(2) In the event a temporary suspension order is in effect and a hearing with respect thereto has not been ordered.

* * * * *

§ 230.342 How offering sheet may be amended.

(a) Any amendment to an offering sheet shall be filed in accordance with this section and shall become and be effective only as hereinafter provided:

(1) An amendment shall be made either by filing or substituting a wholly corrected offering sheet, or by filing or substituting entire exhibits or pages, as amended.

(2) Four copies of the amendment shall be filed with the Commission, and each copy shall bear the signature of the person who filed the offering sheet as well as every other person whose estimations or statements are modified or affected by such amendment. Where the amendment is made by filing or substituting exhibits or pages, each such exhibit or page shall be signed by the persons whose signatures are required by this subparagraph.

(3) Any amendment complying with the requirements of Regulation B (§§ 230.300–230.346) shall become effective at such time as the Commission may order.

(4) One copy of any amendment filed shall be notated in red to indicate any changes from the previous filing.

§ 230.344 Withdrawal.

An offering sheet or any amendment or exhibit thereto may be withdrawn upon application if none of the interests described therein have been sold, if all persons on whose behalf the offering sheet was filed and who have received copies thereof have been notified in writing of the intention to withdraw it and the Commission, finding such withdrawal consistent with the public interest and protection of investors consents thereto. Application for the order shall be signed by the person who filed the offering sheet and shall establish the foregoing conditions necessary to the withdrawal.

§ 230.346 Termination.

The Commission will enter an order terminating the exemption if all persons on whose behalf the offering sheet was filed and who have received copies thereof have been notified in writing of the intention to terminate it, and if the Commission shall find it otherwise appropriate in the public interest to do so. Application for the order shall be in the form of an affidavit by the person who filed the offering sheet and shall establish the foregoing conditions necessary to the termination.

§ 239.101 Schedules and forms for offering sheets pertaining to fractional undivided interests in oil or gas rights offered pursuant to exemption under Regulation B (§§ 230.300–230.346 of this chapter).

(a) An offeror of fractional undivided interests in oil or gas rights pursuant to §§ 230.300–230.346 of this chapter shall file an offering sheet, in accordance with § 230.310 or 230.312 of this chapter, upon the applicable schedule listed below:

(1) *Schedule A.* If the interests offered are producing landowners' royalty interests.

(2) *Schedule B.* If the interests offered are nonproducing landowners' royalty interests.

(3) *Schedule C.* If the interests offered are producing overriding royalty interests, working interests, or participating interests, or are oil payments, gas payments, or oil and gas payments to be made from tracts represented to be producing at the time of the offering.

(4) *Schedule D.* If the interests offered are nonproducing overriding royalty interests, working interests, or participating interests, or are oil payments, gas payments, or oil and gas payments to be made from tracts represented to be nonproducing at the time of the offering.

(b) An offeror will also have the obligation of filing the following reports in accordance with § 230.316 of this chapter:

(1) *Form 1–G.* One copy of this report will be filed with the Commission within 15 days after the expiration of the offering sheet or the termination of sales, whichever date is earlier. This form will report the sales of oil or gas interests pursuant to §§ 230.300–230.346 of this chapter.

(2) *Form 3–G.* Four copies of this report will be filed with the Commission within 3 calendar months after the termination of any offering pursuant to §§ 230.300–230.346 of this chapter. This form will report the results of the offering.

NOTE: Copies of amended Form 1–G and newly adopted Form 3–G have been filed with the Office of Federal Register as part of this document and are available upon request at the Securities and Exchange Commission, Washington, D.C. 20549.

(Secs. 3(b), 19(a), 48 Stat. 75, 85, Sec. 209, 48 Stat. 908, 59 Stat. 167, 84 Stat. 1480)

The Commission has taken the foregoing action pursuant to the Securities Act of 1933, particularly sections 3(b) and 19(a) thereof. Such action shall become effective on January 1, 1973, but shall not apply to offering sheets filed prior to that date.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

OCTOBER 11, 1972.

[FR Doc.72–19222 Filed 11–8–72;8:48 am]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Manpower Administration, Department of Labor

PART 615—EXTENDED UNEMPLOYMENT COMPENSATION

Determination of National and State Indicators

Part 615 of Chapter V of Title 20 of the Code of Federal Regulations is amended by revising § 615.13(d) to effectuate section 501 of H.R. 16810, approved by the President on October 27, 1972.

The provisions of 5 U.S.C. 553 which require notice of proposed rulemaking and delay of effective date are not applicable because this amendment is needed on an emergency basis to implement section 501 of H.R. 16810 designed to permit States to pay, under stated conditions, extended compensation for weeks of unemployment beginning after October 27, 1972 and before July 1, 1973. Accordingly, I find that delay in the effective date would be contrary to the public interest.

The amendment shall become effective on the date of its publication in the FEDERAL REGISTER (11–9–72).

As amended, § 615.13 reads as follows:

§ 615.13 Determination of national and State indicators.

* * * * *

(d) There is a State "off" indicator for a State for a week if the head of the State agency determines, in accordance with § 615.14(b), that for the period consisting of such week and the immediately preceding 12 weeks, the total rate of insured unemployment (not seasonally adjusted)—

(1) Was less than 120 percent of the average of such rates for the corresponding 13-week period ending in each of the preceding 2 calendar years, or

(2) Was less than 4 percent.

Provided, however, That if a State by law so provides, an "off" indicator in the State resulting from the application of subparagraph (1) of this paragraph may be disregarded and the determination of whether there has been a State "off" indicator ending any extended benefit period shall be made under this section as if it did not contain subparagraph (1) of this paragraph; if there is no such State "off" indicator, the extended benefit period shall be deemed to continue and extended compensation shall be payable in the State of individuals entitled thereto but only for weeks of unemployment beginning after October 27, 1972 (or, if later, the date established pursuant to State law) and beginning before July 1, 1973; if there is such State "off" indicator, the extended benefit period shall end as provided in § 615.15(b): *Provided further,* That with respect to extended compensation for weeks of unemployment beginning after June 30, 1973, the determination of whether there has been a State "off" indicator ending any extended benefit period shall be made by the application of subparagraphs (1) and (2) of this paragraph.

* * * * *

(Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91–373, amended by section 501 of H.R. 16810; Secretary's Order No. 20–71, August 13, 1971)

Signed at Washington, D.C. this 3d day of November 1972.

M. R. LOVELL, Jr.,
Assistant Secretary for Manpower.

[FR Doc.72–19266 Filed 11–8–72;8:51 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 148e—ERYTHROMYCIN

Erythromycin Stearate; Change in Moisture Content

In a notice published in the FEDERAL REGISTER of March 8, 1972 (37 F.R. 4967), the Commissioner of Food and Drugs proposed to amend the antibiotic drug regulations by raising the moisture limit for erythromycin stearate from 3.0 to 4.0 percent.

One comment was received from a manufacturer in response to the proposal. The firm supported the revision to 4.0 percent, but requested the data upon which the proposed 4 percent limit was based. A summary of such data was provided the firm.

A compilation of certification data for the then current fiscal year (July 1971 to June 1972) shows that the moisture content of all erythromycin stearate produced meets the proposed 4 percent limit.

After consideration of the comment received and the relevant manufacturing data, the Commissioner concludes that the proposal should be adopted without change.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), § 148e.6 *Erythromycin stearate* is amended in paragraph (a)(1)(iii) by changing the moisture content from "3.0" to "4.0" percent.

Effective date. This order shall be effective 30 days after its date of publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: November 2, 1972.

MARY A. MCENIRY,
Assistant to the Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc.72-19215 Filed 11-8-72;8:47 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Significant Deterioration of Air Quality

On April 30, 1971, pursuant to section 109 of the Clean Air Act, as amended, the Administrator promulgated national primary and secondary ambient air quality standards. The Act requires that the primary standards protect public health, with an adequate margin of safety, and that the secondary standards protect public welfare from any known or anticipated adverse effect. Under section 110 of the Act, States are required to prepare and submit to the Administrator plans for implementing the national ambient air standards in each air quality control region in the State. The Administrator published on May 31, 1972, his initial approvals and disapprovals of State implementation plans developed and submitted under these provisions of Federal law.

On May 30, 1972, the U.S. District Court for the District of Columbia decided the case of "Sierra Club v. Ruckelshaus" (Civil Action No. 1031-72) and issued an order which interpreted the Clean Air Act as requiring that, in addition to the attainment of the national standards, the Environmental Protection Agency was to prevent "significant deterioration" of air quality in those areas of the country in which air quality was already better than the standards. The order of the court specifically required the Administrator to again review State implementation plans to determine whether the plans permitted "significant deterioration of existing air quality in any portion of any State where the existing air quality is better than one or more of the secondary (ambient air quality) standards promulgated by the Administrator." The order also required that the Administrator announce his approval or disapproval of plans with respect to this issue within 4 months of the decision. Finally, it required that the Administrator promulgate regulations which were necessary to prevent "significant deterioration" for any State which lacked the necessary laws by December 1, 1972. In accordance with the court's order, a review of State plans was completed on September 30, 1972.

The review of State plans pursuant to the court order dealt with a number of factors which are pertinent to the prevention of "significant deterioration" of air quality. Among these factors were States' legal authority to prevent deterioration, the manner in which States provided for growth, the extent to which States intended to achieve ambient air quality standards more stringent than the national standards, and the extent to which State plans included procedures implementing a policy or requirement prohibiting "significant deterioration."

The review indicated that a majority of the State plans mentioned "nondegradation" of air quality in some manner, either as a statement of policy or as part of their regulations. However, no State included detailed provisions in its enforcement procedures or regulations for implementing such a policy. Accordingly, it has been determined that all State plans must be disapproved to the extent that they do not contain provisions which will effectively prevent "significant deterioration" of air quality. It should be understood, however, that some of the State plans disapproved in this action may in fact fulfill the requirements of the court order as that order is finally implemented.

The action taken herein to disapprove State implementation plans with respect to their provisions for "significant deterioration" is not intended to and should not be construed as affecting the validity of prior approvals or promulgations of State plans by the Administrator. Provisions of approved or promulgated plans remain in effect and are enforceable by the State and/or Federal Government in accordance with the provisions of the Clean Air Act.

To implement the requirement of the Clean Air Act, as interpreted by the court order, in a reasonable manner, the Administrator must resolve a number of complex, interrelated legal, technical, and social issues. The Environmental Protection Agency is proceeding toward resolution of these issues on a priority basis and expects to publish, as soon as possible, proposed regulations setting forth appropriate requirements for modification of State implementation plans.

The amendment set forth below is effective on the date of publication in the FEDERAL REGISTER (11-9-72), because prior notice, public participation, and deferral of effective date are impracticable. The Agency finds that good cause exists for not issuing notice and providing opportunity to comment on this amendment and for making it effective immediately upon publication, since the amendment is made pursuant to a court order which required the Agency to "* * * disapprove (by September 30, 1972) any portion of a State plan which fails to effectively prevent the significant deterioration of existing air quality in any portion of any State." "Sierra Club v. Ruckelshaus," 344 F. Supp. 253 (D.C.D.C., May 30, 1972).

(42 U.S.C. 1857g(a))

Dated: November 7, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator, Environmental Protection Agency.

Subpart A of Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended by adding § 52.21 as follows:

§ 52.21 Significant deterioration of air quality.

Subsequent to May 31, 1972, the Administrator reviewed State implementation plans to determine whether or not the plans permit or prevent significant deterioration of air quality in any portion of any State where the existing air quality is better than one or more of the secondary standards. The review indicates that State plans generally do not contain regulations or procedures specifically addressed to this problem. Accordingly, all State plans are disapproved to the extent that such plans lack procedures or regulations for preventing significant deterioration of air quality in portions of States where air quality is

now better than the secondary standards. The disapproval applies to all States listed in Subparts B through DDD of this part. Nothing in this section shall invalidate or otherwise affect the obligations of States, emission sources, or other persons with respect to all portions of plans approved or promulgated under this part.

[FR Doc.72-19356 Filed 11-8-72;8:56 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Approval of Plan Revisions

On May 31, 1972 (37 F.R. 10842), the Administrator approved certain portions of the implementation plan submitted by the State of Massachusetts for attainment and maintenance of national ambient air quality standards in accordance with the Clean Air Act, as amended (42 U.S.C. 1857 et seq.). On July 27, 1972, a revision to the approved plan was submitted to the Administrator by the State after notice and public hearing. The revision modifies the compliance schedules as they relate to the source identified in the regulation set forth below.

The Administrator has determined that the revision in part is consistent with the requirements of the Clean Air Act and 40 CFR Part 51 and that part is approved as stipulated in the regulation set forth below. A copy of the implementation plan, as revised, is available for public inspection at the Environmental Protection Agency, 401 M Street SW., Washington, DC; at the Agency's Regional Office, John F. Kennedy Building, Boston, Mass.; and at the Massachusetts Department of Public Health, Division of Environmental Health, 600 Washington Street, Room 320, Boston, MA. This regulation is effective on the date of its publication in the FEDERAL REGISTER (11-9-72). The Agency finds that good cause exists for not publishing the regulation as a notice of proposed rule making and for making it effective immediately upon publication, for the following reasons:

1. The implementation plan revision was adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice and public hearings and comments, and consequently further public participation is unnecessary.

2. Immediate effectiveness of the approval enables the source involved to proceed with certainty in conducting its affairs, and persons wishing to seek judicial review of the approval may do so without delay.

(42 U.S.C. 1857c-5)

Dated: November 3, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator,
Environmental Protection Agency.

Section 52.1125 of Chapter I, Title 40 of the Code of Federal Regulations is amended by adding a line and a footnote to the table in paragraph (b) as follows:

§ 52.1125 Compliance schedules.

* * * * * *

(b) * * *

Source	Location	Regulation involved	Date issued by State or local agency
* * *	* * *	* * *	* * *
General Electric Co. [1]	Pittsfield...	5.1.2	July 25, 1972

[1] The revision is approved insofar as it applies to the period April 1, 1973, to October 1, 1973, and is disapproved insofar as it applies to the period October 1, 1972, to March 31, 1973.

[FR Doc.72-19289 Filed 11-8-72;8:53 am]

SUBCHAPTER E—PESTICIDES PROGRAMS

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

2-Chloro-1-(2,4-dichlorophenyl)vinyl Diethyl Phosphate

A petition (PP OF0991) was filed by William Cooper & Nephews, Inc. (now Cooper U.S.A., Inc.), 1909 North Clifton Avenue, Chicago, IL 60614, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) proposing establishment of tolerances for residues of the insecticide 2-chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate in the raw agricultural commodities milk and the meat, fat, and meat byproducts of cattle at 0.002 part per million and in eggs and the meat, fat, and meat byproducts of poultry at 0.001 part per million.

Subsequently, the petitioner amended the petition by (a) changing the proposed tolerance of 0.002 part per million in milk to 0.1 part per million in milk fat (reflecting negligible residues in milk), (b) by increasing the proposed tolerances of 0.002 part per million in meat, fat, and meat byproducts of cattle and 0.001 part per million in eggs and the meat, fat, and meat byproducts of poultry to 0.005 part per million, and (c) by extending this new 0.005 part per tolerance to cover the meat, fat, and meat byproducts of goats, hogs, horses, and sheep.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The pesticide is useful for the purpose for which the tolerances are being established.

2. Since residues of the pesticide concentrate in fat, a tolerance adequate to cover residues in fat is sufficient; separate tolerances are not required on meat, meat byproducts, or whole milk.

3. The tolerance of 0.15 part per million recently established for residues of this insecticide in the fat of cattle and sheep is adequate to cover residues resulting from this proposed use as well.

4. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.322 is revised to read as follows:

§ 180.322 2-Chloro-1-(2,4-dichlorophenyl)vinyl diethyl phosphate; tolerances for residues.

Tolerances are established for residues of the insecticide 2-chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate in or on raw agricultural commodities as follows:

0.15 part per million in the fat of cattle and sheep from dermal application (minimum preslaughter interval 3 days).

0.1 part per million in milk fat (reflecting negligible residues in whole milk).

0.005 part per million in eggs.

0.005 part per million in the fat of goats, hogs, horses, and poultry.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, Fourth and M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by ground legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (11-9-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: November 1, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-19236 Filed 11-8-72;8:49 am]