lost Grove Twp.	
Roland Twp.	
Sumner Twp.	
Webster Twp.	
Yell Twp.	
Grundy	2

PRIMARY CARE: Iowa—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Grundy	
Parts:	
Blackhawk Twp.	
Colfax Twp.	
Lincoln Twp.	
Melrose Twp.	
Palermo Twp.	
Pleasant Valley Twp.	
Shiloh Twp.	
Washington Twp.	
Guthrie Center	2
County—Guthrie	
Parts:	
Baker Twp.	
Bear Grove Twp.	
Beaver Twp.	
Cass Twp.	
Dodge Twp.	
Grant Twp.	
Highland Twp.	
Jackson Twp.	
Orange Twp.	
Richland Twp.	
Seely Twp.	
Thompson Twp.	
Union Twp.	
Valley Twp.	
Victory Twp.	
Hubbard/Eldora	3
County—Hamilton	
Parts:	
Ellsworth Twp.	
Lincoln Twp.	
Lyon Twp.	
Scott Twp.	
County—Hardin	
Parts:	
Concord Twp.	
Eldora Twp.	
Eldora City	
Grant Twp.	
Pleasant Twp	
Providence Twp.	
Sherman Twp.	
Tipton Twp.	
Union Twp. (W. 1/2)	
County—Story	
Parts:	
Lincoln Twp.	
Warren Twp. (E. 1/2)	
Kingsley/Anthon/Mapleton	4
County—Cherokee	
Parts:	
Grand Meadow Twp.	
County—Monona	
Parts:	
Cooper Twp	
Grant Twp.	
Maple Twp.	
County—Plymouth	
Parts:	
Elkhorn Twp.	
Garfield Twp.	
County—Woodbury	
Parts:	
Arlington Twp.	
Banner Twp.	
Floyd Twp.	
Grange Twp.	
Grant Twp.	
Kedron Twp.	
Liston Twp.	
Little Sioux Twp.	
Miller Twp.	
Morgan Twp.	
Moville Twp.	
Oto Twp.	
Rock Twp.	
Rutland Twp.	
Union Twp.	
West Fork Twp.	
Willow Twp. (N 1/2)	
Wolf Creek Twp.	
Le Mars/Akron	3
County—Plymouth	
Parts:	
America Twp.	
Elgin Twp.	

PRIMARY CARE: Iowa—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Fredonia Twp.	
Grant Twp.	
Henry Twp.	
Johnson Twp.	
Liberty Twp.	
Marion Twp.	
Meadow Twp.	
Plymouth Twp.	
Portland Twp.	
Preston Twp.	
Remsen Twp.	
Sioux Twp.	
Stanton Twp.	
Union Twp.	
Washington Twp.	
Westfield Twp.	
Lowden/Lost Nation	2
County—Cedar	
Parts:	
Inland Twp.	
Massillon Twp.	
Springfield Twp.	
County—Clinton	
Parts:	
Liberty Twp.	
Sharon Twp.	
Spring Rock Twp.	
County—Jackson	
Parts:	
Monmouth Twp.	
County—Jones	
Parts:	
Oxford Twp.	
Wyoming Twp.	
County—Scott	
Parts:	
Liberty Twp.	
Monroe	1
County—Jasper	
Parts:	
Fairview Twp.	
Palo Alto Twp.	
County—Marion	
Parts:	
Red Rock Twp.	
Summit Twp.	
North Benton	3
County—Benton	
Parts:	
Benton Twp.	
Big Grove Twp.	
Bruce Twp.	
Canton Twp.	
Cedar Twp.	
Eden Twp.	
Harrison Twp.	
Homer Twp.	
Jackson Twp.	
Monroe Twp.	
Polk Twp.	
Shellsburg Twp.	
Taylor Twp.	
Vinton Twp.	
North Kossuth	2
County—Kossuth	
Parts:	
Buffalo Twp.	
Burt Twp.	
Eagle Twp.	
Fenton Twp.	
German Twp.	
Grant Twp.	
Greenwood Twp.	
Harrison Twp.	
Hebron Twp.	
Ledyard Twp.	
Lincoln Twp.	
Portland Twp.	
Ramsey Twp.	
Seneca Twp.	
Springfield Twp.	
Swea Twp.	
Oakland	2
County—Pottawattamie	
Parts:	
Belknap Twp.	
Carson Twp.	
Center Twp.	

PRIMARY CARE: Iowa—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Grove Twp.	
James Twp.	
Knox Twp.	
Layton Twp.	
Lincoln Twp.	
Macedonia Twp.	
Pleasant Twp.	
Silver Creek Twp.	
Valley Twp.	
Washington Twp.	
Waveland Twp.	
Wright Twp.	
Onawa (Ia/Ne)	2
County—Harrison	
Parts:	
Jackson Twp.	
Little Sioux Twp.	
County—Monona	
Parts:	
Ashton Twp.	
Belvidere Twp.	
Center Twp.	
Fairview Twp.	
Franklin Twp.	
Jordan Twp.	
Kennebec Twp.	
Lake Twp.	
Lincoln Twp.	
Onawa City	
Sherman Twp.	
Sioux Twp.	
Soldier Twp.	
Spring Valley Twp.	
St. Clair Twp.	
West Fork Twp.	
Willow Twp.	
County—Woodbury	
Parts:	
Lakeport Twp.	
Sloan Twp.	
Willow Twp.	
Redfield	2
County—Adair	
Parts:	
Lincoln Twp.	
County—Dallas	
Parts:	
Linn Twp.	
Union Twp.	
County—Guthrie	
Parts:	
Penn Twp.	
Stuart Twp.	
County—Madison	
Parts:	
Madison Twp.	
Penn Twp.	
Rock Rapids	2
County—Lyon	
Parts:	
Allison Twp.	
Cleveland Twp.	
Dale Twp.	
Doon Twp.	
Elgin Twp.	
Garfield Twp.	
Grant Twp.	
Larchwood Twp.	
Liberal Twp.	
Midland Twp.	
Riverside Twp.	
Rock Twp.	
Sioux Twp.	
Wheeler Twp.	
Sac/Lake View	4
County—Sac	
Parts:	
Boyer Valley Twp.	
Cedar Twp.	
Clinton Twp.	
Cook Twp.	
Douglas Twp.	
Jackson Twp.	
Levey Twp.	
Richland Twp.	
Viola Twp.	
Wall Lake Twp.	
Wheeler Twp.	

PRIMARY CARE: Iowa—Continued

Service Area Listing

Service Area Name	Degree of shortage group
South Fayette	4
County—Fayette	
Parts:	
Fairfield Twp.	
Fremont Twp.	
Harlan Twp.	
Jefferson Twp.	
Oran Twp.	
Putnam Twp.	
Scott Twp.	
Smithfield Twp.	
Sumner/Tripoli	2
County—Bremer	
Parts:	
Dayton Twp.	
Frederika Twp.	
Fremont Twp.	
Le Roy Twp.	
Sumner City	
Sumner ¿2 Twp.	

PRIMARY CARE: Iowa

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—Blackhawk Co.	4
County—Black Hawk	
Parts:	
Medicaid Eligible	
Medicaid Pop.—Quad-Cities (Ia/Il)	4
County—Scott	
Parts:	
Medicaid-Eligible	

PRIMARY CARE: Kansas

County Listing

County Name	Degree of shortage group
Chautauqua	
Service Area: Elk/Chautauqua	4
*Cherokee	3
Elk	
Service Area: Elk/Chautauqua	4
*Franklin	4
*Geary	2
Gove	
Service Area: Oakley	2
*Jackson	4
Lincoln	4
Logan	
Service Area: Oakley	2
*Marshall	
Service Area: Centralia	2
*Nemaha	
Service Area: Centralia	2
Rawlins	2
Sedgwick	
Population Group: Medicaid Pop.—N.E. Wichita	4
Sheridan	
Service Area: Oakley	2
*Thomas	
Service Area: Oakley	2
*Wabaunsee	2
Wallace	1

PRIMARY CARE: Kansas

Service Area Listing

Service Area Name	Degree of shortage group
Centralia	2
County—Marshall	
Parts:	
*Cleveland Twp.	
*Lincoln Twp.	
*Noble Twp.	
County—Nemaha	
Parts:	
*Center Twp.	
*Harrison Twp.	
*Home Twp.	
*Illinois Twp.	
*Neuchatel Twp.	
*Red Vermillion Twp.	
*Reilly Twp.	
*Wetmore Twp.	
Elk/Chautauqua	4
County—Chautauqua	
County—Elk	
Oakley	2
County—Gove	
Parts:	
Gaeland Twp.	
Grinnell Twp.	
County—Logan	
Parts:	
Elkader Twp.	
Logansport Twp.	
McAllaster Twp.	
Monument Twp.	
Oakley Twp.	
Russell Springs Twp.	
Western Twp.	
Winoni Twp.	
County—Sheridan	
Parts:	
Solomon Twp.	
County—Thomas	
Parts:	
South Randall Twp.	
Summers Twp.	

PRIMARY CARE: Kansas

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—N.E. Wichita	4
County—Sedgwick	
Parts:	
C.T. 6-9	
C.T. 18	
C.T. 25-26	
C.T. 41-42	
C.T. 78	

PRIMARY CARE: Kentucky

County Listing

County Name	Degree of shortage group
*Adair	2
*Allen	1
*Bell	
Service Area: Southeast Whitley	1
Service Area: Western Harlan	1
*Bracken	2
*Butler	2
Campbell	
Population Group: Pov. Pop.—Inner City Newport	1
Carlisle	
Service Area: Clinton/Arlington/Bardwell	4
*Carroll	4
Carter	3
*Clay	4
*Clinton	2

PRIMARY CARE: Kentucky—Continued

County Listing

County Name	Degree of shortage group
*Edmonson	4
*Elliott	4
Fayette	
Population Group: Pov. Pop.—N. Central Lexington	4
*Fleming	4
*Floyd	
Service Area: Mud Creek	1
*Gallatin	2
*Grant	4
*Hancock	2
*Harlan	
Service Area: Cumberland	4
Service Area: Pine Mountain	1
Service Area: Upper Clover	1
Service Area: Western Harlan	1
Hickman	
Service Area: Clinton/Arlington/Bardwell	4
*Jackson	3
Jefferson	
Service Area: West End (Louisville)	1
*Knott	2
*Knox	3
*Larue	3
*Laurel	4
*Lee	3
*Leslie	1
*Letcher	
Service Area: Western Letcher	1
*Lewis	2
*Lincoln	
Service Area: Crab Orchard	4
*Livingston	2
*Magoffin	3
*Meade	2
*Nicholas	3
*Ohio	2
*Owen	2
*Owsley	1
*Pendleton	2
*Perry	
Service Area: Buckhorn	1
Service Area: Western Letcher	1
*Pike	
Service Area: Mud Creek	1
Service Area: Phelps	1
*Powell	3
*Robertson	1
*Rockcastle	3
*Spencer	1
*Todd	2
*Whitley	
Service Area: Southeast Whitley	1
*Wolfe	4

PRIMARY CARE: Kentucky

Service Area Listing

Service Area Name	Degree of shortage group
Buckhorn	1
County—Perry	
Parts:	
Buckhorn CCD	
Krypton CCD (E.D. 302)	
Clinton/Arlington/Bardwell	4
County—Carlisle	
County—Hickman	
Crab Orchard	4
County—Lincoln	
Parts:	
Crab Orchard CCD	
Cumberland	4
County—Harlan	
Parts:	
Cumberland CCD	
Mud Creek	1
County—Floyd	
Parts:	
McDowell CCD	
Mud Creek CCD	
Wheelwright-Weeksbury CCD	

PRIMARY CARE: Kentucky—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Pike	
Parts:	
Long Fork CCD	
Phelps	1
County—Pike	
Parts:	
Feds Creek CCD	
Phelps CCD	
Pine Mountain	1
County—Harlan	
Parts:	
Pine Mountain CCD	
Southeast Whitley	1
County—Bell	
Parts:	
Pruden-Fonde CCD	
County—Whitley	
Parts:	
Pearl CCD	
Saxton CCD	
Siller CCD	
Upper Clover	1
County—Harlan	
Parts:	
Upper Clover CCD	
West End (Louisville)	1
County—Jefferson	
Parts:	
C.T. 1-30	
C.T. 32-35	
Western Harlan	1
County—Bell	
Parts:	
Tejay CCD	
County—Harlan	
Parts:	
Alva CCD	
Western Letcher	1
County—Letcher	
Parts:	
Blackey CCD	
County—Perry	
Parts:	
Daisy CCD	

PRIMARY CARE: Kentucky

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Inner City Newport	1
County—Campbell	
Parts:	
C.T. 501-506	
Pov. Pop.—N. Central Lexington	4
County—Fayette	
Parts:	
C.T. 1-5	
C.T. 8-14	
C.T. 18-19	
C.T. 38.01	

PRIMARY CARE: Louisiana

Parish Listing

Parish Name	Degree of shortage group
*Acadia	4
*Allen	4
Ascension	
Service Area: Ascension/Northeast Iberville	2
*Assumption	3
*Avoyelles	4
*Beauregard	
Service Area: De Ridder/Merryville	4
Service Area: Dequincy	2
*Bienville	1

PRIMARY CARE: Louisiana—Continued

Parish Listing

Parish Name	Degree of shortage group
Caddo	
Service Area: North Caddo	2
Population Group: Pov. Pop.—Mlk Drive Area	1
Population Group: Pov. Pop.—Central Shreveport	1
Facility: Louisiana State Univ Med Ctr	1
Calcasieu	
Service Area: Dequincy	2
Service Area: North Lake Charles	1
*Caldwell	4
*Cameron	2
*Catahoula	2
*De Soto	1
East Baton Rouge	
Population Group: Pov. Pop.—Eden Park/S.Baton Rouge	1
Facility: Ambul. Clinic—Long Hosp.	1
*East Carroll	1
*East Feliciana	1
*Franklin	1
*Grant	1
*Iberia	
Population Group: Med. Ind. Pop.—Iberia Par.	1
*Iberville	
Service Area: Ascension/Northeast Iberville	2
*Jackson	1
Jefferson	
*Jefferson Davis	
Service Area: Lafitte	2
Service Area: S.E. Lafourche	2
Population Group: Medicaid Pop.—Jefferson Davis Par.	1
Lafourche	
Service Area: S.E. Lafourche	2
*Lasalle	4
*Lincoln	3
Livingston	2
*Madison	1
*Morehouse	
Population Group: Medicaid Pop.—Morehouse Par.	1
*Natchitoches	4
Orleans	
Service Area: Desire/Florida	1
Service Area: Lower 9Th Ward	1
Service Area: Midtown-Seventh Ward	1
Service Area: St. Bernard	1
Population Group: Med. Ind. Pop.—Algiers/Fischer	1
Population Group: Pov. Pop.—Irish Channel	1
Facility: New Orleans Charity Hosp.	1
Ouachita	
Population Group: Pov. Pop.—Ouachita Par.	4
Facility: E.A. Conway Mem Hosp.	4
*Plaquemines	1
*Pointe Coupee	4
Rapides	
Population Group: Med. Ind. Pop.—Rapides Par.	2
Facility: Huey P. Long Hosp.	2
*Richland	4
*Sabine	3
*St Helena	2
*St James	
Service Area: Vacherie	1
St John The Baptist	
Service Area: Vacherie	1
*St Landry	
Service Area: Palmetto	1
St Martin	1
*St Mary	
Service Area: Teche	3
*Tangipahoa	
Population Group: Med. Ind. Pop.—Tangipahoa Par.	4
Facility: Lallie Kemp Hosp. Outpatient Unit	4
*Tensas	1
Terrebonne	
Service Area: Dulac	1
Facility: So. Louisiana Med. Ctr	2
*Union	1
*Vernon	1
*Washington	4
*Webster	4
*West Carroll	2
*West Feliciana	4
*Winn	2

PRIMARY CARE: Louisiana

Service Area Listing

Service Area Name	Degree of shortage group
Ascension/Northeast Iberville	2
Parish—Ascension	
Parish—Iberville	
Parts:	
Ward 4-5	
De Ridder/Merryville	4
Parish—Beauregard	
Parts:	
Ward 1-5	
Ward 7-8	
Dequincy	2
Parish—Beauregard	
Parts:	
Ward 6	
Parish—Calcasieu	
Parts:	
Ward 5-6	
Desire/Florida	1
Parish—Orleans	
Parts:	
C.T. 11 (N. Of Derbigny St.)	
C.T. 14.01-14.02	
C.T. 15-16	
C.T. 17.03	
C.T. 17.14	
Dulac	1
Parish—Terrebonne	
Parts:	
Ward 4 (excluding Houma)	
Ward 6-7 (excluding Houma)	
Lafitte	2
Parish—Jefferson	
Parts:	
Ward 6	
Ward 11	
Lower 9Th Ward	1
Parish—Orleans	
Parts:	
C.T. 7.01-7.02	
C.T. 8	
C.T. 9.01-9.04	
Midtown-Seventh Ward	1
Parish—Orleans	
Parts:	
C.T. 18-23	
C.T. 26-31	
C.T. 34-36	
C.T. 39-40	
C.T. 44.01-44.02	
North Caddo	2
Parish—Caddo	
Parts:	
Ward 1.13 (n.1/3 & Gilliam)	
Ward 2	
Ward 9	
North Lake Charles	1
Parish—Calcasieu	
Parts:	
C.T. 2-4	
C.T. 14-15	
Palmetto	1
Parish—St Landry	
Parts:	
Ward 4	
S.E. Lafourche	2
Parish—Jefferson	
Parts:	
Ward 11	
Parish—Lafourche	
Parts:	
S.E. Ward 10	
St. Bernard	1
Parish—Orleans	
Parts:	
C.T. 33.05-33.06	
Teche	3
Parish—St Mary	
Parts:	
Ward 1-4	
Ward 7	
Ward 10	
Vacherie	1
Parish—St James	
Parts:	
Ward 5-7	

PRIMARY CARE: Louisiana—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Parish—St John Th,e Baptist	
Parts:	
Ward 1-3	

PRIMARY CARE: Louisiana

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Algiers/Fischer	1
Parish—Orleans	
Parts:	
C.T. 2-4	
C.T. 6.01	
Med. Ind. Pop.—Iberia Par.	1
Parish—Iberia	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Rapides Par.	2
Parish—Rapides	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Tangipahoa Par.	4
Parish—Tangipahoa	
Parts:	
Med. Ind. Pop.	
Medicaid Pop.—Jefferson Davis Par.	1
Parish—Jefferson Davis	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Morehouse Par.	1
Parish—Morehouse	
Parts:	
Medicaid Pop.	
Pov. Pop.—Central Shreveport	1
Parish—Caddo	
Parts:	
C.T. 201-204	
C.T. 206-213	
C.T. 218-220	
Pov. Pop.—Eden Park/S.Baton Rouge	1
Parish—East Baton Rouge	
Parts:	
C.T. 8-10	
C.T. 12-16	
C.T. 21-22	
C.T. 24-25	
Pov. Pop.—Irish Channel	1
Parish—Orleans	
Parts:	
C.T. 77-78	
C.T. 81.01-81.02	
C.T. 83	
C.T. 87-89	
Pov. Pop.—Mlk Drive Area	1
Parish—Caddo	
Parts:	
C.T. 246	
Pov. Pop.—Ouachita Par.	4
Parish—Ouachita	
Parts:	
Pov. Pop.	

PRIMARY CARE: Louisiana

Facility Listing

Facility Name	Degree of shortage group
Ambul. Clinic—Long Hosp.	1
Parish—East Baton Rouge	
E.A. Conway Mem Hosp.	4
Parish—Ouachita	
Huey P. Long Hosp.	2
Parish—Rapides	
Lallie Kemp Hosp. Outpatient Unit	4
Parish—Tangipahoa	
Louisiana State Univ Med Ctr	1

PRIMARY CARE: Louisiana—Continued

Facility Listing

Facility Name	Degree of shortage group
Parish—Caddo	
New Orleans Charity Hosp.	1
Parish—Orleans	
So. Louisiana Med. Ctr.	2
Parish—Terrebonne	

PRIMARY CARE: Maine

County Listing

County Name	Degree of shortage group
Androscoggin	
Service Area: Jay/Livermore Falls	3
*Aroostook	
Service Area: Ashland	1
Service Area: Danforth	1
Service Area: Eagle Lake	1
Service Area: Island Falls	2
Service Area: St. Francis	1
Service Area: Van Buren	3
Cumberland	
Service Area: Casco Bay Islands	2
*Franklin	
Service Area: Jay/Livermore Falls	3
*Hancock	
Service Area: Bucksport	3
*Kennebec	
Service Area: Jay/Livermore Falls	3
Service Area: Richmond	2
*Lincoln	
Service Area: Richmond	2
*Oxford	
Service Area: Bethel	1
Service Area: Jay/Livermore Falls	3
Penobscot	
Service Area: Danforth	1
Service Area: Dexter	2
Service Area: Howland	2
Service Area: Island Falls	2
Piscataquis	
Service Area: Bingham	2
Service Area: Milo	2
*Sagadahoc	
Service Area: Richmond	2
*Somerset	
Service Area: Bingham	2
Service Area: Dexter	2
Service Area: Jackman	1
Waldo	
Service Area: Bucksport	3
*Washington	
Service Area: Danforth	1
Service Area: Eastport	2
Service Area: Jonesport	2
Service Area: Milbridge	2
Service Area: Vanceboro	1

PRIMARY CARE: Maine

Service Area Listing

Service Area Name	Degree of shortage group
Ashland	1
County—Aroostook	
Parts:	
*Ashland Twn.	
*Garfield Plt.	
*Masardis Twn.	
*Nashville Plt.	
*Oxbow Plt.	
*Portage Lake Twn.	
Bethel	1
County—Oxford	
Parts:	
Bethel Twn.	
Gilead Twn.	
Greenwood Twn.	

PRIMARY CARE: Maine—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Newry Twn.	
North Oxford Unorg.	
Upton Twn.	
Woodstock Twn.	
Bingham	2
County—Piscataquis	
Parts:	
Kingsbury Twn.	
County—Somerset	
Parts:	
Bingham Twn.	
Brighton Plt.	
Caratunk Twn.	
Moscow Twn.	
N.E. Somerset Unorg. (S.	
Pleasant Ridge Twn.	
Solon Twn.	
The Forks Twn.	
West Forks Twn.	
Bucksport	3
County—Hancock	
Parts:	
Bucksport Twn.	
Orland Twn.	
Verona Twn.	
County—Waldo	
Parts:	
Frankfort Twn.	
Prospect Twn.	
Stockton Springs Twn.	
Casco Bay Islands	2
County—Cumberland	
Parts:	
Cliff Is.	
Cushing Is.	
Great Chebeague Is.	
Great Diamond Is.	
Little Chebeague Is.	
Little Diamond Is.	
Long Is.	
Peak'S Is.	
Danforth	1
County—Aroostook	
Parts:	
Bancroft Twn.	
Orient Twn.	
Weston Twn.	
County—Penobscot	
Parts:	
Drew Plt.	
Kingman Unorg.	
Prentiss Plt.	
Whitney (Unorg.)	
County—Washington	
Parts:	
Danforth	
Dexter	2
County—Penobscot	
Parts:	
Corinna Twn.	
Dexter Twn.	
Garland Twn.	
County—Somerset	
Parts:	
Cambridge Twn.	
Ripley Twn.	
Eagle Lake	1
County—Aroostook	
Parts:	
Eagle Lake Twn.	
Wallagrass Plt.	
Winterville Plt.	
Eastport	2
County—Washington	
Parts:	
Eastport Twn.	
Pembroke Twn.	
Perry Twn.	
Pleasant Point Twn.	
Howland	2
County—Penobscot	
Parts:	
Burlington Twn.	
Edinburg Twn.	
Enfield Twn.	
Grand Falls Plt.	
Howland Twn.	
Lagrange Twn.	

PRIMARY CARE: Maine—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Lowell Twn.	
Maxfield Twn.	
Passadumkeag Twn.	
Seboeis Plt.	
Island Falls	2
County—Aroostook	
Parts:	
Benedicta Twn.	
Crystal Twn.	
Dyer Brook Twn	
Hersey Twn.	
Island Falls Twn.	
Moro Plt.	
S. Aroostook (Unorg.)	
Sherman Twn.	
County—Penobscot	
Parts:	
Mt. Chase Twn.	
N. Penobscot (Unorg.)	
Patten Twn.	
Stacyville Twn.	
Jackman	1
County—Somerset	
Parts:	
Dennistown Twn.	
Jackman Twn.	
Moose River Twn.	
Jay/Livermore Falls	3
County—Androscoggin	
Parts:	
Livermore Falls Twn.	
Livermore Twn.	
County—Franklin	
Parts:	
Jay Twn.	
County—Kennebec	
Parts:	
Fayette Twn.	
County—Oxford	
Parts:	
Canton Twn.	
Hartford Twn.	
Sumner Twn.	
Jonesport	2
County—Washington	
Parts:	
Addison Twn.	
Beals Twn.	
Centerville Twn.	
Columbia Falls Twn.	
Jonesboro Twn.	
Jonesport Twn.	
Milbridge	2
County—Washington	
Parts:	
Beddington Twn.	
Cherryfield Twn.	
Columbia Twn.	
Deblois Twn.	
Harrington Twn.	
Milbridge Twn.	
Steuben Twn.	
Milo	2
County—Piscataquis	
Parts:	
Atkinson Twn.	
Brownville Twn.	
Lakeview Twn.	
Medford Twn.	
Milo Twn.	
N.E. Piscataquis Unorg.	
S.E. Piscataquis Unorg.	
Sebec Twn.	
Richmond	2
County—Kennebec	
Parts:	
Litchfield Twn.	
County—Lincoln	
Parts:	
Dresden Twn.	
County—Sagadahoc	
Parts:	
Bowdoinham Twn.	
Richmond Twn.	
St. Francis	1
County—Aroostook	
Parts:	
Allagash Twn.	

PRIMARY CARE: Maine—Continued

Service Area Listing

Service Area Name	Degree of shortage group
St. Francis Twn.	
St. John Plt.	
Van Buren	3
County—Aroostook	
Parts:	
Grand Isle Twn.	
Hamlin Twn.	
Van Buren Twn.	
Vanceboro	1
County—Washington	
Parts:	
Codyville Plt.	
Grand Lake Stream Plt.	
Indian Twp.	
N. Washington (Unorg.)	
Talmadge Twn.	
Topsfield Twn.	
Vanceboro Twn.	
Waite Twn.	

PRIMARY CARE: Maryland

County Listing

County Name	Degree of shortage group
Allegany	
Service Area: Hancock (Md/Pa/Wv)	2
Anne Arundel	
Service Area: Owensville	2
Baltimore City (Indep)	
Service Area: North Central Baltimore	1
Service Area: O'Donnell Heights	1
Service Area: Orleans Square	2
Service Area: West Baltimore	1
Population Group: Pov. Pop.—Northwest Baltimore	4
Facility: Mercy Hosp.	1
*Caroline	2
Cecil	
Service Area: Cecil/Kent	2
Charles	3
*Dorchester	
Service Area: Northeast Dorchester	2
*Kent	
Service Area: Cecil/Kent	2
*Somerset	4
Washington	
Service Area: Hancock (Md/Pa/Wv)	2
*Worcester	
Service Area: Snow Hill/Pokomoke	4

PRIMARY CARE: Maryland

Service Area Listing

Service Area Name	Degree of shortage group
Cecil/Kent	2
County—Cecil	
Parts:	
Dist. 1 (cecilton)	
County—Kent	
Parts:	
Dist. 1 (massey)	
Hancock (Md/Pa/Wv)	2
County—Allegany	
Parts:	
Dist. 1 (orleans)	
County—Washington	
Parts:	
Dist. 4–5 (hancock)	
Dist. 15 (Indian Spring)	
North Central Baltimore	1
County—Baltimore City (Indep)	
Parts:	
C.T. 805 (hancock)	
C.T. 901–909	
C.T. 1204	

PRIMARY CARE: Maryland—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Northeast Dorchester	2
County—Dorchester	
Parts:	
*Dist. 1-3 (Vienna)	
*Dist. 12 (Williamsburg)	
*Dist. 15 (Hurlock)	
O'Donnell Heights	1
County—Baltimore City (Indep)	
Parts:	
C.T. 2606.01-2606.02	
Orleans Square	2
County—Baltimore City (Indep)	
Parts:	
C.T. 103	
C.T. 105	
C.T. 201–202	
C.T. 602–603	
C.T. 702–704	
C.T. 802	
C.T. 803.01	
C.T. 804	
C.T. 806–808	
Owensville	2
County—Anne Arundel	
Parts:	
C.T. 7012–7014	
C.T. 7070	
C.T. 7080	
Snow Hill/Pokomoke	4
County—Worcester	
Parts:	
*Dist. 1-2 (snow Hill)	
*Dist. 7-8 (stockon)	
West Baltimore	1
County—Baltimore City (Indep)	
Parts:	
C.T. 1801–1803	
C.T. 1901–1903	
C.T. 2001–2005	

PRIMARY CARE: Maryland

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Northwest Baltimore	4
County—Baltimore City (Indep)	
Parts:	
C.T. 1512–1513	
C.T. 2716–2717	
C.T. 2718.01–2718.02	

PRIMARY CARE: Maryland

Facility Listing

Facility Name	Degree of shortage group
Mercy Hosp.	1
County—Baltimore City (Indep)	

PRIMARY CARE: Massachusetts

County Listing

County Name	Degree of shortage group
*Barnstable	
Service Area: Provincetown	2
Bristol	
Service Area: Fall River/Inner City	1
Service Area: S.E. New Bedford	1
Essex	
Service Area: North Lawrence	2

PRIMARY CARE: Massachusetts—Continued

County Listing

County Name	Degree of shortage group
Service Area: South Lynn	2
Population Group: Non-Eng. Sp. Pop.—Peabody/Salem	1
Middlesex	
Population Group: Port./Hisp. Pop.—E. Cambridge	1
Population Group: Portuguese Pop.—Somerville	1
Population Group: Southeast Asian Pop.—Lowell	1
Norfolk	
Service Area: Hough'S Neck/Germantown (Quincy)	4
Facility: Norfolk-Walpole Corr. I	3
Plymouth	
Population Group: Medicaid Pop.—Hull	1
Suffolk	
Service Area: N. Dorchester	2
Service Area: Roxbury	1
Service Area: S. Dorchester	3
Service Area: South Boston	4
Population Group: Chinese Pop.—Brighton/Allston	1
Population Group: Chinese Pop.—South End Boston	2
Population Group: Pov. Pop.—Brighton/Allston	1
Worcester	
Service Area: Great Brook Valley	3
Service Area: So. Blackstone Valley	3

PRIMARY CARE: Massachusetts

Service Area Listing

Service Area Name	Degree of shortage group
Fall River/Inner City	1
County—Bristol	
Parts:	
C.T. 6408–6411	
C.T. 6413–6414	
C.T. 6420	
Great Brook Valley	3
County—Worcester	
Parts:	
C.T. 7320.01	
Hough'S Neck/Germantown (Quincy)	4
County—Norfolk	
Parts:	
C.T. 4178	
N. Dorchester	2
County—Suffolk	
Parts:	
C.T. 901–924	
North Lawrence	2
County—Essex	
Parts:	
C.T. 2501–2516	
C.T. 2524	
Provincetown	2
County—Barnstable	
Parts:	
Provincetown	
Roxbury	1
County—Suffolk	
Parts:	
C.T. 801–821	
S. Dorchester	3
County—Suffolk	
Parts:	
C.T. 1001–1005	
C.T. 1006.01–1006.02	
C.T. 1007–1009	
C.T. 1010.01–1010.02	
C.T. 1011.01–1011.02	
S.E. New Bedford	1
County—Bristol	
Parts:	
C.T. 6507–6509	
C.T. 6511–6514	
C.T. 6517–6519	
C.T. 6526–6527	
So. Blackstone Valley	3

PRIMARY CARE: Massachusetts—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Worcester	
Parts:	
Blackstone Twn.	
Douglas Twn.	
Mendon Twn.	
Millville Twn.	
Northbridge Twn.	
Sutton Twn.	
Uxbridge Twn.	
South Boston	4
County—Suffolk	
Parts:	
C.T. 605-613	
South Lynn	2
County—Essex	
Parts:	
C.T. 2058	
C.T. 2060-2063	
C.T. 2065	
C.T. 2067-2072	

PRIMARY CARE: Massachusetts

Population Group Listing

Population Group	Degree of shortage group
Chinese Pop.—Brighton/Allston	1
County—Suffolk	
Parts:	
C.T. 1-8	
Chinese Pop.—South End Boston	2
County—Suffolk	
Parts:	
C.T. 701-712	
Medicaid Pop.—Hull	1
County—Plymouth	
Parts:	
C.T. 5001.01-5001.02	
Non-Eng. Sp. Pop.—Peabody/Salem	1
County—Essex	
Parts:	
C.T. 2043	
C.T. 2045-2047	
C.T. 2104	
C.T. 2107-2109	
Port./Hisp. Pop.—E. Cambridge	1
County—Middlesex	
Parts:	
C.T. 3521-3528	
C.T. 3531	
Portuguese Pop.—Somerville	4
County—Middlesex	
Parts:	
Somerville	
Pov. Pop.—Brighton/Allston	1
County—Suffolk	
Parts:	
C.T. 1	
C.T. 2.01-2.02	
C.T. 3-5	
C.T. 6.01-6.02	
C.T. 7.01-7.02	
C.T. 8	
Southeast Asian Pop.—Lowell	1
County—Middlesex	
Parts:	
S.E. Asian Pop.—Lowell	

PRIMARY CARE: Massachusetts

Facility Listing

Facility Name	Degree of shortage group
Norfolk-Walpole Corr. I.	3
County—Norfolk	

PRIMARY CARE: Michigan

County Listing

County Name	Degree of shortage group
*Alcona	3
*Alger	2
*Allegan	
Service Area: Allegan	4
Service Area: South Haven/Bangor	3
*Alpena	4
*Antrim	
Service Area: East Jordan	4
Service Area: Mancelona	2
Arenac	
Service Area: Sterling/Standish	3
Bay	
Service Area: Sterling/Standish	3
*Cass	
Service Area: Dowagiac	3
Service Area: Three Rivers	4
*Charlevoix	
Service Area: East Jordan	4
*Clare	
Service Area: Harrison	1
Service Area: Marion	1
Crawford	
Service Area: Grayling/Roscommon	3
*Delta	
Service Area: Gwinn	2
*Dickinson	
Service Area: Gwinn	2
Service Area: Iron River/Crystal Falls	4
Genesee	
Service Area: North Flint/Beecher	1
Service Area: Otter Lake	3
*Gladwin	
Service Area: Sterling/Standish	3
*Gogebic	
Service Area: Ewen	2
Service Area: Ironwood/Hurley (Mi/Wi)	2
*Hillsdale	4
*Huron	
Service Area: Pigeon	2
Service Area: Port Austin	3
*Iosco	
Service Area: Hale/Whittemore/Prescott	2
Iron	
Service Area: Iron River/Crystal Falls	4
*Isabella	
Population Group: Medicaid Pop.—Isabella Co.	4
Jackson	
Facility: State Prs.—South Michigan	3
*Kalkaska	
Service Area: Grayling/Roscommon	3
Service Area: Mancelona	2
Kent	
Service Area: Northern Kent	2
Population Group: Pov. Pop.—Grand Rapids	4
Keweenaw	1
*Lake	1
Lapeer	
Service Area: Marlette/Kingston	3
Service Area: Otter Lake	3
*Leelanau	
Service Area: Northport/Suttons Bay	4
*Mackinac	2
*Marquette	
Service Area: Gwinn	2
Facility: Marquette Branch Prs.	2
*Menominee	
Service Area: Northern Menominee	2
*Missaukee	
Service Area: Grayling/Roscommon	3
Service Area: Houghton Lake	3
Service Area: Marion	1
Monroe	
Population Group: Medicaid Pop.—South Monroe	2
*Montmorency	4

PRIMARY CARE: Michigan—Continued

County Listing

County Name	Degree of shortage group
Muskegon	
Service Area: Northern Kent	2
*Newaygo	4
*Ogemaw	
Service Area: Hale/Whittemore/Prescott	2
Service Area: Rose City/Lupton	3
*Ontonagon	
Service Area: Ewen	2
*Osceola	
Service Area: Marion	1
Ottawa	
Service Area: Northern Kent	2
Population Group: MSFW—Ottawa Co.	2
*Roscommon	
Service Area: Grayling/Roscommon	3
Service Area: Houghton Lake	3
Saginaw	
Service Area: East Side Saginaw	1
*Sanilac	
Service Area: Marlette/Kingston	3
*Shiawassee	
Service Area: Perry/Morrice	3
*St Joseph	
Service Area: Three Rivers	4
*Tuscola	
Service Area: Marlette/Kingston	3
Service Area: Otter Lake	3
Service Area: Pigeon	2
*Van Buren	
Service Area: Dowagiac	3
Service Area: South Haven/Bangor	3
Wayne	
Service Area: Airport/Conner (N.E. Detroit)	1
Service Area: Chene (S. Central Detroit)	1
Service Area: Eastside Detroit	2
Service Area: Mackenzie/Brooks	1
Service Area: Nolan/State Fair/Davison/Pershing	3
Service Area: Tireman/Chadsey	1

PRIMARY CARE: Michigan

Service Area Listing

Service Area Name	Degree of shortage group
Airport/Conner (N.E. Detroit)	1
County—Wayne	
Parts:	
C.T. 5037-5048	
C.T. 5101	
C.T. 5107-5109	
Allegan	4
County—Allegan	
Parts:	
Allegan City	
Allegan Twp.	
Cheshire Twp.	
Clyde Twp.	
Dorr Twp.	
Hopkins Twp.	
Lee Twp.	
Leighton Twp.	
Martin Twp.	
Monterey Twp.	
Salem Twp.	
Trowbridge Twp.	
Valley Twp.	
Watson Twp.	
Wayland City	
Wayland Twp.	
Chene (S. Central Detroit)	1
County—Wayne	
Parts:	
C.T. 5110-5111	
C.T. 5161	
C.T. 5177-5179	
C.T. 5182-5188	
Dowagiac	3
County—Cass	
Parts:	
Dowagiac City	
Lagrange Twp.	
Marcellus Twp.	

PRIMARY CARE: Michigan—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Penn Twp.	
Pokhagen Twp.	
Silver Creek Twp.	
Volinia Twp.	
Wayne Twp.	
County—Van Buren	
Parts:	
Decatur Twp.	
Hamilton Twp.	
Keeler Twp.	
Porter Twp.	
East Jordan	4
County—Antrim	
Parts:	
*Banks Twp.	
*Echo Twp.	
*Jordan Twp. (N. 1/2)	
County—Charlevoix	
Parts:	
*East Jordan City	
*South Arm Twp.	
*Wilson Twp. (S. 1/2)	
East Side Saginaw	1
County—Saginaw	
Parts:	
C.T. 1–11	
C.T. 110	
Eastside Detroit	2
County—Wayne	
Parts:	
C.T. 5121–5158	
Ewen	2
County—Gogebic	
Parts:	
Marenisco Twp.	
Watersmeet Twp.	
County—Ontonagon	
Parts:	
Bergland Twp.	
Haight Twp.	
Interior Twp.	
Matchwood Ywp.	
McMillan Twp.	
Rockland Twp.	
Stannard Twp.	
Grayling/Roscommon	3
County—Kalkaska	
Parts:	
Bear Lake Twp.	
Garfield Twp.	
County—Missaukee	
Parts:	
Norwich Twp.	
County—Crawford	
County—Roscommon	
Parts:	
Ausable Twp.	
Gerrish Twp.	
Higgins Twp.	
Lyon Twp.	
Gwinn	2
County—Delta	
Parts:	
Maple Ridge Twp.	
County—Dickinson	
Parts:	
West Branch Twp.	
County—Marquette	
Parts:	
Ewing Twp.	
Forsyth Twp.	
Turin Twp.	
Wells Twp.	
Hale/Whittemore/Prescott	2
County—Iosco	
Parts:	
Burleigh Twp	
Grant Twp.	
Plainfield Twp	
Reno Twp.	
Sherman Twp.	
Whittemore City	
County—Ogemaw	
Parts:	
Logan Twp.	
Richland Twp.	
Harrison	1

PRIMARY CARE: Michigan—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Clare	
Parts:	
Arthur Twp.	
Franklin Twp.	
Freeman Twp.	
Frost Twp.	
Greenwood Twp.	
Hamilton Twp.	
Harrison City	
Hatton Twp.	
Hayes Twp.	
Lincoln Twp.	
Summerfield Twp.	
Houghton Lake	3
County—Missaukee	
Parts:	
Butterfield Twp.	
Enterprise Twp.	
Holland Twp.	
County—Roscommon	
Parts:	
Denton Twp.	
Lake Twp.	
Markey Twp.	
Roscommon Twp.	
Iron River/Crystal Falls	4
County—Dickinson	
Parts:	
Felch Twp.	
Sagola Twp.	
County—Iron	
Ironwood/Hurley (MI/WI)	2
County—Gogebic	
Parts:	
Bessemer City	
Bessemer Twp.	
Erwin Twp.	
Ironwood City	
Ironwood Twp.	
Wakefield City	
Wakefield Twp.	
Mackenzie/Brooks	1
County—Wayne	
Parts:	
C.T. 5341–5344	
C.T. 5347–5355	
C.T. 5364–5367	
C.T. 5370–5374	
C.T. 5451–5454	
Mancelona	2
County—Antrim	
Parts:	
*Chestonia Twp.	
*Custer Twp.	
*Helena Twp.	
*Jordan Twp. (S. 1/2)	
*Kearney Twp.	
*Mancelona Twp.	
*Star Twp.	
County—Kalkaska	
Parts:	
*Blue Lake Twp.	
*Cold Springs Twp.	
*Rapid River Twp.	
Marion	1
County—Clare	
Parts:	
Redding Twp.	
Winterfield Twp.	
County—Missaukee	
Parts:	
Clam Union Twp.	
Riverside Twp.	
County—Osceola	
Parts:	
Hartwick Twp.	
Highland Twp.	
Marion Twp.	
Middle Branch Twp.	
Marlette/Kingston	3
County—Lapeer	
Parts:	
Burlington Twp.	
County—Sanilac	
Parts:	
La Motte Twp.	
Marlette Twp.	

PRIMARY CARE: Michigan—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Tuscola	
Parts:	
Dayton Twp.	
Freemont Twp.	
Kingston Twp.	
Koylton Twp.	
Nolan/State Fair/Davison/Pershing	3
County—Wayne	
Parts:	
C.T. 5064–5080	
C.T. 5102–5106	
North Flint/Beecher	1
County—Genesee	
Parts:	
C.T. 1–7	
C.T. 19–26	
C.T. 103.02	
C.T. 103.04	
C.T. 122.02	
Northern Kent	2
County—Kent	
Parts:	
Algoma Twp. (N. 1/2)	
Cedar Springs City	
Nelson Twp.	
Solon Twp.	
Sparta Twp.	
Tyrone Twp.	
County—Muskegon	
Parts:	
Casnovia Twp.	
County—Ottawa	
Parts:	
Chester Twp.	
Northern Menominee	2
County—Menominee	
Parts:	
Cedarville Twp.	
Daggett Twp.	
Faithorn Twp.	
Gourley Twp.	
Harris Twp.	
Holmes Twp.	
Lake Twp.	
Meyer Twp.	
Nadeau Twp.	
Spalding Twp.	
Stephenson City	
Stephenson Twp.	
Northport/Suttons Bay	4
County—Leelanau	
Parts:	
Centerville Twp.	
Cleveland Twp.	
Kasson Twp.	
Leelanau Twp.	
Leland Twp.	
Solon Twp.	
Suttons Bay Twp.	
Otter Lake	3
County—Genesee	
Parts:	
Forest Twp.	
County—Lapeer	
Parts:	
Deerfield Twp.	
Marathon Twp.	
Rich Twp.	
County—Tuscola	
Parts:	
Arbela Twp.	
Watertown Twp.	
Willington Twp.	
Perry/Morrice	3
County—Shiawassee	
Parts:	
Antrim Twp.	
Burns Twp.	
Perry City	
Perry Twp.	
Pigeon	2
County—Huron	
Parts:	
Brookfield Twp.	
Caseville Twp.	
Fairhaven Twp.	
McKinley Twp.	
Sebewaing Twp.	

PRIMARY CARE: Michigan—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Winsor Twp.	
County—Tuscola	
Parts:	
Columbia Twp.	
Port Austin	3
County—Huron	
Parts:	
Dwight Twp.	
Gore Twp.	
Hume Twp.	
Huron Twp.	
Lake Twp.	
Pointe Aux Barques Twp.	
Port Austin Twp.	
Port Austin Vil.	
Rose City/Lupton	3
County—Ogemaw	
Parts:	
Cumming Twp.	
Goodar Twp.	
Hill Twp.	
Rose City	
Rose Twp.	
South Haven/Bangor	3
County—Allegan	
Parts:	
Casco Twp.	
Ganges Twp.	
County—Van Buren	
Parts:	
Arlington Twp.	
Bangor City	
Bangor Twp.	
Columbia Twp.	
Covert Twp.	
Geneva Twp.	
Lawrence Twp.	
South Haven City	
South Haven Twp.	
Sterling/Standish	3
County—Bay	
Parts:	
Gibson Twp.	
Mount Forest Twp.	
Pinconning Twp.	
Pinconning City	
County—Arenac	
County—Gladwin	
Parts:	
Bentley Twp.	
Bourret Twp.	
Grim Twp.	
Three Rivers	4
County—Cass	
Parts:	
Newberg Twp.	
Porter Twp.	
County—St Joseph	
Parts:	
Colon Twp.	
Constantine Twp.	
Fabius Twp.	
Florence Twp.	
Flowerfield Twp.	
Leonidas Twp.	
Lockport Twp.	
Mendon Twp.	
Nottawa Twp.	
Park Twp.	
Three Rivers City	
Tireman/Chadsey	1
County—Wayne	
Parts:	
C.T. 5221-5222	
C.T. 5251-5266	
C.T. 5335-5337	
C.T. 5345-5346	

PRIMARY CARE: Michigan

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—Isabella Co	4
County—Isabella	
Parts:	
Medicaid Eligible	
Medicaid Pop.—South Monroe	2
Parts:	
Bedford Twp.	
Erie Twp.	
Ida Twp.	
La Salle Twp.	
Summerfield Twp.	
Whiteford Twp.	
MSFW—Ottawa Co.	2
County—Ottawa	
Parts:	
MSFW	
Pov. Pop.—Grand Rapids	4
County—Kent	
Parts:	
Grand Rapids City	

PRIMARY CARE: Michigan

Facility Listing

Facility Name	Degree of shortage group
Marquette Branch Prs.	2
State Prs.—South Michigan	3
County—Jackson	

PRIMARY CARE: Minnesota

County Listing

County Name	Degree of shortage group
*Aitkin	
Service Area: Floodwood	1
Service Area: Mille Lacs	2
Service Area: Sandstone/Hinckley	2
*Big Stone	
Service Area: Graceville	1
*Blue Earth	
Service Area: Wells	2
*Brown	
Service Area: St. James/Butterfield	3
*Cass	3
Clay	
Service Area: Ada/Halstad/Twin Valley	4
Service Area: Barnesville	2
Service Area: Hawley	3
Cook	4
*Cottonwood	
Service Area: Windom/Mountain Lake	3
*Crow Wing	
Service Area: Mille Lacs	2
*Faribault	
Service Area: Wells	2
Grant	
Service Area: Elbow Lake/Dalton	4
Hennepin	
Service Area: Near North—(minneapolis)	4
Population Group: Am. Ind. In Minneapolis	4
*Jackson	
Service Area: Jackson/Lakefield	4
Service Area: Windom/Mountain Lake	3
*Kanabec	
Service Area: Mille Lacs	2
Service Area: Sandstone/Hinckley	2
*Kandiyohi	
Service Area: Belgrade/Brooten	3
Service Area: Paynesville	4
Kittson	
Service Area: Hallock	3
*Lac Qui Parle	
Service Area: Canby (Mn/Sd)	4
Service Area: Dawson/Madison	3

PRIMARY CARE: Minnesota—Continued

County Listing

County Name	Degree of shortage group
Lake	
Service Area: Ely/Babbitt	4
Service Area: Silver Bay	2
Lake Of The Woods	
Service Area: Roseau/Warroad	4
*Lincoln	
Service Area: Canby (Mn/Sd)	4
Service Area: Tyler/Lake Benton	3
*Lyon	
Service Area: Tracy	2
Service Area: Tyler/Lake Benton	3
*Mahnomen	1
*Marshall	
Service Area: Greenbush/Middle River	4
Service Area: Hallock	3
Service Area: Warren	4
*Martin	
Service Area: St. James/Butterfield	3
*Meeker	
Service Area: Paynesville	4
*Mille Lacs	
Service Area: Mille Lacs	2
*Morrison	
Service Area: Mille Lacs	2
*Murray	4
Norman	
Service Area: Ada/Halstad/Twin Valley	4
*Otter Tail	
Service Area: Elbow Lake/Dalton	4
Service Area: Pelican Valley	2
*Pine	
Service Area: Sandstone/Hinckley	2
*Pipestone	
Service Area: Tyler/Lake Benton	3
*Polk	
Service Area: Ada/Halstad/Twin Valley	4
Service Area: Fosston	4
Service Area: Warren	4
*Pope	
Service Area: Belgrade/Brooten	3
Ramsey	
Service Area: Summit-Dale	1
*Red Lake	3
*Redwood	
Service Area: Tracy	2
*Roseau	
Service Area: Greenbush/Middle River	4
Service Area: Roseau/Warroad	4
St Louis	
Service Area: Cook/Orr	4
Service Area: Ely/Babbitt	4
Service Area: Floodwood	1
Stearns	
Service Area: Belgrade/Brooten	3
Service Area: Paynesville	4
Service Area: Sauk Centre/Melrose	4
*Stevens	
Service Area: Graceville	1
*Todd	
Service Area: Sauk Centre/Melrose	4
*Traverse	
Service Area: Graceville	1
*Waseca	
Service Area: Wells	2
*Watonwan	
Service Area: St. James/Butterfield	3
*Wilkin	
Service Area: Barnesville	2
*Yellow Medicine	
Service Area: Canby (Mn/Sd)	4

PRIMARY CARE: Minnesota

Service Area Listing

Service Area Name	Degree of shortage group
Ada/Halstad/Twin Valley	4
County—Clay	
Parts:	
Felton City	
Felton Twp.	
Hagen Twp.	
Ulen City	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Ulen Twp.	
County—Norman	
County—Polk	
Parts:	
Hubbard Twp.	
Nielsville City	
Scandia Twp.	
Barnesville	2
County—Clay	
Parts:	
Alliance Twp.	
Barnesville City	
Barnesville Twp.	
Comstock City	
Elkton Twp.	
Holy Cross Twp.	
Humboldt Twp.	
Parke Twp.	
Skree Twp.	
Tansem Twp.	
County—Wilkin	
Parts:	
Atherton Twp.	
Deerhorn Twp.	
Manston Twp.	
Mitchell Twp.	
Prairie View Twp.	
Rothsay City	
Tanberg Twp.	
Wolverton Twp.	
Belgrade/Brooten	3
County—Kandiyohi	
Parts:	
Burbank Twp.	
Colfax Twp.	
County—Pope	
Parts:	
Bangor Twp.	
Chippewa Twp.	
Gilchrist Twp.	
Lake Johanna Twp.	
Sedan City	
County—Stearns	
Parts:	
Belgrade City	
Brooten City	
Crow Lake Twp.	
Crow River Twp.	
North Fork Twp.	
Canby (Mn/Sd)	4
County—Lac Qui Parle	
Parts:	
Freeland Twp.	
Manfred Twp.	
County—Lincoln	
Parts:	
Alta Vista Twp.	
Hansonville Twp.	
Marble Twp.	
County—Yellow Medicine	
Parts:	
Burton Twp.	
Canby City	
Florida Twp.	
Fortier Twp.	
Hammer Twp.	
Norman Twp.	
Omro Twp.	
Oshkosh Twp.	
Porter City	
St. Leo City	
Wergeland Twp.	
Cook/Orr	4
County—St Louis	
Parts:	
Alango Twp.	
Angora Twp.	
Beatty Twp.	
Cook City	
Field Twp.	
Gheen—Unorg.	
Lake Vermilion—Unorg	
Leiding Twp.	
Linden Grove Twp.	
Morcom Twp.	
N.E. St. Louis—Unorg. (	
N.W. St. Louis—Unorg.	
Nett Lake—Unorg.	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Orr City	
Owens Twp.	
Portage Twp.	
Sturgeon Twp.	
Willow Valley Twp.	
Dawson/Madison	3
County—Lac Qui Parle	
Parts:	
Arena Twp.	
Augusta Twp.	
Baxter Twp.	
Bellingham City	
Boyd City	
Cerro Gordo Twp.	
Dawson City	
Garfield Twp.	
Hamlin Twp.	
Hantho Twp.	
Lac Qui Parle Twp.	
Lake Shore Twp.	
Louisburg City	
Madison City	
Madison Twp.	
Marietta City	
Maxwell Twp.	
Mehurin Twp.	
Nassau City	
Perry Twp.	
Providence Twp.	
Riverside Twp.	
Ten Mile Lake Twp.	
Walter Twp.	
Elbow Lake/Dalton	4
County—Grant	
County—Otter Tail	
Parts:	
Dalton City	
Tumuli Twp.	
Ely/Babbitt	4
County—Lake	
Parts:	
Fall Lake Twp.	
W. Lake Unorg.	
County—St Louis	
Parts:	
Babbitt City	
Bassett Twp.	
Birch Lake Unorg.	
Breitung Twp.	
Ely City	
Embarrass Twp.	
Kugler Twp.	
Morse Twp.	
N.E. St. Louis Unorg.	
Pike Twp.	
Sandy Twp.	
Tower City	
Vermilion Lake Twp.	
Waasa Twp.	
Winton City	
Floodwood	1
County—Aitkin	
Parts:	
Ball Bluff Twp.	
Balsam Twp.	
Cornish Twp.	
Turner Twp.	
Unorg.—N E Aitkin	
County—St Louis	
Parts:	
Arrowhead Twp.	
Cedar Valley Twp.	
Cotton Twp.	
Fine Lakes Twp.	
Floodwood City	
Floodwood Twp.	
Halden Twp.	
Kelsey Twp.	
Meadowlands City	
Meadowlands Twp.	
Ness Twp.	
Northland Twp.	
Payne Twp.	
Prairie Lake Twp.	
Tiovoia Twp.	
Unorg.—(pot Shot Lake)	
Van Buren Twp.	
Fosston	4

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Polk	
Parts:	
Badger Twp.	
Brandsvold Twp.	
Chester Twp.	
Columbia Twp.	
Eden Twp.	
Erskine City	
Fosston City	
Garden Twp.	
Gully City	
Gully Twp.	
Hill River Twp.	
Johnson Twp.	
King Twp.	
Knute Twp.	
Lengby City	
Lessor Twp.	
McIntosh City	
Queen Twp.	
Rosebud Twp.	
Sletten Typ.	
Trail City	
Winger City	
Winger Twp.	
Woodside Twp.	
Graceville	1
County—Big Stone	
Parts:	
Almond Twp.	
Barry City	
Beardsley City	
Browns Valley Twp.	
Clinton City	
Graceville City	
Graceville Twp.	
Johnson City	
Malta Twp.	
Moonshine Twp.	
Prior Twp.	
Toqua Twp.	
County—Stevens	
Parts:	
Baker Twp.	
Chokio City	
Everglade Twp.	
Stevens Twp.	
County—Traverse	
Parts:	
Arthur Twp.	
Folsom Twp.	
Leonardsville Twp.	
Parnell Twp.	
Tara Twp.	
Greenbush/Middle River	4
County—Marshall	
Parts:	
Cedar Twp.	
Como Twp.	
East Park Twp.	
Huntly Twp.	
Linsell Twp.	
Middle River City	
Moose River Twp.	
New Maine Twp.	
Rollis Twp.	
Spruce Valley Twp.	
Thief Lake Twp.	
Veldt Twp.	
Whiteford Twp.	
County—Roseau	
Parts:	
Barto Twp.	
Deer Twp.	
Dewey Twp.	
Greenbush City	
Hereim Twp.	
Lind Twp.	
Polonia Twp.	
Strathcona City	
Halfock	3
County—Kittson	
Parts:	
Cannon Twp.	
Caribou Twp.	
Clow Twp.	
Davis Twp.	
Donaldson City	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Granville Twp.	
Hallock Twp.	
Hallock City	
Hampden Twp.	
Hazelton Twp.	
Hill Twp.	
Humboldt City	
Kennedy City	
Lake Bronson City	
Lancaster City	
McKinley Twp.	
North Red River Twp.	
Percy Twp.	
Poppleton Twp.	
Richardville Twp.	
Skane Twp.	
South Red River Twp.	
St. Joseph Twp.	
St. Vincent Twp.	
St. Vincent City	
Svea Twp.	
Tegner Twp.	
Teien Twp.	
Thompson Twp.	
Unorg. Terr.	
County—Marshall	
Parts:	
Donnelly Twp.	
Eagle Point Twp.	
Hawley	3
County—Clay	
Parts:	
Cromwell Twp.	
Eglan Twp.	
Hawley City	
Hawley Twp.	
Highland Grove Twp.	
Riverton Twp.	
Spring Prairie Twp.	
Jackson/Lakefield	4
County—Jackson	
Parts:	
Alpha City	
Belmont Twp.	
Des Moines Twp.	
Enterprise Twp.	
Heron Lake Twp.	
Hunter Twp.	
Jackson City	
Lakefield City	
Middletown Twp.	
Minneota Twp.	
Okabena City	
Petersburg Twp.	
Rost Twp.	
West Heron Lake Twp.	
Wisconsin Twp.	
Mille Lacs	2
County—Aitkin	
Parts:	
Hazelton Twp.	
Idun Twp.	
Jewett Twp.	
Lakeside Twp.	
Malmo Twp.	
McGrath City	
Seavy Twp.	
Wealthwood Twp.	
Williams Twp.	
County—Crow Wing	
Parts:	
Garrison City	
Garrison Twp.	
Roosevelt Twp.	
County—Kanabec	
Parts:	
Ford Twp.	
Hay Brook Twp.	
Hillman Twp.	
County—Mille Lacs	
Parts:	
Bradbury Twp.	
Daily Twp.	
East Side Twp.	
Isle City	
Isle Harbor Twp.	
Kathio Twp.	
Lewis Twp.	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Mudgett Twp.	
Onamia City	
Onamia Twp.	
South Harbor Twp.	
Wahkon City	
County—Morrison	
Parts:	
Hillman City	
Leigh Twp.	
Mount Morris Twp.	
Richardson Twp.	
Near North—(minneapolis)	4
County—Hennepin	
Parts:	
C.T. 16	
C.T. 20-23	
C.T. 27-29	
C.T. 32-35	
C.T. 41-42	
Paynesville	4
County—Kandiyohi	
Parts:	
Irving Twp	
Regal City	
Roseville Twp.	
County—Meeker	
Parts:	
Eden Valley City	
Forest Prairie Twp.	
Manannah Twp.	
Union Grove Twp.	
Watkins City	
County—Stearns	
Parts:	
Eden Lake Twp.	
Farming Twp.	
Lake Henry City	
Lake Henry Twp.	
Luxemburg Twp.	
Munson Twp.	
Paynesville City	
Paynesville Twp.	
Richmond City	
Roscoe City	
St Martin City	
St Martin Twp.	
Zion Twp.	
Pelican Valley	2
County—Otter Tail	
Parts:	
Candor Twp.	
Dora Twp.	
Dunn Twp.	
Erhard City	
Erhards Grove Twp.	
Lida Twp.	
Maplewood Twp.	
Norwegian Grove Twp.	
Pelican Twp.	
Pelican Rapids City	
Scambler Twp.	
Star Lake Twp.	
Trondheim Twp.	
Vergas City	
Roseau/Warroad	4
County—Lake Of The Woods	
Parts:	
Beltrami Forest Unorg.W.	
N.W. Angle Unorg.	
Rainy River Unorg. W. 1/4	
County—Roseau	
Parts:	
Badger City	
Barnett Twp.	
Beaver Twp.	
Cedarbend Twp.	
Deiter Twp.	
Enstrom Twp.	
Falun Twp.	
Golden Valley Twp.	
Grimstad Twp.	
Huss Twp	
Jadis Twp.	
Lake Twp.	
Laona Twp.	
Malung Twp.	
Mickinock Twp.	
Moose Twp.	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Moranville Twp.	
N. Roseau Unorg.	
N.W. Roseau Unorg.	
Nereson Twp.	
Palmville Twp.	
Pohlitz Twp.	
Poplar Grove Twp.	
Reine Twp.	
Roosevelt City	
Roseau City	
Ross Twp.	
S.E. Roseau Unorg.	
Skagen Twp.	
Soler Twp.	
Spruce Twp.	
Stafford Twp.	
Stokes Twp.	
Warroad City	
Sandstone/Hinckley	2
County—Aitkin	
Parts:	
Wagner Twp.	
County—Kanabec	
Parts:	
Kroschel Twp.	
Pomroy Twp.	
County—Pine	
Parts:	
Arlone Twp.	
Arna Twp.	
Askov City	
Barry Twp.	
Bremen Twp.	
Bruno Twp.	
Bruno City	
Clover Twp.	
Danforth Twp.	
Dell Grove Twp.	
Finlayson Twp.	
Finlayson City	
Fleming Twp.	
Hinckley City	
Hinckley Twp.	
Kettle River Twp.	
New Dorsey Twp.	
Norman Twp.	
Ogema Twp.	
Park Twp.	
Partridge Twp.	
Pine Lake Twp.	
Sandstone City	
Sanstone Twp.	
Willow River City	
Wilma City	
Sauk Centre/Melrose	4
County—Stearns	
Parts:	
Ashley Twp.	
Elrosa City	
Freeport City	
Getty Twp.	
Greenwald City	
Grove Twp.	
Lake George Twp.	
Meire Grove City	
Melrose City	
Melrose Twp.	
Millwood Twp	
New Munich City	
Oak Twp.	
Raymond Twp.	
Sauk Centre City	
Sauk Centre Twp	
Spring Hill City	
Spring Hill Twp.	
St. Rosa City	
County—Todd	
Parts:	
Birchdale Twp.	
Gordon Twp.	
Grey Eagle Twp.	
Grey Eagle City	
Kandota Twp	
Little Sauk Twp.	
West Union Twp.	
West Union City	
Silver Bay	2

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Lake	
Parts:	
Beaver Bay City	
Beaver Bay Twp. (Pt.)	
Crystal Bay Twp.	
East Lake Unorg. Terr.	
Silver Bay City	
St. James/Butterfield	3
County—Brown	
Parts:	
Albin Twp.	
Mulligan Twp.	
County—Martin	
Parts:	
Cedar Twp.	
Galena Twp.	
Trimont City	
Waverly Twp.	
County—Watonwan	
Parts:	
Adrian Twp.	
Butterfield City	
Butterfield Twp.	
Darfur City	
La Salle City	
Long Lake Twp.	
Nelson Twp.	
Odin City	
Odin Twp.	
Ormsby City	
Riverdale Twp.	
Rosendale Twp.	
South Branch Twp.	
St. James City	
St. James Twp.	
Summit-Dale	1
County—Ramsey	
Parts:	
C.T. 326–327	
C.T. 335–340	
C.T. 354–355	
Tracy	2
County—Lyon	
Parts:	
Amiret Twp.	
Balaton City	
Custer Twp.	
Garvin City	
Monroe Twp.	
Rock Lake Twp.	
Sodus Twp.	
Tracy City	
County—Redwood	
Parts:	
Gales Twp.	
Johnsonville Twp.	
North Hero Twp.	
Revere City	
Springdale Twp.	
Walnut Grove City	
Tyler/Lake Benton	3
County—Lincoln	
Parts:	
Arco City	
Diamond Lake Twp.	
Hope Twp.	
Lake Benton City	
Lake Benton Twp.	
Lake Stay Twp.	
Marshfield Twp.	
Tyler City	
County—Lyon	
Parts:	
Coon Creek Twp.	
Florence City	
Shelburne Twp.	
County—Pipestone	
Parts:	
Aetna Twp.	
Fountain Prairie Twp.	
Ruthton City	
Warren	4
County—Marshall	
Parts:	
Alma Twp.	
Alvarado City	
Argyle City	
Big Woods Twp.	

PRIMARY CARE: Minnesota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Bloomer Twp.	
Boxville Twp.	
Comstock Twp.	
Foldahl Twp.	
McCrea Twp.	
Middle River Twp.	
Oak Park Twp.	
Oslo City	
Parker Twp.	
Sinnott Twp.	
Stephen Twp.	
Tamarac Twp.	
Vega Twp.	
Wanger Twp.	
Warren City	
Warrenton Twp.	
County—Polk	
Parts:	
Angus Twp.	
Bristlet Twp.	
Farley Twp.	
Wells	2
County—Blue Earth	
Parts:	
Danville Twp.	
County—Faribault	
Parts:	
Bricelyn City	
Brush Creek Twp.	
Clark Twp.	
Dunbar Twp.	
Easton City	
Foster Twp.	
Keister Twp.	
Kiester City	
Lura Twp.	
Minnesota Lake City	
Minnesota Lake Twp.	
Seely Twp.	
Walnut Lake Twp.	
Walters City	
Wells City	
County—Waseca	
Parts:	
Vivian Twp.	
Waldorf City	
Windom/Mountain Lake	3
County—Cottonwood	
Parts:	
Amboy Twp.	
Amo Twp.	
Bingham Lake City	
Carson Twp.	
Dale Twp.	
Delton Twp.	
Great Bend Twp.	
Jeffers City	
Lakeside Twp.	
Midway Twp.	
Mountain Lake City	
Mountain Lake Twp.	
Selma Twp.	
Springfield Twp.	
Windom City	
County—Jackson	
Parts:	
Christiana Twp.	
Delafield Twp.	
Kimball Twp.	
Wilder City	

PRIMARY CARE: Minnesota

Population Group Listing

Population Group	Degree of shortage group
Am. Ind. In Minneapolis	4
Parts:	
Am. Ind. Pop.—Minn	

PRIMARY CARE: Mississippi

County Listing

County Name	Degree of shortage group
*Alcorn	
Population Group: Pov. Pop.—Alcorn Co.	2
*Amite	1
*Benton	1
*Bolivar	
Service Area: Rosedale	1
Population Group: Med. Ind. Pop.—Bolivar/Sunflower	2
*Calhoun	3
*Carroll	1
*Choctaw	1
*Claiborne	3
*Clarke	3
*Clay	3
*Coahoma	
Population Group: Med. Ind. Pop.—Coahoma Co.	4
*Copiah	4
*Covington	4
*Franklin	2
*Greene	1
Hancock	4
Harrison	
Population Group: Med. Ind. Pop.—Harrison Co.	1
Hinds	
Service Area: Jackson Inner-City	1
Service Area: South West Rural Hinds	1
*Holmes	3
*Humphreys	2
Issaquena	
Service Area: Issaquena/Sharkey	2
*Itawamba	3
Jackson	
Service Area: Wade-Hurley	1
*Jasper	1
*Jefferson Davis	3
*Jones	
Population Group: Pov Pop.—Jones Co.	2
*Kemper	1
Lamar	
Service Area: Lumberton/Purvis	4
*Lauderdale	
Population Group: Pov Pop.—Lauderdale Co.	4
*Lawrence	1
*Leake	4
Madison	3
*Marion	4
*Marshall	1
*Monroe	
Population Group: Med. Ind. Pop.—Monroe Co.	2
*Montgomery	4
*Noxubee	4
*Panola	
Population Group: Med. Ind.—Panola Co.	1
*Perry	3
Rankin	
Service Area: Pelahatchie-Puckett	1
*Scott	4
Sharkey	
Service Area: Issaquena/Sharkey	2
*Smith	3
*Stone	1
*Sunflower	
Population Group: Med. Ind. Pop.—Bolivar/Sunflower	2
Facility: Mississippi State Pen.	2
*Tallahatchie	1
*Tippah	4
*Tishomingo	
Population Group: Pov. Pop.—Red Bay/Vina/Belmont(Al/Ms)	4
*Tunica	1
*Walthall	3
*Warren	
Population Group: Pov. Pop.—Warren Co.	3
*Washington	
Service Area: Hollandale	1
*Wayne	4
*Webster	2
*Winston	4
*Yalobusha	2
*Yazoo	3

PRIMARY CARE: Mississippi

Service Area Listing

Service Area Name	Degree of shortage group
Hollandale	1
County—Washington	
Parts:	
C.T. 19–20	
C.T. 22	
Issaquena/Sharkey	2
County—Issaquena	
County—Sharkey	
Jackson Inner-City	1
County—Hinds	
Parts:	
C.T. 5–12	
C.T. 17–29	
C.T. 31–32	
C.T. 102.01	
C.T. 102.03	
C.T. 103.01	
C.T. 108.01	
C.T. 109.02	
Lumberton/Purvis	4
County—Lamar	
Parts:	
C.T. 204–206	
Pelahatchie-Puckett	1
County—Rankin	
Parts:	
C.T. 201	
C.T. 209	
Rosedale	1
County—Bolivar	
Parts:	
*Rosedale Town	
South West Rural Hinds	1
County—Hinds	
Parts:	
C.T. 105–107	
C.T. 112–113	
Wade-Hurley	1
County—Jackson	
Parts:	
C.T. 401–402	

PRIMARY CARE: Mississippi

Population Group Listing

Population Group	Degree of shortage group
Med. Ind.—Panola Co.	1
County—Panola	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Bolivar/Sunflower	2
County—Bolivar	
Parts:	
Med. Ind. Pop.	
County—Sunflower	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Coahoma Co.	4
County—Coahoma	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Harrison Co.	1
County—Harrison	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Monroe Co.	2
County—Monroe	
Parts:	
Med. Ind. Pop.	
Pov Pop.—Jones Co.	2
County—Jones	
Parts:	
Pov Pop.	
Pov Pop.—Lauderdale Co.	4
County—Lauderdale	
Parts:	
Pov. Pop.	
Pov. Pop.—Alcorn Co.	2
County—Alcorn	
Parts:	
Pov. Pop.	
Pov. Pop.—Red Bay/Vina/Belmont(Al/Ms)	4

PRIMARY CARE: Mississippi—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Tishomingo	
Parts:	
C.T. 4–5	
Pov. Pop.—Warren Co.	3
County—Warren	
Parts:	
Pov. Pop.	

PRIMARY CARE: Mississippi

Facility Listing

Facility Name	Degree of shortage group
Mississippi State Pen	2
County—Sunflower	

PRIMARY CARE: Missouri

County Listing

County Name	Degree of shortage group
*Andrew	
Service Area: Savannah	2
*Barton	4
*Bollinger	1
*Caldwell	3
*Callaway	
Service Area: Fulton	4
Facility: Renz Corr. C.	2
*Carter	1
*Clark	3
*Cole	
Facility: Algoa Corr. C.	2
Facility: Central Missouri Corr. C.	2
Facility: Missouri State Pen	2
*Cooper	
Service Area: Bunceton	2
*Crawford	3
*Dade	4
*Dallas	3
*Daviess	3
*De Kalb	2
*Dent	4
*Douglas	2
Franklin	
Facility: Missouri Eastern Corr. C.	2
*Hickory	1
*Holt	2
*Howard	3
Jackson	
Population Group: Pov. Pop.—North Kansas City	3
Population Group: Pov. Pop.—Central K.C.	2
Jefferson	
Service Area: Hillsboro	2
*Johnson	3
*Knox	4
*Laclede	2
*Lewis	2
*Maries	1
*McDonald	2
*Mercer	1
*Miller	3
*Mississippi	
Service Area: East Prairie	3
*Montgomery	3
*New Madrid	
Service Area: New Madrid	2
*Nodaway	4
*Oregon	1
*Osage	2
*Ozark	1
*Pemiscot	4
*Perry	2
*Pulaski	2
*Randolph	
Facility: Missouri Training C./Men	2

PRIMARY CARE: Missouri—Continued

County Listing

County Name	Degree of shortage group
*Reynolds	1
*Ripley	2
*Shannon	1
St Louis	
Population Group: Pov. Pop.—West St. Louis	1
Population Group: Pov. Pop.—Kinlock/Berkeley	1
St Louis City (Indep)	
Population Group: Pov. Pop.—Yeatman/Union-Sarah	2
Population Group: Pov. Pop.—West St. Louis	1
Population Group: Pov. Pop.—Grace Hill/Cochran	3
Population Group: Pov. Pop.—N. St. Louis	2
Population Group: Pov. Pop.—Southeast St. Louis	1
*Ste Genevieve	
Service Area: Ste. Genevieve	4
*Stone	2
*Texas	4
*Washington	1
*Wayne	3
*Webster	4
*Worth	1
*Wright	4

PRIMARY CARE: Missouri

Service Area Listing

Service Area Name	Degree of shortage group
Bunceton	2
County—Cooper	
Parts:	
*Clark Fork Twp.	
*Clear Creek Twp.	
*Kelley Twp.	
*Lebanon Twp.	
*N. Moniteau Twp.	
*Otterville Twp.	
*Palestine Twp.	
*Pilot Grove Twp.	
*Praire Home Twp.	
*South Moniteau Twp.	
East Prairie	3
County—Mississippi	
Parts:	
*James Bayou Twp.	
*Mississippi Twp.	
*St. James Twp.—E. Prairie	
*Wolf Island Twp.	
Fulton	4
County—Callaway	
Parts:	
*Auxuasse Twp.	
*Bourbon Twp.	
*Caldwell Twp.	
*Calwood Twp.	
*Cedar Twp.	
*Cleveland Twp.	
*Cote Sans Dessein Twp.	
*E. Fulton Twp.	
*Guthrie Twp.	
*Jackson Twp.	
*Liberty Twp.	
*Mc Credie Twp.	
*Nine Mile Prairie Twp.	
*Round Prairie Twp.	
*Shamrock Twp.	
*St. Aubert Twp.	
*W. Fulton Twp.	
Hillsboro	2
County—Jefferson	
Parts:	
Big River Twp.	
Central Twp.	
Plattin Twp.	
Valle Twp.	
New Madrid	2
County—New Madrid	
Parts:	
Anderson Twp.	
Como Twp.	
Hough Twp.	

PRIMARY CARE: Missouri—Continued

Service Area Listing

Service Area Name	Degree of shortage group
La Font Twp.	
Le Sieur Twp.	
Lewis Twp.	
New Madrid Twp.	
Portage Twp.	
St. John Twp.	
Savannah	2
County—Andrew	
Parts:	
*Beaton Twp.	
*Clay Twp.	
*Empire Twp.	
*Jackson Twp.	
*Monroe Twp.	
*Nodaway Twp. (Savannah)	
*Platte Twp.	
*Rochester Twp.	
Ste. Genevieve	4
County—Ste Genevieve	
Parts:	
Beauvais Twp.	
Jackson Twp.	
Ste. Genevieve Twp.	

PRIMARY CARE: Missouri

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Central K.C.	2
County—Jackson	
Parts:	
C.T. 49-55	
C.T. 56.01-56.02	
C.T. 57	
C.T. 58.01-58.02	
C.T. 60-67	
C.T. 75-77	
C.T. 78.01-78.02	
C.T. 79-80	
C.T. 87-89	
C.T. 96	
Pov. Pop.—Grace Hill/Cochran	3
County—St Louis City (Indep)	
Parts:	
C.T. 1085	
C.T. 1096-1097	
C.T. 1202-1203	
C.T. 1213-1214	
C.T. 1222	
C.T. 1255-1257	
C.T. 1266-1267	
Pov. Pop.—Kinlock/Berkeley	1
County—St Louis	
Parts:	
C.T. 2127-2129	
Pov. Pop.—N. St. Louis	2
County—St Louis City (Indep)	
Parts:	
C.T. 1061-1067	
C.T. 1071-1075	
C.T. 2139-2140	
Pov. Pop.—North Kansas City	3
County—Jackson	
Parts:	
C.T. 2-4	
C.T. 5.01	
C.T. 6-27	
C.T. 28.01-28.02	
C.T. 29-34	
C.T. 35.01-35.02	
C.T. 36.01-36.02	
C.T. 37-45	
C.T. 59.01	
Pov. Pop.—Southeast St. Louis	1
County—St Louis City (Indep)	
Parts:	
C.T. 1018	
C.T. 1156-1157	
C.T. 1164-1165	
C.T. 1172-1174	
C.T. 1181	
C.T. 1185	

PRIMARY CARE: Missouri—Continued

Population Group Listing

Population Group	Degree of shortage group
C.T. 1221	
C.T. 1224	
C.T. 1231-1234	
C.T. 1241-1243	
C.T. 1246	
Pov. Pop.—West St. Louis	1
County—St Louis	
Parts:	
C.T. 2159-2161	
County—St Louis City (Indep)	
Parts:	
C.T. 1051-1055	
C.T. 1121	
Pov. Pop.—Yeatman/Union-Sarah	2
County—St Louis City (Indep)	
Parts:	
C.T. 1101-1105	
C.T. 1111-1115	
C.T. 1122-1124	
C.T. 1184	
C.T. 1186	
C.T. 1191-1193	
C.T. 1201	
C.T. 1211-1212	

PRIMARY CARE: Missouri

Facility Listing

Facility Name	Degree of shortage group
Algoa Corr. C.	2
County—Cole	
Central Missouri Corr. C.	2
County—Cole	
Missouri Eastern Corr. C.	2
County—Franklin	
Missouri State Pen.	2
County—Cole	
Missouri Training C./Men	2
County—Randolph	
Renz Corr. C.	2
County—Callaway	

PRIMARY CARE: Montana

County Listing

County Name	Degree of shortage group
Big Horn	2
Blaine	1
Carbon	4
Carter	1
Chouteau	2
Custer	
Service Area: Baker (Mt/Nd)	3
Daniels	3
Fallon	
Service Area: Baker (Mt/Nd)	3
*Gallatin	
Service Area: Ennis/W. Yellowstone	2
Service Area: Three Forks/Manhattan	4
Garfield	1
Glacier	1
Golden Valley	
Service Area: Harlowton	1
Hill	
Service Area: Chester	1
Jefferson	
Service Area: Boulder	1
Judith Basin	1
*Lewis And Clark	
Service Area: Lincoln	2
Liberty	
Service Area: Chester	1
Lincoln	
Service Area: Eureka	4
Service Area: Troy	3

PRIMARY CARE: Montana—Continued

County Listing

County Name	Degree of shortage group
Madison	
Service Area: Ennis/W. Yellowstone	2
Meagher	1
Musselshell	2
Park	
Service Area: Gardiner/Yellowstone (Mt/Wy)	1
Petroleum	1
Phillips	1
Pondera	2
Powder River	1
Powell	
Service Area: Deer Lodge	4
Service Area: Lincoln	2
Facility: Montana State Prs.	3
Prairie	1
Richland	
Service Area: Culbertson	4
Roosevelt	
Service Area: Culbertson	4
Service Area: Poplar/Wolf Point	1
Rosebud	
Service Area: Forsyth/Colstrip	4
Sheridan	
Service Area: Culbertson	4
Sweet Grass	1
Toole	
Service Area: Chester	1
Treasure	
Service Area: Forsyth/Colstrip	4
Valley	4
Wheatland	
Service Area: Harlowton	1
Wibaux	
Service Area: Baker (Mt/Nd)	3
Service Area: Wibaux	1
Yellowstone	
*Yellowstone Park	
Service Area: Gardiner/Yellowstone (Mt/Wy)	1
Service Area: Worden	2

PRIMARY CARE: Montana

Service Area Listing

Service Area Name	Degree of shortage group
Baker (Mt/Nd)	3
County—Custer	
Parts:	
Shirley-Ismay CCD	
County—Fallon	
County—Wibaux	
Parts:	
Pine Hills-St. Phil. CCD	
Boulder	1
County—Jefferson	
Parts:	
*Boulder Div.	
Chester	1
County—Hill	
Parts:	
*Gildford Div. (W.1/2)	
*Rudyard Div.	
County—Liberty	
County—Toole	
Parts:	
*S. Toole Div. (E.1/3)	
Culbertson	4
County—Richland	
Parts:	
Fairview CCD (W.2/3)	
County—Roosevelt	
Parts:	
East Roosevelt CCD	
County—Sheridan	
Parts:	
Medicine Lake CCD	
Deer Lodge	4
County—Powell	
Parts:	
Avon-Elliston Div.	
Deer Lodge Div.	
Ennis/W. Yellowstone	2

PRIMARY CARE: Montana—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Gallatin	
Parts:	
West Yellowstone CCD	
County—Madison	
Parts:	
Harrison CCD	
Madison Valley CCD	
Virginia City CCD	
Eureka	4
County—Lincoln	
Parts:	
Eureka CCD	
Forsyth/Colstrip	4
County—Rosebud	
County—Treasure	
Gardiner/Yellowstone (Mt/Wy)	1
County—Park	
Parts:	
Gardiner-Cooke CCD	
County—Yellowstone Park	
Parts:	
Yellowstone Nat'L Park Cc	
Harlowton	1
County—Golden Valley	
County—Wheatland	
Lincoln	2
County—Lewis And Clark	
Parts:	
*Lincoln Div.	
County—Powell	
Parts:	
*Helmville Div.	
Poplar/Wolf Point	1
County—Roosevelt	
Parts:	
Fort Peck Res. CCD	
Three Forks/Manhattan	4
County—Gallatin	
Parts:	
Manhattan Div. (N.1/3)	
Three Forks Div.	
Troy	3
County—Lincoln	
Parts:	
Troy CCD	
Wibaux	1
County—Wibaux	
Parts:	
*Wibaux Div.	
Worden	2
County—Yellowstone	
Parts:	
Buffalo Creek Div.	
Huntley Project Div.	

PRIMARY CARE: Montana

Facility Listing

Facility Name	Degree of shortage group
Montana State Prs.	3
County—Powell	

PRIMARY CARE: Nebraska

County Listing

County Name	Degree of shortage group
Antelope	
Service Area: Antelope	4
Arthur	
Service Area: Mullen	2
Boone	
Service Area: Albion	3
Brown	
Service Area: North Central	2

PRIMARY CARE: Nebraska—Continued

County Listing

County Name	Degree of shortage group
*Burt	
Service Area: Onawa (Ia/Ne)	2
*Cass	4
Cedar	
Service Area: Cedar/Dixon	3
Cherry	
Service Area: Mullen	2
Service Area: Valentine	4
*Cuming	
Service Area: West Point	2
Custer	
Service Area: Arnold	3
Service Area: Burwell/Ord	3
Dawes	
Service Area: Crawford	3
*Dixon	
Service Area: Cedar/Dixon	3
Douglas	
Population Group: Medicaid Pop.—N.E./S.E. Omaha	2
Franklin	
Service Area: Franklin	4
Frontier	
Service Area: McCook	4
Garfield	
Service Area: Burwell/Ord	3
Grant	
Service Area: Mullen	2
Greeley	
Service Area: Albion	3
Service Area: Howard/St. Paul	3
*Harlan	3
Hayes	
Service Area: Hayes/Hitchcock	1
Hitchcock	
Service Area: Hayes/Hitchcock	1
Holt	3
Hooker	
Service Area: Mullen	2
Howard	
Service Area: Howard/St. Paul	3
*Kearney	4
Keya Paha	
Service Area: North Central	2
Kimball	3
*Knox	3
Lancaster	
Facility: Lancaster Dept. Of Corr.	3
*Lincoln	
Service Area: Arnold	3
Logan	
Service Area: Arnold	3
Service Area: Mullen	2
Loup	
Service Area: Burwell/Ord	3
*Madison	
Service Area: Albion	3
Service Area: Antelope	4
*Merrick	3
Morrill	4
*Nance	3
*Platte	
Service Area: Albion	3
*Polk	2
Red Willow	
Service Area: McCook	4
*Saunders	
Service Area: Wahoo	2
Sheridan	
Service Area: Gordon	4
Service Area: South Sheridan	1
Sioux	
Service Area: Crawford	3
*Stanton	2
*Thayer	4
Thomas	
Service Area: Mullen	2
*Thurston	
Population Group: Winnebago Indian Pop.	4
Valley	
*Valley	
Service Area: Burwell/Ord	3
Service Area: Burwell/Ord	3
Wheeler	
Wheeler	
Service Area: Burwell/Ord	3
Service Area: Burwell/Ord	3

PRIMARY CARE: Nebraska

Service Area Listing

Service Area Name	Degree of shortage group
Albion	3
County—Greeley	
Parts:	
Spalding Pre. 1	
Spalding Pre. 2	
County—Madison	
Parts:	
Newman Grove City	
Shell Creek Pre.	
County—Boone	
County—Platte	
Parts:	
St. Bernard Twp.	
Walker Twp.	
Antelope	4
County—Antelope	
County—Madison	
Parts:	
Jefferson Prec.	
Tilden City	
Arnold	3
County—Custer	
Parts:	
Arnold Twp.	
Cliff Twp.	
Custer Twp.	
Delight Twp.	
Elim Twp.	
Grant Twp.	
Hayes Twp.	
Triumph Twp.	
Wayne Twp.	
Wood River Twp.	
County—Lincoln	
Parts:	
Antelope Pre.	
Garfield Pre.	
County—Logan	
Parts:	
Gandy Pre.	
Logan Pre.	
Stapleton ↓2 Pre.	
Burwell/Ord	3
County—Custer	
Parts:	
Comstock Pre.	
Corner Pre.	
Douglas Grove Pre.	
Sargent Pre.	
Spring Creek Pre.	
West Union Pre.	
County—Garfield	
County—Loup	
County—Valley	
County—Wheeler	
County—Wheeler	
Cedar/Dixon	3
County—Cedar	
County—Dixon	
Parts:	
Clark Twp.	
Concord Twp.	
Daily Twp.	
Galena Twp.	
Hooker Twp.	
Newcastle Twp.	
Otter Creek Twp.	
Ponca City	
Ponca Twp.	
Silver Creek Twp.	
Spring Bank Twp.	
Crawford	3
County—Dawes	
Parts:	
Leonard Pre.	
North Crawford Pre.	
South Crawford Pre.	
Whitney Pre.	
County—Sioux	
Franklin	4
County—Franklin	
Parts:	
Antelope Twp.	
Bloomington Twp.	
Franklin City	
Grant Twp.	
Macon Twp.	
Marion Twp.	

PRIMARY CARE: Nebraska—Continued

Service Area Listing

Service Area Name	Degree of shortage group
N. Franklin Twp.	
Salem Twp.	
Washington Twp.	
Gordon	4
County—Sheridan	
Parts:	
East Gordon Pre.	
Gordon City	
Hay Springs Pre.	
Kinkaid Pre.	
Mirage Pre.	
N. Rushville Pre.	
Pine Creek Pre.	
Rushville City	
S. Rushville Pre.	
West Gordon Pre.	
Wounded Knee Pre.	
Hayes/Hitchcock	1
County—Hayes	
County—Hitchcock	
Howard/St. Paul	3
County—Greeley	
Parts:	
Greeley Pre.	
Scotia ¢1 Pre.	
Scotia ¢2 Pre.	
Wolbach Pre.	
County—Howard	
McCook	4
County—Frontier	
County—Red Willow	
Mullen	2
County—Cherry	
Parts:	
Calf Creek Pre.	
King Pre.	
Lackey Pre.	
Loup Pre.	
Mother Lake Pre.	
Wells Pre.	
County—Arthur	
County—Grant	
County—Hooker	
County—Logan	
Parts:	
Stapleton ¢1	
County—Arthur	
County—Grant	
County—Hooker	
County—Thomas	
North Central	2
County—Brown	
County—Keya Paha	
Onawa (Ia/Ne)	2
County—Burt	
Parts:	
Decatur Twp.	
Quinnebaugh Twp.	
Riverside Twp.	
Silver Creek Twp.	
South Sheridan	1
County—Sheridan	
Parts:	
Ellsworth Pre.	
Reno Pre.	
Valentine	4
County—Cherry	
Parts:	
Barley Pre.	
Cleveland Pre.	
Cody Pre.	
Crookston Pre.	
Gillaspie Pre.	
Goose Creek Pre.	
Kennedy Pre.	
Kilgore Pre.	
Merriman Pre.	
Nenzel Pre.	
Russell Pre.	
Valentine City	
Valentine Pre.	
Wood Lake Pre.	
Wahoo	2
County—Saunders	
Parts:	
Ashland Twp.	
Center Twp.	
Chapman Twp.	

PRIMARY CARE: Nebraska—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Chester	
Clear Creek Twp.	
Douglas Twp.	
Elk Twp.	
Green Twp.	
Marble Twp.	
Marietta Twp.	
Mariposa Twp.	
Newman Twp.	
Oak Creek Twp.	
Richland Twp.	
Rock Creek Twp.	
South Cedar Twp.	
Stocking Twp.	
Union Twp.	
Wahoo City	
Wahoo Twp.	
West Point	2
County—Cuming	
Parts:	
Beemer Twp.	
Bismark Twp.	
Blaine Twp.	
Cuming Twp.	
Elkhorn Twp.	
Garfield Twp.	
Grant Twp.	
Lincoln Twp.	
Logan Twp.	
Monterey Twp.	
Neligh Twp.	
Sherman Twp.	
St Charles Twp.	
West Point City	
Wisner City	
Wisner Twp.	

PRIMARY CARE: Nebraska

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—N.E./S.E. Omaha	2
County—Douglas	
Parts:	
C.T. 3	
C.T. 6-12	
C.T. 13.01-13.02	
C.T. 14-19	
C.T. 39-41	
C.T. 51-54	
C.T. 59.01-59.02	
C.T. 60	
C.T. 61.01-61.02	
Winnebago Indian Pop.	4
County—Thurston	

PRIMARY CARE: Nebraska

Facility Listing

Facility Name	Degree of shortage group
Lancaster Dept. Of Corr.	3
County—Lancaster	

PRIMARY CARE: Nevada

County Listing

County Name	Degree of shortage group
Carson City (Indep)	
Population Group: Washoe Indian Tribe	1

PRIMARY CARE: Nevada—Continued

County Listing

County Name	Degree of shortage group
Facility: Nev. St. Corr. Fac. (North)	1
Clark	
Service Area: Blue Diamond	1
Service Area: Cent./N. Cent. Las Vegas	1
Service Area: Indian Springs	1
Service Area: Jean-Goodspring	1
Service Area: Moapa Valley	1
Service Area: Searchlight/Davis Dam	1
Service Area: Virgin Valley	1
Population Group: Washoe Indian Tribe	1
Facility: Nev. St. Corr. Fac. (South)	2
*Douglas	
Population Group: Washoe Indian Tribe	1
Elko	
Service Area: Wendover (Ut/Nv)	1
Esmerelda	
Service Area: Tonopah/Esmeralda	2
Eureka	1
Humboldt	3
Lander	1
Lincoln	3
*Lyon	
Service Area: Fernley/Silver Springs	2
Service Area: Yerington	3
Nye	
Service Area: Beatty	1
Service Area: Pahrump	4
Service Area: Tonopah/Esmeralda	2
*Storey	1
Washoe	
Service Area: Gerlach	1
Service Area: Wadsworth	1
White Pine	4

PRIMARY CARE: Nevada

Service Area Listing

Service Area Name	Degree of shortage group
Beatty	1
County—Nye	
Parts:	
Beatty Twp.	
Blue Diamond	1
County—Clark	
Parts:	
C.T. 58 (Central)	
Cent./N. Cent. Las Vegas	1
County—Clark	
Parts:	
C.T. 3.01-3.02	
C.T. 7	
C.T. 9	
C.T. 11	
C.T. 35-38	
C.T. 46	
Fernley/Silver Springs	2
County—Lyon	
Parts:	
Canal CCD	
Dayton CCD (n. 1/2)	
Gerlach	1
County—Washoe	
Parts:	
Gerlach Twp.	
Indian Springs	1
County—Clark	
Parts:	
C.T. 58-59 (Southwest)	
Jean-Goodspring	1
County—Clark	
Parts:	
Goodsprings Twp.	
Moapa Valley	1
County—Clark	
Parts:	
Moapa Twp. (N.E. Part)	
Pahrump	4
County—Nye	
Parts:	
Pahrump Twp.	
Searchlight/Davis Dam	1

PRIMARY CARE: Nevada—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Clark	
Parts:	
Searchlight Twp.	
Tonopah/Esmeralda	2
County—Esmeralda	
County—Nye	
Parts:	
Tonopah Twp.[2]	
Virgin Valley	1
County—Clark	
Parts:	
Bunkerville Twp.	
Mesquite Twp.	
Wadsworth	1
County—Washoe	
Parts:	
C.T. 31	
Wendover (Ut/Nv)	1
County—Elko	
Parts:	
East Line Twp.	
Tecoma Twp.	
Yerington	3
County—Lyon	
Parts:	
Mason Valley Twp.	
Smith Valley Twp.	

PRIMARY CARE: Nevada

Population Group Listing

Population Group	Degree of shortage group
Washoe Indian Tribe	1
County—Clark	
Parts:	
Dresslerville Ranch	
County—Douglas	
Parts:	
Washoe Ranch	
County—Carson City (Indep)	
Parts:	
Carson Colony	

PRIMARY CARE: Nevada

Facility Listing

Facility Name	Degree of shortage group
Nev. St. Corr. Fac. (South)	2
County—Clark	
Nev. St. Corr. Fac. (North)	1
County—Carson City (Indep)	

PRIMARY CARE: New Hampshire

County Listing

County Name	Degree of shortage group
*Grafton	
Service Area: Baker River Valley	1
Hillsborough	
Service Area: Hillsborough	2
Merrimack	
Service Area: Hillsborough	2
Rockingham	
Service Area: North West Rockingham County	2
*Sullivan	
Service Area: Hillsborough	2

PRIMARY CARE: New Hampshire

Service Area Listing

Service Area Name	Degree of shortage group
Baker River Valley	1
County—Grafton	
Parts:	
*Rumney Twn.	
*Warren Twn.	
*Wentworth Twn.	
Hillsborough	2
County—Hillsborough	
Parts:	
Deering Twn.	
Hillsborough Twn.	
Weare Twn. (W. Pt.)	
Windsor Twn.	
County—Merrimack	
Parts:	
Henniker Twn.	
County—Sullivan	
Parts:	
Washington Twn.	
North West Rockingham County	2
County—Rockingham	
Parts:	
Deerfield Twn.	
Epping Twn.	
Fremont Twn.	
Nottingham Twn.	
Raymond Twn.	

PRIMARY CARE: New Jersey

County Listing

County Name	Degree of shortage group
Atlantic	
Service Area: Sa-Lantic	4
Population Group: Pov. Pop.—Atlantic City	1
Camden	
Service Area: Camden City	4
Cumberland	
Service Area: Bridgeton	4
Facility: Leesburg State Prs.	2
Essex	
Service Area: Central Newark	4
Service Area: East Orange City	2
Service Area: North Newark	4
Service Area: South Newark	4
Hudson	
Population Group: Medicaid Pop.—Jersey City	1
Mercer	
Population Group: Medicaid Pop.—Trenton City	1
Passaic	
Service Area: Northside Paterson	3
Salem	
Service Area: Bridgeton	4
Sussex	
Service Area: South Sussex	4

PRIMARY CARE: New Jersey

Service Area Listing

Service Area Name	Degree of shortage group
Bridgeton	4
County—Cumberland	
County—Salem	
Parts:	
Pittsgrove Twp.	
Camden City	4
County—Camden	
Parts:	
C.T. 6001-6020	
Central Newark	4
County—Essex	
Parts:	
C.T. 13-14	
C.T. 18	
C.T. 26-32	

PRIMARY CARE: New Jersey—Continued

Service Area Listing

Service Area Name	Degree of shortage group
C.T. 34-35	
C.T. 37-40	
C.T. 55-60	
C.T. 62-68	
C.T. 80-83	
East Orange City	2
County—Essex	
Parts:	
East Orange City	
North Newark	4
County—Essex	
Parts:	
C.T. 1-11	
C.T. 15-17	
C.T. 84-97	
Northside Paterson	3
County—Passaic	
Parts:	
C.T. 1803-1807	
Sa-Lantic	4
County—Atlantic	
Parts:	
Buena Boro.	
Buena Vista Twp.	
Egg Harbor City	
Folsom Boro.	
Hamilton Twp.	
Hammonton Twp.	
Mullica Twp.	
Weymouth Twp.	
South Newark	4
County—Essex	
Parts:	
C.T. 41-47	
C.T. 48.01-48.02	
C.T. 49-54	
South Sussex	4
County—Sussex	
Parts:	
Andover Twp.	
Branchville Boro.	
Byram Twp.	
Frankford Twp	
Franklin Boro.	
Fredon Twp.	
Green Twp.	
Hamburg Boro.	
Hampton Twp.	
Hardyston Twp.	
Hopatcong Boro.	
Lafayette Twp.	
Newton Twp.	
Ogdensburg Boro.	
Sparta Twp.	
Stanhope Boro	
Stillwater Twp.	
Sussex Boro.	
Vernon Twp.	
Wantage Twp.	

PRIMARY CARE: New Jersey

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—Jersey City	1
County—Hudson	
Parts:	
Jersey City—Medicaid	
Medicaid Pop.—Trenton City	1
County—Mercer	
Parts:	
Trenton—Medicaid	
Pov. Pop.—Atlantic City	1
County—Atlantic	
Parts:	
Atlantic City—Pov.	

PRIMARY CARE: New Jersey

Facility Listing

Facility Name	Degree of shortage group
Leesburg State Prs.	2
County—Cumberland	

PRIMARY CARE: New Mexico

County Listing

County Name	Degree of shortage group
Bernalillo	
Service Area: Southwest Valley	1
Population Group: Med. Ind./Hmlss Pop.—Albuquerque Centr	3
Catron	1
*Chaves	
Service Area: Cloudcroft	3
Service Area: Dexter—Hagerman	1
*Cibola	1
Facility: Western N.M. Corr. Fac.	3
Colfax	
Service Area: Springer/Cimarron	2
Dona Ana	
Service Area: Hatch	1
Service Area: Southern Dona Ana	1
Facility: Southern N.M. Corr. Fac.	3
*Eddy	
Population Group: Med. Ind. Pop.—Eddy Co.	2
*Grant	
Service Area: Cliff/Gila	1
Guadalupe	
Service Area: Pecos	2
Harding	
Service Area: North Harding/Wagon Mound	1
Service Area: Quay/S. Harding/Conchas Dam	2
Hidalgo	2
*Lea	
Service Area: Jal/Eunice	2
Service Area: Northern Lea	4
Lincoln	
Service Area: Carrizozo-Capitan	3
Service Area: Torrance/Claunch/Corona	1
Luna	4
*McKinley	2
Mora	
Service Area: Mora	4
Service Area: North Harding/Wagon Mound	1
*Otero	
Service Area: Cloudcroft	3
Quay	
Service Area: Quay/S. Harding/Conchas Dam	2
Rio Arriba	
Service Area: Penasco/Truchas/Embudo	1
Service Area: Tierra Amarilla	1
*Roosevelt	
Population Group: Med. Ind. Pop.—Roosevelt Co.	1
*San Juan	
Population Group: Am. In. Pop.—San Juan	1
San Miguel	
Service Area: Pecos	2
Service Area: Quay/S. Harding/Conchas Dam	2
*Sandoval	
Service Area: Cuba	2
Service Area: Southern Sandoval	1
Santa Fe	
Service Area: Santa Fe/La Familia	1
Facility: N.M. State Pen.—Cerrillos	3
Sierra	
Service Area: Hatch	1
Socorro	
Service Area: Magdalena	1
Service Area: Torrance/Claunch/Corona	1
*Taos	
Service Area: Penasco/Truchas/Embudo	1
Service Area: Questa/Arroyo Hondo	2
Service Area: Tres Piedras	1
Torrance	
Service Area: Torrance/Claunch/Corona	1
Union	4
*Valencia	2
Facility: Central N.M. Corr. Fac.	3

PRIMARY CARE: New Mexico

Service Area Listing

Service Area Name	Degree of shortage group
Carrizozo-Capitan	3
County—Lincoln	
Parts:	
Capitan CCD	
Carrizozo CCD	
Cliff/Gila	1
County—Grant	
Parts:	
E.D. 801 (Pinos Altos CCD	
E.D. 803 (Tyrone CCD)	
E.D. 805–806 (Tyrone CCD)	
Cloudcroft	3
County—Chaves	
Parts:	
S.W. Chaves CCD (W. 1/2)	
County—Otero	
Parts:	
E.D. 715 (S.E. Otero CCD)	
E.D. 717–720 (S.E. Otero CCD)	
E.D. 722–723 (S.E. Otero CCD)	
Cuba	2
County—Sandoval	
Parts:	
*Cuba CCD	
*Jemez CCD	
Dexter—Hagerman	1
County—Chaves	
Parts:	
Dexter CCD	
Hagerman CCD	
Hatch	1
County—Dona Ana	
Parts:	
Hatch CCD	
N. Dona-Ana Hill CCD (N.1/2)	
County—Sierra	
Parts:	
E.D. 632 (Tr. Or Consq. E. CCD)	
Jal/Eunice	2
County—Lea	
Parts:	
Eunice CCD	
Jal CCD	
Magdalena	1
County—Socorro	
Parts:	
Magdalena CCD	
Mora	4
County—Mora	
Parts:	
*Mora CCD	
North Harding/Wagon Mound	1
County—Harding	
Parts:	
North Harding CCD	
County—Mora	
Parts:	
Wagon Mound CCD	
Northern Lea	4
County—Lea	
Parts:	
Lovington CCD	
Tatum CCD	
Pecos	2
County—Guadalupe	
Parts:	
Dilia CCD	
County—San Miguel	
Parts:	
Pecos CCD	
Villanueva CCD	
Penasco/Truchas/Embudo	1
County—Rio Arriba	
Parts:	
Chimayo CCD	
Dixon CCD	
County—Taos	
Parts:	
Penasco CCD	
Picuris CCD	
Quay/S. Harding/Conchas Dam	2
County—Harding	
Parts:	
South Harding CCD	
County—Quay	
County—San Miguel	
Parts:	
Conchas Dam CCD	

PRIMARY CARE: New Mexico—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Questa/Arroyo Hondo	2
County—Taos	
Parts:	
Arroyo Hondo CCD	
Questo CCD	
Santa Fe/La Familia	1
County—Santa Fe	
Parts:	
C.T. 3 (Tr. Or Consq. E. CCD)	
C.T. 7–9	
C.T. 10.02	
C.T. 12	
Southern Dona Ana	1
County—Dona Ana	
Parts:	
Anthony CCD	
Southern Dona Ana CCD	
Southern Sandoval	1
County—Sandoval	
Parts:	
Bernalillo CCD (N. 1/2)	
Santo Domingo CCD	
Southwest Valley	1
County—Bernalillo	
Parts:	
C.T. 23	
C.T. 24.01–24.02	
C.T. 40	
C.T. 43	
C.T. 44.01–44.02	
C.T. 45.01–45.02	
C.T. 46.01–46.02	
Springer/Cimarron	2
County—Colfax	
Parts:	
Cimarron CCD	
Springer CCD	
Tierra Amarilla	1
County—Rio Arriba	
Parts:	
*Coyote CCD	
*Jicarilla CCD	
*Rio Chama CCD	
*Tierra Amarilla CCD	
*Vallecitas CCD	
*Western Rio Arriba CCD	
Torrance/Claunch/Corona	1
County—Lincoln	
Parts:	
Corona CCD	
County—Socorro	
Parts:	
Clauch CCD	
County—Torrance	
Tres Piedras	1
County—Taos	
Parts:	
Tres Piedras CCD	

PRIMARY CARE: New Mexico

Population Group Listing

Population Group	Degree of shortage group
Am. In. Pop.—San Juan	1
County—San Juan	
Parts:	
Am. In. Pop.	
Med. Ind. Pop.—Eddy Co.	2
County—Eddy	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Roosevelt Co.	1
County—Roosevelt	
Parts:	
Med. Ind. Pop.	
Med. Ind./Hmlss Pop.—Albuquerque Centr	3
County—Bernalillo	
Parts:	
C.T. 14–15	
C.T. 20–22	
C.T. 25–28	

PRIMARY CARE: New Mexico

Facility Listing

Facility Name	Degree of shortage group
Central N.M. Corr. Fac.	3
County—Valencia 2	
N.M. State Pen.—Cerillos	3
County—Santa Fe	
Southern N.M. Corr. Fac.	3
County—Dona Ana	
Western N.M. Corr. Fac.	3
County—Cibola 1	

PRIMARY CARE: New York

County Listing

County Name	Degree of shortage group
Albany	
Service Area: Northeast Albany	2
Service Area: Southeast Albany City	3
*Allegany	
Service Area: Arcade	2
Service Area: Letchworth	4
Bronx	
Service Area: Morris Heights	1
Service Area: Soundview	2
Facility: Nyc Corr. Fac./Riker'S Island	3
Broome	
Service Area: Deposit	2
*Cattaraugus	
Service Area: Arcade	2
Service Area: Randolph/Ellicottville	3
Population Group: Seneca Nation—Cattaraugus Res.	1
Population Group: Seneca Nation—Allegany Reservation	2
*Cayuga	
Service Area: Aurora	4
Service Area: Cato	2
Service Area: Groton/Morsvia	4
*Chautauqua	
Service Area: Union City (Pa/Ny)	4
Service Area: Westfield	4
Population Group: Seneca Nation—Cattaraugus Res.	1
*Chenango	
Service Area: Greene	3
Service Area: Hamilton/Sherburne	4
Service Area: Marathon	2
*Clinton	
Service Area: Dannemora	2
*Columbia	
Service Area: Southeast Columbia	3
*Cortland	
Service Area: Marathon	2
*Delaware	
Service Area: Deposit	2
Service Area: Hancock/Colchester	2
Erie	
Service Area: Black Rock/Riverside	2
Service Area: Ellicot Neighborhood—(buffalo)	2
Population Group: Pov. Pop.—P.S. 84 Area	1
Population Group: Pov. Pop.—Lower West Side	1
Population Group: Seneca Nation—Cattaraugus Res.	1
*Essex	
Service Area: Central Adirondack	1
Service Area: E. Cent. Essex	3
Service Area: Warrensburg	4
*Franklin	
Service Area: Tupper Lake	1
Greene	
Service Area: Cairo	4
Service Area: Western Greene	3
Hamilton	
Service Area: Central Adirondack	1
Service Area: South Hamilton	4
Service Area: Webb	3
Herkimer	
Service Area: Webb	3
*Jefferson	
Service Area: Adams	2
Service Area: Alexandria Bay	1
Service Area: Gouverneur	2
Population Group: Pov. Pop.—Watertown	4

PRIMARY CARE: New York—Continued

County Listing

County Name	Degree of shortage group
Kings	
Service Area: Brownsville	2
Population Group: Pov. Pop.—Bedford/Bushwick	1
*Lewis	
Service Area: Boonville	3
Service Area: Camden	2
Livingston	
Service Area: Letchworth	4
Service Area: N. Livingston	3
Madison	
Service Area: Hamilton/Sherburne	4
Service Area: Marathon	2
Monroe	
Service Area: Jordan (Rochester)	4
Service Area: Westside (Rochester)	1
Montgomery	
Service Area: Western Montgomery	3
New York	
Service Area: Alphabet City—Lower East Side	2
Service Area: East Harlem	3
Service Area: Upper West Side	4
Service Area: West Central Harlem	2
Population Group: Chinese Pop.—Lower East Side	4
Population Group: Homeless & Pov. Pop.—Chelsea	1
Facility: Bellevue Hosp. Center	3
Oneida	
Service Area: Boonville	3
Service Area: Camden	2
Service Area: Hamilton/Sherburne	4
Population Group: Pov. Pop.—City Of Utica	3
Onondaga	
Service Area: Southern Onondaga	2
Population Group: Pov. Pop.—Syracuse	4
Orange	
Population Group: Med. Ind./Mig. Pop.—N.E. Orange	4
Population Group: Mig./Med. Ind. Pop.—S.W. Orange	2
Orleans	
Service Area: Oak Orchard	3
Oswego	
Service Area: Central Square	3
Service Area: Pulaski	3
*Otsego	
Service Area: Cherry Valley	2
Service Area: Southeast Otsego	3
Service Area: Southwest Otsego	1
Service Area: Western Otsego	1
Queens	
Service Area: South Jamaica	3
Population Group: Medicaid Pop.—Rockaway	4
Saratoga	
Service Area: Corinth/Luzerne	3
Schenectady	
Population Group: Pov. Pop.—Hamilton Hill/Mt. Pleasant	1
*Schoharie	
Service Area: Cherry Valley	2
Service Area: Southern Schoharie	2
*Seneca	
Service Area: South Seneca	3
*St Lawrence	
Service Area: Alexandria Bay	1
Service Area: Gouverneur	2
Service Area: Massena	4
Service Area: Ogdensburg	2
Service Area: Starlake	4
Service Area: Tupper Lake	1
*Steuben	
Service Area: Elkland (Ny/Pa)	2
*Sullivan	
Service Area: Cochecton	4
*Tompkins	
Service Area: Groton/Moravia	4
Warren	
Service Area: Corinth/Luzerne	3
Service Area: Warrensburg	4
Wayne	
Service Area: Sodus	3
Westchester	
Service Area: Southwest Yonkers	1
Population Group: Pov. Pop.—S. Mt. Vernon	4
Population Group: Pov./Ltn. Amer. Imm.—N. Tarrytown	2

PRIMARY CARE: New York—Continued

County Listing

County Name	Degree of shortage group
*Wyoming	
Service Area: Arcade	2
Service Area: Letchworth	4
Facility: Attica Corr. Fac.	3
*Yates	4

PRIMARY CARE: New York

Service Area Listing

Service Area Name	Degree of shortage group
Adams	2
County—Jefferson	
Parts:	
Adams Twn.	
Ellisberg Twn.	
Henderson Twn.	
Lorraine Twn.	
Rodman Twn.	
Worth Twn.	
Alexandria Bay	1
County—Jefferson	
Parts:	
Alexandria Twn.	
Cape Vincent Twn.	
Clayton Twn.	
Lyme Twn.	
Orleans Twn.	
Philadelphia Twn.	
Theresa Twn.	
County—St Lawrence	
Parts:	
Hammond Twn.	
Alphabet City—Lower East Side	2
County—New York	
Parts:	
C.T. 10.02	
C.T. 20	
C.T. 22.01–22.02	
C.T. 24	
C.T. 26.01–26.02	
Arcade	2
County—Allegany	
Parts:	
*Centerville Twn.	
*Rushford Twn.	
County—Cattaraugus	
Parts:	
*Farmersville Twn.	
*Franklinville Twn.	
*Freedom Twn.	
*Machias Twn.	
*Yorkshire Twn.	
County—Wyoming	
Parts:	
*Arcade Twn.	
*Eagle Twn.	
*Java Twn.	
*Orangeville Twn.	
*Sheldon Twn.	
*Wethersfield Twn.	
Aurora	4
County—Cayuga	
Parts:	
Genoa Twn.	
Ledyard Twn.	
Scipio Twn.	
Springporttwn.	
Venice Twn.	
Black Rock/Riverside	2
County—Erie	
Parts:	
C.T. 55–59	
Boonville	3
County—Lewis	
Parts:	
Lewis Twn.	
Leyden Twn.	
Lyonsdale Twn.	
West Turin Twn.	
County—Oneida	
Parts:	
Ava Twn.	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Boonville Twn.	
Forestport Twn.	
Brownsville	2
County—Kings	
Parts:	
C.T. 347	
C.T. 349	
C.T. 357	
C.T. 359	
C.T. 361	
C.T. 363	
C.T. 862	
C.T. 884	
C.T. 886	
C.T. 888	
C.T. 890	
C.T. 892	
C.T. 894	
C.T. 896	
C.T. 898	
C.T. 900	
C.T. 902	
C.T. 904	
C.T. 906	
C.T. 908	
C.T. 910	
C.T. 912	
C.T. 914	
C.T. 916	
C.T. 918	
C.T. 920	
C.T. 1134	
C.T. 1136	
C.T. 1138	
Cairo	4
County—Greene	
Parts:	
Cairo Twn.	
Durham Twn.	
Greenville Twn.	
Camden	2
County—Lewis	
Parts:	
Osceola Twn.	
County—Oneida	
Parts:	
Annsville Twn.	
Camden Twn.	
Florence Twn.	
Vienna Twn.	
Cato	2
County—Cayuga	
Parts:	
Cato Twn.	
Conquest Twn.	
Ira Twn.	
Victory Twn.	
Central Adirondack	1
County—Essex	
Parts:	
Newcomb Twn.	
County—Hamilton	
Parts:	
Indian Lake Twn.	
Long Lake Twn.	
Central Square	3
County—Oswego	
Parts:	
C.T. 205–206 (Constantia Twn.	
C.T. 207.01–207.03 (Hastings Twn	
C.T. 208 (Potermo Twn.)	
C.T. 209.02 (Pt.)	
Cherry Valley	2
County—Otsego	
Parts:	
Cherry Valley Twn.	
Roseboom Twn.	
Springfield Twn.	
County—Schoharie	
Parts:	
Sharon Twn.	
Cochecton	4
County—Sullivan	
Parts:	
Cochecton Twn.	
Delaware Twn.	
Fremont Twn.	
Highland Twn.	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Tusten Twn.	
Corinth/Luzerne	3
County—Saratoga	
Parts:	
Corinth Twn.	
Day Twn.	
Edinburg Twn.	
Hadley Twn.	
County—Warren	
Parts:	
Lake Luzerne Twn.	
Stony Creek Twn.	
Dannemora	2
County—Clinton	
Parts:	
*Dannemora Twn.	
*Saranac Twn.	
Deposit	2
County—Broome	
Parts:	
Colesville Twn.	
Sanford Twn.	
Windsor Twn.	
County—Delaware	
Parts:	
*Deposit Twn.	
*Tompkins Twn.	
E. Cent. Essex	3
County—Essex	
Parts:	
Elizabeth Twn.	
Essex Twn.	
Keene Twn.	
Lewis Twn.	
Moriah Twn.	
North Hudson Twn.	
Westport Twn.	
Willsboro Twn.	
East Harlem	3
County—New York	
Parts:	
C.T. 156.02 (Pt.)	
C.T. 158.02 (Pt.)	
C.T. 160.20 (Pt.)	
C.T. 162 (Potermo Twn.)	
C.T. 164 (Potermo Twn.)	
C.T. 166 (Potermo Twn.)	
C.T. 168 (Potermo Twn.)	
C.T. 170 (Potermo Twn.)	
C.T. 172.01–172.02	
C.T. 174.01–174.02	
C.T. 178	
C.T. 180	
C.T. 182	
C.T. 184	
C.T. 188	
C.T. 192	
C.T. 194	
C.T. 196	
C.T. 198	
C.T. 202	
C.T. 204	
C.T. 206	
C.T. 210	
Elkland (Ny/Pa)	2
County—Steuben	
Parts:	
*Tuscarora Twn.	
*Woodhill Twn.	
Ellicot Neighborhood—(buffalo)	2
County—Erie	
Parts:	
C.T. 12	
C.T. 13.01–13.02	
C.T. 14.01–14.02	
C.T. 15–18	
C.T. 25.01–25.02	
C.T. 26	
C.T. 27.01	
C.T. 31	
Gouverneur	2
County—Jefferson	
Parts:	
*Antwerp Twn.	
County—St Lawrence	
Parts:	
*Dekalb Twn.	
*Depeyster Twn. (S. 1/2)	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*Edwards Twn.	
*Fowler Twn.	
*Gouverneur Twn.	
*Hermon Twn.	
*Macomb Twn. (S. 1/2)	
*Rossie Twn.	
Greene	3
County—Chenango	
Parts:	
German Twn.	
Greene Twn.	
McDonough Twn.	
Smithville Twn.	
Groton/Moravia	4
County—Cayuga	
Parts:	
Locke Twn.	
Moravia Twn.	
Sempronius Twn.	
Summerhill Twn.	
County—Tompkins	
Parts:	
Groton Twn.	
Hamilton/Sherburne	4
County—Chenango	
Parts:	
Columbus Twn.	
Otselic Twn.	
Sherburne Twn.	
Smyrna Twn.	
County—Madison	
Parts:	
Brookfield Twn.	
Eaton Twn.	
Georgetown Twn.	
Hamilton Twn.	
Lebanon Twn.	
Madison Twn.	
County—Oneida	
Parts:	
Sangerfield Twn.	
Hancock/Colchester	2
County—Delaware	
Parts:	
Colchester Twn.	
Hancock Twn.	
Jordan (Rochester)	4
County—Monroe	
Parts:	
C.T. 7	
C.T. 13–15	
C.T. 39	
C.T. 43	
C.T. 48–53	
C.T. 55–56	
C.T. 80	
C.T. 91–92	
C.T. 93.01	
Letchworth	4
County—Allegany	
Parts:	
*Allen Twn.	
*Caneadea Twn.	
*Granger Twn.	
*Hume Twn.	
County—Livingston	
Parts:	
Portage Twn.	
County—Wyoming	
Parts:	
*Castile Twn.	
*Gainesville Twn.	
*Genesee Falls Twn.	
*Pike Twn.	
Marathon	2
County—Chenango	
Parts:	
*Lincklaen Twn.	
*Pitcher Twn.	
County—Cortland	
Parts:	
*Cincinnatus Twn.	
*Cuyler Twn.	
*Freetown Twn.	
*Hurford Twn.	
*Lapeer Twn.	
*Marathon Twn.	
*Taylor Twn.	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*Willet Twn.	
County—Madison	
Parts:	
De Ruyter Twn.	
Massena	4
County—St Lawrence	
Parts:	
Brasher Twn.	
Lawrence Twn.	
Louisville Twn.	
Madrid Twn. (E.1/2)	
Massena Twn.	
Norfolk Twn.	
Stockholm Twn. (N.1/2)	
Waddington Twn. (E.1/2)	
Morris Heights	1
County—Bronx	
Parts:	
C.T. 205	
C.T. 213.01-213.02	
C.T. 215.01-215.02	
C.T. 217.01	
C.T. 239	
C.T. 243	
C.T. 245	
C.T. 247	
C.T. 249	
C.T. 251	
C.T. 253	
C.T. 255	
C.T. 257	
N. Livingston	3
County—Livingston	
Parts:	
Avon Twn.	
Caledonia Twn.	
Geneseo Twn.	
Groveland Twn.	
Leicester Twn.	
Lima Twn.	
Livonia Twn.	
York Twn.	
Northeast Albany	2
County—Albany	
Parts:	
C.T. 1-2	
C.T. 7-8	
C.T. 11	
Oak Orchard	3
County—Orleans	
Parts:	
Albion Twn.	
Barre Twn.	
Carlton Twn.	
Clarendon Twn.	
Gaines Twn.	
Kendall Twn.	
Murray Twn.	
Ogdensburg	2
County—St Lawrence	
Parts:	
Depeyster Twn. (Pt.)	
Lisbon Twn.	
Macomb Twn. (Pt.)	
Madrid Twn. (Pt.)	
Morristown Twn.	
Ogdensburg City	
Oswegatchie Twn.	
Waddington Twn.(Pt.)	
Pulaski	3
County—Oswego	
Parts:	
Albion Twn.	
Boylston Twn.	
Mexico Twn.	
Orwell Twn.	
Redfield Twn.	
Richland Twn.	
Sandy Creek Twn.	
Williamstown Twn.	
Randolph/Ellicottville	3
County—Cattaraugus	
Parts:	
*Cold Spring Twn.	
*Conewango Twn.	
*Ellicottville Twn.	
*Little Valley Twn.	
*Mansfield Twn.	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*Napoli Twn.	
*New Albion Twn.	
*Randolph Twn.	
*South Valley Twn.	
Sodus	3
County—Wayne	
Parts:	
C.T. 204-205 (Marion)	
C.T. 208-209 (Sodus)	
C.T. 215-216 (Rose-Butler)	
Soundview	2
County—Bronx	
Parts:	
C.T. 2	
C.T. 4	
C.T. 16	
C.T. 20	
C.T. 24	
C.T. 28	
C.T. 36	
C.T. 38	
C.T. 40.02	
C.T. 46	
C.T. 74	
C.T. 84	
C.T. 86	
C.T. 88	
C.T. 98	
C.T. 102	
South Hamilton	4
County—Hamilton	
Parts:	
Arietta Twn.	
Benson Twn.	
Hope Twn.	
Lake Pleasant Twn.	
Morehouse Twn.	
Wells Twn.	
South Jamaica	3
County—Queens	
Parts:	
C.T. 152	
C.T. 154	
C.T. 190	
C.T. 196	
C.T. 198	
C.T. 202	
C.T. 204	
C.T. 206	
C.T. 208	
C.T. 212	
C.T. 244	
C.T. 246	
C.T. 248	
C.T. 250	
C.T. 252	
C.T. 258	
C.T. 260	
C.T. 262	
C.T. 266	
C.T. 270	
C.T. 272	
C.T. 274	
C.T. 276	
C.T. 278	
C.T. 280	
C.T. 284	
C.T. 288	
C.T. 410	
C.T. 414	
C.T. 440	
South Seneca	3
County—Seneca	
Parts:	
*Covert Twn.	
*Lodi Twn.	
*Ovid Twn.	
Southeast Albany City	3
County—Albany	
Parts:	
C.T. 23-26	
Southeast Columbia	3
County—Columbia	
Parts:	
Ancram Twn.	
Copake Twn.	
Gallatin Twn.	
Hillsdale Twn.	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Taghkanic Twn.	
Southeast Otsego	3
County—Otsego	
Parts:	
Decatur Twn.	
Maryland Twn.	
Westford Twn.	
Worcester Twn.	
Southern Onondaga	2
County—Onondaga	
Parts:	
Fabius Twn.	
Lafayette Twn.	
Onondaga Indian Res.	
Onondaga Twn. (S. 1/2)	
Otisco Twn.	
Pompey Twn.	
Tully Twn.	
Southern Schoharie	2
County—Schoharie	
Parts:	
Blenheim Twn.	
Broome Twn.	
Conesville Twn.	
Fulton Twn.	
Gilboa Twn.	
Middleburgh Twn.	
Southwest Otsego	1
County—Otsego	
Parts:	
Butternuts Twn.	
Morris Twn.	
Southwest Yonkers	1
County—Westchester	
Parts:	
C.T. 1.01-1.02	
C.T. 2.01-2.03	
C.T. 3	
C.T. 4.01-4.02	
C.T. 5-6	
C.T. 10	
C.T. 11.01-11.02	
C.T. 12	
C.T. 13.01-13.03	
C.T. 16	
Starlake	4
County—St Lawrence	
Parts:	
*Clare Twn.	
*Clifton Twn.	
*Colton Twn. (S. 1/2)	
*Fine Twn.	
*Pitcairn Twn.	
*Russell Twn.	
Tupper Lake	1
County—Franklin	
Parts:	
Altamont Twn.	
County—St Lawrence	
Parts:	
Piercefield Twn.	
Union City (Pa/Ny)	4
County—Chautauqua	
Parts:	
Clymer Twn.	
French Creek Twn.	
Upper West Side	4
County—New York	
Parts:	
C.T. 177	
C.T. 179	
C.T. 181	
C.T. 183	
C.T. 185	
C.T. 187	
C.T. 189	
C.T. 191	
C.T. 193	
C.T. 195	
C.T. 197.01	
C.T. 199	
C.T. 201.01	
C.T. 203	
C.T. 205	
C.T. 207.01	
Warrensburg	4

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Essex	
Parts:	
Minerva Twn.	
County—Warren	
Parts:	
Chester Twn.	
Horicon Twn.	
Johnsburg Twn.	
Thurman Twn.	
Warrensburg Twn.	
Webb	3
County—Hamilton	
Parts:	
Inlet Twn.	
County—Herkimer	
Parts:	
Webb Twn.	
West Central Harlem	2
County—New York	
Parts:	
C.T. 186	
C.T. 190	
C.T. 197.02	
C.T. 200	
C.T. 201.02	
C.T. 207.02	
C.T. 208	
C.T. 209.01-209.02	
C.T. 211-212	
C.T. 213.01-213.02	
C.T. 214	
C.T. 216	
C.T. 217.01-217.02	
C.T. 218-220	
C.T. 221.01-221.02	
C.T. 222-226	
C.T. 227.01-227.02	
C.T. 228-230	
C.T. 231.01-231.02	
C.T. 232-234	
C.T. 235.01-235.02	
C.T. 236-237	
C.T. 239	
C.T. 241	
C.T. 243.02	
West Winfield	2
Western Greene	3
County—Greene	
Parts:	
Ashland Twn.	
Hunter Twn.	
Jewett Twn.	
Lexington Twn.	
Prattsville Twn.	
Windham Twn.	
Western Montgomery	3
County—Montgomery	
Parts:	
Canajoharie Twn.	
Minden Twn.	
Palatine Twn.	
Root Twn.	
St. Johnsville Twn.	
Western Otsego	1
County—Otsego	
Parts:	
Burlington Twn.	
Edmeston Twn.	
New Lisbon Twn.	
Pittsfield Twn.	
Plainfield Twn.	
Westfield	4
County—Chautauqua	
Parts:	
*Chautauqua Twn.	
*Ripley Twn.	
*Sherman Twn.	
*Westfield Twn.	
Westside (Rochester)	1
County—Monroe	
Parts:	
C.T. 2	
C.T. 16-17	
C.T. 23	
C.T. 27	
C.T. 32	
C.T. 41	
C.T. 64-66	

PRIMARY CARE: New York—Continued

Service Area Listing

Service Area Name	Degree of shortage group
C.T. 69	
C.T. 94.03	
C.T. 95	
C.T. 96.01-96.04	

PRIMARY CARE: New York

Population Group Listing

Population Group	Degree of shortage group
Chinese Pop.—Lower East Side	4
County—New York	
Parts:	
C.T. 2.01-2.02	
C.T. 6	
C.T. 8	
C.T. 10.01-10.02	
C.T. 12	
C.T. 14.01-14.02	
C.T. 15.01	
C.T. 16	
C.T. 18	
C.T. 20	
C.T. 22.01-22.02	
C.T. 24-25	
C.T. 26.01-26.02	
C.T. 27-29	
C.T. 30.01-30.02	
C.T. 31-32	
C.T. 34	
C.T. 36.01-36.02	
C.T. 38	
C.T. 40-41	
C.T. 43	
C.T. 45	
Homeless & Pov. Pop.—Chelsea	1
County—New York	
Parts:	
Mun. Shelter For The Hom	
Sros & Drop In Centers	
C.T. 99	
C.T. 101	
C.T. 103	
Med. Ind./Mig. Pop.—N.E. Orange	4
County—Orange	
Parts:	
Blooming Grove Twn.	
Cornwall Twn.	
Crawford Twn.	
Hamptonburgh Twn.	
Highlands Twn.	
Montgomery Twn.	
New Windsor Twn.	
Newburgh City	
Newburgh Twn.	
Woodbury Twn.	
Medicaid Pop.—Rockaway	4
County—Queens	
Parts:	
C.T. 916.01-916.02	
C.T. 916.99	
C.T. 918	
C.T. 922	
C.T. 928	
C.T. 934	
C.T. 938	
C.T. 942.01-942.03	
C.T. 952	
C.T. 962	
C.T. 964	
C.T. 972	
C.T. 992	
C.T. 998	
C.T. 1008	
C.T. 1010	
C.T. 1032	
Mig./Med. Ind. Pop.—S.W. Orange	2
County—Orange	
Parts:	
Chester Twn.	
Goshen Twn.	
Monroe Twn.	
Warwick Twn.	

PRIMARY CARE: New York—Continued

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Bedford/Bushwick	1
County—Kings	
Parts:	
C.T. 253	
C.T. 255	
C.T. 257	
C.T. 259.01-259.02	
C.T. 261	
C.T. 275	
C.T. 277	
C.T. 279	
C.T. 281	
C.T. 283	
C.T. 285.01-285.02	
C.T. 287	
C.T. 289	
C.T. 291	
C.T. 293	
C.T. 375	
C.T. 389	
C.T. 391	
C.T. 393	
C.T. 395	
C.T. 397	
C.T. 399	
C.T. 415	
C.T. 417	
C.T. 419	
C.T. 421	
C.T. 423	
C.T. 425	
C.T. 465	
C.T. 477	
C.T. 481	
C.T. 483	
C.T. 487	
C.T. 489	
C.T. 491	
C.T. 493	
C.T. 495	
C.T. 497	
C.T. 499	
C.T. 501	
C.T. 503	
C.T. 505	
C.T. 507	
C.T. 509	
C.T. 511	
C.T. 513	
C.T. 515	
C.T. 517	
C.T. 519	
C.T. 523	
C.T. 525	
C.T. 527	
C.T. 529	
C.T. 531	
C.T. 533	
C.T. 535	
C.T. 537	
C.T. 539	
C.T. 545	
C.T. 547	
C.T. 549	
C.T. 551	
C.T. 553	
C.T. 555	
C.T. 557	
Pov. Pop.—City Of Utica	3
County—Oneida	
Parts:	
Pov. Pop.—City Of Utic	
Pov. Pop.—Hamilton Hill/Mt. Pleasant	1
County—Schenectady	
Parts:	
C.T. 207-209	
C.T. 210.01-210.02	
C.T. 214-217	
Pov. Pop.—Lower West Side	1
County—Erie	
Parts:	
C.T. 68	
C.T. 71.01-71.02	
C.T. 72.01	
Pov. Pop.—P.S. 84 Area	1
County—Erie	
Parts:	
C.T. 27.02	

PRIMARY CARE: New York—Continued

Population Group Listing

Population Group	Degree of shortage group
C.T. 29	
C.T. 32.01-32.02	
C.T. 33.01-33.02	
C.T. 34-36	
C.T. 39.01-39.02	
C.T. 40.01-40.02	
C.T. 41	
C.T. 44.02	
Pov. Pop.—S. Mt. Vernon	4
County—Westchester	
Parts:	
C.T. 25-36	
C.T. 40-41	
Pov. Pop.—Syracuse	4
County—Onondaga	
Parts:	
City Of Syracuse	
Pov. Pop.—Watertown	4
County—Jefferson	
Parts:	
Brownville Twn.	
City Of Watertown	
Hounsfield Twn.	
Le Ray Twn.	
Pamelia Twn.	
Rutland Twn.	
Watertown Twn.	
Pov./Ltn. Amer. Imm.—N. Tarrytown	2
County—Westchester	
Parts:	
C.T. 116	
Seneca Nation—Allegany Reservation	2
County—Cattaraugus	
Parts:	
Allegany Res.	
Seneca Nation—Cattaraugus Res.	1
County—Cattaraugus	
Parts:	
Cattaraugus Res.	
County—Chautauqua	
Parts:	
Cattaraugus Res.	
County—Erie	
Parts:	
Cattaraugus Res.	

PRIMARY CARE: New York

Facility Listing

Facility Name	Degree of shortage group
Attica Corr. Fac.	3
County—Wyoming	
Bellevue Hosp. Center	3
County—New York	
Nyc Corr. Fac./Riker'S Island	3
County—Bronx	

PRIMARY CARE: North Carolina

County Listing

County Name	Degree of shortage group
Alexander	3
*Anson	2
*Beaufort	
Service Area: Belhaven	1
Service Area: Richland	2
*Bertie	1
*Bladen	2
*Caldwell	
Service Area: Western Caldwell	1
*Carteret	
Service Area: Eastern Carteret	4
*Caswell	1
*Chatham	4

PRIMARY CARE: North Carolina—Continued

County Listing

County Name	Degree of shortage group
*Cherokee	
Service Area: Hot House/Shoal Creek	1
*Clay	1
*Cleveland	
Population Group: Med. Ind. Pop.—Cleveland Co.	1
*Columbus	4
Cumberland	
Service Area: S. E. Cumberland	2
*Currituck	3
*Dare	
Service Area: Hatteras	4
*Duplin	2
*Edgecombe	2
Franklin	2
Gaston	
Population Group: Medicaid Pop.—Gaston Co.	4
*Gates	3
*Greene	1
*Halifax	
Service Area: Littleton	1
Service Area: Scotland Neck	2
*Harnett	
Service Area: Western Harnett	2
*Henderson	
Population Group: Mig. Pop.—Henderson/Polk	1
*Hoke	1
*Hyde	1
*Johnston	
Service Area: Benson	3
Service Area: Newton Grove/Grantham	2
Population Group: Mig. Pop.—Johnston/Sampson	1
*Jones	4
*Martin	4
Mecklenburg	
Service Area: Central Charlotte	1
*Montgomery	2
*Nash	
Population Group: Mig. Pop.—Nash/Wilson	1
New Hanover	
Service Area: Northern New Hanover	1
*Northampton	2
Onslow	3
*Pender	1
*Person	4
*Polk	
Population Group: Mig. Pop.—Henderson/Polk	1
Randolph	3
*Robeson	2
*Sampson	
Service Area: Newton Grove/Grantham	2
Population Group: Mig. Pop.—Johnston/Sampson	1
Stokes	
Service Area: Danbury	2
*Surry	
Population Group: Pov. Pop.—Surry Co.	2
*Swain	3
*Tyrrell	1
*Warren	
Service Area: Littleton	1
Service Area: Warrenton	4
*Washington	4
*Wayne	
Service Area: Newton Grove/Grantham	2
*Wilson	
Population Group: Mig. Pop.—Nash/Wilson	1
Population Group: Pov. Pop.—Wilson Co.	1

PRIMARY CARE: North Carolina

Service Area Listing

Service Area Name	Degree of shortage group
Belhaven	1
County—Beaufort	
Parts:	
Bath Twp.	
Pantego Twp.	
Benson	3

PRIMARY CARE: North Carolina—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Johnston	
Parts:	
Banner Twp.	
Elevation Twp.	
Meadow Twp.	
Pleasant Grove Twp.	
Central Charlotte	1
County—Mecklenburg	
Parts:	
C.T. 1	
C.T. 4-8	
C.T. 36-37	
C.T. 38.02	
C.T. 39-42	
C.T. 43.01-43.02	
C.T. 44-52	
Danbury	2
County—Stokes	
Parts:	
C.T. 701-703	
Eastern Carteret	4
County—Carteret	
Parts:	
*Atlantic Twp.	
*Cedar Island Twp.	
*Davis Twp.	
*Harkers Islands Twp.	
*Marshallberg Twp.	
*Merriman Twp.	
*Portsmouth Twp.	
*Sea Level Twp.	
*Smyrna Twp.	
*Stacy Twp.	
*Straights Twp.	
Hatteras	4
County—Dare	
Parts:	
Hatteras Twp.	
Kennekeet Twp.	
Hot House/Shoal Creek	1
County—Cherokee	
Parts:	
Hot House Twp.	
Shoal Creek Twp.	
Littleton	1
County—Halifax	
Parts:	
Brinkleyville Twp.	
Butterwood Twp.	
Littleton Twp.	
County—Warren	
Parts:	
Fishing Creek Twp.	
Judkins Twp.	
Newton Grove/Grantham	2
County—Johnston	
Parts:	
Bentonsville Twp.	
County—Sampson	
Parts:	
Newton Grove Twp.	
Westbrooks Twp.	
County—Wayne	
Parts:	
Grantham Twp.	
Northern New Hanover	1
County—New Hanover	
Parts:	
C.T. 101-103	
C.T. 110-115	
Richland	2
County—Beaufort	
Parts:	
*Richland Twp.	
S. E. Cumberland	2
County—Cumberland	
Parts:	
Cedar Creek Twp.	
Eastover Twp.	
Grays Creek Twp.	
Scotland Neck	2
County—Halifax	
Parts:	
Conoconnara Twp.	
Palmyra Twp.	
Roseneath Twp.	
Scotland Neck Twp.	
Warrenton	4

PRIMARY CARE: North Carolina—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Warren	
Parts:	
Fork Twp.	
Hawtree Twp.	
Nutbush Twp.	
River Twp.	
Roanoke Twp.	
Sandy Creek Twp.	
Shocco Twp.	
Sixpound Twp.	
Smith Creek Twp.	
Warrenton Twp.	
Western Caldwell	1
County—Caldwell	
Parts:	
*Globe Twp.	
*Johns River Twp.	
*Mulberry Twp.	
*Patterson Twp.	
*Wilson Creek Twp.	
Western Harnett	2
County—Harnett	
Parts:	
*Anderson Creek Twp.	
*Barbecue Twp.	
*Johnsonville Twp.	
*Lillington Twp.	
*Stewarts Creek Twp.	
*Upper Little River Twp.	

PRIMARY CARE: North Carolina

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Cleveland Co.	1
County—Cleveland	
Parts:	
Med. Ind. Pop.	
Medicaid Pop.—Gaston Co.	4
County—Gaston	
Parts:	
Medicaid Pop.	
Mig. Pop.—Henderson/Polk	1
County—Henderson	
Parts:	
Mig. Pop.	
County—Polk	
Parts:	
Mig. Pop.	
Mig. Pop.—Johnston/Sampson	1
County—Johnston	
Parts:	
Mig. Pop.	
County—Sampson	
Parts:	
Mig. Pop.	
Mig. Pop.—Nash/Wilson	1
County—Nash	
Parts:	
Mig. Pop.	
County—Wilson	
Parts:	
Mig. Pop.	
Pov. Pop.—Surry Co.	2
County—Surry	
Parts:	
Pov. Pop.	
Pov. Pop.—Wilson Co.	1
County—Wilson	
Parts:	
Pov. Pop.	

PRIMARY CARE: North Dakota

County Listing

County Name	Degree of shortsge group
Adams	
Service Area: Lemmon (Sd/Nd)	1
Benson	1
Billings	
Service Area: Belfield/Medora	1
Bowman	
Service Area: Baker (Mt/Nd)	3
Burke	1
Cavalier	
Service Area: Langdon/Walhalla	3
Dickey	
Service Area: Ellendale/Edgely (Nd/Sd)	2
Service Area: Oakes/Forman	3
Divide	2
Dunn	1
Eddy	1
Emmons	1
Foster	
Service Area: Carrington	4
Golden Valley	2
Grand Forks	
Service Area: Northwood	2
Grant	2
Griggs	4
Hettinger	1
Kidder	
Service Area: Carrington	4
Service Area: Harvey	3
Service Area: Medina	1
La Moure	
Service Area: Ellendale/Edgely (Nd/Sd)	2
Service Area: La Moure	1
McHenry	4
McIntosh	
Service Area: Wishek/Napoleon	1
McKenzie	3
McLean	2
*Mercer	
Service Area: Mercer/Oliver	2
Morton	
Service Area: West Morton/East Stark	1
Mountrail	
Service Area: Stanley/Tioga	1
Nelson	
Service Area: McVille	3
Service Area: Northwood	2
Oliver	
Service Area: Mercer/Oliver	2
*Pembina	
Service Area: Cavalier	2
Service Area: Langdon/Walhalla	3
Pierce	
Service Area: Harvey	3
*Ransom	2
Renville	2
*Richland	
Service Area: Hankinson/Lidgerwood (Nd/Sd)	3
*Rolette	2
Sargent	
Service Area: Oakes/Forman	3
Sheridan	1
Sioux	1
Slope	
Service Area: Amidon	1
Service Area: Baker (Mt/Nd)	3
*Stark	
Service Area: Belfield/Medora	1
Service Area: West Morton/East Stark	1
Steele	
Service Area: Finley	2
Service Area: Northwood	2
*Stutsman	
Service Area: Carrington	4
Service Area: Medina	1
Towner	3
*Walsh	4
Wells	
Service Area: Carrington	4
Service Area: Harvey	3
*Williams	
Service Area: Stanley/Tioga	1

PRIMARY CARE: North Dakota

Service Area Listing

Service Area Name	Degree of shortage group
Amidon	1
County—Slope	
Parts:	
*Amidon City	
*Carroll Twp.	
*Cash Twp.	
*Cedar Creek Twp.	
*Chalky Butte—Unorg.	
*Conner Twp.	
*Crawford Twp.	
*Deep Creek—Unorg.	
*Dovre Twp.	
*E-Six—Unorg.	
*Harper Twp.	
*Hume Twp.	
*Mineral Springs Twn.	
*Moord Twp.	
*Mound Twp.	
*Peaceful Valley Twn.	
*Rainy Butte Twp.	
*Richland Center Twn.	
*Sand Creek Twp.	
*Sheets Twp.	
*Slope Center Twp.	
*Sunshine Twp.	
*White Lake Twp.	
*Woodberry Twp.	
Baker (Mt/Nd)	3
County—Bowman	
Parts:	
Sunny Slope Twp.	
W. Bowman Unorg.	
County—Slope	
Parts:	
Bucklin Twp.	
Hughes Twp.	
Marmarth City	
W. Slope Unorg.	
Belfield/Medora	1
County—Billings	
County—Stark	
Parts:	
*Belfield City	
*E.D. 98 (W. 1/4)	
Carrington	4
County—Kidder	
Parts:	
*Frettim Twp.	
*Lake Williams Twp.	
*Petersville Twp.	
*Pettibone Twp.	
*Pettibone City	
*Rexine Twp.	
*Wallace Twp.	
County—Stutsman	
Parts:	
*Conklin Twp.	
*Corinne Twp.	
*Edmunds Twp.	
*Gerber Twp.	
*Glacier Twp.	
*Kensal City	
*Kensal Twp.	
*Lowery Twp.	
*Marston Moor Twp.	
*Nogosek Twp.	
*Pingree City	
*Pingree Twp.	
*Pipestream Valley Twp.	
*Strong Twp.	
*Wadsworth Twp.	
*Walters Twp.	
*Woodworth City	
County—Foster	
County—Wells	
Parts:	
*Berlin Twp.	
*Bilodeau Twp	
*Cathay Twp.	
*Cathay City	
*Haaland Twp.	
*Hawksnest Twp.	
*Johnson Twp.	
*Progress Twp.	
*South Cottonwood Twp.	
*Speedwell Twp.	
*Sykeston City	
*Sykeston Twp.	

PRIMARY CARE: North Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*West Ontario Twp.	
*Woodward Twp.	
Cavalier	2
County—Pembina	
Parts:	
Advance Twp.	
Akra Twp.	
Bathgate City	
Bathgate Twp.	
Beaulieu Twp.	
Canton City City	
Carlisle Twp.	
Cavalier City	
Cavalier Twp.	
Crystal City	
Crystal Twp.	
Drayton City	
Drayton Twp.	
Elora Twp.	
Felson Twp.	
Gardar Twp.	
Hamilton City	
Hamilton Twp.	
Joliette Twp.	
La Moure Twp.	
Lincoln Twp.	
Lodema Twp.	
Midland Twp.	
Mountain City	
Neche City	
Neche Twp.	
Park Twp.	
Pembina City	
Pembina Twp.	
St. Joseph Twp.	
St. Thomas City	
St. Thomas Twp.	
Thingvalla Twp.	
Ellendale/Edgely (Nd/Sd)	2
County—Dickey	
Parts:	
Ada Twp.	
Albertha Twp.	
Albion Twp.	
Elden Twp.	
Ellendale City	
Ellendale Twp.	
Elm Twp.	
Forbes City	
Fullerton City	
German Twp.	
Grand Valley Twp.	
Hamberg Twp.	
Kent Twp.	
Kentner Twp.	
Keystone Twp.	
Lorraine Twp.	
Maple Twp.	
Merricourt City	
Monango City	
Northwest Twp.	
Porter Twp.	
Potsdam Twp.	
Spring Valley Twp.	
Valley Twp.	
Van Meter Twp.	
Whitestone Twp.	
Wright Twp.	
Yorktown Twp.	
Young Twp.	
County—La Moure	
Parts:	
Edgely City	
Golden Glen Twp.	
Kulm City	
Nora Twp.	
Norden Twp.	
Pomona View Twp.	
Ray Twp.	
Swede Twp.	
Wano Twp.	
Willowbank Twp.	
Finley	2
County—Steele	
Parts:	
Broadlawn Twp.	
Carpenter Twp.	
Colgate Twp.	

PRIMARY CARE: North Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Easton Twp.	
Edendale Twp.	
Enger Twp.	
Finley City	
Finley Twp.	
Franklin Twp.	
Golden Lake Twp.	
Greenview Twp.	
Hope City	
Hugo Twp.	
Luverne City	
Melrose Twp.	
Primrose Twp.	
Riverside Twp.	
Sherbrooke Twp.	
Willow Lake Twp.	
Hankinson/Lidgerwood (Nd/Sd)	3
County—Richland	
Parts:	
Barney Twp.	
Bellord Twp.	
Brandenburg Twp.	
Brightwood Twp.	
Danton Twp.	
Deville Twp.	
Dexter Twp.	
Duerr Twp.	
Elma Twp.	
Fairmount City	
Fairmount Twp.	
Grant Twp.	
Great Bend City	
Greendale Twp.	
Hankinson City	
La Mars Twp.	
Liberty Grove Twp.	
Lidgerwood City	
Mantador City	
Moran Twp.	
Waldo Twp.	
Wyndmere City	
Wyndmere Twp.	
Harvey	3
County—Kidder	
Parts:	
*Atwood Twp.	
*Clear Lake Twp.	
*Kickapoo Twp.	
*Merkel Twp.	
*Northwest Twp.	
*Robinson City	
*Robinson Twp.	
*Stewart Twp.	
*Tuttle City	
*Tuttle Twp.	
County—Pierce	
Parts:	
*Alexander Twp.	
*Antelope Lake Twp.	
*Elling Twp.	
*Hagel Twp.	
*S. Pierce—Unorg.	
*Truman Twp.	
*White Twp.	
County—Wells	
Parts:	
*Bremen Twp.	
*Bull Moose Twp.	
*Chaseley Twp.	
*Crystal Lake Twp.	
*Delger Twp.	
*Fairville Twp.	
*Fessenden City	
*Forward Twp.	
*Fram Twp.	
*Germantown Twp.	
*Hamberg City	
*Hamberg Twp.	
*Harvey City	
*Heimdal Twp.	
*Hillsdale Twp.	
*Lynn Twp.	
*Manfred Twp.	
*Norway Lake Twp.	
*Oshkosh Twp.	
*Pony Gulch Twp.	
*Rusland Twp.	
*Silver Lake Twp.	

PRIMARY CARE: North Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*St. Anna Twp.	
*Valhalla Twp.	
*Wells Twp.	
*West Norway Twp.	
*Western Twp.	
La Moure	1
County—La Moure	
Parts:	
Adrian Twp.	
Badger Twp.	
Berlin City	
Black Loam Twp.	
Blue Bird Twp.	
Dean Twp.	
Dickey City	
Gladstone Twp.	
Glen Twp.	
Glenmore Twp.	
Grand Rapids Twp.	
Grandview Twp.	
Greenvillie Twp.	
Henrietta Twp.	
Jud City	
Kennison Twp.	
La Moure City	
Litchville Twp.	
Marion City	
Mikkelson Twp.	
Ovid Twp.	
Pearl Lake Twp.	
Prairie Twp.	
Raney Twp.	
Roscoe Twp.	
Russell Twp.	
Ryan Twp.	
Saratoga Twp.	
Sheridan Twp.	
Verona Twp.	
Langdon/Walhalla	3
County—Cavalier	
County—Pembina	
Parts:	
Walhalla City	
Walhalla Twp.	
Lemmon (Sd/Nd)	1
County—Adams	
Parts:	
E. Adams (Unorg.) S. 1/2	
Gilstrap Twp.	
North Lemmon Twp.	
Orange Twp.	
South Fork Twp.	
McVille	3
County—Nelson	
Parts:	
Adler Twp.	
Bergen Twp.	
Central Twp.	
Clara Twp.	
Dahlen Twp.	
Dayton Twp.	
Dodds Twp.	
Enterprise Twp.	
Field Twp.	
Forde Twp.	
Hamlin Twp.	
Illinois Twp.	
Lakota City	
Lakota Twp.	
Lee Twp.	
Leval Twp.	
McVille City	
Melvin Twp.	
Michigan City	
Michigan Twp.	
Nash Twp.	
Nesheim Twp.	
Osago Twp.	
Pekin City	
Petersburg City	
Petersburg Twp.	
Rubin Twp.	
Sarnia Twp.	
Tolna City	
Wamduska Twp.	
Williams Twp.	
Medina	1

PRIMARY CARE: North Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Kidder	
Parts:	
Allen Twp.	
Buckeye Twp.	
Bunker Twp.	
Crystal Spring Twp.	
Dawson City	
Graf Twp.	
Haynes Twp.	
Manning Twp.	
Peace Twp.	
Quinby Twp.	
Sibley Twp.	
South Kidder—Unorg.	
Steele City	
Tanner Twp.	
Tappen City	
Tappen Twp.	
Valley Twp.	
Vernon Twp.	
Weiser Twp.	
Westford Twp.	
Williams Twp.	
Woodlawn Twp.	
County—Stutsman	
Parts:	
Bloomfield Twp.	
Chase Lake—Unorg.	
Chicago Twp.	
Cleveland City	
Flint Twp.	
Germania Twp.	
Griffin Twp.	
Iosco Twp.	
Medina City	
Newbury Twp.	
Peterson Twp.	
Sinclair Twp.	
St. Paul Twp.	
Stirlen Twp.	
Streeter City	
Streeter Twp.	
Valley Spring Twp.	
Weld Twp.	
Mercer/Oliver	2
County—Mercer	
County—Oliver	
Northwood	2
County—Grand Forks	
Parts:	
Arvilla Twp.	
Avon Twp.	
Elm Grove Twp.	
Grace Twp.	
Larimore City	
Larimore Twp.	
Lind Twp.	
Logan Center Twp.	
Loretta Twp.	
Moraine Twp.	
Niagara City	
Niagara Twp.	
Northwood City	
Northwood Twp.	
Pleasant View Twp.	
Washington Twp.	
County—Nelson	
Parts:	
Aneta City	
Ora Twp.	
Rugh Twp.	
County—Steele	
Parts:	
Beaver Creek Twp.	
Newburgh Twp.	
Sharon City	
Sharon Twp.	
Westfield Twp.	
Oakes/Forman	3
County—Dickey	
Parts:	
Bear Creek Twp.	
Clement Twp.	
Divide Twp.	
Hudson Twp.	
James River Valley Twp.	
Lovell Twp.	
Ludden City	

PRIMARY CARE: North Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Oakes City	
Port Emma Twp.	
Riverdale Twp.	
County—Sargent	
Stanley/Tioga	1
County—Mountrail	
County—Williams	
Parts:	
Big Meadow Twp.	
Champion Twp.	
Dry Fork Twp.	
Equality Twp.	
Farmvale Twp.	
Golden Valley Twp.	
Hazel Twp.	
Hofflund Twp.	
Lindahl Twp.	
Nesson Valley—Unorg.	
New Home Twp.	
Pleasant Valley Twp.	
Ray City	
S. E. Williams—Unorg.	
Sauk Valley Twp.	
South Meadow Twp.	
Tioga City	
Tioga Twp.	
View Twp.	
West Bank Twp.	
Wildrose City	
West Morton/East Stark	1
County—Morton	
Parts:	
Almont City	
Curlew Twp.	
Engelter Twp.	
Glen Ullin City	
Hebron City	
New Salem City	
West Morton—Unorg.	
County—Stark	
Parts:	
East Stark—Unorg.(E.1/2	
Richardton City	
Wishek/Napoleon	1
County—McIntosh	

PRIMARY CARE: Ohio

County Listing

County Name	Degree of shortage group
*Adams	2
Allen	
Facility: Lima Corr. I.	3
*Ashtabula	
Service Area: Orwell	2
*Brown	4
Butler	
Service Area: Eastern Hamilton	1
Population Group: Pov. Pop.—W. Middletown	1
Carroll	4
Clark	
Population Group: Pov. Pop.—Springfield	2
Clermont	
Service Area: Eastern Clermont	3
*Columbiana	
Service Area: East Liverpool (Oh/Pa/Wv)	3
Cuyahoga	
Service Area: Glenville	1
Service Area: Hough/Norwood	2
Service Area: Mt. Pleas./Union-Miles/Corlett	1
Service Area: Near West/West Side	1
Population Group: Medicaid Pop.—Clark-Fulton/Denison/Tre	1
Population Group: Medicaid Pop.—Central/Fairfax/Kinsman	1
Population Group: Pov. Pop.—W. Collinwood	1
*Darke	3
*Fayette	3
Franklin	
Service Area: Lower Linden (N.E. Columbus)	4
*Guernsey	
Service Area: Freeport	1

PRIMARY CARE: Ohio—Continued

County Listing

County Name	Degree of shortage group
Hamilton	
Service Area: East End (Cincinnati)	2
Service Area: East&Lower Price Hill/S. Fairmont	3
Service Area: Lincoln Heights (Cincinnati)	3
Service Area: Millvale	1
Service Area: Winton Hills (Cincinnati)	4
*Hardin	4
*Harrison	
Service Area: Cadiz/Scio/Hopedale	4
Service Area: Freeport	1
*Henry	4
*Highland	
Population Group: Med. Ind. Pop.—Highland Co.	3
*Hocking	2
*Holmes	3
*Jackson	
Population Group: Medicaid Pop.—Jackson Co.	2
Jefferson	
Service Area: Bergholz/Amsterdam	2
Service Area: East Liverpool (Oh/Pa/Wv)	3
Lawrence	
Population Group: Pov. Pop.—Lawrence Co.	2
Lorain	
Population Group: Medicaid Pop.—Lorain	4
Lucas	
Service Area: Center City/Dorr (Toledo)	3
Service Area: East Toledo	3
Service Area: Near Southside Toledo	2
Mahoning	
Service Area: Eastside Youngstown	2
*Meigs	3
*Monroe	
Service Area: New Matamoras	1
Service Area: Woodsfield	1
Montgomery	
Service Area: West Dayton	2
*Morgan	3
*Morrow	2
*Perry	3
*Pike	2
*Preble	4
Richland	
Facility: Ohio State Ref.	2
*Ross	
Population Group: Medicaid Pop.—Ross Co.	3
Facility: Chillicothe Corr. I.	3
*Sandusky	
Population Group: Medicaid/MSFW—Sandusky Co.	3
*Scioto	
Population Group: Med. Ind. Pop.—Scioto Co.	1
*Seneca	
Population Group: Med. Ind. Pop.—Seneca Co.	2
Trumbull	
Service Area: Orwell	2
Service Area: The Flats (Warren)	1
*Tuscarawas	
Service Area: Freeport	1
*Vinton	1
Washington	
Service Area: New Matamoras	1

PRIMARY CARE: Ohio

Service Area Listing

Service Area Name	Degree of shortage group
Bergholz/Amsterdam	2
County—Jefferson	
Parts:	
Ross Twp.	
Springfield Twp.	
Cadiz/Scio/Hopedale	4
County—Harrison	
Parts:	
Archer Twp.	
Athens Twp.	
Cadiz Twp.	
Franklin Twp.	
German Twp.	
Green Twp.	

PRIMARY CARE: Ohio—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Monroe Twp.	
North Twp.	
Rumley Twp.	
Short Creek Twp.	
Stock Twp.	
Center City/Dorr (Toledo)	3
County—Lucas	
Parts:	
C.T. 27-28	
C.T. 31-37	
C.T. 39	
East End (Cincinnati)	2
County—Hamilton	
Parts:	
C.T. 43-44	
C.T. 47.02	
East Liverpool (Oh/Pa/Wv)	3
County—Columbiana	
Parts:	
*Center Twp.	
*East Liverpool City	
*Elk Run Twp.	
*Franklin Twp.	
*Hanover Twp. (S. 1/2)	
*Liverpool Twp.	
*Madison Twp.	
*Middleton Twp.	
*St. Clair Twp.	
*Washington Twp.	
*Wayne Twp.	
*Wellsville City	
*Yellow Creek Twp.	
County—Jefferson	
Parts:	
Brush Creek Twp.	
Saline Twp.	
East Toledo	3
County—Lucas	
Parts:	
C.T. 46	
C.T. 47.01-47.02	
C.T. 48-53	
East&Lower Price Hill/S. Fairmont	3
County—Hamilton	
Parts:	
C.T. 87 (Fairmont—Sout	
C.T. 89 (Fairmont—Sout	
C.T. 91-96 (Price Hill—Ea	
C.T. 103 (Riverside—Sel	
Eastern Clermont	3
County—Clermont	
Parts:	
Batavia Twp.	
Franklin Twp.	
Goshen Twp.	
Jackson Twp.	
Monroe Twp.	
Ohio Twp.	
Pierce Twp.	
Stonelick Twp.	
Tate Twp.	
Washinghton Twp.	
Wayne Twp.	
Williamsburg Twp.	
Eastern Hamilton	1
County—Butler	
Parts:	
C.T. 3-4	
C.T. 6	
C.T. 7.01-7.02	
Eastside Youngstown	2
County—Mahoning	
Parts:	
C.T. 8001-8008	
Freeport	1
County—Guernsey	
Parts:	
Londonderry Twp	
Madison Twp	
Washington Twp	
County—Harrison	
Parts:	
Freeport Twp	
Moorefield Twp	
Nottingham Twp	
Washington Twp	

PRIMARY CARE: Ohio—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Tuscarawas	
Parts:	
Perry Twp	
Glenville	1
County—Cuyahoga	
Parts:	
C.T. 1114	
C.T. 1161-1168	
C.T. 1181-1185	
Hough/Norwood	2
County—Cuyahoga	
Parts:	
C.T. 1112-1113	
C.T. 1115-1119	
C.T. 1121-1128	
C.T. 1186	
C.T. 1189	
Lincoln Heights (Cincinnati)	3
County—Hamilton	
Parts:	
C.T. 227 (Lincoln Heights	
Lower Linden (N.E. Columbus)	4
County—Franklin	
Parts:	
C.T. 7.10	
C.T. 7.20	
C.T. 7.30	
C.T. 9.10	
C.T. 9.20	
C.T. 14-15	
C.T. 75.11	
C.T. 75.20	
Millvale	1
County—Hamilton	
Parts:	
C.T. 28	
C.T. 77	
C.T. 85.02	
C.T. 86.01	
Mt. Pleas./Union-Miles/Corlett	1
County—Cuyahoga	
Parts:	
C.T. 1155-1156	
C.T. 1198-1199	
C.T. 1204-1209	
C.T. 1211-1216	
Near Southside Toledo	2
County—Lucas	
Parts:	
C.T. 38	
C.T. 40-42	
C.T. 54	
Near West/West Side	1
County—Cuyahoga	
Parts:	
C.T. 1012	
C.T. 1014-1019	
C.T. 1021-1026	
C.T. 1031-1039	
New Matamoras	1
County—Monroe	
Parts:	
Benton Twp.	
Jackson Twp.	
County—Washington	
Parts:	
Grandview Twp.	
Independence Twp.	
Liberty Twp.	
Ludlow Twp.	
Orwell	2
County—Ashtabula	
Parts:	
*Colebrook Twp.	
*Hartsgrove Twp.	
*New Lyme Twp.	
*Orwell Twp.	
*Roaming Shores Vil.	
*Rome Twp.	
*Windsor Twp.	
County—Trumbull	
Parts:	
Bloomfield Twp.	
Greene Twp.	
Gustavus Twp.	
The Flats (Warren)	1

PRIMARY CARE: Ohio—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Trumbull	
Parts:	
C.T. 9205-9206	
West Dayton	2
County—Montgomery	
Parts:	
C.T. 4-6	
C.T. 13	
C.T. 14.02	
C.T. 15-17	
C.T. 19-23	
C.T. 25-26	
C.T. 28-33	
C.T. 702.01-702.02	
C.T. 703	
Winton Hills (Cincinnati)	4
County—Hamilton	
Parts:	
C.T. 80 (Winton Hills)	
Woodsfield	1
County—Monroe	
Parts:	
Adams Twp.	
Bethel Twp.	
Center Twp.	
Franklin Twp.	
Green Twp.	
Lee Twp.	
Malaga Twp.	
Ohio Twp.	
Perry Twp.	
Salem Twp.	
Seneca Twp.	
Summit Twp.	
Sunsbury Twp.	
Switzerland Twp.	
Washington Twp.	
Wayne Twp.	

PRIMARY CARE: Ohio

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.—Highland Co.	3
County—Highland	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Scioto Co.	1
County—Scioto	
Parts:	
Med. Ind. Pop.	
Med. Ind. Pop.—Seneca Co.	2
County—Seneca	
Parts:	
Med. Ind. Pop.	
Medicaid Pop.—Central/Fairfax/Kinsman	1
County—Cuyahoga	
Parts:	
C.T. 1079 (Winton Hills)	
C.T. 1087-1089	
C.T. 1091-1093	
C.T. 1096-1099	
C.T. 1101-1103	
C.T. 1129	
C.T. 1131-1139	
C.T. 1141-1145	
C.T. 1147-1148	
Medicaid Pop.—Clark-Fulton/Denison/Tre	1
County—Cuyahoga	
Parts:	
C.T. 1027-1029	
C.T. 1041-1042	
C.T. 1044-1049	
C.T. 1051-1056	
Medicaid Pop.—Jackson Co.	2
County—Jackson	
Parts:	
Medicaid Pop.	
Medicaid Pop.—Lorain	4
County—Lorain	
Parts:	
Lorain City	

PRIMARY CARE: Ohio—Continued

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—Ross Co.	3
County—Ross	
Parts:	
Medicaid	
Medicaid/MSFW—Sandusky Co.	3
County—Sandusky	
Parts:	
Sandusky	
Pov. Pop.—Lawrence Co.	2
County—Lawrence	
Parts:	
Pov. Pop.	
Pov. Pop.—Springfield	2
County—Clark	
Parts:	
C.T. 1-3	
C.T. 8	
C.T. 9.01-9.02	
C.T. 10	
C.T. 11.01-11.02	
C.T. 12	
Pov. Pop.—W. Collinwood	1
County—Cuyahoga	
Parts:	
C.T. 1169 (Pov. Pop.)	
C.T. 1171-1175 (Pov. Pop.)	
C.T. 1179 (Pov. Pop.)	
C.T. 1261 (Pov. Pop.)	
Pov. Pop.—W. Middletown	1
County—Butler	
Parts:	
C.T. 14 (Part)	
C.T. 128-132	

PRIMARY CARE: Ohio

Facility Listing

Facility Name	Degree of shortage group
Chillicothe Corr. I.	3
County—Ross	
Lima Corr. I.	3
County—Allen	
Ohio State Ref.	2
County—Richland	

PRIMARY CARE: Oklahoma

County Listing

County Name	Degree of shortage group
*Atoka	3
Facility: Stringtown Corr. C.	3
Beaver	4
*Blaine	
Service Area: Watonga	2
*Bryan	3
*Choctaw	1
Cleveland	
Facility: Joseph Harp Corr. C.	1
Facility: Lexington Corr. C.	2
*Coal	3
*Greer	
Facility: Ok. State Pen.—Granite	2
*Haskell	3
*Latimer	4
*Le Flore	
Service Area: South Le Flore	1
Logan	3
*Mayes	
Service Area: Chelsea/New Alluwe	1
McClain	4
*McCurtain	4
*McIntosh	3
*Nowata	
Service Area: Chelsea/New Alluwe	1
Service Area: Nowata	3

PRIMARY CARE: Oklahoma—Continued

County Listing

County Name	Degree of shortage group
*Okfuskee	3
Oklahoma	
Service Area: S.E. Oklahoma City	1
Facility: Mabel Bassett Corr. C.	3
Osage	
Facility: Conners Corr. C.	2
*Pittsburg	
Service Area: Quinton	1
Pottawatomie	
Service Area: Konawa	2
*Pushmataha	
Service Area: Clayton	1
Roger Mills	2
Rogers	
Service Area: Chelsea/New Alluwe	1
*Seminole	
Service Area: Konawa	2
*Texas	
Service Area: Texhoma (Ok/Tx)	1
*Tillman	3
Tulsa	
Service Area: North Tulsa	1
Population Group: Am. In. Pop.—Tulsa	1
*Washita	
Service Area: Southwest Washita	1

PRIMARY CARE: Oklahoma

Service Area Listing

Service Area Name	Degree of shortage group
Chelsea/New Alluwe	1
County—Mayes	
Parts:	
*Adair E.D. 12	
County—Nowata	
Parts:	
*New Alluwe E.D. 14	
County—Rogers	
Parts:	
E.D. 1-4	
Clayton	1
County—Pushmataha	
Parts:	
*N. Pushmataha CCD	
Konawa	2
County—Pottawatomie	
Parts:	
Maud (C.T. 5012)	
Wanette-Asher (C.T. 5013)	
County—Seminole	
Parts:	
Konawa CCD	
Seminole South CCD	
North Tulsa	1
County—Tulsa	
Parts:	
C.T. 2-10	
C.T. 12-14	
C.T. 57	
C.T. 62	
C.T. 79	
C.T. 80.01-80.02	
C.T. 91.01	
Nowata	3
County—Nowata	
Parts:	
*Lenapah-Delaware CCD	
*Nowata CCD	
*South Coffeyville-Wann CCD	
Quinton	1
County—Pittsburg	
Parts:	
Quinton CCD	
S.E. Oklahoma City	1
County—Oklahoma	
Parts:	
C.T. 1039	
C.T. 1048	
C.T. 1053-1054	
C.T. 1073.04	
South Le Flore	1

PRIMARY CARE: Oklahoma—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Le Flore	
Parts:	
*South Le Flore CCD	
*Talihina CCD	
Southwest Washita	1
County—Washita	
Parts:	
*Southwest Washita CCD	
Texhoma (Ok/Tx)	1
County—Texas	
Parts:	
West Texas CCD	
Watonga	2
County—Blaine	
Parts:	
Geary CCD	
Watonga CCD	

PRIMARY CARE: Oklahoma

Population Group Listing

Population Group	Degree of shortage group
Am. In. Pop.—Tulsa	1
County—Tulsa	
Parts:	
Am. In. Pop	

PRIMARY CARE: Oklahoma

Facility Listing

Facility Name	Degree of shortage group
Conners Corr. C.	2
County—Osage	
Joseph Harp Corr. C.	1
County—Cleveland	
Lexington Corr. C.	2
County—Cleveland	
Mabel Bassett Corr. C.	3
County—Oklahoma	
Ok. State Pen.—Granite	2
County—Greer	
Stringtown Corr. C.	3
County—Atoka 3	

PRIMARY CARE: Oregon

County Listing

County Name	Degree of shortage group
Baker	
Service Area: Halfway	1
*Benton	
Service Area: Alsea	1
Service Area: Junction City/Harrisburg/Monroe	3
Clackamas	
Service Area: Estacada	2
Service Area: Mt. Hood	3
Population Group: MSFW—Clackamas	1
*Columbia	
Service Area: Clatskanie	1
Service Area: Vernonia	2
*Coos	
Service Area: Powers	1
*Curry	
Service Area: Port Orford	2
*Douglas	
Service Area: Drain/Yoncalla	1
Service Area: Glendale	1
Population Group: Cow Creek Band Umpqua Indians	1

PRIMARY CARE: Oregon—Continued

County Listing

County Name	Degree of shortage group
Gilliam	
Service Area: Arlington	1
Service Area: Condon	1
Grant	
Service Area: John Day	2
Service Area: Long Creek	1
Harney	
Service Area: Burns	2
Service Area: South Harney	1
Population Group: Burns Paiute Res.	1
*Hood River	
Population Group: MSFW—Hood River (Or/Wa)	1
Jackson	
Service Area: Applegate-Williams	1
Service Area: Shady Cove	1
Population Group: MSFW—Jackson Co.	4
*Jefferson	
Population Group: Am Indian Pop-Warm Springs Res	1
*Josephine	
Service Area: Applegate-Williams	1
Service Area: Cave Junction	2
Service Area: Glendale	1
*Klamath	
Service Area: Bly	1
Service Area: Chiloquin	1
Lake	
Service Area: Silver Lake	1
Lane	
Service Area: Junction City/Harrisburg/Monroe	3
Service Area: Lowell	1
Service Area: McKenzie	1
Service Area: Oakridge	3
Service Area: Triangle Lake/Swisshome	1
Service Area: Veneta	4
*Lincoln	
Population Group: Confed. Tribes / Siletz Res.	1
*Linn	
Service Area: Junction City/Harrisburg/Monroe	3
Service Area: Mill City/Gates	1
Malheur	
Service Area: Jordan Valley	1
Service Area: Nyssa (Or/Id)	1
Service Area: Vale	2
Population Group: MSFW—N. Treasure Valley (Id/Or)	1
Facility: Snake River Corr. I.	3
Marion	
Service Area: Detroit	1
Service Area: Mill City/Gates	1
Population Group: MSFW—Polk	1
Facility: St. Pen./Womens Corr. I.	2
Facility: State Corr. I.	2
Morrow	
Service Area: Boardman	2
Multnomah	
Population Group: Pov./Homeless Pop.—Burnside(Portland)	2
Polk	
Service Area: Willamina	1
Population Group: Confed. Tribes Of Grande Ronde Res.	1
Population Group: MSFW—Polk	1
Sherman	
Service Area: Moro/Grass Valley	1
Service Area: Wasco	4
*Tillamook	
Service Area: Nehalem	1
Service Area: Pacific City/Cloverdale	3
*Umatilla	
Population Group: Am Indian Pop—Umatilla	1
Population Group: MSFW—Umatilla	2
Facility: E. Oregon Corr. I.	2
*Union	
Service Area: Cove/Union	1
Service Area: Elgin	4
*Wasco	
Service Area: Maupin	2
Population Group: Am Indian Pop-Warm Springs Res	1
Population Group: MSFW—Hood River (Or/Wa)	1
Washington	
Population Group: MSFW—Washington	1
Wheeler	
Service Area: Fossil	1
Service Area: Mitchell	1

PRIMARY CARE: Oregon—Continued

County Listing

County Name	Degree of shortage group
Yamhill	
Service Area: Willamina	1
Population Group: Confed. Tribes Of Grande Ronde Res.	1
Population Group: MSFW—Yamhill	1

PRIMARY CARE: Oregon

Service Area Listing

Service Area Name	Degree of shortage group
Alsea	1
County—Benton	
Parts:	
*S.W. Benton Div. (W 1/3)	
Applegate-Williams	1
County—Jackson	
Parts:	
Southwest Jackson Div. (S.W. Pt.)	
County—Josephine	
Parts:	
*Williams Div.	
Arlington	1
County—Gilliam	
Parts:	
*Arlington Div.	
Bly	1
County—Klamath	
Parts:	
*Langell CCD	
Boardman	2
County—Morrow	
Parts:	
Boardman CCD	
Burns	2
County—Harney	
Parts:	
Burns CCD	
Drewsey CCD	
Cave Junction	2
County—Josephine	
Parts:	
Cave Junction Div.	
E.D. 21 (Wilderville Div.	
Chiloquin	1
County—Klamath	
Parts:	
*Chiloquin Div.	
*Cresent Lake Div. (S. Pt.)	
*Keno Div. (N. Pt.)	
Clatskanie	1
County—Columbia	
Parts:	
Clatskanie CCD	
Marshland CCD	
Condon	1
County—Gilliam	
Parts:	
*Condon Div.	
Cove/Union	1
County—Union	
Parts:	
*Cove Div.	
*Union Div.	
Detroit	1
County—Marion	
Parts:	
Mill City Div. (E 1/2)	
Drain/Yoncalla	1
County—Douglas	
Parts:	
Elkton-Drain CCD	
Kellogg-Yoncalla CCD	
Elgin	4
County—Union	
Parts:	
Elgin CCD	
Estacada	2
County—Clackamas	
Parts:	
Estacada CCD	
Fossil	1

PRIMARY CARE: Oregon—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Wheeler	
Parts:	
*Fossil Div.	
Glendale	1
County—Douglas	
Parts:	
E.D. 272-274 (S. Umpqua CCD)	
County—Josephine	
Parts:	
E.D. 7-8 (grants Pass Div.)	
E.D. 16-18 (N.W. Josephine D	
Halfway	1
County—Baker	
Parts:	
*Eagle Valley CCD	
*Halfway CCD	
John Day	2
County—Grant	
Parts:	
John Day CCD	
Prairie City CCD	
Seneca CCD	
Jordan Valley	1
County—Malheur	
Parts:	
*Jordan CCD	
Junction City/Harrisburg/Monroe	3
County—Benton	
Parts:	
Se Benton CCD (S. 1/2)	
County—Lane	
Parts:	
Junction City CCD	
County—Linn	
Parts:	
Harrisburg CCD (S. 1/2)	
Long Creek	1
County—Grant	
Parts:	
*Long Creek Div.	
Lowell	1
County—Lane	
Parts:	
Lowell Div.	
Maupin	2
County—Wasco	
Parts:	
*Dufur Div. (S. 1/2)	
McKenzie	1
County—Lane	
Parts:	
C.T. 1 (mckenzie)	
Mill City/Gates	1
County—Linn	
Parts:	
Mill City CCD (W. Cent.	
County—Marion	
Parts:	
Mill City CCD (W. Cent.	
Mitchell	1
County—Wheeler	
Parts:	
*Mitchell Div.	
Moro/Grass Valley	1
County—Sherman	
Parts:	
*Moro Div.	
Mt. Hood	3
County—Clackamas	
Parts:	
Mt. Hood CCD	
Nehalem	1
County—Tillamook	
Parts:	
Nehalem CCD	
Nyssa (Or/Id)	1
County—Malheur	
Parts:	
*Adrian Div.	
*Nyssa Div.	
*Owyhee Div.	
Oakridge	3
County—Lane	
Parts:	
Oakridge CCD	
Pacific City/Cloverdale	3

PRIMARY CARE: Oregon—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Tillamook	
Parts:	
Beaver CCD	
Neskowin CCD	
Port Orford	2
County—Curry	
Parts:	
Port Orford CCD	
Powers	1
County—Coos	
Parts:	
*Powers Div.	
Shady Cove	1
County—Jackson	
Parts:	
Butte Falls-Prospect CCD	
Shady Cove CCD	
Silver Lake	1
County—Lake	
Parts:	
*Silver Lake-Ft Rock CCD	
South Harney	1
County—Harney	
Parts:	
*Diamond Div.	
Triangle Lake/Swisshome	1
County—Lane	
Parts:	
Mid. Siuslaw/Tri-Lake CCD	
Vale	2
County—Malheur	
Parts:	
Brogan CCD	
Juntura CCD	
Vale CCD	
West Vale CCD	
Veneta	4
County—Lane	
Parts:	
Veneta City	
C.T. 8 (w. 1/2)	
C.T. 9.02	
Vernonia	2
County—Columbia	
Parts:	
Vernonia CCD	
Wasco	4
County—Sherman	
Parts:	
Wasco Div.	
Willamina	1
County—Polk	
Parts:	
Willamina Div.	
County—Yamhill	
Parts:	
Sheridan Div. (W 2/3)	

PRIMARY CARE: Oregon

Population Group Listing

Population Group	Degree of shortage group
Am Indian Pop—Umatilla	1
County—Umatilla	
Parts:	
Reservation Div.	
Am Indian Pop-Warm Springs Res	1
County—Jefferson	
Parts:	
Warm Springs Div.	
County—Wasco	
Parts:	
Warm Springs Div.	
Burns Paiute Res.	1
County—Harney	
Parts:	
Burns Paiute Indian Colo	
Confed. Tribes / Siletz Res.	1
County—Lincoln	
Parts:	
Confed. Tribes/Siletz Re	
Confed. Tribes Of Grande Ronde Res.	1

PRIMARY CARE: Oregon—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Polk	
Parts:	
Confed. Tribes/Grande Ro	
County—Yamhill:	
Parts:	
Grande Ronde Res.	
Cow Creek Band Umpqua Indians	1
County—Douglas	
Parts:	
Cow Creek-Umpqua Indians	
MSFW—Clackamas	1
County—Clackamas	
Parts:	
MSFW	
MSFW—Hood River (Or/Wa)	1
County—Hood River	
Parts:	
MSFW	
County—Wasco	
Parts:	
MSFW	
MSFW—Jackson Co.	4
County—Jackson	
Parts:	
MSFW	
MSFW—N. Treasure Valley (Id/Or)	1
County—Malheur	
Parts:	
MSFW	
MSFW—Polk	1
County—Marion	
Parts:	
MSFW	
County—Polk	
Parts:	
MSFW	
MSFW—Umatilla	2
County—Umatilla	
Parts:	
MSFW	
MSFW—Washington	1
County—Washington	
Parts:	
MSFW	
MSFW—Yamhill	1
County—Yamhill	
Parts:	
MSFW	
Pov./Homeless Pop.—Burnside(Portland)	2
County—Multnomah	
Parts:	
C.T. 21 (w. 1/2)	
C.T. 51 (w. 1/2)	

PRIMARY CARE: Oregon

Facility Listing

Facility Name	Degree of shortage group
E. Oregon Corr. I.	2
County—Umatilla	
Snake River Corr. I.	3
County—Malheur	
St. Pen./Womens Corr. I.	2
County—Marion	
State Corr. I.	2
County—Marion	

PRIMARY CARE: Pennsylvania

County Listing

County Name	Degree of shortage group
Adams	
Population Group: MSFW—Adams/Franklin	1
Allegheny	
Service Area: Arlington Heights/St. Clair	1

PRIMARY CARE: Pennsylvania—Continued

County Listing

County Name	Degree of shortage group
Service Area: Homewood-Brushton	2
Service Area: Manchester	2
Service Area: McKees Rocks-Stowe	3
Population Group: Medicaid Pop.—E. Liberty	1
*Armstrong	
Service Area: Dayton/Rural Valley	2
Service Area: Kiski Valley	2
Service Area: Northeast Butler	3
Service Area: Punxsutawney	3
Beaver	
Service Area: East Liverpool (Oh/Pa/Wv)	3
*Bedford	
Service Area: Broad Top (Area 22)	3
Service Area: Hyndman	2
*Butler	
Service Area: Northeast Butler	3
Cambria	
Service Area: Ebensburg	3
Service Area: S. Central Clearfield	4
*Cameron	2
Centre	
Service Area: Snow Shoe	1
*Clearfield	
Service Area: Mahaffey	1
Service Area: S. Central Clearfield	4
Service Area: Snow Shoe	1
Columbia	
Service Area: Shamokin	3
*Crawford	
Service Area: Conneautville	2
Service Area: Union City (Pa/Ny)	4
Dauphin	
Service Area: Millersburg	2
Delaware	
Service Area: City Of Chester	2
Erie	
Service Area: Southern Erie	4
Service Area: Union City (Pa/Ny)	4
Population Group: Medicaid Pop.—Erie City	3
Fayette	
Service Area: Connellsville	4
Service Area: Greensboro	1
Service Area: Markleysburg	2
Service Area: Republic	2
*Franklin	
Population Group: MSFW—Adams/Franklin	1
*Fulton	
Service Area: Hancock (Md/Pa/Wv)	2
*Greene	
Service Area: Clay/Battelle (Wv/Pa)	2
Service Area: Greensboro	1
*Huntingdon	
Service Area: Big Valley	4
Service Area: Broad Top (Area 22)	3
Service Area: Cromwell (Pkng Area 25)	1
*Indiana	
Service Area: Dayton/Rural Valley	2
Service Area: Mahaffey	1
Service Area: Punxsutawney	3
*Jefferson	
Service Area: Punxsutawney	3
*Juniata	
Service Area: Mt. Pleasant Mills-Middleburg	2
Lancaster	
Population Group: Pov. Pop.—Welsh Mtn.	2
Population Group: Span. Sp. Pop.—S.E. Lancaster	1
*McKean	
Service Area: Central Mckean	2
Service Area: Shinglehouse	2
Mercer	
Population Group: Medicaid Pop.—Sharon/Farrell	2
*Mifflin	
Service Area: Big Valley	4
*Northumberland	
Service Area: Herndon	2
Service Area: Millersburg	2
Service Area: Shamokin	3
Philadelphia	
Service Area: Lower N. Philadelphia	3
Service Area: South Philadelphia	4
Service Area: Upper N. Philadelphia	4
Service Area: West Philadelphia	4
*Potter	
Service Area: Shinglehouse	2
Service Area: Westfield	1

PRIMARY CARE: Pennsylvania—Continued

County Listing

County Name	Degree of shortage group
*Schuylkill	
Service Area: Herndon	2
*Snyder	
Service Area: Mt. Pleasant Mills-Middleburg	2
Somerset	
Service Area: Confluence (Area 7)	2
Service Area: Hyndman	2
*Sullivan	
Service Area: La Porte	4
*Susquehanna	
Service Area: Montrose (Area 14)	3
*Tioga	
Service Area: Blossburg	2
Service Area: Elkland (Ny/Pa)	2
Service Area: Mansfield	2
Service Area: Westfield	1
*Warren	
Service Area: Union City (Pa/Ny)	4
*Wayne	
Service Area: Northern Wayne	2
Westmoreland	
Service Area: Connellsville	4
Service Area: Kiski Valley	2
York	
Service Area: York	3

PRIMARY CARE: Pennsylvania

Service Area Listing

Service Area Name	Degree of shortage group
Arlington Heights/St. Clair	1
County—Allegheny	
Parts:	
C.T. 1603–1604	
C.T. 1606	
Big Valley	4
County—Huntingdon	
Parts:	
*Barree Twp.	
*Brady Twp. (N. 1/4)	
*Jackson Twp.	
*Miller Twp.	
County—Mifflin	
Parts:	
*Armagh Twp.	
*Brown Twp.	
*Menno Twp.	
*Union Twp.	
Blossburg	2
County—Tioga	
Parts:	
*Bloss Twp.	
*Blossburg Boro.	
*Covington Twp.	
*Hamilton Twp.	
*Liberty Boro.	
*Liberty Twp. (E. 1/2)	
*Putnam Twp.	
*Union Twp.	
*Ward Twp.	
Broad Top (Area 22)	3
County—Bedford	
Parts:	
*Broad Top Twp.	
*Coaldale Boro.	
*Hopewell Boro.	
*Liberty Twp.	
*Saxton Boro.	
County—Huntingdon	
Parts:	
*Broad Top City Boro.	
*Carbon Twp.	
*Cass Twp.	
*Cassville Boro.	
*Coalmont Boro.	
*Dudley Boro.	
*Hopewell Twp.	
*Todd Twp.	
*Wood Twp.	
Central Mckean	2

PRIMARY CARE: Pennsylvania—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—McKean	
Parts:	
Annin Twp.	
Eldred Boro.	
Eldred Twp.	
Keating Twp.	
Liberty Twp.	
Norwich Twp.	
Port Allegany Boro.	
Sergeant Twp.	
Smethport Boro.	
City Of Chester	2
County—Delaware	
Parts:	
C.T. 4048	
C.T. 4049.01–4049.02	
C.T. 4050–4057	
C.T. 4058.01–4058.02	
C.T. 4059–4060	
Clay/Battelle (Wv/Pa)	2
County—Greene	
Parts:	
*Aleppo Twp.	
*Freeport Twp.	
*Gilmore Twp.	
*Jackson Twp.	
*Springhill Twp.	
Confluence (Area 7)	2
County—Somerset	
Parts:	
Addison Boro.	
Addison Twp.	
Casselman Boro.	
Confluence Boro.	
Lower Turkeyfoot Twp.	
Upper Turkeyfoot Twp.	
Conneautville	2
County—Crawford	
Parts:	
*Beaver Twp.	
*Conneaut Twp.	
*Conneautville Boro.	
*Cussewago Twp. (W. 1/2)	
*Hawfield Twp. (W. 1/2)	
*Linesville Boro.	
*Pine Twp.	
*Spring Twp.	
*Springboro Boro.	
*Summerhill Twp.	
Connellsville	4
County—Fayette	
Parts:	
Bullskin Twp.	
Connellsville City	
Connellsville Twp.	
Dawson Boro.	
Dunbar Boro.	
Dunbar Twp.	
Everson Boro.	
Lower Tyrone Twp.	
S. Connellsville Boro.	
Saltlick Twp.	
Springfield Twp.	
Upper Tyrone Twp.	
Vanderbuilt Boro.	
County—Westmoreland	
Parts:	
E. Huntingdon Twp.	
Mt. Pleasant Boro.	
Mt. Pleasant Twp.	
S. Huntingdon Twp.	
Scottsdale Boro.	
Smithton Boro.	
Cromwell (Pinng Area 25)	1
County—Huntingdon	
Parts:	
*Clay Twp.	
*Cromwell Twp.	
*Dublin Twp.	
*Orbisonia Boro.	
*Rockhill Boro.	
*Saltillo Boro.	
*Shade Gap Boro.	
*Springfield Twp.	
*Tell Twp.	
*Three Springs Boro.	
Dayton/Rural Valley	2

PRIMARY CARE: Pennsylvania—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Armstrong	
Parts:	
Atwood Boro.	
Cowanshannock Twp.	
Dayton Boro.	
Redbank Twp.	
Rural Valley Boro.	
Wayne Twp.	
County—Indiana	
Parts:	
Plumville Boro.	
Smicksburg Boro.	
South Mahoning Twp.	
West Mahoning Twp.	
East Liverpool (Oh/Pa/Wv)	3
County—Beaver	
Parts:	
Georgetown Boro.	
Glascow Boro.	
Greene Twp. (W. 1/3)	
Hookstown Boro.	
Ohioville Boro. (W. 1/3)	
Ebensburg	3
County—Cambria	
Parts:	
Blacklick Twp.	
Cambria Twp.	
Ebensburg Boro.	
Jackson Twp. (Vinco)	
Nanty-Glo Boro.	
Vintondale Boro.	
Elkland (Ny/Pa)	2
County—Tioga	
Parts:	
*Deerfield Twp.	
*Elkland Boro.	
*Elkland Twp.	
*Farmington Twp.	
*Knoxville Boro.	
*Nelson Twp.	
*Osceola Twp.	
Greensboro	1
County—Fayette	
Parts:	
German Twp.	
Masontown Boro.	
Nicholson Twp.	
Point Marion Boro.	
Springhill Twp.	
County—Greene	
Parts:	
Dunkard Twp.	
Greene Twp.	
Greensboro Boro.	
Monongahela Twp.	
Hancock (Md/Pa/Wv)	2
County—Fulton	
Parts:	
*Bethel Twp.	
*Thompson Twp.	
*Union Twp.	
Herndon	2
County—Northumberland	
Parts:	
*Herndon Boro.	
*Jackson Twp.	
*Jordan Twp.	
*Little Mahanoy Twp.	
*Lower Mahanoy Twp. (N. 1/2)	
*Upper Mahanoy Twp.	
*W. Cameron Twp.	
*Washington Twp.	
County—Schuylkill	
Parts:	
*Eldred Twp.	
*Upper Mahantango Twp.	
Homewood-Brushton	2
County—Allegheny	
Parts:	
C.T. 1207	
C.T. 1301–1306	
Hyndman	2
County—Bedford	
Parts:	
Harrison Twp.	
Hyndman Boro.	
Juniata Twp.	
Londonderry Twp.	

PRIMARY CARE: Pennsylvania—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Somerset	
Parts:	
Fairhope Twp.	
Southampton Twp.	
Wellersburg Boro.	
Iniski Valley	2
County—Armstrong	
Parts:	
*Apollo Boro.	
*Bethel Twp.	
*Burrel Twp.	
*Gilpen Twp.	
*Kiskiminetas Twp.	
*Leechburg Boro.	
*N. Apollo Boro.	
*Parks Twp.	
*South Bend Twp.	
County—Westmoreland	
Parts:	
Allegheny Twp.	
Avonmore Boro.	
Bell Twp.	
E. Vandergrift Boro.	
Hyde Park Boro.	
Oklahoma Boro.	
Vandergrift Boro.	
W. Leechburg Boro.	
Washington Twp.	
La Porte	4
County—Sullivan	
Parts:	
Cherry Twp.	
Colley Twp.	
Davidson Twp.	
Dushore Boro.	
Eagles Mere Boro.	
Elkland Twp.	
Forks Twp.	
Forksville Boro.	
Hillsgrove Twp.	
La Porte Boro.	
La Porte Twp.	
Shrewsbury Twp.	
Lower N. Philadelphia	3
County—Philadelphia	
Parts:	
C.T. 125-142	
C.T. 144-157	
C.T. 162-169	
Mahaffey	1
County—Clearfield	
Parts:	
*Bell Twp.	
*Burnside Boro.	
*Burnside Twp.	
*Ferguson Twp. (W. 3/4)	
*Greenwood Twp.	
*Mahaffey Boro.	
*N. Washington Boro.	
*Newburg Boro.	
County—Indiana	
Parts:	
*Banks Twp. (E. 1/4)	
*Glen Campbell Boro.	
Manchester	2
County—Allegheny	
Parts:	
C.T. 2101-2103	
C.T. 2106	
C.T. 2201-2202	
C.T. 2502	
Mansfield	2
County—Tioga	
Parts:	
*Jackson Twp.	
*Lawrence Twp.	
*Lawrenceville Boro.	
*Mansfield Boro.	
*Richmond Twp.	
*Roseville Boro.	
*Rutland Twp.	
*Sullivan Twp.	
*Tioga Boro.	
*Tioga Twp.	
Markleysburg	2
County—Fayette	
Parts:	
Henry Clay Twp.	
Markleysburg Boro.	
Ohiopyle Boro.	
Steward Twp.	
Wharton Twp.	
McKees Rocks-Stowe	3
County—Allegheny	
Parts:	
C.T. 4621 (Stowe Twp.)	
C.T. 4626 (Stowe Twp.)	
C.T. 4637-4639 (Mckees Rocks Boro)	
Millersburg	2
County—Dauphin	
Parts:	
Berrysburg Boro.	
Elizabethville Boro.	
Gratz Boro.	
Halifax Twp.	
Halifax Boro.	
Jackson Twp. (W. 3/4)	
Jefferson Twp. (W. 1/2)	
Lykens Twp.	
Mifflin Twp.	
Millersburg Boro.	
Reed Twp.	
Upper Paxton Boro.	
Washington Twp.	
Wayne Twp.	
County—Northumberland	
Parts:	
*Lower Mahanoy Twp. (S. 1/2)	
Montrose (Area 14)	3
County—Susquehanna	
Parts:	
Auburn Twp.	
Bridgewater Twp.	
Brooklyn Twp.	
Dimock Twp.	
Forest Lake Twp.	
Franklin Twp.	
Hartford Twp.	
Hop Bottom Boro.	
Jessup Twp.	
Lathrop Twp.	
Lenox Twp.	
Liberty Twp.	
Montrose Boro.	
Rush Twp.	
Silver Lake Twp.	
Springville Twp.	
Mt. Pleasant Mills-Middleburg	2
County—Juniata	
Parts:	
*Monroe Twp.	
*Susquehanna Twp.	
County—Snyder	
Parts:	
*Beaver Twp.	
*Beavertown Boro.	
*Centre Twp.	
*Chapman Twp.	
*Franklin Twp.	
*Freeburg Boro.	
*Middleburg Boro.	
*Perry Twp.	
*Union Twp.	
*Washington Twp.	
*West Perry Twp.	
Northeast Butler	3
County—Armstrong	
Parts:	
*Hovey Twp.	
*Parker City	
County—Butler	
Parts:	
*Allegheny Twp.	
*Bruin Boro.	
*Cherry Valley Boro.	
*Chicora Boro.	
*Concord Twp.	
*Donegal Twp.	
*Eau Claire Boro.	
*Fairview Twp.	
*Fairview Boro.	
*Karns City Boro.	
*Parker Twp.	
*Petrolia Boro.	
*Venango Twp.	
*Washington Twp.	
Northern Wayne	2
County—Wayne	
Parts:	
*Buckingham Twp.	
*Damascus Twp.	
*Lebanon Twp.	
*Manchester Twp.	
*Mt. Pleasant Twp.	
*Preston Twp.	
*Scott Twp.	
*Starrucca Boro.	
Punxsutawney	3
County—Armstrong	
Parts:	
*Redbank Twp. (E. 1/3)	
County—Indiana	
Parts:	
*Banks Twp. (W. 3/4)	
*Canoe Twp.	
*North Mahoning Twp. (N. 1/2)	
*Smicksburg Boro.	
*West Mahoning Twp. (E. 1/4)	
County—Jefferson	
Parts:	
*Beaver Twp. (S. 1/2)	
*Bell Twp.	
*Big Run Boro.	
*Gaskill Twp.	
*Henderson Twp.	
*McCalmont Twp.	
*Oliver Twp.	
*Perry Twp.	
*Porter Twp.	
*Punxsutawney Boro.	
*Ringgold Twp.	
*Timblin Boro.	
*Worthville Boro.	
*Young Twp.	
Republic	2
County—Fayette	
Parts:	
Luzerne Twp.	
Redstone Twp.	
S. Central Clearfield	4
County—Cambria	
Parts:	
Reade Twp.	
White Twp.	
County—Clearfield	
Parts:	
Beccaria Twp.	
Bigler Twp.	
Chest Twp.	
Coalport Boro.	
Glen Hope Boro.	
Gulich Twp.	
Irvona Boro.	
Jordan Twp.	
Ramey Boro.	
Westover Boro.	
Shamokin	3
County—Columbia	
Parts:	
Cleveland Twp. (S. 1/4)	
County—Northumberland	
Parts:	
*Coal Twp.	
*Kulpmont Boro.	
*Marion Heights Boro.	
*Mt. Carmel Twp.	
*Ralpho Twp.	
*Shamokin City	
*Zerbe Twp.	
Shinglehouse	2
County—McKean	
Parts:	
*Ceres Twp.	
County—Potter	
Parts:	
*Clara Twp.	
*Genesee Twp.	
*Oswayo Twp.	
*Oswayso Boro.	
*Pleasant Valley Twp.	
*Sharon Twp.	
*Shinglehouse Boro.	
Snow Shoe	1

PRIMARY CARE: Pennsylvania—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Centre	
Parts:	
Boggs Twp. (S. 1/2)	
Burnside Twp.	
Curtin Twp. (E. 1/2)	
Snow Shoe Boro.	
Snow Shoe Twp.	
Union Twp. (S. 1/2)	
Unionville Boro.	
County—Clearfield	
Parts:	
*Cooper Twp. (N. 2/3)	
*Covington Twp.	
*Karthaus Twp.	
South Philadelphia	4
County—Philadelphia	
Parts:	
C.T. 13-14	
C.T. 19-22	
C.T. 33	
Southern Erie	4
County—Erie	
Parts:	
Albion Boro.	
Conneaut Twp.	
Cranesville Boro.	
Elk Creek Twp.	
Franklin Twp.	
Platea Boro.	
Springfield Twp.	
Union City (Pa/Ny)	4
County—Crawford	
Parts:	
Bloomfield Twp.	
Rockdale Twp.	
Sparta Twp.	
Spartansburg Boro.	
County—Erie	
Parts:	
C.T. 112.01	
C.T. 118-121	
County—Warren	
Parts:	
Columbus Twp.	
Spring Creek Twp.	
Upper N. Philadelphia	4
County—Philadelphia	
Parts:	
C.T. 170-176	
C.T. 195-205	
West Philadelphia	4
County—Philadelphia	
Parts:	
C.T. 83-85	
C.T. 92-96	
C.T. 101-105	
C.T. 111-113	
Westfield	1
County—Potter	
Parts:	
Harrison Twp.	
Hector Twp.	
County—Tioga	
Parts:	
Brookfield Twp.	
Chatham Twp.	
Clymer Twp.	
Westfield Boro.	
Westfield Twp.	
York	3
County—York	
Parts:	
C.T. 1-3	
C.T. 5	
C.T. 7	
C.T. 10	
C.T. 15-16	

PRIMARY CARE: Pennsylvania

Population Group Listing

Population Group	Degree of shortage group
Medicaid Pop.—E. Liberty	1
County—Allegheny	
Parts:	
C.T. 808	
C.T. 1006-1007	
C.T. 1104	
C.T. 1109-1110	
C.T. 1201-1204	
C.T. 1208	
Medicaid Pop.—Erie City	3
County—Erie	
Parts:	
Erie City—Medicaid	
Medicaid Pop.—Sharon/Farrell	2
County—Mercer	
Parts:	
Farrell City	
Sharon City	
MSFW—Adams/Franklin	1
County—Adams	
Parts:	
MSFW	
County—Franklin	
Parts:	
MSFW	
Pov. Pop.—Welsh Mtn.	2
County—Lancaster	
Parts:	
Caernarvon Twp.	
East Earl Twp.	
Salisbury Twp.	
Terre Hill Boro.	
Span. Sp. Pop.—S.E. Lancaster	1
County—Lancaster	
Parts:	
C.T. 8-9	
C.T. 14-16	

PRIMARY CARE: Rhode Island

County Listing

County Name	Degree of shortage group
Bristol	
Population Group: Pov. Pop.—Bristol/E. Providence	3
Kent	
Population Group: Pov. Pop.—Kent Co.	4
Providence	
Service Area: Central Falls/Central Pawtucket	2
Service Area: Northwest Providence	2
Service Area: Northwest Woonsocket	2
Population Group: Pov. Pop.—City Of Providence	3
Population Group: Pov. Pop.—Bristol/E. Providence	3
Washington	
Service Area: West Washington	2
Population Group: Pov. Pop.—East Washington 14	4

PRIMARY CARE: Rhode Island

Service Area Listing

Service Area Name	Degree of shortage group
Central Falls/Central Pawtucket	2
County—Providence	
Parts:	
C.T. 108-111	
C.T. 149	
C.T. 151-154	
C.T. 161	
C.T. 164	
Northwest Providence	2

PRIMARY CARE: Rhode Island—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Providence	
Parts:	
Burrillville Twn.	
Foster Twn.	
Glocester Twn.	
Northwest Woonsocket	2
County—Providence	
Parts:	
C.T. 172	
C.T. 174	
C.T. 176	
C.T. 178-183	
West Washington	2
County—Washington	
Parts:	
Charlestown Twn.	
Exeter Twn.	
Hopkinton Twn.	
Richmond Twn.	

PRIMARY CARE: Rhode Island

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Bristol/E. Providence	3
County—Bristol	
Parts:	
Pov. Pop. (Bristol)	
County—Providence	
Parts:	
C.T. 101.01-101.02 (Pov. Pop.)	
C.T. 102-104 (Pov. Pop.)	
C.T. 105.01-105.02 (Pov. Pop.)	
C.T. 106 (Pov. Pop.	
C.T. 107.01-107.02 (Pov. Pop.)	
Pov. Pop.—City Of Providence	3
County—Providence	
Parts:	
C.T. 1-37	
Pov. Pop.—East Washington 14	4
County—Washington	
Parts:	
Narragansett Twn.	
North Kingstown Twn.	
South Kingstown Twn.	
Pov. Pop.—Kent Co.	4
County—Kent	
Parts:	
Pov. Pop.	

PRIMARY CARE: South Carolina

County Listing

County Name	Degree of shortage group
*Abbeville	
Service Area: Abbeville/Calhoun Falls	4
Service Area: Ware Shoals/Hodges	2
Aiken	
Service Area: Springfield	1
*Allendale	2
*Bamberg	
Service Area: Bamberg	4
Service Area: Ehrhardt/Lodge/Smoaks	1
*Barnwell	3
*Beaufort	
Service Area: Sheldon	1
Service Area: St. Helena	2
Berkeley	2
*Calhoun	1
Charleston	
Service Area: McClellanville/Sampit/Santee	3
Service Area: Sea Island	1
Population Group: Pov. Pop.—Peninsula Charleston	1
*Chester	2

PRIMARY CARE: South Carolina—Continued

County Listing

County Name	Degree of shortage group
*Chesterfield	
Service Area: Sandhills	2
Service Area: Society Hill	2
*Clarendon	2
*Colleton	
Service Area: Ehrhardt/Lodge/Smoaks	1
*Darlington	
Service Area: Society Hill	2
*Dillon	4
Dorchester	
Service Area: St. George	1
*Edgefield	3
*Fairfield	1
Florence	
Service Area: Johnsonville/Brittons Neck	1
Service Area: Olanta	1
*Georgetown	
Service Area: Andrews	2
Service Area: McClellanville/Sampit/Santee	3
Greenville	
Service Area: Slater-Marietta	1
Population Group: Pov. Pop.—Inner City Greenville/City V	1
*Greenwood	
Service Area: Ware Shoals/Hodges	2
*Hampton	2
*Horry	
Service Area: Little River	1
Service Area: Loris	3
*Jasper	4
*Kershaw	
Service Area: Bethune-Mt. Pisgah	1
*Lancaster	4
*Laurens	
Service Area: Ware Shoals/Hodges	2
*Lee	2
Lexington	
Service Area: Batesburg/Leesville	4
Service Area: Pelion-Swansea	3
*Marion	
Service Area: Johnsonville/Brittons Neck	1
*Marlboro	4
*McCormick	1
*Orangeburg	
Service Area: Eastern Orangeburg	4
Service Area: Springfield	1
Richland	
Service Area: Eastover	2
Service Area: Eau Claire/Greenview	1
Service Area: Oak-Waverly	1
Facility: Manning Corr. I.	3
*Saluda	1
Spartanburg	
Service Area: Woodruff/Enoree	1
*Sumter	
Service Area: Olanta	1
*Union	4
*Williamsburg	2
York	
Service Area: Western York	2

PRIMARY CARE: South Carolina

Service Area Listing

Service Area Name	Degree of shortage group
Abbeville/Calhoun Falls	4
County—Abbeville	
Parts:	
Abbeville CCD	
Antreville/Lowndesville Cc	
Calhoun Falls CCD	
Due West CCD	
Andrews	2
County—Georgetown	
Parts:	
Andrews CCD	
Bamberg	4
County—Bamberg	
Parts:	
Bamberg CCD	
Denmark CCD	
Olar CCD	

PRIMARY CARE: South Carolina—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Batesburg/Leesville	4
County—Lexington	
Parts:	
Batesburg/Leesville CCD	
Gilbert CCD	
Bethune-Mt. Pisgah	1
County—Kershaw	
Parts:	
Bethune CCD	
Mt. Pisgah CCD	
Eastern Orangeburg	4
County—Orangeburg	
Parts:	
Bowman CCD	
Branchville CCD	
Elloree CCD	
Eutawville CCD	
Holly Hill CCD	
Vance CCD	
Eastover	2
County—Richland	
Parts:	
Eastover CCD	
Hopkins CCD	
Horrell Hill CCD	
Eau Claire/Greenview	1
County—Richland	
Parts:	
C.T. 1–4	
C.T. 105.02	
C.T. 106	
C.T. 107.01–107.03	
C.T. 109	
Ehrhardt/Lodge/Smoaks	1
County—Bamberg	
Parts:	
Ehrhart CCD	
County—Colleton	
Parts:	
Lodge CCD	
Smoaks CCD	
Johnsonville/Brittons Neck	1
County—Florence	
Parts:	
Johnsonville CCD	
County—Marion	
Parts:	
Brittons Neck CCD	
Centenary CCD	
Little River	1
County—Horry	
Parts:	
*E.D. 680–684 (Little River CCD)	
*E.D. 689 (Longs CCD)	
*E.D. 693 (Longs CCD)	
*E.D. 775 (Conway East CCD)	
Loris	3
County—Horry	
Parts:	
*Floyds CCD	
*Loris CCD	
*E.D. 690–692 (Longs CCD)	
*E.D. 694–695 (Longs CCD)	
*E.D. 726–727 (Aynor CCD)	
*E.D. 730–731 (Aynor CCD)	
McClellanville/Sampit/Santee	3
County—Charleston	
Parts:	
McClellanville CCD	
County—Georgetown	
Parts:	
Sampit-Santee CCD	
Oak-Waverly	1
County—Richland	
Parts:	
C.T. 9–10	
C.T. 13	
Olanta	1
County—Florence	
Parts:	
Olanta CCD	
Sardis CCD	
County—Sumter	
Parts:	
*Shiloh CCD	
Pelion-Swansea	3

PRIMARY CARE: South Carolina—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Lexington	
Parts:	
Pelion Twn.	
Swansea Twn.	
E.D. 726–731 (Swansea CCD)	
E.D. 736–739 (Pelion CCD)	
Sandhills	2
County—Chesterfield	
Parts:	
Jefferson CCD	
McBee CCD	
Pageland CCD	
Sea Island	1
County—Charleston	
Parts:	
Edisto Is. CCD	
James Is. CCD	
Johns Is. CCD	
Wadmalaw Is. CCD	
Sheldon	1
County—Beaufort	
Parts:	
Sheldon CCD	
Slater-Marietta	1
County—Greenville	
Parts:	
C.T. 24	
C.T. 40–41	
Society Hill	2
County—Chesterfield	
Parts:	
B.N.A. 9506 (S. 1/2)	
County—Darlington	
Parts:	
C.T. 101	
Springfield	1
County—Aiken	
Parts:	
Salley CCD	
Wagener CCD	
County—Orangeburg	
Parts:	
Springfield CCD	
St. George	1
County—Dorchester	
Parts:	
Harleyville CCD	
Reevesville CCD	
Ridgeville CCD	
St. George CCD	
St. Helena	2
County—Beaufort	
Parts:	
St. Helena CCD	
Ware Shoals/Hodges	2
County—Abbeville	
Parts:	
Donalds CCD	
County—Greenwood	
Parts:	
Ware Shoals/Hodges CCD	
County—Laurens	
Parts:	
Princeton CCD	
Western York	2
County—York	
Parts:	
Clover CCD	
Hickory Grove CCD	
McConnells CCD	
York CCD	
Woodruff/Enoree	1
County—Spartanburg	
Parts:	
C.T. 235–237	

PRIMARY CARE: South Carolina

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Inner City Greenville/City V	1
County—Greenville	
Parts:	
C.T. 1-10	
C.T. 12.02	
C.T. 13.01	
C.T. 21.04-21.05	
C.T. 21.08	
C.T. 22.01-22.02	
C.T. 23.03-23.04	
Pov. Pop.—Peninsula Charleston	1
County—Charleston	
Parts:	
C.T. 1-18	
C.T. 33-37	
C.T. 41-45	

PRIMARY CARE: South Carolina

Facility Listing

Facility Name	Degree of shortage group
Manning Corr. I.	3
County—Richland	

PRIMARY CARE: South Dakota

County Listing

County Name	Degree of shortage group
Aurora	
Service Area: Corsica/Armour	4
Service Area: Wessington Springs	2
Bennett	1
*Bon Homme	4
*Brown	
Service Area: Britton	1
Service Area: Eilendale/Edgely (Nd/Sd)	2
Buffalo	
Service Area: Wessington Springs	2
Butte	
Service Area: Newell	1
Campbell	
Service Area: Eureka/Herreid	2
*Charles Mix	
Service Area: Wagner	1
Clark	1
*Clay	
Service Area: Beresford/Alcester	2
Service Area: Vermillion	3
Corson	
Service Area: Isabel	1
Service Area: Lemmon (Sd/Nd)	1
Service Area: McLaughlin	1
Custer	
Service Area: Custer/Hill	3
Service Area: Hot Springs	4
*Davison	
Service Area: Corsica/Armour	4
*Deuel	
Service Area: Canby (Mn/Sd)	4
Service Area: Clear Lake	3
Dewey	
Service Area: Eagle Butte	1
Service Area: Isabel	1
Douglas	
Service Area: Corsica/Armour	4
Edmunds	
Service Area: Bowdle	3
Service Area: Hoven	1
Service Area: Ipswich/Leola	2
Fall River	
Service Area: Hot Springs	4
Faulk	4
*Grant	
Service Area: Milbank	2

PRIMARY CARE: South Dakota—Continued

County Listing

County Name	Degree of shortage group
Gregory	
Service Area: Fairfax	1
Haakon	
Service Area: Philip	2
*Hamlin	1
Hand	4
*Hanson	
Service Area: Salem	1
Harding	1
Hyde	
Service Area: Gettysburg	3
Service Area: Highmore	1
Jackson	
Service Area: Kadoka	1
Service Area: Philip	2
Jerauld	
Service Area: Wessington Springs	2
Jones	2
*Kingsbury	3
*Lincoln	
Service Area: Beresford/Alcester	2
Lyman	3
Marshall	
Service Area: Britton	1
McCook	
Service Area: Salem	1
McPherson	
Service Area: Eureka/Herreid	2
Service Area: Ipswich/Leola	2
*Meade	
Service Area: Faith	2
Miner	1
*Moody	3
Pennington	
Service Area: Custer/Hill	3
Service Area: Philip	2
Perkins	
Service Area: Faith	2
Service Area: Lemmon (Sd/Nd)	1
Potter	
Service Area: Gettysburg	3
Service Area: Hoven	1
*Roberts	
Service Area: Hankinson/Lidgerwood (Nd/Sd)	3
Service Area: Milbank	2
Sanborn	
Service Area: Wessington Springs	2
Shannon	1
Spink	2
Sully	
Service Area: Gettysburg	3
Todd	1
*Union	
Service Area: Beresford/Alcester	2
Service Area: Elk Point	2
*Walworth	
Service Area: Bowdle	3
Service Area: Hoven	1
Ziebach	
Service Area: Eagle Butte	1
Service Area: Faith	2
Service Area: Isabel	1

PRIMARY CARE: South Dakota

Service Area Listing

Service Area Name	Degree of shortage group
Beresford/Alcester	2
County—Clay	
Parts:	
Glenwood Twp.	
County—Lincoln	
Parts:	
Berseford City	
Brooklyn Twp.	
Pleasant Twp.	
County—Union	
Parts:	
Alcester City	
Alcester Twp.	
Beresford City	
Big Springs Twp.	

PRIMARY CARE: South Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Emmet Twp.	
Prairie Twp.	
Virginia Twp.	
Bowdle	3
County—Edmunds	
Parts:	
*Bowdle City	
*Bowdle Twp.	
*Cloyd Valley Twp.	
*Cottonwood Lake Twp.	
*Glen Twp.	
*Glover Twp.	
*Hosmer Twp.	
*Hosmer City	
*Modena Twp.	
*Odessa Twp.	
*Roscoe City	
*Sangamon Twp.	
County—Walworth	
Parts:	
*E. Walworth (Unorg.) N. 3/4	
*Java City	
*Selby City	
Britton	1
County—Brown	
Parts:	
Hecla City	
Hecla Twp.	
Lansing Twp.	
N. Detroit Twp.	
Portage Twp.	
S. Detroit Twp.	
County—Marshall	
Canby (Mn/Sd)	4
County—Deuel	
Parts:	
Gary City	
Herrick Twp.	
Clear Lake	3
County—Deuel	
Parts:	
Altamont Twn.	
Altamont Twp.	
Antelope Valley Twp.	
Astoria Twn.	
Blom Twp.	
Brandt Twn.	
Brandt Twp.	
Clear Lake City	
Clear Lake Twp.	
Glenwood Twp.	
Grange Twp.	
Havana Twp.	
Hidewood Twp.	
Lowe Twp.	
Norden Twp.	
Portland Twp.	
Scandanavia Twp.	
Toronto Twn.	
Corsica/Armour	4
County—Aurora	
Parts:	
Aurora Twp.	
Center Twp.	
Trura Twp.	
Washington Twp.	
County—Davison	
Parts:	
Baker Twp.	
County—Douglas	
Custer/Hill	3
County—Custer	
Parts:	
Custer City	
E. Custer Unorg. (N.3/4)	
Fairburn Twn.	
Hermosa Twn.	
Pringle Twn.	
W. Custer Unorg. (N.3/4)	
County—Pennington	
Parts:	
Hill City	
W. Pennington Unorg.	
Eagle Butte	1
County—Dewey	
Parts:	
*Eagle Butte Twn.	
*N. Dewey (Unorg.) S. 1/6	

PRIMARY CARE: South Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*North Eagle Butte	
*S. Dewey (Unorg.) S. 1/2	
County—Ziebach	
Parts:	
*S. Ziebach (Unorg.) E. 1/2	
Elk Point	2
County—Union	
Parts:	
Brule Twp.	
Civil Bend Twp. (N. 1/2)	
Elk Point City	
Elk Point Twp.	
Jefferson City	
Jefferson Twp. (N. 1/2)	
Richland (Unorg.)	
Ellendale/Edgely (Nd/Sd)	2
County—Brown	
Parts:	
Allison Twp.	
Frederick Twn.	
Frederick Twp.	
Greenfield Twp.	
Liberty Twp.	
Osceola Twp.	
Palmyra Twp.	
Richland Twp.	
Savo Twp.	
Eureka/Herreid	2
County—Campbell	
County—McPherson	
Parts:	
Eureka City	
Hillview Twn.	
W. Mcpherson (Unorg.)	
Fairfax	1
County—Gregory	
Parts:	
Bonesteel City	
E. Gregory (Unorg.)	
Fairfax Civil Twp.	
Fairfax Twn.	
Pleasant Valley Twp.	
S. E. Gregory (Unorg.)	
Schriever Twp.	
St. Charles Twp.	
Star Valley Twp.	
Faith	2
County—Meade	
Parts:	
*Eagle Twp.	
*Faith City	
*Howard Twp.	
*North Meade (Unorg.)	
*Union Twp.	
*Upper Red Owl Twp.	
County—Perkins	
Parts:	
*Ada Twp.	
*Antelope Twp.	
*Beck Twp.	
*Brushy Twp.	
*Chance Twp.	
*Chaudoin Twp.	
*Duell Twp.	
*Englewood Twp.	
*Foster Twp.	
*Hall Twp.	
*Highland Twp.	
*Lane Tree Twp.	
*Maltby Twp.	
*Martin Twp.	
*Moreau Twp.	
*S.W. Perkins (Unorg.)	
*South Perkins (Unorg.)	
*Vickers Twp.	
*Vrooman Twp.	
*Wells Twp.	
*West Central Perkins (Unorg.)	
*West Perkins (Unorg.)	
*Wynadotte Twp.	
County—Ziebach	
Parts:	
*Dupree City	
*Dupree (Unorg.)	
*N. Ziebach (Unorg.) W. 1/2	
*S. Ziebach (Unorg.) W. 1/2	
Gettysburg	3

PRIMARY CARE: South Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Hyde	
Parts:	
North Hyde Unorg.	
County—Potter	
Parts:	
C. Potter Unorg.(S.1/2)	
E. Potter Unorg.(S.1/2)	
Gettysburg City	
Lebanon Twn.	
W. Potter Unorg.(S.1/2)	
County—Sully	
Parts:	
Agar Twn.	
E. Sully Unorg.(N.1/2)	
Onida City	
W. Sully Unorg.(N.1/2)	
Hankinson/Lidgerwood (Nd/Sd)	3
County—Roberts	
Parts:	
Lien Twp.	
New Effington Twn.	
Rosholt Twn.	
Victor Twp.	
White Rock Twn.	
White Rock Twp.	
Highmore	1
County—Hyde	
Parts:	
Central Hyde (Unorg.)	
Crow Creek (Unorg.)	
Dewey Twp.	
Highmore City	
Valley Twp.	
Washington Twp.	
William Hamilton Twp.	
Hot Springs	4
County—Custer	
Parts:	
Buffalo Gap City	
E. Custer (Unorg.) S.1/4	
W. Custer (Unorg.) S.1/4	
County—Fall River	
Hoven	1
County—Edmunds	
Parts:	
Hillside Twp.	
Hudson Twp.	
Madison Twp.	
County—Potter	
Parts:	
C. Potter Unorg.(N.1/2)	
E. Potter Unorg.(N.1/2)	
Hoven Twn.	
Tolstoy Twn.	
W. Potter Unorg.(N.1/2)	
County—Walworth	
Parts:	
Akaska Twn.	
E. Walworth Unorg.(S.1/4)	
Lowry City	
W. Walworth Unorg.(S.1/4)	
Ipswich/Leola	2
County—Edmunds	
Parts:	
Adrian Twp.	
Belle Twp.	
Bryant Twp.	
Cleveland Twp.	
Fountain Twp.	
Harmony (Unorg.)	
Huntley Twp.	
Ipswich City	
Ipswich Twp.	
Kent Twp.	
Liberty Twp.	
Loyalton City	
Montpelier Twp.	
North Bryant Twp.	
Powell Twp.	
Rosette Twp.	
Union Twp.	
Vermont Twp.	
County—McPherson	
Parts:	
C. Mcpherson (Unorg.)	
Carl Twp.	
Hoffman Twp	
Leola City	

PRIMARY CARE: South Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Long Lake Twn.	
Wachter Twn.	
Wacker Twn.	
Weber Twp.	
Wetonka Twn.	
Isabel	1
County—Corson	
Parts:	
*Fairview Twp.	
*Pleasant Ridge Twp.	
County—Dewey	
Parts:	
*Isabel City	
*N. Dewey (Unorg.) N. 5/8	
*S. Dewey (Unorg.) N. 1/2	
*Timber Lake City	
County—Ziebach	
Parts:	
*N. Ziebach (Unorg.) E. 1/2	
Kadoka	1
County—Jackson	
Parts:	
Belvidere Twn.	
E. Jackson (Unorg.) S. 2/	
E. Washabaugh (Unorg.)	
Kadoka Twn.	
W. Washabaugh (Unorg.)	
Wall Twp.	
Lemmon (Sd/Nd)	1
County—Corson	
Parts:	
Custer Twp.	
Delaney Twp.	
Grand Valley Twp.	
Lake Twp.	
McIntosh City	
Morristown Twn.	
Pioneer Twp.	
Prairie View Twp.	
Riverside Twp.	
Rolling Green Twp.	
Sherman Twp.	
Thunder Hawk Twp.	
Twin Butte Twp.	
Wautaga Twp.	
West Corson (Unorg.)	
County—Perkins	
Parts:	
Anderson Twp.	
Barrett Twp.	
Bison Twn.	
Bison Twp.	
Burdick Twp.	
Cash Twp.	
Castle Butte Twp.	
Clark Twp.	
De Witt Twp.	
Duck Creek (Unorg.)	
East Perkins (Unorg.)	
Flat Creek Twp.	
Fredlund Twp.	
Glendo Twp.	
Grand River Twp.	
Horse Creek Twp.	
Hudgins (Unorg.)	
Independence Twp.	
Lemmon City	
Liberty Twp.	
Lincoln Twp.	
Lodgepole Twp.	
Marshfield Twp.	
Meadow Twp.	
Plateau Twp.	
Pleasant Valley Twp.	
Rainbow Twp.	
Rockford Twp.	
Scotch Cap Twp.	
Seim Twp.	
Sidney Twp.	
Strool Twp.	
Trail Twp.	
Vail Twp.	
Viking Twp.	
White Butte Twp.	
White Hill Twp.	
Whitney Twp.	
Wilson Twp.	
McLaughlin	1

PRIMARY CARE: South Dakota—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Corson	
Parts:	
*Cadillac Twp.	
*Central Corson (Unorg.)	
*Lincoln Twp.	
*Mahto Twp.	
*McLaughlin City	
*McLaughlin Twp.	
*N.E. Corson (Unorg.)	
*Walker Twp.	
Milbank	2
County—Grant	
Parts:	
Adams Twp.	
Alban Twp.	
Albee Twn.	
Blooming Valley Twp.	
Farmington Twp.	
Georgia Twp.	
Grant Center Twp.	
Kilborn Twp.	
La Bolt Twn.	
Lura Twp.	
Madison Twp.	
Marvin Twn.	
Mazeppa Twp.	
Melrose Twp.	
Milbank City	
Osceola Twp.	
Revillo Twn.	
Stockholm Twn.	
Stockholm Twp.	
Strandburg Twn.	
Troy Twp.	
Twin Brooks Twn.	
Twin Brooks Twp.	
Vernon Twp.	
County—Roberts	
Parts:	
Garfield Twp.	
Geneseo Twp.	
Newell	1
County—Butte	
Parts:	
Cottonwood Twp.	
East Butte (Unorg.)	
Newell Twn.	
Union Twp.	
Vale Twp.	
Philip	2
County—Jackson	
Parts:	
Cottonwood Twn.	
E. Jackson (Unorg.) N.1/3	
Grandview Twp.	
Interior Twn.	
Interior Twp.	
Jewett Twp.	
Little Buffalo Twp.	
N.W. Jackson (Unorg.)	
Weta Twp.	
County—Haakon	
County—Pennington	
Parts:	
Ash Twp.	
Badlands (Unorg.)	
Castle Butte Twp.	
Cedar Butte Twp.	
Cheyenne Twp.	
Conata Twp.	
Crooked Creek Twp.	
Dalzell Canyon (Unorg.)	
Fairview Twp.	
Flat Butte Twp.	
Huron Twp.	
Imlay Twp.	
Lake Creek (Unorg.)	
Lake Flat Twp.	
Lake Hill Twp.	
N.E. Pennington (Unorg.)	
Owanka Twp.	
Peno Twp.	
Quinn Twn.	
Quinn Twp.	
Rainey Creek Twp.	
Scenic Twp.	
Shyne Twp.	
Sunnyside Twp.	
Wall Twn.	
Wasta Twn.	
Wasta Twp.	
Salem	1
County—Hanson	
Parts:	
Edgerton Twp.	
Emery Twp.	
Farmer Twn.	
Spring Lake Twp.	
Taylor Twp.	
County—McCook	
Vermillion	3
County—Clay	
Parts:	
Bethel Twp.	
Fairview Twp.	
Garfield Twp.	
Irene Twn.	
Meckling Twp.	
Norway Twp.	
Pleasant Valley Twp.	
Prairie Center Twp.	
Riverside Twp.	
Spirit Mound Twp.	
Star Twp.	
Vermillion City	
Vermillion Twp.	
Wakonda Twn.	
Wagner	1
County—Charles Mix	
Parts:	
Bryan Twp.	
Choteau Creek Twp.	
Dante Twn.	
Goose Lake Twp.	
Highland Twp.	
Howard Twp.	
Kennedy Twp.	
Lake Andes City	
Lawrence Twp.	
Lone Tree Twp.	
Plain Center Twp.	
Ravinia Twn.	
Ree Twp.	
Rouse Twp.	
Wagner City	
Wahehe Twp.	
White Swan Twp.	
Wessington Springs	2
County—Aurora	
Parts:	
Belford Twp.	
Bristol Twp.	
Cooper Twp.	
Crystal Lake Twp.	
Eureka Twp.	
Firesteel Twp.	
Gales Twp.	
Hopper Twp.	
Lake Twp.	
Palatine Twp.	
Patten Twp.	
Plankinton City	
Plankinton Twp.	
Pleasant Lake Twp.	
Pleasant Valley Twp.	
White Lake City	
White Lake Twp.	
County—Buffalo	
Parts:	
Elvira Twp.	
S.E. Buffalo (Unorg.)	
County—Jerauld	
County—Sanborn	
Parts:	
Floyd Twp.	
Jackson Twp.	
Logan Twp.	
Oneida Twp.	
Silver Creek Twp.	
Twin Lake Twp.	
Union Twp.	
Warren Twp.	
Woonsocket City	
Woonsocket Twp.	

PRIMARY CARE: Tennessee

County Listing

County Name	Degree of shortage group
Anderson	
Service Area: Briceville	4
*Benton	
Service Area: Holladay	1
*Bledsoe	3
Blount	
Service Area: Tallassee	1
*Campbell	4
Carter	
Service Area: Roan Mountain	2
*Chester	2
*Claiborne	3
*Clay	2
*Cocke	4
*Crockett	3
Davidson	
Population Group: Pov. & Homeless Pop.—Nashville	1
Facility: Meharry Med. Coll./Hubbard Hosp.	1
*Decatur	2
Dickson	
Service Area: Vanleer/Slaydon	1
*Fayette	3
*Fentress	4
Grainger	1
*Greene	
Service Area: Baileyton	1
*Grundy	4
Hamilton	
Population Group: Pov. Pop.—Chattanooga	3
*Hancock	3
*Hardeman	4
*Hardin	
Service Area: Saltillo	1
Hawkins	1
*Haywood	4
*Henderson	3
*Hickman	3
*Houston	4
*Jackson	2
*Johnson	3
Knox	
Service Area: Mechanicsville	1
*Lake	1
*Lauderdale	4
*Lewis	4
*Lincoln	
Service Area: Cash Point	1
*Loudon	4
*Macon	1
*McNairy	4
*Meigs	1
*Monroe	4
Montgomery	
Service Area: Vanleer/Slaydon	1
*Moore	1
*Morgan	1
*Obion	
Service Area: Hornbeak/Samburg	1
*Overton	4
*Perry	2
*Pickett	2
*Polk	2
*Rhea	4
*Roane	4
Rutherford	
Service Area: Eagleville	1
*Scott	1
Sevier	4
Shelby	
Population Group: Pov. Pop.—Central Memphis	1
Population Group: Pov. Pop.—S.W. Memphis	1
Population Group: Pov. Pop.—N.W. Memphis	1
*Stewart	2
Unicoi	4
Union	1
*Van Buren	3
*Wayne	3
*Weakley	
Service Area: Dukedom/Palmersville	1

PRIMARY CARE: Tennessee

Service Area Listing

Service Area Name	Degree of shortage group
Baileyton	1
County—Greene	
Parts:	
Baileyton CCD.	
Briceville	4
County—Anderson	
Parts:	
Lake City West CCD	
New River CCD	
Cash Point	1
County—Lincoln	
Parts:	
Cash Point/Blanche CCD	
Dukedom/Palmersville	1
County—Weakley	
Parts:	
Chestnut Glade-Dukedom Cc	
Palmersville CCD	
Eagleville	1
County—Rutherford	
Parts:	
Eagleville CCD	
Holladay	1
County—Benton	
Parts:	
Holladay CCD	
Hornbeak/Samburg	1
County—Obion	
Parts:	
Hornbeak/Samburg CCD	
Mechanicsville	1
County—Knox	
Parts:	
C.T. 1-2	
C.T. 4-7	
C.T. 9	
C.T. 11-14	
C.T. 20	
C.T. 28	
Roan Mountain	2
County—Carter	
Parts:	
Laurel Fork CCD	
Roan Mountain CCD	
Tiger Valley CCD	
Saltillo	1
County—Hardin	
Parts:	
Saltillo CCD	
Tallassee	1
County—Blount	
Parts:	
Lanier CCD	
Vanleer/Slaydon	1
County—Dickson	
Parts:	
Vanleer CCD	
County—Montgomery	
Parts:	
Palmyra/Shiloh CCD	

PRIMARY CARE: Tennessee

Population Group Listing

Population Group	Degree of shortage group
Pov. & Homeless Pop.—Nashville	1
County—Davidson	
Parts:	
Homeless Pop.	
C.T. 112-126	
C.T. 128-130	
C.T. 132-152	
C.T. 158-181	
Pov. Pop.—Central Memphis	1
County—Shelby	
Parts:	
C.T. 13-15	
C.T. 28	
C.T. 30	
Pov. Pop.—Chattanooga	3

PRIMARY CARE: Tennessee—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Hamilton	
Parts:	
C.T. 1-16	
C.T. 18-27	
C.T. 31	
C.T. 115	
Pov. Pop.—N.W. Memphis	1
County—Shelby	
Parts:	
C.T. 1-10	
C.T. 18-24	
C.T. 90	
Pov. Pop.—S.W. Memphis	1
County—Shelby	
Parts:	
C.T. 40-69	
C.T. 75	
C.T. 78.10	
C.T. 78.20	

PRIMARY CARE: Tennessee

Facility Listing

Facility Name	Degree of shortage group
Meharry Med. Coll./Hubbard Hosp	1
County—Davidson	

PRIMARY CARE: Texas

County Listing

County Name	Degree of shortage group
*Anderson	
Facility: Beto II Prs.	3
Facility: Beto Prs.	2
Facility: Coffield Prs.	3
*Aransas	
Population Group: Pov. Pop.—Aransas Co.	1
*Archer	3
Armstrong	2
*Atascosa	3
*Bailey	4
*Bandera	2
*Bee	4
Bexar	
Service Area: San Antonio (West Side)	3
Service Area: San Antonio (South Side)	3
Service Area: San Antonio (Southern Rural)	1
Service Area: San Antonio (Eastside)	1
Borden	1
Brazoria	
Facility: Clemons Prs.	1
Facility: Darrington Prs.	2
Facility: Ramsey I Prs.	3
Facility: Ramsey II Prs.	1
Facility: Ramsey III Prs.	1
Facility: Retrieve Prs.	1
Brewster	
Service Area: South Brewster/Big Bend	1
*Brooks	2
*Burleson	1
*Caldwell	3
Cameron	
Population Group: Pov./Mig. Pop.—Cameron Co.	4
*Carson	1
*Castro	4
*Chambers	3
Coke	1
*Coleman	1
Collingsworth	1
Coryell	4
Facility: Hilltop Prs.	1
Crane	3
Crockett	2
*Crosby	2

PRIMARY CARE: Texas—Continued

County Listing

County Name	Degree of shortage group
Culberson	3
Dallam	1
Dallas	
Service Area: Lisbon	1
Service Area: Simpson Stuart	2
Service Area: South Dallas	4
Service Area: Trinity	1
Service Area: West Dallas	1
Population Group: Am. In. Below Pov./Dallas-Ft. Worth	1
Facility: Parkland Mem. Hosp. Outpt. Cl.	1
*Dawson	4
*Deaf Smith	4
*Delta	4
Dickens	
Service Area: Dickens-King	1
Dimmit	
Service Area: Dimmit-Zavala	3
Donley	2
*Duval	4
El Paso	
Service Area: South El Paso	2
Service Area: Southeast El Paso	1
Facility: Tx Tech Med. Ambulatory Cl	2
*Falls	2
Fort Bend	
Facility: Central Prs.	1
Facility: Jester II Prs.	2
Facility: Jester III Prs.	1
*Frio	2
*Gaines	4
Galveston	
Service Area: Bolivar Penninsula	1
Garza	4
Glasscock	1
*Goliad	3
*Gonzales	4
*Grimes	3
Facility: Pack I Prs.	1
Facility: Pack II Prs.	1
*Hale	
Population Group: Mig. Pop.—Hale Co.	4
Hall	
Service Area: Silverton/Turkey	2
*Hamilton	4
Hardin	4
Hartley	1
Hidalgo	
Population Group: Pov./Mig. Pop.—Hidalgo Co.	3
*Hockley	4
*Houston	
Facility: Eastham Prs.	2
Hudspeth	1
*Hunt	
Population Group: Pov. Pop.—Hunt Co.	3
Irion	1
*Jackson	2
Jeff Davis	
Service Area: Fort Davis/Marfa	2
Jefferson	
Service Area: Beaumont Inner City	1
Service Area: Port Arthur Inner City	1
*Jim Wells	2
*Karnes	4
Kent	1
Kimble	1
King	
Service Area: Dickens-King	1
Knox	4
La Salle	1
*Lamb	3
*Lampasas	2
Leon	
Service Area: Leon/Madison	2
Lipscomb	2
*Live Oak	4
Loving	1
Lubbock	
Service Area: East Lubbock	1
*Lynn	1
Madison	
Service Area: Leon/Madison	2
Facility: Ferguson Prs.	2
*Marion	1
Martin	4
Mason	3
*Maverick	2
McMullen	1

PRIMARY CARE: Texas—Continued

County Listing

County Name	Degree of shortage group
*Medina	4
Mills	3
*Mitchell	4
Motley	1
*Nacogdoches	
Population Group: Pov. Pop.—Nacogdoches Co.	3
*Newton	1
Nueces	
Service Area: Port Aransas	1
Oldham	1
*Panola	4
*Parmer	1
Pecos	4
*Polk	4
Presidio	
Service Area: Fort Davis/Marfa	2
Service Area: Presidio	2
*Rains	2
Real	4
*Red River	1
Reeves	3
*Refugio	2
*Sabine	1
*San Augustine	4
*San Jacinto	1
San Saba	1
*Scurry	4
*Shelby	4
Sherman	
Service Area: Texhoma (Ok/Tx)	1
*Starr	1
*Stephens	
Population Group: Pov. Pop.—Stephens Co.	3
Sutton	1
Tarrant	
Service Area: Poly/Stop Six	1
Population Group: Am. In. Below Pov./Dallas-Ft. Worth	1
Facility: J. P. Smith Hosp. Medicine Clinic	1
Terrell	1
*Terry	2
Throckmorton	1
*Trinity	1
Upton	4
*Uvalde	
Population Group: Pov. Pop.—Uvalde Co.	4
*Val Verde	2
*Van Zandt	4
*Walker	
Facility: Diagnostic Prs.	3
Facility: Ellis Prs.	2
Facility: Goree Prs.	1
Facility: Huntsville Prs.	1
Facility: Wynne Prs.	2
*Ward	4
Webb	4
*Willacy	4
*Wilson	2
*Winkler	4
*Yoakum	1
*Zapata	3
Zavala	
Service Area: Dimmit-Zavala	3

PRIMARY CARE: Texas

Service Area Listing

Service Area Name	Degree of shortage group
Beaumont Inner City	1
County—Jefferson	
Parts:	
C.T. 1.03	
C.T. 6–10	
C.T. 15–19	
Bolivar Penninsula	1
County—Galveston	
Parts:	
C.T. 1254	
Dickens-King	1

PRIMARY CARE: Texas—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Dickens	
County—King	
Dimmit-Zavala	3
County—Dimmit	
County—Zavala	
East Lubbock	1
County—Lubbock	
Parts:	
C.T. 2.01–2.02	
C.T. 3	
C.T. 8–11	
C.T. 12.01–12.02	
C.T. 25	
Fort Davis/Marfa	2
County—Jeff Davis	
County—Presidio	
Parts:	
*Marfa CCD	
Leon/Madison	2
County—Leon	
County—Madison	
Lisbon	1
County—Dallas	
Parts:	
C.T. 56–57	
C.T. 59.01–59.02	
C.T. 87.01	
C.T. 87.03–87.05	
C.T. 88.01–88.02	
Poly/Stop Six	1
County—Tarrant	
Parts:	
C.T. 1035	
C.T. 1036.01	
C.T. 1037.01–1037.02	
C.T. 1046.01	
C.T. 1046.04	
C.T. 1062.01–1062.02	
C.T. 1063	
Port Aransas	1
County—Nueces	
Parts:	
E.D. 401–403 (Pt. Aransas CCD)	
Port Arthur Inner City	1
County—Jefferson	
Parts:	
C.T. 51–54	
C.T. 57–62	
Presidio	2
County—Presidio	
Parts:	
*Presidio CCD	
San Antonio (Eastside)	1
County—Bexar	
Parts:	
C.T. 1102–1103	
C.T. 1110	
C.T. 1301–1312	
C.T. 1401	
San Antonio (South Side)	3
County—Bexar	
Parts:	
C.T. 1501	
C.T. 1503–1506	
C.T. 1510–1511	
C.T. 1601–1605	
San Antonio (Southern Rural)	1
County—Bexar	
Parts:	
C.T. 1416–1418	
C.T. 1519–1522	
C.T. 1610–1612	
C.T. 1619–1620	
San Antonio (West Side)	3
County—Bexar	
Parts:	
C.T. 1606–1607	
C.T. 1701	
C.T. 1703–1704	
C.T. 1707–1712	
C.T. 1715–1716	
Silverton/Turkey	2
County—Hall	
Parts:	
Turkey CCD	
Simpson Stuart	2

PRIMARY CARE: Texas—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Dallas	
Parts:	
C.T. 112–113	
C.T. 114.01–114.02	
C.T. 167.01	
C.T. 169.01	
South Brewster/Big Bend	1
County—Brewster	
Parts:	
E.D. 337–347 (Alpine CCD)	
South Dallas	4
County—Dallas	
Parts:	
C.T. 29–30	
C.T. 32.02	
C.T. 33–38	
C.T. 39.01–39.02	
C.T. 40	
C.T. 115	
South El Paso	2
County—El Paso	
Parts:	
C.T. 17–21	
C.T. 28–29	
Southeast El Paso	1
County—El Paso	
Parts:	
C.T. 39–40	
C.T. 104–105	
Texhoma (Ok/Tx)	1
County—Sherman	
Parts:	
Stratford East CCD	
Trinity	1
County—Dallas	
Parts:	
C.T. 41	
C.T. 49	
C.T. 54–55	
C.T. 86.01–86.02	
C.T. 89	
West Dallas	1
County—Dallas	
Parts:	
C.T. 43	
C.T. 101–106	

PRIMARY CARE: Texas

Population Group Listing

Population Group	Degree of shortage group
Am. In. Below Pov./Dallas-Ft. Worth	1
County—Dallas	
Parts:	
Am. In. Below Pov.	
County—Tarrant	
Parts:	
Am. In. Below Pov.	
Mig. Pop.—Hale Co.	4
County—Hale	
Parts:	
Mig. Pop.	
Pov. Pop.—Aransas Co.	1
County—Aransas	
Parts:	
Pov. Pop.	
Pov. Pop.—Hunt Co.	3
County—Hunt	
Parts:	
Pov. Pop.	
Pov. Pop.—Nacogdoches Co.	3
County—Nacogdoches	
Pov. Pop.—Stephens Co.	3
County—Stephens	
Parts:	
Pov Pop.	
Pov. Pop.—Uvalde Co.	4
County—Uvalde	
Parts:	
Pov. Pop.	
Pov./Mig. Pop.—Cameron Co.	4

PRIMARY CARE: Texas—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Cameron	
Parts:	
Mig. Pop.	
Pov. Pop.	
Pov./Mig. Pop.—Hidalgo Co.	3
County—Hidalgo	
Parts:	
Mig. Pop.	
Pov. Pop.	

PRIMARY CARE: Texas

Facility Listing

Facility Name	Degree of shortage group
Beto II Prs.	3
County—Anderson	
Beto Prs.	2
County—Anderson	
Central Prs.	1
County—Fort Bend	
Clemons Prs.	1
County—Brazoria	
Coffield Prs.	3
County—Anderson	
Darrington Prs.	2
County—Brazoria	
Diagnostic Prs.	3
County—Walker	
Eastham Prs.	2
County—Houston	
Ellis Prs.	2
County—Walker	
Ferguson Prs.	2
County—Madison	
Goree Prs.	1
County—Walker	
Hilltop Prs.	1
County—Coryell 4	
Huntsville Prs.	1
County—Walker	
J. P. Smith Hosp. Medicine Clinic	1
County—Tarrant	
Jester II Prs.	2
County—Fort Bend	
Jester III Prs.	1
County—Fort Bend	
Pack I Prs.	1
County—Grimes 3	
Pack II Prs.	1
County—Grimes 3	
Parkland Mem. Hosp. Outpt. Cl.	1
County—Dallas	
Ramsey I Prs.	3
County—Brazoria	
Ramsey II Prs.	1
County—Brazoria	
Ramsey III Prs.	1
County—Brazoria	
Retrieve Prs.	1
County—Brazoria	
Tx Tech Med. Ambulatory Cl.	2
County—El Paso	
Wynne Prs.	2
County—Walker	

PRIMARY CARE: Utah

County Listing

County Name	Degree of shortage group
Beaver	4
*Box Elder	
Service Area: West Box Elder	1
*Carbon	4
Daggett	1

PRIMARY CARE: Utah—Continued

County Listing

County Name	Degree of shortage group
Duchesne	
Service Area: Roosevelt	2
Emery	
Service Area: Castle Dale	1
Service Area: Green River	1
Garfield	
Service Area: Panguitch	2
Grand	
Service Area: Green River	1
Service Area: Moab	4
Iron	
Service Area: Enterprise	1
Service Area: Parowan	2
Juab	4
Kane	
Service Area: Kanab/Fredonia (Ut/Az)	2
Millard	4
Piute	1
Rich	1
Salt Lake	
Population Group: Pov./Hmls./S.E. Asian Refugs.—N.W. Sal	2
Facility: Utah State Prison	2
San Juan	
Service Area: Blanding/Monticello	4
Service Area: Montezuma Creek	1
*Sanpete	4
*Sevier	4
Tooele	
Service Area: Tooele	2
Service Area: Wendover (Ut/Nv)	1
Uintah	
Service Area: Roosevelt	2
Service Area: Vernal	3
Utah	
Population Group: Pov./Mig.—Utah Co.	2
*Washington	
Service Area: Enterprise	1
Service Area: Hurricane	2
Wayne	2
Weber	
Service Area: Central And West Ogden	1

PRIMARY CARE: Utah

Service Area Listing

Service Area Name	Degree of shortage group
Blanding/Monticello	4
County—San Juan	
Parts:	
Blanding CCD	
Monticello CCD	
Castle Dale	1
County—Emery	
Parts:	
*Castle Dale-Huntington Div.	
*Emery-Ferron Div.	
Central And West Ogden	1
County—Weber	
Parts:	
C.T. 2003-2004	
C.T. 2010-2012	
C.T. 2018-2019	
Enterprise	1
County—Iron	
Parts:	
*Beryl-Newcastle Div.	
County—Washington	
Parts:	
*Enterprise Div.	
Green River	1
County—Emery	
Parts:	
*Green River Div.	
County—Grand	
Parts:	
*Thompson Div. (N.W. Pt)	
Hurricane	2
County—Washington	
Parts:	
Hurricane Div.	
Kanab/Fredonia (Ut/Az)	2

PRIMARY CARE: Utah—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Kane	
Moab	4
County—Grand	
Parts:	
Moab CCD	
Montezuma Creek	1
County—San Juan	
Parts:	
Oljato CCD	
Red Mesa CCD	
Panguitch	2
County—Garfield	
Parts:	
Escalante Div.	
Panguitch Div.	
Tropic Div.	
Parowan	2
County—Iron	
Parts:	
Parowan CCD	
Roosevelt	2
County—Duchesne	
County—Uintah	
Parts:	
Uintah And Ouray CCD	
Tooele	2
County—Tooele	
Parts:	
Onaqui Div.	
Tooele-Grantsville Div.	
Vernal	3
County—Uintah	
Parts:	
Vernal CCD	
Wendover (Ut/Nv)	1
County—Tooele	
Parts:	
Dugway-Wendover Div. (W.1	
West Box Elder	1
County—Box Elder	
Parts:	
West Box Elder CCD	

PRIMARY CARE: Utah

Population Group Listing

Population Group	Degree of shortage group
Pov./Hmls./S.E. Asian Refugs.—N.W. Sal	2
County—Salt Lake	
Parts:	
C.T. 1001	
C.T. 1003.03-1003.04	
C.T. 1004-1006	
C.T. 1024-1027	
Pov./Mig.—Utah Co.	2
County—Utah	
Parts:	
Migrant Pop.	
Poverty Pop.	

PRIMARY CARE: Utah

Facility Listing

Facility Name	Degree of shortage group

PRIMARY CARE: Utah—Continued

Facility Listing

Facility Name	Degree of shortage group
Utah State Prison	2
County—Salt Lake	

PRIMARY CARE: Vermont

County Listing

County Name	Degree of shortage group
*Addison	
Service Area: Otter Creek Valley	4
Service Area: Route 100	4
*Caledonia	
Service Area: Hardwick	1
*Essex	
Service Area: Island Pond	1
Franklin	
Service Area: Richford-Enosburg	3
Grand Isle	2
*Lamoille	
Service Area: Hardwick	1
*Orleans	
Service Area: Hardwick	1
*Rutland	
Service Area: Black River Valley	2
Service Area: Otter Creek Valley	4
Service Area: Route 100	4
*Washington	
Service Area: Hardwick	1
*Windsor	
Service Area: Black River Valley	2
Service Area: Route 100	4

PRIMARY CARE: Vermont

Service Area Listing

Service Area Name	Degree of shortage group
Black River Valley	2
County—Rutland	
Parts:	
*Mt Holly Twn.	
County—Windsor	
Parts:	
*Cavendish Twn.	
*Ludlow Twn.	
*Reading Twn.	
*Weathersfield Twn.	
Hardwick	1
County—Caledonia	
Parts:	
*Hardwick Twn.	
*Walden Twn.	
County—Lamoille	
Parts:	
*Wolcott Twn.	
County—Orleans	
Parts:	
*Craftsbury Twn.	
*Greensboro Twn.	
County—Washington	
Parts:	
*Woodbury Twn.	
Island Pond	1
County—Essex	
Parts:	
*Averys Grore	
*Brighton Twn.	
*Ferdinand Twn.	
*Lewis Twp.	
*Norton Twn.	
*Warners Grant	
*Warrens Gore	
Otter Creek Valley	4
County—Addison	
Parts:	
*Goshen Twn.	
*Leicester Twn.	
*Orwell Twn.	
*Shoreham Twn.	
*Whiting Twn.	
County—Rutland	
Parts:	
*Brandon Twn.	
*Hubbardton Twn.	
*Pittsford Twn.	
*Sudbury Twn.	
Richford-Enosburg	3
County—Franklin	
Parts:	
Bakersfield Twn.	
Berkshire Twn.	
Enosburg Twn.	
Fairfield Twn.	
Franklin Twn.	
Montgomery Twn.	
Richford Twn.	
Sheldon Twn.	
Route 100	4
County—Addison	
Parts:	
*Granville Twn.	
*Hancock Twn.	
County—Rutland	
Parts:	
*Pittsfield Twn.	
County—Windsor	
Parts:	
*Rochester Twn.	
*Stockbridge Twn.	

PRIMARY CARE: Vermont—Continued

Service Area Listing

PRIMARY CARE: Virginia

County Listing

County Name	Degree of shortage group
*Accomack	2
Albermarle/Charlottes.	
Service Area: Southern Albemarle	1
*Amelia	2
*Augusta/Staunton-Waynesb.	
Service Area: Craigsville	1
Service Area: South River	2
*Bland	1
Brunswick	
Service Area: South Hill	4
Buckingham	
Service Area: Tri-County(Buck/Fluv/Cumb)	1
Campbell/Lynchburg	
Population Group: Pov. Pop.—Lynchburg	1
*Caroline	1
Charles City	
Service Area: Harrison/Tyler	2
*Charlotte	3
Chesapeake	
Service Area: Southeast Chesapeake	1
*Craig	3
Cumberland	
Service Area: Tri-County(Buck/Fluv/Cumb)	1
*Dickenson	3
Dinwiddie/Petersburg	
Service Area: McKenney	1
*Floyd	3
Fluvanna	
Service Area: Tri-County(Buck/Fluv/Cumb)	1
*Franklin	3
Goochland	
Service Area: Goochland/Fife	4
*Grayson/Galax	
Service Area: Trout Dale/Independence	3
*King And Queen	
Service Area: Northern King William	3
*King George	3
*King William	
Service Area: Northern King William	3
*Lee	
Service Area: Western Lee	4
*Lunenburg	2
Mecklenburg	
Service Area: South Hill	4
*Nelson	3

PRIMARY CARE: Virginia—Continued

County Listing

County Name	Degree of shortage group
Newport News	
Service Area: East End	4
*Page	4
*Patrick	4
Pittsylvania/Danville	
Service Area: Northern Pittsylvania	2
*Richmond	4
*Rockbridge/Buena Vista	
Service Area: Craigsville	1
Service Area: South River	2
*Russell	3
Scott	
Service Area: Dungannon	1
*Smyth	
Service Area: Saltville	1
*Southampton/Franklin	
Service Area: Berlin-Ivor	1
*Surry	1
*Sussex	1
Washington/Bristol	
Service Area: Saltville	1
*Westmoreland	3

PRIMARY CARE: Virginia

Service Area Listing

Service Area Name	Degree of shortage group
Berlin-Ivor	1
County—Southampton/Franklin	
Parts:	
Berlin-Ivor Dist.	
Craigsville	1
County—Augusta/Staunton-Waynesb.	
Parts:	
Pastures Dist.	
Riverhead Dist. (W. 1/2)	
County—Rockbridge/Buena Vista	
Parts:	
Walkers Creek Dist. (W. 1	
Dungannon	1
County—Scott	
Parts:	
Dekalb Dist.	
Floyd Dist.	
Johnson Dist.	
East End	4
County—Newport News	
Parts:	
C.T. 302-309	
C.T. 313	
Goochland/Fife	4
County—Goochland	
Parts:	
C.T. 4002-4005	
Harrison/Tyler	2
County—Charles City	
Parts:	
Harrison Dist.	
Tyler Dist.	
McKenney	1
County—Dinwiddie/Petersburg	
Parts:	
Sapony Dist.	
Northern King William	3
County—King And Queen	
Parts:	
*Newtown Dist.	
*Stevensville Dist.	
County—King William	
Parts:	
*Acquinton Dist.	
*Mangohick Dist.	
Northern Pittsylvania	2
County—Pittsylvania/Danville	
Parts:	
C.T. 101-107	
Saltville	1
County—Smyth	
Parts:	
North Fork Dist.	
Saltville Dist.	

PRIMARY CARE: Virginia—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Washington/Bristol	
Parts:	
Jefferson Dist.	
South Hill	4
County—Brunswick	
County—Mecklenburg	
South River	2
County—Augusta/Staunton-Waynesb.	
Parts:	
Riverhead Dist. (E. 1/2)	
County—Rockbridge/Buena Vista	
Parts:	
South River Dist.	
Walkers Creek Dist. (E. 1	
Southeast Chesapeake	1
County—Chesapeake	
Parts:	
C.T. 211.02	
C.T. 212	
Southern Albemarle	1
County—Albermarle/Charlottes.	
Parts:	
Scottsville Dist.	
Tri-County(Buck/Fluv/Cumb)	1
County—Buckingham	
County—Cumberland	
County—Fluvanna	
Trout Dale/Independence	3
County—Grayson/Galax	
Parts:	
Elk Creek Dist.	
Wilson Creek Dist.	
Western Lee	4
County—Lee	
Parts:	
Rose Hill Dist.	
White Shoals Dist.	

PRIMARY CARE: Virginia

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Lynchburg	1
*County—Campbell/Lynchburg	
Parts:	
Lynchburg City	

PRIMARY CARE: Washington

County Listing

County Name	Degree of shortage group
*Adams	
Population Group: MSFW—Othello/Royal City	1
Benton	
Population Group: MSFW—Benton/Franklin	1
*Chelan	
Population Group: MSFW—Chelan/Douglas	1
*Clallam	
Service Area: Clallam Bay/Neah Bay	2
Population Group: Lower Elwha Indian Tribe	1
Facility: Clallam Bay Corr. C.	3
Clark	
Service Area: Yacolt	1
Columbia	
Population Group: MSFW—Walla Walla/Columbia	1
*Cowlitz	
Service Area: Toledo/Vader	2
Population Group: Medicaid Pop.—Longview/Cathlamet	1
*Douglas	
Service Area: Grand Coulee	2
Population Group: MSFW—Chelan/Douglas	1
Ferry	
Service Area: Republic	2

PRIMARY CARE: Washington—Continued

County Listing

County Name	Degree of shortage group
Population Group: Am. In.—Colville Res.	1
Franklin	
Population Group: MSFW—Benton/Franklin	1
*Grant	
Service Area: Grand Coulee	2
Population Group: MSFW—Othello/Royal City	1
Population Group: Pov./Mig. Pop.—Central Grant Co.	4
*Grays Harbor	
Service Area: Copalis Beach	3
Service Area: Neilton	1
Service Area: Westport	2
Population Group: Medicaid Pop.—Aberdeen/Hoquiam	1
*Klickitat	
Population Group: MSFW—Hood River (Or/Wa)	1
*Lewis	
Service Area: Morton	4
Service Area: Pe Ell	1
Service Area: Toledo/Vader	2
Lincoln	
Service Area: Grand Coulee	2
Service Area: Odessa	1
*Mason	
Facility: Wash. Corr.-Reception Ctr.	2
Okanogan	
Service Area: Twisp/Winthrop	1
Population Group: Am. In.—Colville Res.	1
Population Group: MSFW—Okanogan Co.	1
*Pacific	
Service Area: Naselle/Grays River	1
Service Area: Westport	2
Pend Oreille	
Service Area: Ione/Metaline Falls	2
Service Area: Newport/Cusick	4
Pierce	
Service Area: Longbranch	2
Population Group: Med. Ind. Pop.—Pierce	4
Facility: McNeil Island Corr. C.	1
Facility: Wa Corr. C. For Women	2
*Skagit	
Population Group: MSFW—Skagit Co.	1
Snohomish	
Service Area: Darrington	4
Population Group: Stillaguamish Ind. Tribe	1
Spokane	
Service Area: Deer Park	2
Service Area: Rockford	2
Population Group: Am. In.—Spokane	1
*Stevens	
Service Area: Chewelah	1
Service Area: Deer Park	2
Service Area: Northport	1
*Wahkiakum	
Service Area: Naselle/Grays River	1
Population Group: Medicaid Pop.—Longview/Cathlamet	1
*Walla Walla	
Population Group: MSFW—Walla Walla/Columbia	1
Whatcom	
Population Group: MSFW—Whatcom Co.	1
*Whitman	
Service Area: Northeast Whitman	4
Service Area: Rock Lake/La Crosse	4
Yakima	
Population Group: MSFW—Toppenish/Grandview	1

PRIMARY CARE: Washington

Service Area Listing

Service Area Name	Degree of shortage group
Chewelah	1
County—Stevens	
Parts:	
*Chewelah CCD	
*Columbia CCD	
*Springdale CCD	
Clallam Bay/Neah Bay	2

PRIMARY CARE: Washington—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Clallam	
Parts:	
Clallam Bay-Neah Bay Div.	
Copalis Beach	3
County—Grays Harbor	
Parts:	
North Beach CCD	
Darrington	4
County—Snohomish	
Parts:	
Cascade CCD	
Deer Park	2
County—Spokane	
Parts:	
Deer Park CCD (C.T. 102(	
Deer Park CCD (C.T. 103.0	
Deer Park CCD (C.T. 103.0	
County—Stevens	
Parts:	
Loon Lake CCD (E.D. 203)	
Loon Lake CCD (E.D. 204))	
Grand Coulee	2
County—Douglas	
Parts:	
Bridgeport CCD	
County—Grant	
Parts:	
Coulee City CCD	
Grand Coulee CCD	
County—Lincoln	
Parts:	
Wilbur CCD	
Ione/Metaline Falls	2
County—Pend Oreille	
Parts:	
Ione/Metaline Falls CCD	
Longbranch	2
County—Pierce	
Parts:	
Lower Peninsula CCD (C.T.	
Morton	4
County—Lewis	
Parts:	
Big Bottom CCD	
Mineral CCD	
Morton CCD	
E.D. 63 (Mossyrock CCD)	
E.D. 82 (Mossyrock CCD)	
E.D. 82 (Ethel CCD)	
E.D. 84 (Mossyrock CCD)	
Naselle/Grays River	1
County—Pacific	
Parts:	
Naselle CCD	
County—Wahkiakum	
Parts:	
Grays River CCD	
Neilton	1
County—Grays Harbor	
Parts:	
Humptulips CCD (N. 1/3)	
Lake Quinalt CCD	
Newport/Cusick	4
County—Pend Oreille	
Parts:	
Newport CCD	
Northeast Whitman	4
County—Whitman	
Parts:	
Rosalia CCD	
Steptoe CCD	
Tekoa CCD	
Northport	1
County—Stevens	
Parts:	
Kettle Falls CCD (N. 1/2)	
Odessa	1
County—Lincoln	
Parts:	
Odessa CCD	
Pe Ell	1
County—Lewis	
Parts:	
E.D. 71 (Bunker CCD)	
E.D. 76 (Boistfort CCD)	
Republic	2

PRIMARY CARE: Washington—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Ferry	
Parts:	
Curlew CCD	
Orient Sherman CCD	
Republic CCD	
Rock Lake/La Crosse	4
County—Whitman	
Parts:	
La Crosse CCD	
Rock Lake CCD	
Rockford	2
County—Spokane	
Parts:	
Rockford CCD	
Toledo/Vader	2
County—Cowlitz	
Parts:	
E.D. 757 (Castlerock CCD)	
County—Lewis	
Parts:	
Olequa CCD	
Winlock City	
E.D. 75 (Boistfort S.1/2)	
E.D. 82 (Ethel CCD)	
E.D. 85 (Mossyrock CCD)	
Twisp/Winthrop	1
County—Okanogan	
Parts:	
Early Winters CCD	
Methow Valley CCD	
Westport	2
County—Grays Harbor	
Parts:	
South Shore Div.	
County—Pacific	
Parts:	
Raymond Div. Ed 578 & 579	
Yacolt	1
County—Clark	
Parts:	
Yacolt CCD (C.T. 401)	

PRIMARY CARE: Washington

Population Group Listing

Population Group	Degree of shortage group
Am. In.—Colville Res.	1
County—Ferry	
Parts:	
Colville Res. CCD	
County—Okanogan	
Parts:	
Colville Res. CCD	
Am. In.—Spokane	1
County—Spokane	
Parts:	
Am. In. Pop.	
Lower Elwha Indian Tribe	1
County—Clallam	
Parts:	
Lower Elwha Res.	
Med. Ind. Pop.—Pierce	4
County—Pierce	
Medicaid Pop.—Aberdeen/Hoquiam	1
County—Grays Harbor	
Parts:	
Aberdeen-Hoquiam CCD	
Elma CCD	
Wyhoochee CCD	
Medicaid Pop.—Longview/Cathlamet	1
County—Cowlitz	
Parts:	
Castle Rock CCD	
Cowlitz East CCD	
Kalama CCD	
Longview-Kelso CCD	
Rose Valley CCD	
Woodland CCD	
County—Wahkiakum	
Parts:	
Cathlamet-Elochoman CCD	
Puget Island CCD	

PRIMARY CARE: Washington—Continued

Population Group Listing

Population Group	Degree of shortage group
Skamokawa CCD	
MSFW—Benton/Franklin	1
County—Benton	
Parts:	
MSFW	
County—Franklin	
Parts:	
MSFW	
MSFW—Chelan/Douglas	1
County—Chelan	
Parts:	
MSFW	
County—Douglas	
Parts:	
MSFW	
MSFW—Hood River (Or/Wa)	1
County—Klickitat	
Parts:	
Wahklakus CCD (MSFW)	
White Salmon CCD (MSFW)	
MSFW—Okanogan Co.	1
County—Okanogan	
Parts:	
MSFW	
MSFW—Othello/Royal City	1
County—Adams	
Parts:	
MSFW	
County—Grant	
Parts:	
Southern Slopes CCD	
MSFW—Skagit Co.	1
County—Skagit	
Parts:	
MSFW	
MSFW—Toppenish/Grandview	1
County—Yakima	
Parts:	
Mabton CCD	
S. Yakima CCD	
Sunnyside CCD	
Toppenish-Wapato CCD	
MSFW—Walla Walla/Columbia	1
County—Columbia	
Parts:	
MSFW	
County—Walla Walla	
Parts:	
MSFW	
MSFW—Whatcom Co.	1
County—Whatcom	
Parts:	
MSFW	
Pov./Mig. Pop.—Central Grant Co.	4
County—Grant	
Parts:	
Ephrata—Soap Lake CCD	
George CCD	
Gloyd CCD	
Moses Lake CCD	
Quincy CCD	
Warden CCD	
Wilson Creek CCD	
Stillaguamish Ind. Tribe	1
County—Snohomish	
Parts:	
C.T. 531-532	
C.T. 534	

PRIMARY CARE: Washington

Facility Listing

Facility Name	Degree of shortage group
Clallam Bay Corr. C.	3
County—Clallam	
McNeil Island Corr. C.	1
County—Pierce	
Wa Corr. C. For Women	2
County—Pierce	
Wash. Corr.-Reception Ctr	2

PRIMARY CARE: Washington—Continued

Facility Listing

Facility Name	Degree of shortage group
County—Mason	

PRIMARY CARE: West Virginia

County Listing

County Name	Degree of shortage group
*Barbour	4
*Berkeley	
Population Group: Pov.Pop./MSFW—Shenandoah	2
*Boone	
Service Area: Whitesville	2
*Braxton	2
Cabell	
Service Area: Guyandotte	1
*Calhoun	3
*Clay	2
*Doddridge	
Service Area: Doddridge/Salem	1
*Fayette	
Service Area: New Haven	1
Service Area: Oak Hill	3
*Gilmer	3
*Grant	
Service Area: Moorefield	3
Service Area: Mt Storm	2
*Greenbrier	
Service Area: Greenbriar/Pocahontas	4
*Hampshire	2
Hancock	
Service Area: East Liverpool (Oh/Pa/Wv)	3
*Hardy	
Service Area: Baker	3
Service Area: Moorefield	3
*Harrison	
Service Area: Doddridge/Salem	1
Service Area: Shinnston/Fairmont	4
*Jefferson	
Population Group: Pov.Pop./MSFW—Shenandoah	2
Kanawha	
Service Area: Cabin Creek	2
Service Area: Clendanin	2
Service Area: Pocatalico	2
*Lewis	4
*Lincoln	2
*Marion	
Service Area: Shinnston/Fairmont	4
Marshall	
Service Area: Cameron	1
Facility: West Virginia Pen.	3
*Mason	
Service Area: Graham/Waggener	1
*McDowell	3
*Mercer	
Service Area: Matoska	2
Mineral	2
*Mingo	
Service Area: Gilbert	3
Service Area: Matewan	1
Service Area: Mingo	1
*Monongalia	
Service Area: Clay/Battelle (Wv/Pa)	2
*Monroe	2
*Morgan	
Service Area: Hancock (Md/Pa/Wv)	2
*Pendleton	4
*Pocahontas	
Service Area: Greenbriar/Pocahontas	4
Service Area: Huttonsville/Durbin	4
*Preston	
Service Area: Bruceton Mills	3
Service Area: Rowlesburg/Eglon	1
*Raleigh	
Service Area: Northwest Raleigh	1
Service Area: Shady Spring/Jumping Branch	1
*Randolph	
Service Area: Huttonsville/Durbin	4
Facility: Huttonsville Corr. C.	3
*Ritchie	
Service Area: Harrisville	2
*Roane	2

PRIMARY CARE: West Virginia—Continued

County Listing

County Name	Degree of shortage group
*Summers	
Service Area: Shady Spring/Jumping Branch	1
*Taylor	1
*Upshur	
Service Area: Rock Cave	1
Wayne	
Service Area: Wayne/Fort Gay	1
*Webster	3
*Wetzel	
Service Area: Clay/Battelle (Wv/Pa)	2
*Wirt	2

PRIMARY CARE: West Virginia

Service Area Listing

Service Area Name	Degree of shortage group
Baker	3
County—Hardy	
Parts:	
*Capon Dist.	
*Lost River Dist.	
Bruceton Mills	3
County—Preston	
Parts:	
Grant Dist.	
Cabin Creek	2
County—Kanawha	
Parts:	
C.T. 121-122	
Cameron	1
County—Marshall	
Parts:	
Cameron Dist.	
Clay/Battelle (Wv/Pa)	2
County—Monongalia	
Parts:	
*C.T. 114	
County—Wetzel	
Parts:	
*Center Dist.	
*Church Dist.	
*Clay Dist.	
Clendanin	2
County—Kanawha	
Parts:	
C.T. 112	
Doddridge/Salem	1
County—Doddridge	
County—Harrison	
Parts:	
*Salem City	
East Liverpool (Oh/Pa/Wv)	3
County—Hancock	
Parts:	
Grant Dist.	
Gilbert	3
County—Mingo	
Parts:	
*Stafford Dist.	
Graham/Waggener	1
County—Mason	
Parts:	
*Graham Dist.	
*Waggener Dist.	
Greenbriar/Pocahontas	4
County—Greenbrier	
Parts:	
Anthony Creek Dist.	
Falling Spring Dist.	
Frankford Dist.	
Williamsburg Dist.	
County—Pocahontas	
Parts:	
Little Levels Dist.	
Guyandotte	1
County—Cabell	
Parts:	
C.T. 2	
Hancock (Md/Pa/Wv)	2
County—Morgan	
Parts:	
*Allen Dist.	

PRIMARY CARE: West Virginia—Continued

Service Area Listing

Service Area Name	Degree of shortage group
*Bath Dist.	
*Rock Gap Dist.	
*Sleepy Creek Dist.	
Harrisville	2
County—Ritchie	
Parts:	
*Grant Dist.	
*Murphy Dist.	
*Union Dist.	
Huttonsville/Durbin	4
County—Pocahontas	
Parts:	
Greenbank Dist.	
County—Randolph	
Parts:	
Huttonsville Dist.	
Middle Fork Dist.	
Mingo Dist.	
Matewan	1
County—Mingo	
Parts:	
*Magnolia Dist.	
Matoaka	2
County—Mercer	
Parts:	
E.D. 407-409 (Dist. 3)	
E.D. 413-417 (Dist. 3)	
E.D. 419 (Dist. 3)	
Mingo	1
County—Mingo	
Parts:	
Harvey Dist.	
Kermit Dist.	
Moorefield	3
County—Grant	
Parts:	
*Grant Dist.	
*Milroy Dist.	
*Petersburg City	
County—Hardy	
Parts:	
*Moorefield Dist.	
*Moorefield Twn.	
*South Fork Dist.	
Mt Storm	2
County—Grant	
Parts:	
*Union Dist.	
New Haven	1
County—Fayette	
Parts:	
*C.T. 210-211	
Northwest Raleigh	1
County—Raleigh	
Parts:	
*C.T. 112	
Oak Hill	3
County—Fayette	
Parts:	
*C.T. 201-206	
Pocatalico	2
County—Kanawha	
Parts:	
C.T. 108	
Rock Cave	1
County—Upshur	
Parts:	
*Banks Dist.	
*Meade Dist.	
*Washington Dist. (S 1/2)	
Rowlesburg/Eglon	1
County—Preston	
Parts:	
Reno Dist.	
Union Dist.	
Shady Spring/Jumping Branch	1
County—Raleigh	
Parts:	
*C.T. 108 (Se 1/2)	
County—Summers	
Parts:	
*Bluestone River Dist. (Nw 1/2)	
Shinnston/Fairmont	4
County—Harrison	
Parts:	
*Northern Dist.	
County—Marion	
Wayne/Fort Gay	1

PRIMARY CARE: West Virginia—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Wayne	
Parts:	
Butler Dist.	
Stonewall Dist.	
Union Dist.	
Whitesville	2
County—Boone	
Parts:	
Dist. 1	

PRIMARY CARE: West Virginia

Population Group Listing

Population Group	Degree of shortage group
Pov.Pop./MSFW—Shenandoah	2
County—Berkeley	
Parts:	
MSFW	
Pov. Pop.	
County—Jefferson	
Parts:	
Pov. Pop.	

PRIMARY CARE: West Virginia

Facility Listing

Facility Name	Degree of shortage group
Huttonsville Corr. C.	3
County—Randolph	
West Virginia Pen.	3
County—Marshall	

PRIMARY CARE: Wisconsin

County Listing

County Name	Degree of shortage group
*Adams	2
*Ashland	
Service Area: Park Falls/Phillips	3
*Bayfield	
Service Area: Hayward/Radisson	2
Brown	
Service Area: Pulaski	2
Facility: Wisconsin State Ref.	3
*Buffalo	
Service Area: Arcadia	4
Service Area: Mondovi	2
*Burnett	2
Calumet	3
*Clark	3
*Crawford	
Service Area: Boscobel	3
*Dodge	
Facility: Dodge Corr. I.	2
Facility: Wisconsin Corr. I.	1
*Door	
Service Area: Sister Bay/Washington Island	2
Service Area: Sturgeon Bay	3
Douglas	
Service Area: Minong/Solon Springs	4
Eau Claire	
Service Area: Osseo	3
*Forest	2
*Grant	
Service Area: Boscobel	3
Service Area: Lancaster/Fennimore	3
Service Area: Platteville/Cuba City	2
*Green Lake	
Service Area: Markesan/Kingston	2

PRIMARY CARE: Wisconsin—Continued

County Listing

County Name	Degree of shortage group
*Iowa	
Service Area: Dodgeville/Mineral Point	4
Service Area: Platteville/Cuba City	2
*Iron	
Service Area: Ironwood/Hurley (Mi/Wi)	2
Service Area: Park Falls/Phillips	3
*Jackson	
Service Area: Osseo	3
*Juneau	
Service Area: Hillsboro	3
Service Area: Mauston/New Lisbon	4
*Kewaunee	
Service Area: Kewaunee City/Algoma	4
La Crosse	
Service Area: Coon Valley/Chaseburg	1
*Lafayette	
Service Area: Darlington/Shullsburg	3
Service Area: Platteville/Cuba City	2
*Langlade	
Service Area: Elcho	2
Service Area: Mountain/White Lake	1
*Lincoln	
Service Area: Tomahawk	4
Marathon	
Service Area: Athens/Edgar	2
Service Area: Tigerton/Birnamwood	3
*Marinette	
Service Area: W. Marinette	3
*Marquette	
Service Area: Montello	4
*Menominee	1
Milwaukee	
Service Area: Capitol Drive (Milwaukee)	1
Service Area: Inner City South	3
Service Area: Inner City North (Milwaukee)	2
Service Area: Juneautown	1
Population Group: Med. Ind. Pop.- Inner City West	1
*Monroe	
Service Area: Hillsboro	3
Service Area: Sparta	4
*Oconto	
Service Area: Mountain/White Lake	1
Service Area: Pulaski	2
*Oneida	
Service Area: Elcho	2
Service Area: Tomahawk	4
Outagamie	
Service Area: Clintonville/Marion	4
*Pepin	
Service Area: Mondovi	2
*Polk	
Service Area: Frederic/Luck	4
*Price	
Service Area: Park Falls/Phillips	3
Service Area: Tomahawk	4
*Richland	
Service Area: Hillsboro	3
Service Area: Spring Green/Plain	4
*Sauk	
Service Area: Hillsboro	3
Service Area: Spring Green/Plain	4
*Sawyer	
Service Area: Hayward/Radisson	2
Service Area: Park Falls/Phillips	3
*Shawano	
Service Area: Clintonville/Marion	4
Service Area: Pulaski	2
Service Area: Tigerton/Birnamwood	3
*Taylor	4
*Trempealeau	
Service Area: Arcadia	4
Service Area: Galesville/Trempealeau	2
Service Area: Osseo	3
*Vernon	
Service Area: Coon Valley/Chaseburg	1
Service Area: Genoa	1
Service Area: Hillsboro	3
*Vilas	
Service Area: Land O'lakes/Presque Isle	2
*Washburn	
Service Area: Hayward/Radisson	2
Service Area: Minong/Solon Springs	4
Waukesha	
Facility: Ethan Allen School	3
*Waupaca	
Service Area: Clintonville/Marion	4
Service Area: Tigerton/Birnamwood	3

PRIMARY CARE: Wisconsin—Continued

County Listing

County Name	Degree of shortage group
*Waushara	
Service Area: Wautoma/Plainfield/Wild Rose	4

PRIMARY CARE: Wisconsin

Service Area Listing

Service Area Name	Degree of shortage group
Arcadia	4
County—Buffalo	
Parts:	
Buffalo Twn.	
Cross Twn.	
Fountain City	
Glencoe Twn.	
Milton Twn.	
Montana Twn.	
Waumandee Twn.	
County—Trempealeau	
Parts:	
Arcadia City	
Arcadia Twn.	
Dodge Twn.	
Athens/Edgar	2
County—Marathon	
Parts:	
Athens Vil.	
Bern Twn.	
Edgar Vil.	
Fenwood Vil.	
Frankfort Twn.	
Halsey Twn.	
Johnson Twn.	
Reitbrock Twn.	
Wein Twn.	
Boscobel	3
County—Crawford	
Parts:	
Haney Twn.	
Marietta Twn.	
Scott Twn.	
Steuben Vil.	
County—Grant	
Parts:	
Bagley Vil.	
Blue River Vil.	
Boscobel Twn.	
Boscobel City	
Castle Rock Twn.	
Hickory Grove Twn.	
Marion Twn.	
Millville Twn.	
Mount Hope Twn.	
Mount Ida Twn.	
Muscoda Twn.	
Muscoda Vil.	
Patch Grove Twn.	
Patch Grove Vil.	
Watterstown Twn.	
Woodman Twn.	
Woodman Vil.	
Wyalusing Twn.	
Capitol Drive (Milwaukee)	1
County—Milwaukee	
Parts:	
C.T. 41–43	
C.T. 45–47	
C.T. 63–65	
Clintonville/Marion	4
County—Outagamie	
Parts:	
Bear Creek Vil.	
Deer Creek Twn.	
Maine Twn.	
County—Shawano	
Parts:	
Grant Twn. (E 1/2)	
Pella Twn.	
County—Waupaca	
Parts:	
Bear Creek Twn.	
Clintonville City	
Dupont Twn.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Embarrass Vil.	
Larrabee Twn.	
Marion City	
Matteson Twn.	
Union Twn.	
Coon Valley/Chaseburg	1
County—La Crosse	
Parts:	
Washington Twn.	
County—Vernon	
Parts:	
Chaseburg Vil.	
Coon Twn.	
Coon Valley Vil.	
Hamburg Twn.	
Darlington/Shullsburg	3
County—Lafayette	
Parts:	
Argyle Twn.	
Argyle Vil.	
Blanchard Twn.	
Blanchardville Vil.	
Darlington Twn.	
Darlington City	
Fayette Twn.	
Gratiot Twn.	
Gratiot Vil.	
Kendall Twn.	
Lamont Twn.	
Monticello Twn.	
Seymour Twn.	
Shullsburg Twn.	
Shullsburg City	
South Wayne Vil.	
Wayne Twn.	
White Oak Springs Twn.	
Willow Springs Twn.	
Wiota Twn.	
Dodgeville/Mineral Point	4
County—Iowa	
Parts:	
Arena Twn.	
Arena Vil.	
Avoca Vil.	
Barneveld Vil.	
Blanchardville Vil.	
Brigham Twn.	
Clyde Twn.	
Cobb Vil.	
Dodgeville Twn.	
Dodgeville City	
Eden Twn.	
Highland Twn.	
Highland Vil.	
Hollandale Vil.	
Linden Twn.	
Linden Vil.	
Livingston Vil.	
Mineral Point Twn.	
Mineral Point City	
Montfort Vil.	
Moscow Twn.	
Muscoda Vil.	
Pulaski Twn.	
Ridgeway Twn.	
Ridgeway Vil.	
Waldwick Twn.	
Wyoming Twn.	
Elcho	2
County—Langlade	
Parts:	
*Ainsworth Twn.	
*Elcho Twn.	
*Parrish Twn.	
*Summit Twn.	
*Upham Twn.	
County—Oneida	
Parts:	
*Enterprise Twn.	
*Schoepke Twn.	
Frederic/Luck	4
County—Polk	
Parts:	
Bone Lake Twn.	
Clam Fall Twn.	
Frederic Vil.	
Georgetown Twn.	
Laketown Twn.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Lorain Twn.	
Luck Twn.	
Luck Vil.	
McKinley Twn.	
West Sweden Twn.	
Galesville/Trempealeau	2
County—Trempealeau	
Parts:	
Caledonia Twn.	
Ettrick City	
Ettrick Twn.	
Gale Twn.	
Galesville City	
Trempealeau Twn.	
Trempealeau Vil.	
Genoa	1
County—Vernon	
Parts:	
*Bergen Twn.	
*De Soto Vil.	
*Genoa Twn.	
*Genoa Vil.	
*Harmony Twn.	
*Sterling Twn.	
*Wheatland Twn.	
Hayward/Radisson	2
County—Bayfield	
Parts:	
Barnes Twn. (S. 1/2)	
Cable Twn.	
Drummond Twn. (S. 1/2)	
Grandview Twn.	
Namakagon Twn.	
County—Sawyer	
Parts:	
Bass Lake Twn.	
Couderay Twn.	
Couderay Vil.	
Edgewater Twn.	
Exeland Vil.	
Hayward City	
Hayward Twn.	
Hunter Twn.	
Lenroot Twn.	
Meadowbrooke Twn.	
Meteor Twn.	
Ojibwa Twn.	
Radisson Twn.	
Radisson Vil.	
Round Lake Twn.	
Sand Lake Twn.	
Spider Lake Twn.	
Weirgar Twn.	
Winter Twn.	
Winter Vil.	
County—Washburn	
Parts:	
Bass Lake Twn.	
Stinnett Twn.	
Stone Lake Twn.	
Hillsboro	3
County—Juneau	
Parts:	
Union Center Vil.	
Wonewoc Twn.	
Wonewoc Vil.	
County—Monroe	
Parts:	
Glendale Twn.	
Kendall Vil.	
Sheldon Twn.	
Wellington Twn.	
County—Richland	
Parts:	
Bloom Twn.	
Cazenovia Vil.	
Henrietta Twn.	
Westford Twn.	
Yuba Vil.	
County—Sauk	
Parts:	
Woodland Twn.	
County—Vernon	
Parts:	
Forest Twn.	
Greenwood Twn.	
Hillsboro City	
Hillsboro Twn.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Ontario Vil.	
Union Twn.	
Whitestown Twn.	
Inner City North (Milwaukee)	2
County—Milwaukee	
Parts:	
C.T. 44	
C.T. 66-72	
C.T. 79-86	
C.T. 101-107	
C.T. 114-118	
C.T. 139-142	
C.T. 146-147	
Inner City South	3
County—Milwaukee	
Parts:	
C.T. 155-159	
C.T. 162-169	
C.T. 174-180	
Ironwood/Hurley (Mi/Wi)	2
County—Iron	
Parts:	
Anderson Twn.	
Carey Twn.	
Gurney Twn.	
Hurley City	
Kimball Twn.	
Knight Twn.	
Mercer Twn.	
Montreal City	
Oma Twn.	
Pence Twn.	
Saxon Twn.	
Juneautown	1
County—Milwaukee	
Parts:	
C.T. 108	
C.T. 110-113	
Kewaunee City/Algoma	4
County—Kewaunee	
Parts:	
Ahnapee Twn.	
Algoma City	
Carlton Twn.	
Casco Twn.	
Casco Vil.	
Kewaunee City City	
Lincoln Twn.	
Pierce Twn.	
W. Kewaunee Twn.	
Lancaster/Fennimore	3
County—Grant	
Parts:	
Beetown Twn.	
Bloomington Twn.	
Bloomington Vil.	
Cassville Twn.	
Cassville Vil.	
Fennimore City	
Fennimore Twn.	
Glen Haven Twn.	
Lancaster City	
Liberty Twn.	
Little Grant Twn.	
Monfort Vil.	
North Lancaster Twn.	
Potosi Twn.	
Potosi Vil.	
South Lancaster Twn.	
Waterloo Twn.	
Wingville Twn.	
Land O'lakes/Presque Isle	2
County—Vilas	
Parts:	
Land O'lake Twn.	
Presque Isle Twn.	
Winchester Twn.	
Markesan/Kingston	2
County—Green Lake	
Parts:	
Kingston Twn	
Kingston City	
Mackford Twn	
Manchester Twn	
Markesan City	
Marquette Twn	
Marquette City	
Mauston/New Lisbon	4

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Juneau	
Parts:	
Camp Douglas Vil.	
Clearfield Twn.	
Cutler Twn.	
Elroy City	
Fountain Twn.	
Germantown Twn.	
Hustler Vil.	
Kildare Twn.	
Kingston Twn.	
Lemonweir Twn.	
Lindina Twn.	
Lisbon Twn.	
Lyndon Station Vil.	
Marion Twn.	
Mauston City	
Necedah Twn.	
Necedah Vil.	
New Lisbon City	
Orange Twn.	
Plymouth Twn.	
Seven Mile Creek Twn.	
Summit Twn.	
Minong/Solon Springs	4
County—Douglas	
Parts:	
Bennett Twn.	
Dairyland Twn.	
Gordon Twn.	
Highland Twn.	
Oakland Twn. (S. 1/2)	
Solon Springs Twn.	
Solon Springs Vil.	
Wascott Twn.	
County—Washburn	
Parts:	
Brooklyn Twn.	
Chicog Twn.	
Frog Creek Twn.	
Gull Lake Twn.	
Minong Twn.	
Minong Vil.	
Mondovi	2
County—Buffalo	
Parts:	
*Alma City	
*Alma Twn.	
*Belvidere Twn.	
*Buffalo City	
*Canton Twn.	
*Cochrane Vil.	
*Dover Twn.	
*Gilmanton Twn.	
*Lincoln Twn.	
*Modena Twn.	
*Mondovi City	
*Mondovi Twn.	
*Naples Twn.	
County—Pepin	
Parts:	
*Albany Twn.	
Montello	4
County—Marquette	
Parts:	
Crystal Lake Twn.	
Harris Twn.	
Mecan Twn.	
Montello City	
Montello Twn.	
Neshkoro Twn.	
Neshkoro Vil.	
Newton Twn.	
Oxford Twn.	
Oxford Vil.	
Packwaukee Twn.	
Shields Twn.	
Springfield Twn.	
Westfield Twn.	
Westfield Vil.	
Mountain/White Lake	1
County—Langlade	
Parts:	
Evergreen Twn.	
Langlade Twn.	
White Lake Vil.	
Wolf River Twn.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Oconto	
Parts:	
Armstrong Twn.	
Bagley Twn.	
Brazeau Twn.	
Breed Twn.	
Doty Twn.	
Lakewood Twn.	
Riverview Twn.	
Townsend Twn.	
Osseo	3
County—Eau Claire	
Parts:	
Augusta Twn.	
Bridge Creek Twn.	
Clear Creek Twn.	
Fairchild Twn.	
Fairchild Vil.	
Otter Creek Twn.	
County—Jackson	
Parts:	
*Cleveland Twn.	
*Garfield Twn.	
*Northfield Twn.	
County—Trempealeau	
Parts:	
*Hale Twn.	
*Osseo City	
*Strum Twn.	
*Sumner Twn.	
*Unity Twn.	
Park Falls/Phillips	3
County—Ashland	
Parts:	
Agenda Twn.	
Butternut Vil.	
Chippewa Twn.	
Gordon Twn.	
Jacobs Twn.	
Peeksville Twn.	
Shanagolden Twn.	
County—Iron	
Parts:	
Sherman Twn.	
County—Price	
Parts:	
Catawba Twn.	
Catawba Vil.	
Eisenstein Twn.	
Elk Twn.	
Emery Twn.	
Fifield Twn.	
Flambeau Twn.	
Georgetown Twn.	
Hackett Twn.	
Harmony Twn.	
Kennan Twn.	
Kennan Vil.	
Lake Twn.	
Ogema Twn.	
Park Falls City	
Phillips City	
Prentice Twn. (W.1/2)	
Prentice Vil.	
Worchester Twn.	
County—Sawyer	
Parts:	
Draper Twn.	
Platteville/Cuba City	2
County—Grant	
Parts:	
Clifton Twn.	
Cuba City City	
Dickeyville Vil.	
Ellenboro Twn.	
Harrison Twn.	
Hazel Green Twn.	
Hazel Green Vil.	
Lima Twn.	
Livingston Vil.	
Paris Twn.	
Platteville Twn.	
Platteville City	
Smelser Twn.	
County—Iowa	
Parts:	
Mifflin Twn.	
Rewey Vil.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Lafayette	
Parts:	
Belmont Twn.	
Belmont Vil.	
Benton Twn.	
Benton Vil.	
Elk Grove Twn.	
New Diggings Twn.	
Pulaski	2
County—Brown	
Parts:	
Pittsfield Twn.	
Pulaski Vil.	
County—Oconto	
Parts:	
Chase Twn.	
County—Shawano	
Parts:	
Angelica Twn.	
Maple Grove Twn.	
Sister Bay/Washington Island	2
County—Door	
Parts:	
Baileys Harbor Twn.	
Ephriam Vil.	
Gibraltar Twn.	
Liberty Grove Twn.	
Sister Bay Vil.	
Washington Island Twn.	
Sparta	4
County—Monroe	
Parts:	
Angelo Twn.	
Cashton Vil.	
Jefferson Twn.	
Lafayette Twn.	
Leon Twn.	
Little Falls Twn.	
Melvina Vill.	
New Lyme Twn.	
Norwalk Vil.	
Portland Twn.	
Ridgeville Twn.	
Sparta City	
Sparta Twn.	
Wells Twn.	
Spring Green/Plain	4
County—Richland	
Parts:	
Buena Vista Twn.	
Lone Rock Vil.	
County—Sauk	
Parts:	
Bear Creek Twn.	
Franklin Twn.	
Honey Creek Twn.	
Plain Vil.	
Spring Green Vil.	
Spring Green Twn.	
Troy Twn.	
Sturgeon Bay	3
County—Door	
Parts:	
Brussels Twn.	
Claybanks Twn.	
Egg Harbor Twn.	
Egg Harbor Vil.	
Forestville Twn.	
Forestville Vil.	
Gardner Twn.	
Jacksonport Twn.	
Nasewaupee Twn.	
Sevastopol Twn.	
Sturgeon Bay Twn.	
Sturgeon Bay City	
Union Twn.	
Tigerton/Birnamwood	3
County—Marathon	
Parts:	
Elderon Twn.	
Elderon Vil.	
Franzen Twn.	
Hatley Vil.	
Norrie Twn.	
Plover Twn.	
County—Shawano	
Parts:	
Almon Twn.	

PRIMARY CARE: Wisconsin—Continued

Service Area Listing

Service Area Name	Degree of shortage group
Aniwa Twn.	
Aniwa Vil.	
Birnamwood Twn.	
Birnamwood Vil.	
Bowler Vil.	
Eland Vil.	
Fairbanks Twn.	
Germania Twn.	
Grant Twn. (W 1/2)	
Hutchins Twn.	
Matoon Vil.	
Morris Twn.	
Tigerton Vil.	
Wittenberg Twn.	
Wittenberg Vil.	
County—Waupaca	
Parts:	
Big Falls Vil.	
Harrison Twn.	
Wyoming Twn.	
Tomahawk	4
County—Lincoln	
Parts:	
*Bradley Twn.	
*Harrison Twn.	
*King Twn.	
*Skanawan Twn.	
*Somo Twn.	
*Tomahawk Twn.	
*Tomahawk City	
*Wilson Twn.	
County—Oneida	
Parts:	
*Little Rice Twn.	
*Lynne Twn.	
*Nokonus Twn.	
County—Price	
Parts:	
*Hill Twn.	
*Knox Twn.	
*Prentice Twn. (Eastern 1/2)	
*Spirit Twn.	
W. Marinette	3
County—Marinette	
Parts:	
Amberg Twn.	
Athelstane Twn.	
Beaver Twn.	
Coleman Vil.	
Crivitz Vill.	
Lake Twn.	
Middle Inlet Twn.	
Pound Twn.	
Pound Vil.	
Silver Cliff Twn.	
Stephenson Twn.	
Wausaukee Twn.	
Wausaukee Vil.	
Wautoma/Plainfield/Wild Rose	4
County—Waushara	
Parts:	
Coloma Twn.	
Coloma Vil.	
Dakota Twn.	
Deerfield Twn.	
Hancock Twn.	
Hancock Vil.	
Marion Twn.	
Mount Morris Twn.	
Oasis Twn.	
Plainfield Twn.	
Plainfield Vil.	
Richford Twn.	
Rose Twn.	
Springwater Twn.	
Wautoma Twn.	
Wautoma City	
Wild Rose Vil.	

PRIMARY CARE: Wisconsin

Population Group Listing

Population Group	Degree of shortage group
Med. Ind. Pop.- Inner City West	1
County—Milwaukee	
Parts:	
C.T. 62	
C.T. 87-90	
C.T. 96-100	
C.T. 119-123	
C.T. 133-138	
C.T. 148-149	

PRIMARY CARE: Wisconsin

Facility Listing

Facility Name	Degree of shortage group
Dodge Corr. I.	2
County—Dodge	
Ethan Allen School	3
County—Waukesha	
Wisconsin Corr. I.	1
County—Dodge	
Wisconsin State Ref.	3
County—Brown	

PRIMARY CARE: Wyoming

County Listing

County Name	Degree of shortage group
Albany	
Service Area: Rock River	1
Big Horn	
Service Area: Greybull	2
*Campbell	
Service Area: Wright	2
Carbon	
Service Area: Rawlins	2
Converse	4
Crook	2
Fremont	
Service Area: Dubois	1
Service Area: Jeffrey City	1
Population Group: Arapahoe/Shoshone Indians	1
Hot Springs	
Population Group: Arapahoe/Shoshone Indians	1
Lincoln	
Service Area: Kemmerer/Cokeville	3
Natrona	
Service Area: Midwest/Edgerton	1
Niobrara	1
Park	
Service Area: Gardiner/Yellowstone (Mt/Wy)	1
Sublette	
Service Area: Big Piney/Marbleton	3
Service Area: Pinedale/Boulder	4
Sweetwater	
Service Area: Rawlins	2
Service Area: Rock Springs	3
*Uinta	
Service Area: Lyman	1
Weston	4

PRIMARY CARE: Wyoming

Service Area Listing

Service Area Name	Degree of shortage group
Big Piney/Marbleton	3
County—Sublette	
Parts:	
*Big Piney Div.	
Dubois	1

PRIMARY CARE: Wyoming—Continued

Service Area Listing

Service Area Name	Degree of shortage group
County—Fremont	
Parts:	
*Dubois Div.	
Gardiner/Yellowstone (Mt/Wy)	1
County—Park	
Parts:	
Yellowstone Nat'L Park Cc	
Greybull	2
County—Big Horn	
Parts:	
Big Horn Central Div.	
Big Horn South Div.	
Jeffrey City	1
County—Fremont	
Parts:	
*Sweetwater Div.	
Kemmerer/Cokeville	3
County—Lincoln	
Parts:	
*Kemmerer East Div.	
*Kemmerer West Div.	
Lyman	1
County—Uinta	
Parts:	
*Bridger Valley Div.	
Midwest/Edgerton	1
County—Natrona	
Parts:	
E.D. 1675 (Edgertown)	
E.D. 1676.77 (Midwest)	
E.D. 1676.81 (Unincor)	
Pinedale/Boulder	4
County—Sublette	
Parts:	
*Boulder Div.	
*Pinedale Div.	
Rawlins	2
County—Carbon	
County—Sweetwater	
Parts:	
Wamsutter Div.	
Rock River	1
County—Albany	
Parts:	
Rock River Div.	
Rock Springs	3
County—Sweetwater	
Parts:	
Green River North Div.	
Green River South Div.	
Rock Spring Norh Div.	
Rock Spring South Div.	
Wright	2
County—Campbell	
Parts:	
*Gillette South Div.	

PRIMARY CARE: Wyoming

Population Group Listing

Population Group	Degree of shortage group
Arapahoe/Shoshone Indians	1
County—Fremont	
Parts:	
Wind River Div	
County—Hot Springs	
Parts:	
Wind River Div.	

PRIMARY CARE: American Samoa

County Listing

County Name	Degree of shortage group
Eastern District	
Service Area: Terr. Of American Samoa	2

PRIMARY CARE: American Samoa—Continued

County Listing

County Name	Degree of shortage group
Manu'A District	
Service Area: Terr. Of American Samoa	2
Rose Island	
Service Area: Terr. Of American Samoa	2
Swains Island	
Service Area: Terr. Of American Samoa	2
Western District	
Service Area: Terr. Of American Samoa	2

PRIMARY CARE: American Samoa

Service Area Listing

Service Area Name	Degree of shortage group
Terr. Of American Samoa	2
County—Eastern District	
County—Manu'A District	
County—Rose Island	
County—Swains Island	
County—Western District	

PRIMARY CARE: Trust Territories

County Listing

County Name	Degree of shortage group
*Kosrae State	2
*Pohnpei State	1
*Truk State	1
*Yap State	1

PRIMARY CARE: Guam

County Listing

County Name	Degree of shortage group
*Guam	1

PRIMARY CARE: Marshall Islands

County Listing

County Name	Degree of shortage group
*Republic Of Marshall Is.	1

PRIMARY CARE: N. Mariana Islands

County Listing

County Name	Degree of shortage group
*Comnwlth Of N. Mariana Is	1

PRIMARY CARE:

County Listing

County Name	Degree of shortage group
*Republic Of Palau	1

PRIMARY CARE: Puerto Rico

County Listing

County Name	Degree of shortage group
*Adjuntas	2
*Aguada	4
*Aguas Buenas	3
*Anasco	3
*Arecibo	
Population Group: Pov. Pop.—Arecibo	2
*Arroyo	
Population Group: Pov. Pop.—Arroyo	1
*Barceloneta	
Population Group: Pov. Pop.—Barceloneta	4
*Barranquitas	
Population Group: Pov. Pop.—Barranquitas	1
*Cabo Rojo	
Population Group: Pov. Pop.—Cabo Rojo	3
*Camuy	2
*Canovanas	2
*Cayey	
Population Group: Pov. Pop.—Cayey	1
*Ceiba	
Population Group: Pov. Pop.—Ceiba	2
*Ciales	4
*Cidra	2
*Coamo	
Population Group: Pov. Pop.—Coamo	1
*Comerio	3
*Corozal	2
*Dorado	2
*Fajardo	
Population Group: Pov. Pop.—Fajardo	1
*Florida	2
*Guanica	
Population Group: Pov. Pop.—Guanica	1
*Guayama	
Population Group: Pov. Pop.—Guayama	1
*Guayanilla	
Population Group: Pov. Pop.—Guayanilla	1
*Gurabo	1
*Hatillo	1
*Hormigueros	1
*Humacao	
Population Group: Pov. Pop.—Humacao	2
*Isabela	3
*Jayuya	
Population Group: Pov. Pop.—Jayuya	1
*Juana Diaz	2
*Juncos	1
*Lajas	1
*Lares	1
*Las Marias	2
*Las Peidras	1
*Loiza	3
*Luquillo	1
*Manati	
Population Group: Pov. Pop.—Manati	1
*Maricao	
Population Group: Pov. Pop.—Maricao	2
*Maunabo	1
*Mayaguez	
Population Group: Pov. Pop.—Mayaguez	1
*Moca	
Population Group: Pov. Pop.—Moca	1
*Morovis	2
*Naguabo	
Population Group: Pov. Pop.—Naguabo	2
*Naranjito	2
*Orocovis	1
*Patillas	4
*Ponce	
Population Group: Pov. Pop.—Ponce	2
*Quebradillas	2
*Rincon	4
*Rio Grande	
Population Group: Pov. Pop.—Rio Grande	1
*Sabana Grande	3
*Salinas	
Population Group: Pov. Pop.—Salinas	1

PRIMARY CARE: Puerto Rico—Continued

County Listing

County Name	Degree of shortage group
*San German	
Population Group: Pov. Pop.—San German	2
*San Juan	
Service Area: Barrio Obrero	4
*San Lorenzo	
Population Group: Pov. Pop.—San Lorenzo	1
*San Sebastian	
Population Group: Pov. Pop.—San Sebastian	1
*Santa Isabel	1
*Toa Alta	1
*Utuado	
Population Group: Pov. Pop.—Utuado	1
*Vega Alta	
Population Group: Pov. Pop.—Vega Alta	1
*Vega Baja	
Population Group: Pov. Pop.—Vega Baja	1
*Villalba	2
*Yabucoa	
Population Group: Pov. Pop.—Yabucoa	1
*Yauco	
Population Group: Pov. Pop.—Yauco	1

PRIMARY CARE: Puerto Rico

Service Area Listing

Service Area Name	Degree of shortage group
Barrio Obrero	4
County—San Juan	
Parts:	
*C.T. 29–39	
*C.T. 44–45	

PRIMARY CARE: Puerto Rico

Population Group Listing

Population Group	Degree of shortage group
Pov. Pop.—Arecibo	2
County—Arecibo	
Pov. Pop.—Arroyo	1
County—Arroyo	
Pov. Pop.—Barceloneta	4
County—Barceloneta	
Pov. Pop.—Barranquitas	1
County—Barranquitas	
Pov. Pop.—Cabo Rojo	3
County—Cabo Rojo	
Pov. Pop.—Cayey	1
County—Cayey	
Pov. Pop.—Ceiba	2
County—Ceiba	
Pov. Pop.—Coamo	1
County—Coamo	
Pov. Pop.—Fajardo	1
County—Fajardo	
Pov. Pop.—Guanica	1
County—Guanica	
Pov. Pop.—Guayama	1
County—Guayama	
Pov. Pop.—Guayanilla	1
County—Guayanilla	
Pov. Pop.—Humacao	2
County—Humacao	
Pov. Pop.—Jayuya	1
County—Jayuya	
Pov. Pop.—Manati	1
County—Manati	
Pov. Pop.—Maricao	2
County—Maricao	
Pov. Pop.—Mayaguez	1
County—Mayaguez	
Pov. Pop.—Moca	1
County—Moca	
Pov. Pop.—Naguabo	2
County—Naguabo	
Pov. Pop.—Ponce	2

PRIMARY CARE: Puerto Rico—Continued

Population Group Listing

Population Group	Degree of shortage group
County—Ponce	
Pov. Pop.—Rio Grande	1
County—Rio Grande	
Pov. Pop.—Salinas	1
County—Salinas	
Pov. Pop.—San German	2
County—San German	
Pov. Pop.—San Lorenzo	1
County—San Lorenzo	
Pov. Pop.—San Sebastian	1
County—San Sebastian	
Parts:	
Pov. Pop.—San Sebastia	
Pov. Pop.—Utuado	1
County—Utuado	
Pov. Pop.—Vega Alta	1
County—Vega Alta	
Pov. Pop.—Vega Baja	1
County—Vega Baja	
Pov. Pop.—Yabucoa	1
County—Yabucoa	
Pov. Pop.—Yauco	1
County—Yauco	

PRIMARY CARE: Virgin Islands

County Listing

County Name	Degree of shortage group
*St. Croix	
Service Area: Fredericksted	4
*St. Thomas	
Service Area: East End St. Thomas	1

PRIMARY CARE: Virgin Islands

Service Area Listing

Service Area Name	Degree of shortage group
East End St. Thomas	1
County—St. Thomas	
Parts:	
*East End	
*Southside	
*Tutu	
Fredericksted	4
County—St. Croix	
Parts:	
Fredericksted	
Northwest	
Southwest	

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Alaska

County Listing

N.W. Arctic Borough

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Arkansas

Service Area Listing

Redfield
County—Jefferson
Parts:
C.T. 2

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Georgia

County Listing

Colquitt
Lumpkin
Macon
McDuffie

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Georgia

Population Group Listing

Mig. Pop.—Berrien/Cook
County—Berrien
Parts:
Mig. Pop.
County—Cook
Mig. Pop.

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Indiana

County Listing

Fulton
Warren

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Kansas

County Listing

Coffey
Ellsworth
Kearny
Linn
Osage
Washington
Woodson

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Kansas

Service Area Listing

Herington
County—Dickinson
Parts:
Herington City
Hope Twp.
Liberty Twp.

PRIMARY CARE: Kansas—Continued

Service Area Listing

Lyon Twp.
Ridge Twp.
Union Twp.
County—Marion
Blaine Twp.
Clear Creek Twp.
Colfax Twp.
Lost Spring Twp.
County—Morris
Highland Twp.
Overland Twp.
Township 4
Township 5
Township 6
Township 7
Township 8
Township 9

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Kansas

Population Group Listing

Med. Ind. Pop.—Lansing
County—Leavenworth
Parts:
Lansing City
Leavenworth City

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Kentucky

County Listing

Breathitt
Estill
McLean
Menifee
Russell

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Louisiana

County Listing

Claiborne

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Maine

Service Area Listing

Corinth
County—Penobscot
Parts:
Bradford Twn.
Charleston Twn.
Corinth Twn.
Exeter Twn.
Hudson Twn.

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Mississippi

County Listing

Quitman
Wilkinson

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Montana

Service Area Listing

Choteau
County—Lewis And Clark
Parts:
Augusta CCD
County—Teton
Choteau CCD
Fairfield CCD
Shelby
County—Toole
S. Toole CCD (W. 2/3)
Shelby City
Sunburst CCD
Sheridan/Twin Bridges
County—Madison
Sheridan CCD
Twin Bridges CCD

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Nebraska

County Listing

Chase
Johnson
Sherman

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Nevada

County Listing

Mineral

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Ohio

Service Area Listing

Blanchester
County—Brown
Parts:
Perry Twp.
County—Clermont
Wayne Twp.
County—Clinton
Jefferson Twp.
Marion Twp.
County—Warren
Harlan Twp.

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Pennsylvania

Service Area Listing

Exeter
County—Luzerne
Parts:
Exeter Boro.
Exeter Twp.
Franklin Twp.
West Wyoming Boro.
County—Wyoming
Exeter Twp.
Falls Twp.

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: Virginia

Service Area Listing

Norfolk Area 1
County—Norfolk/Portsmouth
Parts:
C.T. 32–33
C.T. 60–61
Norfolk Area 2
County—Norfolk/Portsmouth
C.T. 34
C.T. 35.01–35.02
Norfolk Area 3
County—Norfolk/Portsmouth
C.T. 50
C.T. 52–53

WITHDRAWALS FROM LIST OF PRIMARY MEDICAL CARE HPSAs

PRIMARY CARE: West Virginia

Service Area Listing

Cedar Grove
County—Kanawha
Parts:
C.T. 118–120
Summerville
County—Nicholas
Grant Dist.
Hamilton Dist.
Jefferson Dist.
Kentucky Dist. (W. 1/2)
Summerville Dist.
Wilderness Dist.

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Wednesday
October 28, 1992

Part III

Department of Transportation

Federal Transit Administration

49 CFR Part 604

Charter Service Demonstration Program; Proposed Rule

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

49 CFR Part 604

[Docket No. 92-E]

RIN 2132-AA40

Charter Services Demonstration Program

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of proposed rulemaking; request for proposals.

SUMMARY: Section 3040 of the Intermodal Surface Transportation Efficiency Act (ISTEA) directs the Federal Transit Administration (FTA) to issue regulations establishing a demonstration program which would permit transit operators to provide charter services for the purpose of meeting the transit needs of government, civic, charitable, and other community activities which otherwise would not be served in a cost effective and efficient manner. Section 3040 also requires the FTA to consult with a board representing public transit operators and privately owned charter services. Today's NPRM describes the FTA's proposed demonstration program, and seeks proposals from localities wishing to participate in the demonstration program.

DATES: Proposals and comments must be submitted on or before December 28, 1992.

ADDRESSES: Proposals and comments should be addressed to Rules Docket Clerk, Department of Transportation, Federal Transit Administration, Docket No. 92-E, 400 Seventh Street, SW., Washington, DC 20590. They will be available for review at this address from 9 a.m. to 5 p.m., Monday through Friday.

Commenters wishing acknowledgment of their comments should include a self-addressed, stamped postcard with their comments. The Docket Clerk will stamp the card with the date and time the comments are received and return the card to the commenter.

FOR FURTHER INFORMATION CONTACT: Rita Daguillard, Attorney-Advisor, FTA Office of Chief Counsel, (202) 366-1936, or Rosemary Woods, FTA Office of Private Sector Initiatives, (202) 366-1666.

SUPPLEMENTARY INFORMATION:

I. Background

On April 13, 1987, the FTA, then the Urban Mass Transportation Administration, revised its charter service regulation, 49 CFR part 604. The principle behind this regulation is that federally funded equipment and facilities may not be used to compete unfairly with private charter operators, in keeping with sections 3(f) and 12(c)(6) of the Federal Transit Act, as amended (49 U.S.C. 1602(f) and 1608(c)(6)). When the regulation went into effect on May 13, 1987, it was subject to five limited exceptions, set out in 49 CFR 604.9. Under these exceptions, a recipient of Federal funds may provide charter services if: (1) There is no willing and able private operator; (2) the private charter operator does not have the capacity needed for a particular charter trip; (3) the private charter operator is unable to provide equipment accessible to the elderly and persons with disabilities; (4) in non-urbanized areas, the charter service that would be provided would result in a hardship on users; or, (5) private charter operators are not capable of providing service for special events.

On December 22, 1987, the President signed the Department of Transportation and Related Agencies Appropriations Act, 1988 (Pub. L. 100-202, 101 Stat. 1329; hereafter the "FY 1988 Act"). In the Conference Report accompanying the FY 1988 Act, the FTA was directed to amend its charter service regulation to "permit non-profit social service agencies to seek bids for charter service from publicly funded operators." (Conf. Rept., Committee Print accompanying Department of Transportation and Related Agencies Appropriations Act, 1988, 100th Cong., 1st Sess. 62). This report suggests that "(t)hese non-profit agencies * * * be limited to government entities and those entities subject to sections 501(c) 1, 3, 5 (sic) and 19 of the Internal Revenue Code." The Report recommends that "(i)n such cases, the public operator * * * be required to identify to the chartering organizations any private operator that has notified it of its willingness and ability to provide comparable charter service."

Further to this congressional directive, the FTA amended its charter regulation on December 30, 1988, to provide three additional exceptions to the general prohibition on the use of federally funded equipment and facilities for charter service (53 FR 53348).

The first exception allows the use of FTA-funded equipment and facilities for direct charter service with non-profit social service agencies that are governmental entities or organizations exempt from taxation under Internal Revenue Code 501(c) (1), (3), (4) and (19), provided that the agency is contracting for service for persons with disabilities; is a recipient of funds under certain U.S. Department of Health and Human Service ("USDHHS") programs; or has been State-certified according to the procedure set forth in § 604.9(b)(5)(iii) of the Charter Service Regulation.

The second exception provides an additional exemption for non-urbanized areas by allowing FTA-funded equipment and facilities operated by recipients in such areas to be used incidentally in direct charter service for social services agencies that are governmental entities or organizations exempt under Internal Revenue Code 501(c) (1), (3), (4) and (19), provided that the agency is contracting for service for elderly persons.

The third exception allows FTA-funded equipment and facilities to be used on an incidental basis in any particular charter service for which the FTA recipient and the local private operators have reached an agreement as part of the willing and able determination allowing the recipient to provide such service.

II. Section 3040 of ISTEA

On December 18, 1991, the President signed the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Section 3040 of ISTEA, directs the FTA to issue regulations implementing a charter services demonstration program in not more than 4 states. Under this demonstration program, transit operators would be permitted to provide charter service for the purposes of meeting the transit needs of government, civic, charitable, and other community activities which otherwise would not be served in a cost effective and efficient manner. Section 3040 provides that in developing such regulations, the FTA shall consult with a board that is equally represented by public transit operators and privately owned charter services. The FTA is directed to transmit to Congress, not later than 3 years after the date of enactment of the Federal Transit Act, a report containing an evaluation of the effectiveness of the demonstration program regulations established under this section and to issue regulations to improve the current charter services regulation.

The Conference Report accompanying ISTEA, (H.R. Rep. No. 404, 102nd Cong., 1st Sess. 424 (1991)), explains that the demonstration program has been mandated in response to the concerns expressed by local transit operators regarding the existing charter service regulation. The Report states that the implementing regulations should be designed to enable public transit operators to provide charter services to government, civic, charitable and other community organizations that serve a

public purpose and help address unmet transit needs. According to the Report, it is intended that these regulations will grant public transit operators additional flexibility that is not afforded under the existing charter regulations, without creating undue competition for privately owned charter operators. The Report indicates that the results of the demonstration program should provide Congress and the FTA with data to determine the most effective method for providing charter services to local communities, and whether the current regulations are in need of modification. The Report recommends that the FTA select the state of Michigan as a participant in the program.

III. The Proposed Demonstration Program

The current charter regulations, particularly since the December 1988 amendment, provide recipients with sufficient flexibility to meet the charter needs of most users. The FTA recognizes, however, that because of particular local circumstances, customers in some areas are unable to obtain service in a cost effective and efficient manner. Therefore, the FTA does not propose to overhaul the charter regulation during the demonstration period, but instead to amend the regulation to grant recipients in demonstration sites additional flexibility in adjusting to local circumstances. Since these circumstances are defined by specific local conditions, rather than attempting to predetermine the adjustments needed, the FTA proposes that such decisions should be made locally by appropriate officials.

Moreover, both section 3040 of ISTEA and the Report make it clear that the demonstration program should not interfere with the viability of the private charter industry, nor generate unfair competition with private operators. Accordingly, the FTA's proposed demonstration project would allow service decisions to be made by local officials, with the advice and recommendations from a panel composed of an equal number of representatives of the public and private sectors.

In formulating the proposal which appears in today's NPRM, the FTA has consulted with a board that is equally representative of public and private transit providers. Pursuant to section 3040(b) of ISTEA, the FTA appointed a Charter Services Demonstration Program Federal Advisory Committee (Advisory Committee), composed of 24 representatives of the public and private sectors.

The committee membership is as follows:

Public Transit Operators and Their Representatives

1. Capital Area Transportation Authority, Lansing, Michigan.
2. Metropolitan Transit Authority of Harris County, Houston, Texas.
3. Monterey-Salinas Transit Authority, Monterey, California.
4. Central Oklahoma Transit Authority, Oklahoma City, Oklahoma.
5. Toledo Area Transit Authority, Toledo, Ohio.
6. Mass Transit Administration, Baltimore, Maryland.
7. Metropolitan Atlanta Regional Transit Authority, Atlanta, Georgia.
8. Pinellas-Suncoast Transit Authority, Clearwater, Florida.
9. Greenville Transit Authority, Greenville, South Carolina.
10. American Public Transit Association, Washington, DC.
11. Michigan Department of Transportation, Lansing, Michigan.
12. Sacramento Area Council of Governments, Sacramento, California.

Privately Owned Charter Services and Their Representatives

1. Indian Trails Bus Company, Oswosso, Michigan.
2. American Bus Association, Washington, DC.
3. Lake Front Lines, Brookpark, Ohio.
4. American Coach Lines, Tuxedo, Maryland.
5. Academy Bus Tours, Newark, New Jersey.
6. Kerrville Bus Lines, San Antonio, Texas.
7. Antelope Valley Bus, Lancaster, California.
8. Hotard Destinations Services, New Orleans, Louisiana.
9. Airport Ground Transportation Assn., Knoxville, Tennessee.
10. Arrow Stage Lines, Phoenix, Arizona.
11. California Bus Association, San Francisco, California.
12. Northfield Lines, Inc., Northfield, Minnesota.

The Advisory Committee met for the first time in Washington on May 4, 1992. During this meeting, the Advisory Committee provided advice and recommendations on an initial demonstration proposal developed by the FTA. The FTA has modified its initial demonstration proposal in keeping with the comments of the Advisory Committee. The main features of the modified proposal are described below.

A. Overview of the Demonstration Program

Since needs for and access to charter services vary greatly from one locality to another, the FTA believes that local officials are best able to determine which services should be provided under the demonstration program. The FTA thus proposes a demonstration program which provides for local decisionmaking. Under this program, a State Department of Transportation (State DOT) or metropolitan planning organization (MPO) in each of the selected sites would appoint a local advisory panel composed of representatives of the public and private sectors. The advisory panel would recommend to the State DOT or MPO that a public transit agency participating in the program be allowed to provide certain types of charter service. The State DOT or MPO would accept recommendations which received a unanimous vote from the advisory panel, and decide to grant or deny other recommendations, based on certain set criteria. There would be a limited appeal to the FTA of the State DOT's or MPO's decision. The demonstration would take place during a 12 to 18 month period, in six different sites. The specific sites will be announced in the final rule (§ 604.9(b)(8)(v)). Data collected during the demonstration would be presented to Congress as directed by Section 3040(c) of ISTEA. The specific features of the demonstration are discussed below.

B. Local Decisionmaking Structure

The FTA proposes that either a State DOT or MPO be empowered to receive and rule upon applications by FTA recipients to provide charter service during the demonstration program. Applications will be based upon the criteria outlined in subsection (C) below, and will be forwarded to the State DOT or MPO by an advisory panel composed of 4–6 persons, with equal representation by public transit providers or local business organizations and representatives of local private operators. Members of the advisory panel will be appointed by the State DOT or MPO. If there is unanimity by the advisory panel, the State DOT or MPO will accept the panel's recommendation. If there is not unanimity, the MPO will take into consideration the various positions expressed and will make a decision based on the criteria listed in subsection (C) below.

C. Criteria for Exceptions

The FTA proposes that the State DOT or MPO be allowed to grant or deny exceptions to the charter regulation which would allow FTA recipients to provide direct charter service during the demonstration program, on the basis of the following criteria:

1. Cost Evaluation

A State DOT or an MPO may grant an exception if an FTA recipient offers service at a significantly lower cost than can private charter operators. Cost differences may be considered significant when there is approximately a twenty percent difference between the average cost of service by private operators, and the FTA recipient's fully allocated cost of providing the service.

2. Equipment Uniqueness

A State DOT or an MPO may grant an exception if an FTA recipient possesses equipment not available from private operators and which, if obtained from a public source, would result in a substantial surcharge for charter customers. The equipment must be essential to the purpose of the charter. Examples may include lift-equipped vehicles for persons with disabilities, air-conditioned buses during the summer months, and special vehicles such as trolley buses for special events that would be enhanced by such equipment.

3. Service Nature

A State DOT or an MPO may grant an exception if the nature of the service is such that only an FTA recipient can practically provide it. For example, unscheduled or demand responsive service may not be available from a private provider without advance notice and a considerable cost increase to the customer. Public mass transit schedules also may make it impractical to lease public transit equipment to a private operator for certain types of service and at certain times of day.

4. Specific Local Factors

A State DOT or an MPO may grant a waiver to accommodate a specific local need that cannot be met by the private sector, and which is important to the economic or social health and vitality of the local area. Given the great diversity of conditions from one locality to another with respect to the availability of charter service, the participants in the demonstration program should be given wide latitude in formulating exceptions which respond to these conditions. One such example of specific local needs could be the use by a municipality of FTA-funded buses to transport potential investors to the site of a future industrial complex.

D. Appeal Process

The FTA will entertain appeals of an MPO's or State DOT's denial or grant of an exception only if the above criteria were not properly applied in the decisionmaking process of the MPO or State DOT.

E. Protection of Private Charter Operators

Exceptions may not be granted if the MPO or State DOT determines that exceptions would jeopardize the economic viability of individual private charter operators or would seriously detract from private charter business. Moreover, service provided by recipients under these exceptions should meet its fully allocated cost.

F. Length of Demonstration

Demonstrations will be conducted for a 12–18 month period. This will provide the FTA with sufficient time to evaluate the effect of the demonstration program on the availability of local charter service, given seasonal variations. It will also provide the FTA with sufficient time to analyze the data gathered during the demonstration and prepare for Congress the report required by section 3040(c) of ISTEA.

G. Demonstration Sites

Because of the difficulty and cost associated with conducting demonstrations on a statewide basis, the FTA proposes that three pairs of sites be selected. These sites will fall into the following population ranges: (1) Under 250,000; (2) 250,000 to 999,999; and (3) 1,000,000 to 2,999,999. The FTA has excluded very large metropolitan areas because of the difficulty of monitoring programs in these areas, and because they are generally well served by local charter operators. Conducting the demonstrations in matched pairs of sites will provide a basis for comparison and ensure that the data collected does not reflect only unique local circumstances. The specific sites will be announced in the final rule (§ 604.9(b)(8)(v)).

The FTA will evaluate the proposals solicited in section IV, below, in selecting demonstration sites.

H. Data Collection and Monitoring

The FTA will conduct a process of data collection, validation, monitoring and evaluation for the charter services demonstration. This process will include community discussions with local groups to explain the purpose of this demonstration and how it will be structured, in order to minimize any concerns about this demonstration at the local level. Proposed data to be collected, and program monitoring and evaluation procedures of the demonstration will be discussed with interested parties. This is to determine the availability and relevance of the data to be collected, and monitoring and evaluation procedures to be followed.

The data to be collected during the demonstration will focus on a review of available reports, on data from public operators, and on a survey of the users of the charter services provided by the public operators.

The survey data to be collected will include the number and duration of charter trips provided; the number and types of groups served; whether or not the group served used a private charter for the same kind of trip before the demonstration, and if not, why not; cost per hour/trip; variation between public and private costs, when such private costs are available; the effect of this cost variation on the frequency of charter trips; and special equipment provided.

A report to Congress will be prepared following the completion of the demonstration. This report will serve as the basis for determining whether the current regulation is in need of modification.

IV. Request for Proposals

The FTA requests proposals, to be submitted within 60 days of publication of this notice in the **Federal Register** from public agencies wishing to participate in the demonstration program. These proposals will be discussed with the Advisory Committee, which will assist the FTA in evaluating proposals and selecting demonstration sites. If there are significant changes to the FTA's proposed demonstration program as a result of the comments, public agencies will be allowed to revise their proposals. The proposals must include the following:

—The geographic area of the demonstration and a list of public and private charter operators,
—Evidence of local consensus on the demonstration among public and private operators, *e.g.*, a written agreement by public and private operators that they are willing to participate in the demonstration,
—A plan for providing demonstration data,
—A proposed procedure for establishing an advisory panel and the identification of either the State DOT or MPO to rule on local exceptions to be allowed under this proposed demonstration,
—An indication of a willingness of the local public operators and private charter service providers to coordinate their activities during this demonstration effort,
—Identification and analysis of groups not being served under the current charter regulation but which would be

eligible based upon the "Criteria for Exceptions" in Section IIIC.

—With the advice and recommendation of the Advisory Committee, the FTA will base its demonstration design, site selection, and data collection and monitoring effort, on the proposals submitted. The choice of demonstration types and sites will be announced by the FTA in its final rule establishing regulations implementing the program.

V. Request for Comments

The FTA also seeks comments from interested parties on the substance and structure of the proposed demonstration project. Specifically, the FTA seeks responses to the following questions:

—Who should comprise the advisory panel that makes recommendations to the State DOT or MPO, and who should appoint its members?

—Should there be criteria for exceptions other than those listed in subsection III(C), above?

—When evaluating public and private costs, what difference should be considered "significant"?

—Which groups are not being served under the current regulations?

—Should there be an appeal to the FTA of a decisionmaker's denial or granting of an exception?

—Should the FTA conduct statewide demonstrations, or demonstrations in selected sites in not more than four states?

—If demonstrations are conducted in pairs of sites, should more than six sites be selected?

—What additional data should be collected during the demonstration programs?

Commenters wishing acknowledgement of their comments should include a self-addressed, stamped postcard with their comments. The Docket Clerk will stamp the card with the date and time the comments are received and return the card to the commenter.

VI. Regulatory Impacts and Assurances

A. Executive Order 12291

This action has been reviewed under Executive Order 12291. The FTA believes that the rule will not result in an annual effect on the economy of $100 million or more, and therefore is not a major rule under Executive Order 12291. Because this proposed rule would only implement a limited demonstration, the FTA finds that the economic impact of this proposed regulation is so minimal that a full regulatory evaluation is not necessary. The costs of the demonstration would be included in the fully allocated costs to the public operators of providing charter services during the demonstration. Further, applications to provide service will not be granted if they would jeopardize the economic vitality of individual private charter operators or would seriously detract from private charter business. An appropriate regulatory evaluation would accompany any rules proposed as a result of this demonstration program. However, the FTA welcomes comments on costs or benefits of the demonstration program, proposals submitted for the demonstration programs, or costs anticipated as a result of the demonstration program.

B. Departmental Significance

This proposed regulation is considered to be a significant rule as defined by the Department's Regulatory Policies and Procedures on Improving Governmental Regulations. This proposed regulation would allow FTA recipients to provide a limited number of direct charter trips in up to six sites nationwide for the purpose of implementing the demonstration program mandated by Congress in ISTEA to improve the charter service regulations.

C. Regulatory Flexibility Act

In accordance with 5 U.S.C. 605(b), as added by the Regulatory Flexibility Act, Public Law 96–354, the FTA certifies that this proposed rule will not have a significant impact on a substantial number of small entities within the meaning of the Act.

D. Paperwork Reduction Act

The FTA anticipates a small additional collection of information required by the regulations proposed in this document that is subject to the Paperwork Reduction Act, Public Law 96–511, 44 U.S.C. chapter 35. This increase has been calculated in the collection of information for 49 CFR part 604 (Control #2132–0543) that has been submitted to the Office of Management and Budget.

E. Federalism

This proposed regulation has been reviewed under Executive Order 12612 on Federalism and the FTA has determined that this action does not have implications for principles of Federalism that warrant the preparation of a Federalism Assessment. If promulgated, this rule will not limit the policy making or administrative discretion of the States, nor will it impose additional costs or burdens on the States, nor will it affect the States' abilities to discharge the traditional State governmental functions or otherwise affect any aspect of State sovereignty. Moreover, this demonstration program has been mandated by statute (Section 3040 of ISTEA).

List of Subjects in 49 CFR Part 604

Administrative practice and procedure, Buses, Grant programs—transportation, Mass transportation, Reporting and recordkeeping requirements.

VII. Proposed Amendment to 49 CFR Part 604

Accordingly, for the reasons described in the preamble, title 49, Code of Federal Regulations, part 604, Charter Service, is proposed to be amended as follows:

PART 604—CHARTER SERVICE

1. The authority citation for part 604 continues to read as follows:

Authority: Federal Transmit Act of 1991, as amended (49 U.S.C. 1601 *et seq.*); 23 U.S.C. 103(e)(4), 142(a), and 142(c); and 49 CFR 1.51.

2. Section 604.9 is proposed to be amended by adding paragraph (b)(8) to read as follows:

§ 604.9 Charter service.

* * * * *

(b) * * *

(8) During the demonstration period described in paragraph (b)(8)(v) of this section, recipients in the FTA-selected sites may submit applications to provide charter service to an advisory panel of four to six persons, equally representative of public transit providers or local business organizations and local private operators, and which has been appointed by a State Department of Transportation (State DOT) or metropolitan planning organization (MPO).

(i) The advisory panel will forward these applications to the State DOT or MPO, which will grant those recommended by unanimous vote of the advisory panel.

(ii) If the advisory panel does not unanimously endorse an application, the State DOT or MPO will make a decision to grant or deny the application based on the following criteria:

(A) *Cost evaluation.* A recipient may provide charter service when it can do so at a significantly lower cost than can private charter operators. Cost differences may be considered significant when there is approximately a twenty percent difference between the average cost of service by private

operators, and the recipient's fully allocated cost of providing the service.

(B) *Equipment uniqueness.* A recipient may provide charter service using equipment that is not available from a private source, when such equipment is essential to the purpose of the charter trip.

(C) *Service nature.* A recipient may provide unscheduled or demand responsive service that could not be provided by a private operator without advance notice or at a substantial surcharge to the customer.

(D) *Specific local factors.* A recipient may provide service which responds to a clear need that cannot be met by the local private sector, and which is important to the economic or social health and vitality of the local area.

(iii) The FTA will entertain appeals of a State DOT's or MPO's denial or granting of an exception only if the above criteria were not properly applied in the State DOT's or MPO's decisionmaking process. Appeals should be made in writing to the FTA Chief Counsel, who will allow the State DOT or MPO fifteen (15) days to respond. The Chief Counsel will rule on the appeal within thirty (30) days of receipt of the State DOT's or MPO's response.

(iv) The State DOT or MPO may not grant applications to provide service that would jeopardize the economic vitality of individual private charter operators or would seriously detract from private charter business.

(v) The service described in this paragraph (b)(8) may be provided only during the demonstration program to be conducted from (STARTING DATE TO BE INSERTED IN FINAL RULE) to (ENDING DATE TO BE INSERTED IN FINAL RULE), in the following sites:

* * * * *

Issued on October 22, 1992.

Roland J. Mross,

Deputy Administrator.

[FR Doc. 92-26081 Filed 10-27-92; 8:45 am]

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "P L U S" (Public Laws Update Service) on 202-523-6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202-512-2470).

H.R. 1216/P.L. 102-430

Indiana Dunes National Lakeshore Access and Enhancement Act. (Oct. 23, 1992; 106 Stat. 2208; 3 pages) Price: $1.00

H.R. 2181/P.L. 102-431

To permit the Secretary of the Interior to acquire by exchange lands in the Cuyahoga National Recreation Area that are owned by the State of Ohio. (Oct. 23, 1992; 106 Stat. 2211; 1 page) Price: $1.00

H.R. 2431/P.L. 102-432

To amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System. (Oct. 23, 1992; 106 Stat. 2212; 2 pages) Price: $1.00

H.R. 3118/P.L. 102-433

To designate the Federal Office Building Number 9 located at 1900 E Street, Northwest, in the District of Columbia, as the "Theodore Roosevelt Federal Building". (Oct. 23, 1992; 106 Stat. 2214; 1 page) Price: $1.00

H.R. 3818/P.L. 102-434

To designate the building located at 80 North Hughey Avenue in Orlando, Florida, as the George C. Young United States Courthouse and Federal Building. (Oct. 23, 1992; 106 Stat. 2215; 1 page) Price: $1.00

H.R. 4281/P.L. 102-435

To designate the Federal building and courthouse to be constructed at 5th and Ross Streets in Santa Ana, California, as the "Ronald Reagan Federal Building and Courthouse". (Oct. 23, 1992; 106 Stat. 2216; 1 page) Price: $1.00

H.R. 4489/P.L. 102-436

To provide for a land exchange with the city of Tacoma, Washington. (Oct. 23, 1992; 106 Stat. 2217; 4 pages) Price: $1.00

H.R. 4539/P.L. 102-437

To designate the general mail facility of the United States Postal Service in Gulfport, Mississippi, as the "Larkin I. Smith General Mail Facility" and the building of the United States Postal Service in Poplarville, Mississippi, as the "Larkin I. SmithPost Office Building". (Oct. 23, 1992; 106 Stat. 2221; 1 page) Price: $1.00

H.R. 4771/P.L. 102-438

To designate the facility under construction for use by the United States Postal Service at FM 1098 Loop in Prairie View, Texas, as the "Esel D. Bell Post Office Building". (Oct. 23, 1992; 106 Stat. 2222; 1 page) Price: $1.00

H.R. 4999/P.L. 102-439

To authorize additional appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House. (Oct. 23, 1992; 106 Stat. 2223; 1 page) Price: $1.00

H.R. 5013/P.L. 102-440

To promote the conservation of wild exotic birds, to provide for the Great Lakes Fish and Wildlife Tissue Bank, to reauthorize the Fish and Wildlife Conservation Act of 1980, to reauthorize the African Elephant Conservation Act, and for other purposes. (Oct. 23, 1992; 106 Stat. 2224; 13 pages) Price: $1.00

H.R. 5122/P.L. 102-441

Jicarilla Apache Tribe Water Rights Settlement Act. (Oct. 23, 1992; 106 Stat. 2237; 6 pages) Price: $1.00

H.R. 5222/P.L. 102-442

To designate the Federal building and United States courthouse located at 204 South Main Street in South Bend, Indiana, as the "Robert A. Grant Federal Building and United States Courthouse". (Oct. 23, 1992; 106 Stat. 2243; 1 page) Price: $1.00

H.R. 5291/P.L. 102-443

To provide for the temporary use of certain lands in the city of South Gate, California, for elementary school purposes. (Oct. 23, 1992; 106 Stat. 2244; 1 page) Price: $1.00

H.R. 5328/P.L. 102-444

To amend title 35, United States Code, with respect to the late payment of maintenance fees. (Oct. 23, 1992; 106 Stat. 2245; 1 page) Price: $1.00

H.R. 5431/P.L. 102-445

To designate the Federal building located at 200 Federal Plaza in Paterson, New Jersey, as the "Robert A. Roe Federal Building". (Oct. 23, 1992; 106 Stat. 2246; 1 page) Price: $1.00

H.R. 5432/P.L. 102-446

To designate the Federal building and United States courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, Arkansas, as the "John Paul Hammerschmidt Federal Building and United States Courthouse". (Oct. 23, 1992; 106 Stat. 2247; 1 page) Price: $1.00

H.R. 5453/P.L. 102-447

To designate the Central Square facility of the United States Postal Service in Cambridge, Massachusetts, as the "Clifton Merriman Post Office Building". (Oct. 23, 1992; 106 Stat. 2248; 1 page) Price: $1.00

H.R. 5479/P.L. 102-448

To designate the facility of the United States Postal Service located at 1100 Wythe Street in Alexandria, Virginia, as the "Helen Day United States Post Office Building". (Oct. 23, 1992; 106 Stat. 2249; 1 page) Price: $1.00

H.R. 5491/P.L. 102-449

To designate the Department of Veterans Affairs medical center in Marlin, Texas, as the "Thomas T. Connally Department of Veterans Affairs Medical Center". (Oct. 23, 1992; 106 Stat. 2250; 1 page) Price: $1.00

H.R. 5572/P.L. 102-450

To designate May of each year as "Asian/Pacific American Heritage Month". (Oct. 23, 1992; 106 Stat. 2251; 2 pages) Price: $1.00

H.R. 5575/P.L. 102-451

To authorize certain additional uses of the Library of Congress Special Facilities Center, and for other purposes. (Oct. 23, 1992; 106 Stat. 2253; 2 pages) Price: $1.00

H.R. 5602/P.L. 102-452

Granting the consent of the Congress to the Interstate Rail Passenger Network Compact. (Oct. 23, 1992; 106 Stat. 2255; 3 pages) Price: $1.00

H.R. 5605/P.L. 102-453

Cedar River Watershed Land Exchange Act of 1992. (Oct. 23, 1992; 106 Stat. 2258; 4 pages) Price: $1.00

H.R. 5751/P.L. 102-454

To provide for the distribution within the United States of certain materials prepared by the United States Information Agency. (Oct. 23, 1992; 106 Stat. 2262; 1 page) Price: $1.00

H.R. 5831/P.L. 102-455

To designate the Federal Building located at Main and Church Streets in Victoria, Texas, as the "Martin Luther King, Jr. Federal Building". (Oct. 23, 1992; 106 Stat. 2263; 1 page) Price: $1.00

H.R. 6000/P.L. 102-456

To redesignate Springer Mountain National Recreation Area as "Ed Jenkins National Recreation Area". (Oct. 23, 1992; 106 Stat. 2264; 1 page) Price: $1.00

H.R. 6049/P.L. 102-457

Congressional Award Act Amendments of 1992. (Oct. 23, 1992; 106 Stat. 2265; 2 pages) Price: $1.00

H.R. 6072/P.L. 102-458

To direct expedited negotiated settlement of the land rights

of the Kenai Natives Association, Inc., under section 14(h)(3) of the Alaska Native Claims Settlement Act, by directing land acquisition and exchange negotiations by the Secretary of the Interior and certain Alaska Native corporations involving lands and interests in lands held by the United States and such corporations. (Oct. 23, 1992; 106 Stat. 2267; 1 page) Price: $1.00

H.R. 6165/P.L. 102-459

To amend certain provisions of law relating to establishment, in the District of Columbia or its environs, of a memorial to honor Thomas Paine. (Oct. 23, 1992; 106 Stat. 2268; 2 pages) Price: $1.00

H.R. 6179/P.L. 102-460

To amend the Wild and Scenic Rivers Act. (Oct. 23, 1992; 106 Stat. 2270; 3 pages) Price: $1.00

H.R. 6184/P.L. 102-461

To amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail. (Oct. 23, 1992; 106 Stat. 2273; 1 page) Price: $1.00

H.J. Res. 353/P.L. 102-462

Designating the week beginning January 3, 1993, as "Braille Literacy Week". (Oct. 23, 1992; 106 Stat. 2274; 2 pages) Price: $1.00

H.J. Res. 399/P.L. 102-463

Designating the week beginning November 1, 1992, as "National Medical Staff Services Awareness Week". (Oct. 23, 1992; 106 Stat. 2276; 1 page) Price: $1.00

H.J. Res. 457/P.L. 102-464

Designating January 16, 1993, as "Religious Freedom Day". (Oct. 23, 1992; 106 Stat. 2277; 2 pages) Price: $1.00

H.J. Res. 467/P.L. 102-465

Designating October 24, 1992, through November 1, 1992, as "National Red Ribbon Week for a Drug-Free America". (Oct. 23, 1992; 106 Stat. 2279; 2 pages) Price: $1.00

H.J. Res. 471/P.L. 102-466

Designating October 14, 1992, as "National Occupational Therapy Day". (Oct. 23, 1992; 106 Stat. 2281; 2 pages) Price: $1.00

H.J. Res. 484/P.L. 102-467

Designating the week beginning February 14, 1993, as "National Visiting Nurse Associations Week". (Oct. 23, 1992; 106 Stat. 2283; 2 pages) Price: $1.00

H.J. Res. 489/P.L. 102-468

Designating February 21, 1993, through February 27, 1993, as "American Wine Appreciation Week", and for other purposes. (Oct. 23, 1992; 106 Stat. 2285; 2 pages) Price: $1.00

H.J. Res. 500/P.L. 102-469

Designating March 1993 as "Irish-American Heritage Month". (Oct. 23, 1992; 106 Stat. 2287; 2 pages) Price: $1.00

H.J. Res. 520/P.L. 102-470

To designate the month of October 1992 as "Country Music Month". (Oct. 23, 1992; 106 Stat. 2289; 1 page) Price: $1.00

H.J. Res. 523/P.L. 102-471

Designating October 8, 1992, as "National Firefighters Day". (Oct. 23, 1992; 106 Stat. 2290; 1 page) Price: $1.00

H.J. Res. 529/P.L. 102-472

Supporting the planting of 500 redwood trees from California in Spain in commemoration of the quincentenary of the voyage of Christopher Columbus and designating the trees as a gift to the people of Spain. (Oct. 23, 1992; 106 Stat. 2291; 2 pages) Price: $1.00

H.J. Res. 543/P.L. 102-473

Designating November 30, 1992, through December 6, 1992, as "National Education First Week". (Oct. 23, 1992; 106 Stat. 2293; 2 pages) Price: $1.00

H.J. Res. 547/P.L. 102-474

Designating May 2, 1993, through May 8, 1993, as "National Walking Week". (Oct. 23, 1992; 106 Stat. 2295; 1 page) Price: $1.00

H.J. Res. 563/P.L. 102-475

Providing for the convening of the first session of the One Hundred Third Congress. (Oct. 23, 1992; 106 Stat. 2296; 1 page) Price: $1.00

S. 1146/P.L. 102-476

Scientific and Advanced-Technology Act of 1992. (Oct. 23, 1992; 106 Stat. 2297; 5 pages) Price: $1.00

S. 1530/P.L. 102-477

Indian Employment, Training and Related Services Demonstration Act of 1992. (Oct. 23, 1992; 106 Stat. 2302; 5 pages) Price: $1.00

S. 2625/P.L. 102-478

To designate the United States courthouse being constructed at 400 Cooper Street in Camden, New Jersey, as the Mitchell H. Cohen United States Courthouse. (Oct. 23, 1992; 106 Stat. 2307; 1 page) Price: $1.00

S. 2661/P.L. 102-479

To authorize the striking of a medal commemorating the 250th anniversary of the founding of the American Philosophical Society and the birth of Thomas Jefferson. (Oct. 23, 1992; 106 Stat. 2308; 2 pages) Price: $1.00

S. 2834/P.L. 102-480

To designate the United States Post Office Building located at 100 Main Street, Millsboro, Delaware, as the "John J. Williams Post Office Building". (Oct. 23, 1992; 106 Stat. 2310; 1 page) Price: $1.00

S.J. Res. 166/P.L. 102-481

Designating the week of October 4 through 10, 1992, as "National Customer Service Week". (Oct. 23, 1992; 106 Stat. 2311; 1 page) Price: $1.00

S.J. Res. 218/P.L. 102-482

Designating the calendar year, 1993, as the "Year of American Craft: A Celebration of the Creative Work of the Hand". (Oct. 23, 1992; 106 Stat. 2312; 2 pages) Price: $1.00

S.J. Res. 252/P.L. 102-483

Designating the week of April 18 through 24, 1993, as "National Credit Education Week". (Oct. 23, 1992; 106 Stat. 2314; 1 page) Price: $1.00

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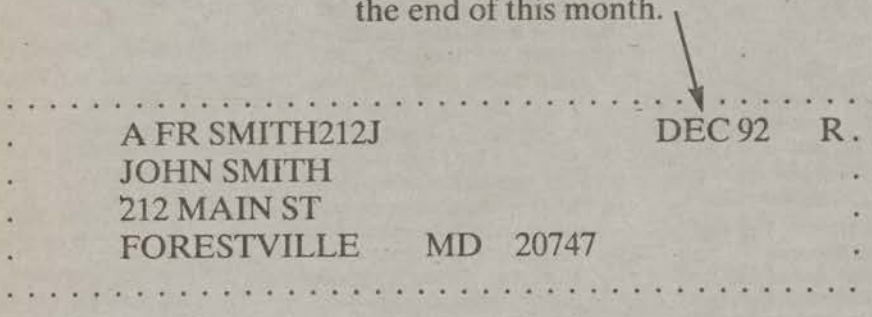

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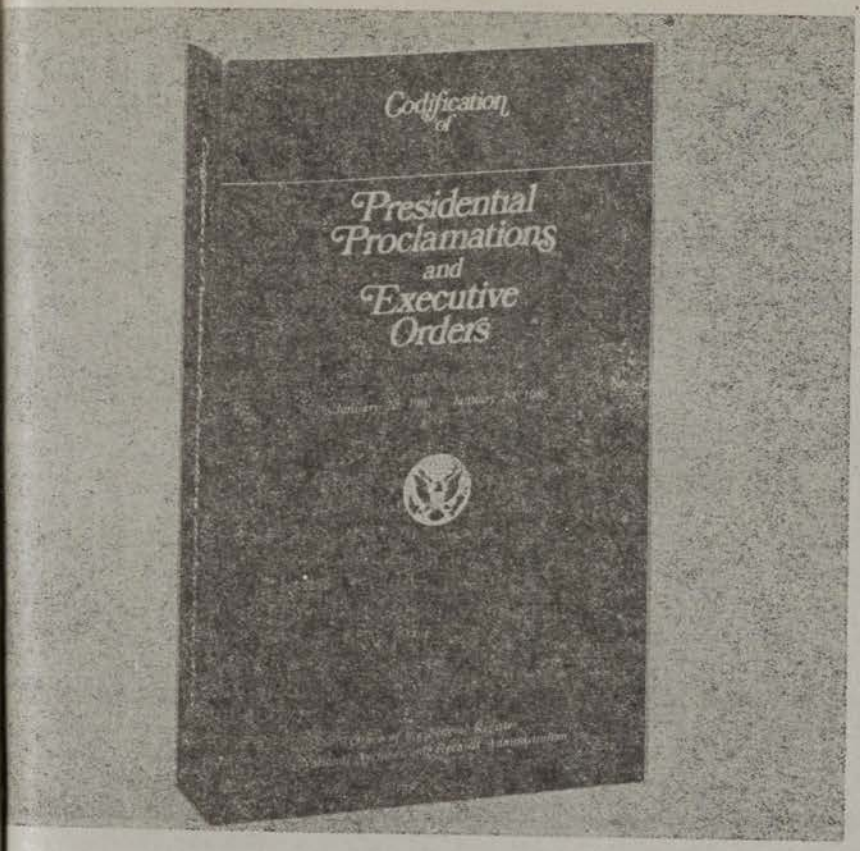

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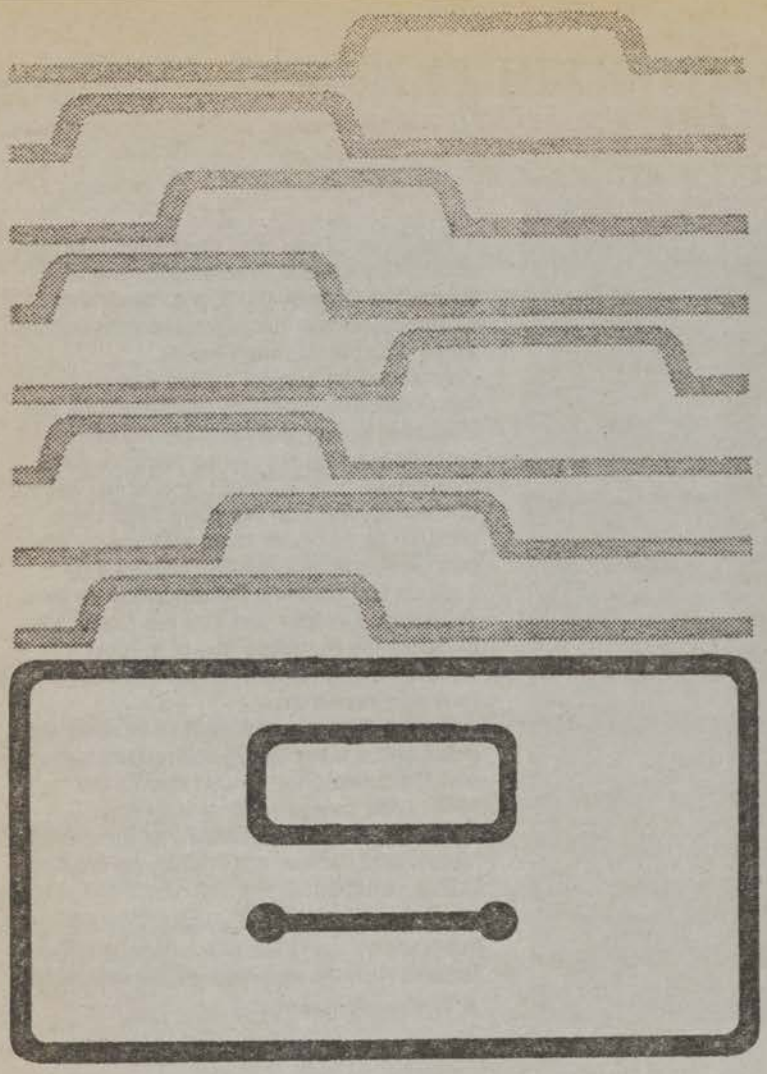

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in the Code of Federal Regulations (CFR

GUIDE: Revised January 1, 1992

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