

been filed for temporary authority under Section 210a(b).

No. MC-FC-77156, filed June 3, 1977. Transferee: Fairfield Trucking, Inc., Route 5, Box 480, Pine Bluff, Jefferson County, Ark. 71601. Transferor: C. N. Fikes, doing business as Fikes Trucking Company, 514 South Maple St., Pine Bluff, Jefferson County, Ark. 71601. Applicant's representative: Louis Tarlow-ski, attorney at law, 914 Pyramid Life Bldg., Little Rock, Ark. 72201. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate No. MC 100597, issued January 31, 1952, as follows: Finished and rough lumber, roofing, lath, and brick, in truckloads, from Arkadelphia, Benton, Carthage, Hot Springs, Lonsdale, Malvern, Manning, Pine Bluff, Sheridan, and Woodson, Ark., to points in Missouri on and south of U.S. Highway 66, and those in Oklahoma on and east of U.S. Highway 81. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-16738 Filed 6-10-77;8:45 am]

[AB 14 (Sub-No. 2)]

NORTHWESTERN PACIFIC RAILROAD CO.

Abandonment Between Detour and San Rafael in Marin County, California

MAY 31, 1977.

The Interstate Commerce Commission hereby gives notice that comments received in response to the environmental threshold assessment survey (TAS) in the above-entitled proceeding have not caused the Commission's Section of Energy and Environment to modify its previous conclusion that this proceeding does not represent a major Federal action significantly affecting the quality

of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq.

Said comments have been responded to in an addendum to the TAS which is available upon request to the Office of Proceeding, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7011.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-16734 Filed 6-10-77;8:45 am]

[AB 12 (Sub-No. 39)]

SOUTHERN PACIFIC TRANSPORTATION CO.

Abandonment Between Concord and Dougherty, in Contra Costa and Alameda Counties, California

MAY 31, 1977.

The Interstate Commerce Commission hereby gives notice that its Section of Energy and Environment has concluded that the proposed abandonment by the Southern Pacific Transportation Company of its line between Concord and Dougherty, a distance of 19.5 miles, in Contra Costa and Alameda Counties, Calif., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that traffic from the line would be diverted to motor carriers resulting in degradation of air quality and increases in energy consumption. Congestion problems on major arterials could be exacerbated during peak commuter hours. However, in light of the close proximity of alternative rail service and declining traffic volumes, the overall impact would

not be significant. Although abandonment would affect industrial development of the Bishop Ranch property by reducing the diversity of industries which would locate there, full development should not be precluded. Alternative transportation is available in the area and the industries which have traditionally located in the region are not heavy rail users. Consequently, the action is not expected to have a serious adverse impact on community development.

A determination has been made that the right-of-way would be suitable for public use. Several governmental agencies have expressed interest in acquiring the right-of-way for a variety of public purposes; including, recreational trails, utility corridor, mass transit purposes and continued rail corridor.

This conclusion is contained in a staff-prepared environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423, telephone 202-275-7011.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before July 13, 1977.

It should be emphasized that the environmental threshold assessment survey represents an evaluation of the environmental issues in the proceeding and does not purport to resolve the issue of whether the present or future public convenience and necessity permit discontinuance of the line proposed for abandonment. Consequently, comments on the environmental study should be limited to discussion of the presence or absence of environmental impacts and reasonable alternatives.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-16735 Filed 6-10-77;8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409, 5 U.S.C. 552b(e)(3)).

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1

AGENCY HOLDING THE MEETING:
Civil Aeronautics Board.

NOTICE OF DELETION OF ITEM FROM
JUNE 7, 1977 MEETING AGENDA

Revised Agenda

TIME AND DATE: 10 a.m., June 7, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: (1) Docket 29139, EDR-296 Reexamination of the Board's Policies concerning Deliberate Overbooking and Oversales.

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, The Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: Item 1 on the revised agenda announced for the June 7, 1977 Board meeting was "Docket 27891, EDR-301, Advance Notice of Proposed Rulemaking to amend Part 234 to establish mandatory on-time arrival standards for certificated route air carriers (petition for rulemaking instituted by Aviation Consumer Action Project)".

At the June 7, 1977 Board meeting, it was noted that Vice Chairman Richard J. O'Melia had expressed his interest in that item. However, Vice Chairman O'Melia is participating in the U.S.-U.K. bilateral negotiations in London, was not able to return to the Board for the June 7, 1977, meeting. This item will be rescheduled in the near future at a time which permits the attendance of Vice Chairman Richard J. O'Melia. The following Members voted that agency business required that this item be deleted from the June 7, 1977, agenda and that no earlier announcement of the change was possible:

Acting Chairman Lee R. West
Member G. Joseph Minetti
Member R. Tenney Johnson

[S-627-77 Filed 6-14-77; 8:45 am]

2

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 10 a.m., June 14, 1977.

PLACE: 2033 K Street, Washington, D.C., 5th Floor Hearing Room.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Proposed Regulation 1.12, Maintenance of Minimum Financial Requirements by FCM's—The Early Warning System.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-628-77 Filed 6-14-77; 8:45 am]

3

AGENCY HOLDING THE MEETING:
Federal Deposit Insurance Corporation.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 29381, June 8, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11 a.m., June 13, 1977.

CHANGES IN THE MEETING:

Notice is hereby given of the addition of a recommendation regarding the liquidation of assets acquired from Farmers Bank of the State of Delaware, Dover, Delaware (Case No. 42,084), to the agenda for consideration at the open meeting of the Board of Directors of the Federal Deposit Insurance Corporation.

CONTACT PERSON FOR MORE INFORMATION:

Alan R. Miller, Executive Secretary, 202-389-4446.

[S-630-77 Filed 6-9-77; 9:14 am]

4

AGENCY HOLDING THE MEETING:
Federal Power Commission.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: (42 FR 29139 changes pub. 6-7-77, 6-9-77, and 6-10-77).

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: June 9, 1977, 2 p.m.

CHANGE IN THE MEETING:

Addition of Item P-9, Docket No. ER76-709, Cincinnati Gas & Electric Company, P-10, Project No. 2709, Monongahela Power Company, G-19, Docket No. RP77-101, Columbia Gas Transmission Corporation, G-20, Docket No. CI76-743, Ladd Petroleum

Corporation, G-21, Docket No. RP75-79, Lehigh Portland Cement Company Complainant v. Florida Gas Transmission Company Respondent.

KENNETH F. PLUMB,
Secretary.

[S-632-77 Filed 6-9-77; 11:13 am]

5

AGENCY HOLDING THE MEETING:
Postal Rate Commission.

TIME AND DATE: 9:30 a.m., Wednesday, June 15, 1977.

PLACE: Conference Room, Room 500, 2000 L Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Draft of Tentative Opinion and Recommended Decision Concerning Special Rate Fourth-Class Mail's "Incidental announcements of books and forms to be used in ordering books", Docket No. MC76-4.

2. Draft of Tentative Opinion and Recommended Decision Concerning the question whether barcoded return mail should receive a one-cent discount from regular first-class mail rates, Docket No. MC76-1.

(Authority to conduct closed meeting: 5 U.S.C. 552 b(c) (10).)

CONTACT PERSON FOR MORE INFORMATION:

Ned Callan, Information Officer, Postal Rate Commission, Room 500, 2000 L Street NW., Washington, D.C. 20268, Telephone: (202) 254-5614.

[S-631-77 Filed 6-9-77; 11:13 am]

6

AGENCY HOLDING THE MEETING:
Renegotiation Board.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 29382, June 8, 1977.

PREVIOUSLY ANNOUNCED DATE AND TIME OF MEETING: Tuesday, June 14, 1977, 10 am.

CHANGES IN MEETING: Cancelled.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446. (202-254-8277.)

Dated: June 8, 1977.

GOODWIN CHASE,
Chairman.

[S-628-77 Filed 6-14-77; 8:45 am]

7

AGENCY HOLDING THE MEETING:
Renegotiation Board.

DATE AND TIME: Monday, June 20,
1977, 10 a.m.

PLACE: Conference Room, 4th Floor,
2000 M St. NW., Washington, D.C. 20446.

STATUS: Open to public.

MATTERS TO BE CONSIDERED:

1. Approval of Minutes of meeting
held June 7, 1977, and other Board
meetings, if any.

2. Application for Commercial Ex-
emption (List No. 2994):

(a) American Velcro, Inc., fiscal year
ended September 30, 1976.

(b) Armstrong Cork Company, fiscal
year ended December 31, 1976.

(c) Bird Electronic Corporation, fis-
cal year ended September 30, 1976.

(d) Analog Devices, Inc., fiscal year
ended October 30, 1976.

(e) Lambda Electronics Corp., fiscal
year ended September 30, 1976.

3. Recommended Clearance or Deter-
mination of Excessive Profits: Esso

Philippines, Inc.; fiscal year ended De-
cember 21, 1973.

4. Report of the Chairman Concern-
ing: (a) Budget; (b) Personnel Actions;
(c) Reorganization of the Staff; (d)
Rulemaking and Regulations.

5. Approval of Agenda for meeting to
be held July 5, 1977.

6. Approval of agenda for other
meetings.

CONTACT PERSON FOR MORE IN- FORMATION:

Kelvin H. Dickinson, Assistant Gen-
eral Counsel—Secretary, 2000 M
Street NW., Washington, D.C. 20446.
(202-254-8277.)

Dated: June 8, 1977.

GOODWIN CHASE,
Chairman.

[8-629-77 Filed 6-14-77; 8:45 am]

8

AGENCY HOLDING THE MEETING:
Nuclear Regulatory Commission.

"FEDERAL REGISTER" CITATION
OF PREVIOUS ANNOUNCEMENT:
Volume 42, No. 108, Page 28968.

PREVIOUSLY ANNOUNCED TIME
AND DATE OF THE MEETING: Fri-
day, June 10, 1977.

CHANGES IN THE MEETING:

9 a.m.—Briefing on Export Licensing
Study Group Report—International
Reach of the National Environmental
Policy Act (public meeting) (additional
item) (approx. 1 hr).

10 a.m.—Joint NRC-ACRS Session
(public meeting) (as previously an-
nounced) (approx. 1 hr).

11 a.m.—Discussion of Draft Opinion
on West Germany (Burgeraktion) In-
tervention Petition (approx. 1 hr) (con-
tinuation of 6-8-77 meeting) (closed—
exemptions 9 and 10).

NOTE.—Briefing on the Draft Procedural
Rule for Export Licensing is postponed.

Dated: June 9, 1977.

WALTER MAGEE,
Chief, Operations Branch,
Office of the Secretary.

[8-644-77 Filed 6-10-77; 9:44 am]

Registered
Federal Property

MONDAY, JUNE 13, 1977

PART II



DEPARTMENT OF
HEALTH,
EDUCATION, AND
WELFARE

Office of Education



TEACHER CENTERS
PROGRAM

Award of Grants

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 197]

TEACHER CENTERS PROGRAM

Award of Grants

AGENCY: Office of Education, HEW.

ACTION: Proposed rule.

SUMMARY: The Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45 of the Code of Federal Regulations by adding a new Part 197, the Teacher Centers Program, enacted by the Education Amendments of 1976. The amendment proposes to direct greater emphasis toward: (1) Additional training for teachers already in service, (2) the schools as a major focus and locale of teacher training, and (3) giving the schools and classroom teachers the major responsibility for determining the kinds of training needed by teachers.

DATES: Comments on or before July 13, 1977.

Public meetings will be held in four cities. The date and time for each meeting follow:

June 21, 1977, Atlanta, Georgia, 6 p.m. to 9 p.m.

June 22, 1977, New York City, 6 p.m. to 9 p.m.

June 27, 1977, San Francisco, California, 6 p.m. to 9 p.m.

June 29, 1977, Chicago, Illinois, 6 p.m. to 9 p.m.

ADDRESSES: Comments should be addressed to A. Bruce Gaarder, U.S. Office of Education, 7th and D Streets, S.W., Room 5652, Washington, D.C. 20202.

The public meetings will be held at the following locations:

Atlanta, Georgia, in the Board Room, Atlanta Public Schools, 155 Garnett Street, S.W., 30303, Telephone: (404) 659-3381.

New York City, at the Auditorium of the Norman Thomas High School, 111 E. 33rd Street, 10016, Telephone: (212) 532-8910.

San Francisco, California, in the Board Room, San Francisco Unified School District, 170 Fell Street, 94102, Telephone: (415) 565-9305.

Chicago, Illinois, at DePaul University (Center Theater, 2nd Floor), 25 Jackson Boulevard (at Wabash), 60604, Telephone: (312) 321-7873 ext. 212.

FOR FURTHER INFORMATION CONTACT:

Allen Schmieder, 202-245-9786.

ATLANTA, GEORGIA

Isaac Wilder, Office of Education, HEW, 50 Seventh Street, N.E., 30323, Telephone: (404) 881-3243.

NEW YORK CITY

Ward Sinclair, Office of Education, HEW, Federal Building, 26 Federal Plaza, 10007, Telephone: (212) 264-4370.

SAN FRANCISCO, CALIFORNIA

Robert Mulligan, Office of Education, HEW, 50 United Nations Plaza, 94102, Telephone: (415) 556-7369.

CHICAGO, ILLINOIS

Richard Nabor, Office of Education, HEW, 300 South Wacker Drive, 60606, Telephone: (312) 353-1743.

SUPPLEMENTARY INFORMATION:

The proposed rule sets forth criteria governing grant awards by the Commissioner of Education to (a) local educational agencies to plan, establish, and operate teacher centers, and (b) to institutions of higher education to operate teacher centers. The proposed regulations would apply to all grant awards made with funds appropriated to carry out the "Teacher Centers Program," section 532 of Title V of the Higher Education Act of 1965, as amended.

Emphasis and purpose. The new teacher centers program seems to reflect shifting emphases in three aspects of teacher education: (a) Toward greater attention to additional training for teachers who are already in the service, (b) toward recognition of the schools themselves as a major focus and locale of teacher training, and (c) toward giving the schools—and particularly the classroom teachers in those schools—major responsibility for determining the kinds of training and other experiences needed by teachers. Two additional features of consequence in the new program are the increased role of the State departments of education, especially their right to determine which applications will be submitted to the Commissioner of Education for approval and funding, and the formation in each center of a teacher center policy board responsible for the center's supervision.

An important purpose of the new program is to develop in participating agencies and institutions the capacity to operate teacher centers.

Resolution of issues. The proposed rule reflects an effort to regulate as little as possible and does not focus the program on specific priorities or target areas. This reflects the emphasis of the statute on enabling teachers to develop training and curriculum activities responsive to their own needs at the State and local levels. Maximum discretion is permitted to applicants to propose projects which will be competitively judged on the basis of quality, as measured by the evaluation criteria. Attention is called to the following points where regulatory decisions are proposed. In each case the reason for the decision is given.

(a) The statute authorizes grants to institutions of higher education only to operate teacher centers. (This contrasts with the authorization of assistance to local educational agencies to plan, establish and operate teacher centers.) If the term "operate" were narrowly construed, no institution of higher education could participate as a grantee except those able to take over or continue operation of an existing center. This would effectively exclude the great majority of all institutions of higher education from participation as grantees. However, the proposed regulations define "operate" more broadly so as to permit institutions of higher education to initiate new teacher

centers provided that the centers are operational by the end of the grant period.

(b) The statute authorizes the Commissioner to use 10 percent of the funds expended under this part for direct grants to institutions of higher education. The proposed regulation would implement this provision by earmarking 10 percent of the appropriated funds for institutions of higher education, provided that there are sufficient applications of good quality from institutions of higher education. Therefore, institutions of higher education generally would compete only against each other for the earmarked funds.

(c) The limitations on allowable costs (§ 197.8) are proposed in response to advice received from the public. Most commenters advised against permitting Federal funds to be used for payment of released time for teachers to facilitate their participation in the teacher centers but there was not a consensus on this point. The proposed regulation generally does not permit payment of released time, except that limited payments for this purpose may be approved in exceptional cases where the applicant demonstrates a special need for these payments to carry out the purposes of the project.

(d) The basis proposed in § 197.13 for compensating State educational agencies for their services to the program responds to the Commissioner's need to give State educational agencies guidance as to what might be expected in compensation. It also enables the Commissioner to know in advance the approximate extent of financial obligation to those agencies and thus be certain that the portion of program funds reserved for this compensation will suffice. The basis is also meant to be a fair and reasonable way of apportioning, among approved centers, the funds reserved to compensate State departments of education for providing technical assistance to the centers. The amount currently paid by the Office of Education to field readers of applications for the services noted in § 197.13(a) (1), (2), and (3) is twenty-five dollars per application.

(e) One issue concerns the application submission process and the statutory provision that the teacher center policy board supervise operation of the teacher center. The statutory provision certainly suggests that the board is to have maximum feasible policy-making authority over the center. However, to the extent that applications (including a plan of operation) for Federal assistance are prepared, submitted, and evaluated before the teacher center policy board has been established, the policy-making role of the board may be lessened. The proposed regulation therefore requires that the policy board be established in advance and participate fully in preparing the application for assistance (§ 197.4 (c)).

(f) The question of the representativeness of the teacher center policy board gave rise to another issue: the role of teachers' organizations in determining membership on the board. The regulation proposes two examples of equitable

processes for selection of the members of the board. One example, "negotiation of the selection of the policy board members, in those local educational agencies where the teachers are organized," is supported by a discussion in the "Congressional Record" (H-11700, September 29, 1976).

Response to notice of intent to publish regulations. The notice of intent to publish regulations for the Teacher Centers Program, which appeared in the *FEDERAL REGISTER* on November 22, 1976, elicited many valuable comments. Many commenters addressed all of the issues raised in the notice. On some points there was consensus, e.g., (a) that three types of grants be made: For planning, establishing, and operating centers, (b) that the centers be allowed to serve not only classroom teachers but also all other categories of persons who assist children in the schools, (c) that "site" be defined broadly as a place or places, and (d) that in all possible respects the teachers themselves—and their teacher center policy board—have authority over all activities of the center. Most respondents were opposed to the use of Federal funds to pay for released time and substitutes to facilitate the teachers' participation in the centers' activities. Two commenters wanted the centers to pay teachers for their participation on Saturdays.

Many respondents wanted most grants to small, but there was not a consensus on this point. The National Education Association, for example, advised that larger grants would be more effective. The proposed rule does not regulate on this point, leaving the question of award size to a case-by-case review of individual applications.

There was no consensus about criteria for the approval of applications for support of centers, and no consensus about evaluation of the effectiveness of centers, or about the role of institutions of higher education in the teacher centers program. Some commenters wanted the centers' activities to focus on benefits to the schools' students; others were openly opposed to such a focus.

There was no agreement about the role of State educational agencies or regarding their compensation for services to the teacher centers.

Invitation to comment. Interested persons are invited to submit comments, suggestions, and recommendations to be considered prior to the issuance of the final rule. Comments suggestions, or recommendations may be presented at the public meetings announced in this issue of the *FEDERAL REGISTER* or be sent to the address given at the beginning of this notice, or both. All comments received on or before July 13, 1977, will be considered. All comments submitted will be available for public inspection both during and after the comment period, in Room 5652, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C., between 8:30 a.m. and 4:00 p.m., Monday through Friday of each week.

Authority. This proposed rule is issued under the authority of section 532 of the Higher Education Act of 1965 as enacted by section 153(a) of Pub. L. 94-482 (20 U.S.C. 1119a).

Note.—The Office of Education has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

(Catalog of Federal Domestic Assistance No. 13.416 Teacher Centers Program.)

Dated: March 9, 1977.

WILLIAM F. PIERCE,
Acting U.S. Commissioner
of Education.

Approved: June 8, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary of Health, Education,
and Welfare.

It is proposed that Title 45 of the Code of Federal Regulations be amended by adding a new Part 197 to read as follows:

PART 197—TEACHER CENTERS PROGRAM

- | | |
|--------|---|
| Sec. | |
| 197.1 | Scope and purpose. |
| 197.2 | Definitions. |
| 197.3 | Elements of a teacher center. |
| 197.4 | Teacher center policy board. |
| 197.5 | Categories of financial assistance. |
| 197.6 | Distribution of funds. |
| 197.7 | Project duration. |
| 197.8 | Allowable and unallowable costs. |
| 197.9 | Application requirements. |
| 197.10 | Review of applications by State educational agencies. |
| 197.11 | Evaluation criteria. |
| 197.12 | Right of appeal. |
| 197.13 | Compensation to State educational agencies. |

Authority: Sec 532, Higher Education Act of 1965, as amended, (20 U.S.C. 1119a)

§ 197.1 Scope and purpose.

(a) **Scope.** (1) This part applies to the award of grants with funds appropriated to carry out section 532 of title V of the Higher Education Act of 1965, as amended by Pub. L. 94-482, which authorizes the teacher center program. (20 U.S.C. 1119a)

(2) The award of grants under this part is subject to applicable provisions contained in general provisions regulations of the Office of Education (Parts 100, 100a of this chapter), except that the criteria in § 100a.26(b) do not apply to applications under this part.

(b) **Purpose.** The purpose of the teacher center program is to meet the professional needs of local teachers as defined by their teacher center policy boards, by—

(1) Providing financial assistance to local educational agencies for planning, establishing, and operating teaching centers; and

(2) Providing financial assistance to institutions of higher education for operating teacher centers.

(Implements Sec. 532, 20 U.S.C. 1119a; Sen. Rep. 94-882, p. 37 (1976).)

§ 197.2 Definitions.

As used in this part:

"Act" means section 532 of the Higher Education Act of 1965, as enacted by Pub. L. 94-482.

(Sec. 532, 20 U.S.C. 1119a)

"Area" means two or more local public school districts but fewer than all of the local public school districts of a State.

(Interprets Sec. 532(a)(2), 20 U.S.C. 1119a(a)(2))

"Community" means the school district or portion of a district served by a single local educational agency.

(Interprets Sec. 532(a)(2), 20 U.S.C. 1119a(a)(2))

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administration control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(Interprets Sec. 532, 20 U.S.C. 1119a)

"Site" means the location or locations where the curriculum development and training activities of the teacher center take place.

(Interprets Sec. 532(a)(2), 20 U.S.C. 1119a(a)(2))

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(Interprets Sec. 532(c), (d), 20 U.S.C. 1119a(c)(d))

"Supervision" means the setting of policy and any appropriate managerial or supervisory activities not prohibited by State or local law (e.g., the employment of operating staff, consultants or experts, budgeting and expenditure of funds, and the formulation of recommendations for subcontracting to secure technical and other kinds of assistance).

(Interprets Sec. 532(b), 20 U.S.C. 1119a(b))

"Teacher" means, for the purpose of determining eligibility for membership of the majority of members of the teacher center policy board, only regular classroom teachers engaged in teaching elementary or secondary school students, including special education and vocational education teachers.

(Interprets Sec. 532(b), 20 U.S.C. 1119a(b))

§ 197.3 Elements of a teacher center.

A teacher center must have all of the following elements:

(a) *Area served.* It serves teachers employed in both public and non-public schools (if non-public schools are located in the area to be served and choose to participate in the teacher center of—

- (1) An entire State;
- (2) A designated area (as defined in § 197.2) of a State; or
- (3) A single community (as defined in § 197.2) within a State.

(b) *Activities.* The teachers it serves are afforded the opportunity to—

- (1) Develop and produce curricula designed to meet the educational needs of the students served by the teachers;
- (2) Use educational research findings or new or improved methods, practices, and techniques in the development of the curricula;
- (3) Provide training designed to—

- (i) Enable the teachers to meet better the special educational needs of the students they serve; and
- (ii) Familiarize the teachers with developments in curriculum and educational research, including the use of research to improve teaching skills.

(Sec. 532(a)(2), 20 U.S.C. 1119a(a)(2))

(c) *Grantee.* The teacher center is operated by a local educational agency, an institution of higher education, or a combination of such agencies and/or institutions.

(Sec. 532(a)(2), 20 U.S.C. 1119a(a)(2))

(d) *Eligible participants.* In addition to regular classroom teachers at the elementary and secondary levels, the persons to be served by the teacher center may be determined by the teacher center policy board to include paraprofessionals, teacher aides, pre-school teachers, teachers of adults, and intern teachers assigned to teach in a school where the regular classroom teachers are being served by a teacher center assisted under the Act. References to "teacher" in this part relating to teachers as the recipients of the services of the teacher centers include eligible participants under this paragraph.

(Interprets Sec. 532(a), 20 U.S.C. 1119a(a))

§ 197.4 Teacher center policy board.

(a) *Composition.* Each teacher center assisted under this part must be operated under the supervision of a teacher center policy board composed as follows:

(1) The majority of the members of the policy board shall be representative of all the elementary and secondary classroom teachers who are to be served by the center, including teachers who provide special education for handicapped and exceptional children, and teachers of vocational education.

(2) The policy board must include persons representative of, or designated by, the school board of the local educational agency (or agencies) served by the center.

(3) The policy board must also include at least one representative designated by the institution (or institutions) of higher education (with departments or schools

of education) in the area to be served by the center.

(Sec. 532(b), 20 U.S.C. 1119a(b))

(b) *Representativeness.* The grantee must assure the representativeness of the majority of the members of the policy board by—

- (1) Making the categories of teachers (e.g., vocational education teachers, special education teachers, and other classroom teachers at both elementary and secondary levels) proportional numerically to the categories of teachers to be served, including equitable representation of non-public school teachers; and
- (2) Selecting the members of the board—

- (i) By negotiation, in those local educational agencies where the teachers' organization is their official collective bargaining agent; or
- (ii) By voting in which all teachers to be served by the center have an opportunity to participate.

(Interprets Sec. 532(b), 20 U.S.C. 1119a(b); Congressional Record—H11700, September 29, 1976.)

(c) *Preparation of application.* In order to assure maximum feasible supervision of the teacher center by the teacher center policy board, the teacher center policy board—

- (1) Shall be established before the application for assistance under this part is submitted; and
- (2) Shall participate fully in the preparation of the application.

(Implements Sec. 532(b), 20 U.S.C. 1119a(b))

§ 197.5 Categories of financial assistance.

The Commissioner may make grants of financial assistance—

- (a) To local educational agencies to plan, establish, or operate teacher centers.
- (b) To institutions of higher education to operate teacher centers. (For the purpose of this paragraph, "operate" means that the center must be in operation by the end of the grant period, but it need not be in operation at the beginning of the grant period.)

(Interprets Sec. 532(f), 20 U.S.C. 1119a(f))

§ 197.6 Distribution of funds.

(a) The Commissioner will set aside ten percent of the amount appropriated under the teacher centers program to fund applications from institutions of higher education to operate teacher centers: *Provided*, That there are sufficient applications of good quality from institutions of higher education.

(Interprets Sec. 532(f), 20 U.S.C. 1119a(f))

(b) With the remaining funds the Commissioner intends to fund a variety of projects in each of the categories set forth in § 197.5(a).

(Implements Sec. 532(a)(1), 20 U.S.C. 1119a(a)(1))

§ 197.7 Project duration.

(a) The Commissioner awards projects under this part for a specified project period which generally will not exceed 36 months, subject to the availability of funds.

(b) An applicant for assistance under the Act may project its goals and activities over a period of up to three years. Approval of a multi-year project is intended to offer the project a reasonable degree of stability over time and to facilitate additional long range planning.

(c) An application proposing a multi-year project must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(d) Subject to the availability of funds, an application for assistance to continue a project during the project period will be reviewed on a non-competitive basis to determine—

- (1) If the award recipient has complied with the award terms and conditions, the Act, and applicable regulations;
- (2) The effectiveness of the project to date in terms of progress toward its goals or the constructive changes proposed as a result of the ongoing evaluation of the project; and
- (3) If continuation of the project would be in the best interest of the Government.

(Implements Sec. 532; 20 U.S.C. 1119a.)

§ 197.8 Allowable and unallowable costs.

(a) Allowable costs under grants to local educational agencies or institutions of higher education under the teacher centers program include—

- (1) Personnel costs related to the management of the centers;
- (2) Services of consultants and experts;
- (3) Service contracts; and
- (4) Other direct and indirect costs incurred by the grantee in carrying out its approved plan of operation, subject to the applicable cost principles set forth in the appendices to subchapter A of this chapter.

(Sec. 532(a)(2) and (e), 20 U.S.C. 1119a(a)(2) and (e))

(b) The following are not allowable costs:

- (1) Construction of facilities; and
- (2) Remodeling of facilities.

(c) Payment of released time or stipends for teachers, or employment of substitutes for teachers, to enable them to participate in the activities of the center will not be allowed, except that limited payments for this purpose may be approved in exceptional cases where the application demonstrates a special need for these payments to carry out the purposes of the project. These payments are allowable only when specifically authorized in the notification of grant award.

(Implements Sec. 532(a)(2) and (e), 20 U.S.C. 1119a(a)(2) and (e), 20 U.S.C. 1221e(a))

§ 197.9 Application requirements.

The Commissioner will award a grant to an eligible local educational agency or institution of higher education only if the applicant submits an application to the Commissioner through the State educational agency of the State in which the applicant is located.

(a) The application must include the following:

(1) Designation of the specific area, school district(s), and schools, both public and non-public, to be served by the center;

(2) Documentation that a teacher center policy board—

(i) Has been established, including information on the membership of the board and the method of its selection, and

(ii) Has participated fully in the preparation of the application;

(3) A statement of the means for assuring equitable participation by non-public school teachers on the teacher center policy board and in receiving the center's services;

(4) A one-page abstract of the proposed project;

(5) A plan of operation which must include—

(i) A statement of the special educational needs of the students to be served by teachers participating in the center, and an explanation of how those needs were determined;

(ii) Information responding to each of the criteria set forth in § 197.11 in order to permit an evaluation of the application by the Commissioner. Failure of an application to contain information responding to a particular criterion in § 197.11 will mean that the applicant will not earn points attached to that criterion.

(b) With respect to applications to operate an existing teacher center, the application, in addition to meeting the requirements in paragraph (a) of this section, must contain the following elements:

(1) A description of the activities of the center during the preceding year and the cost thereof;

(2) Identification of the sources of funding of the center during the preceding year; and

(3) A statement of the kinds of activities that will be undertaken to improve the existing center by use of the Federal assistance requested.

(Implements Sec. 532, 20 U.S.C. 1119a.)

(c) An institution of higher education shall include in its application, in addition to the other applicable information required by paragraphs (a) and (b) of this section, evidence that arrangements have been made with those local educational agencies with teachers to be served by the project for the participation of the teachers in center activities and in the formation of a teacher center policy board pursuant to § 197.4.

(Implements Sec. 532(f), 20 U.S.C. 1119a(f).)

§ 197.10 Review of applications by State educational agencies.

The Commissioner will not approve an application submitted under this part unless:

(a) The State educational agency of the State in which the applicant is located has reviewed the application, made comments thereon, recommended that the application be approved, and transmitted the application to the Commissioner for approval; and

(b) The appropriate State educational agency has given an assurance that it will provide technical assistance to the center (upon request by the center through its teacher center policy board), and will adequately disseminate information derived from the center, including information on how the State educational agency will carry out the dissemination and a projected budget for it.

(Implements Sec. 532(d), 20 U.S.C. 1119a (d).)

§ 197.11 Evaluation criteria.

Applications for grants under this part (which meet all of the application requirements in § 197.9 and which are recommended for approval and transmitted by the appropriate State educational agency, in accordance with § 197.10) and the subsequent operation of funded teacher centers will be evaluated by the Commissioner on the basis of the following criteria. Each criterion will be weighed as indicated, with the total for all criteria being 100 points. An application must receive a minimum of 50 points to be considered for funding.

(a) The extent of the teacher center policy board's authority and responsibility for supervision of the project (15 points).

(b) Potential of the proposed teacher center for increasing the effectiveness of the teachers served, in terms of the learning needs of their students (15 points).

(c) Soundness of the proposed plan of operation, including consideration of the extent to which—

(1) The objectives of the proposed projects are sharply defined, clearly stated, and capable of being attained by the proposed procedures (5 points); and

(2) Provision is made for adequate reporting of the effectiveness of the project and dissemination of its results, and for determining the extent to which the objectives are accomplished (10 points).

(d) Sufficiency of size, scope, and duration of the project so as to secure productive results (5 points).

(e) Adequacy of qualifications and experience of personnel designated to carry out the proposed project (5 points).

(f) Adequacy of the facilities and resources (5 points).

(g) Reasonableness of estimated cost in relation to anticipated results (5 points).

(h) The potential of the teacher center to impact upon and improve the grantee's overall program of inservice training (15 points).

(i) (1) The extent and quality of participation by the teacher center policy board in preparing the application; and

(2) The representativeness of the teacher center policy board pursuant to § 197.4(b) (20 points).

(Implements Sec. 532, 20 U.S.C. 1119a.)

§ 197.12 Right of appeal.

Any local educational agency or institution of higher education that is dissatisfied with the recommendation of the State educational agency regarding its application under the teacher centers program may petition the Commissioner to request further consideration of the application by the State educational agency.

(Sec. 532 (c) (2) and (f), 20 U.S.C. 1119a (c) (2) and (f).)

§ 197.13 Compensation to State educational agencies.

(a) The Commissioner will reimburse State educational agencies for the cost of the following services performed in connection with the teacher centers program:

(1) Review of applications and the provision of comments thereon.

(2) Recommendation of each application the State agency finds should be approved.

(3) Submission of recommended applications to the Commissioner for further consideration.

(4) Provision of technical assistance to approved centers.

(5) Dissemination of information resulting from activities of approved centers.

(Sec. 532 (c) and (d), 20 U.S.C. 1119a (c) and (d).)

(b) The Commissioner will reserve a sum not in excess of one-seventh of the funds available for the teacher centers program for the reimbursement of State educational agencies, which sum will be disbursed in accordance with the following stipulations:

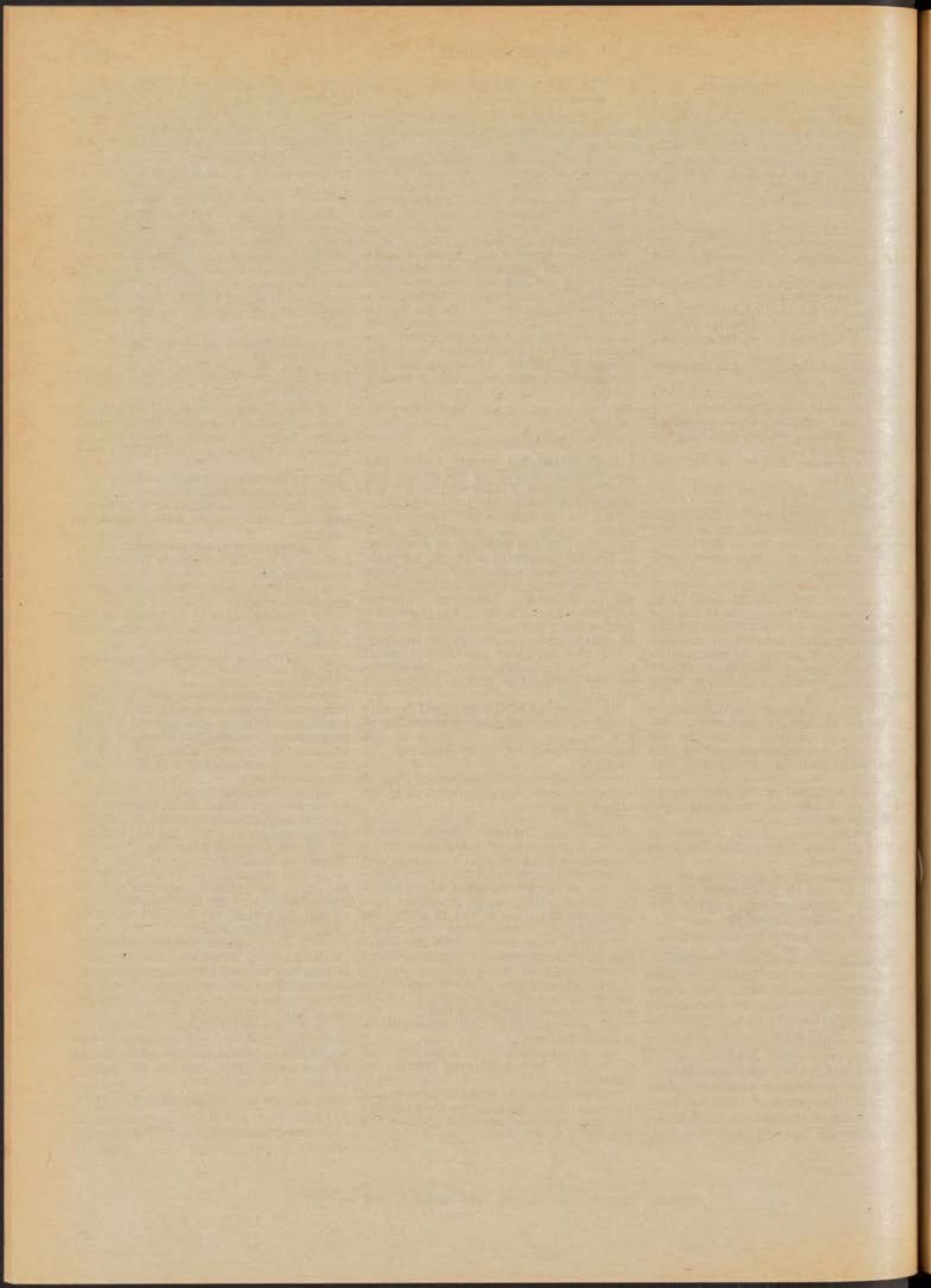
(1) (b) Reimbursement for the combined services noted in subparagraphs (1), (2), and (3) of paragraph (a) of this section will be at a rate per application set by the Commissioner not to exceed prevailing rates for similar services.

(2) The remainder of the sum reserved for State educational agencies will be available to carry out functions described in subparagraphs (4) and (5) of paragraph (a) of this section.

(3) A State educational agency will be reimbursed for the technical assistance it provides to, and the dissemination of information from, each funded teacher center in an amount for each center no more than that which bears the same ratio to the total funds available for these functions as the amount of the grant award to the teacher center bears to the total funds awarded to teacher centers in the fiscal year.

(Implements Sec. 532(d), 20 U.S.C. 1119a (d).)

[FR Doc. 77-16730 Filed 6-10-77; 8:45 am]



MONDAY, JUNE 13, 1977

PART III



CONSUMER
PRODUCT SAFETY
COMMISSION



UNSTABLE REFUSE BINS

Establishment of Ban

Title 16—Commercial Practices
CHAPTER II—CONSUMER PRODUCT
SAFETY COMMISSION
SUBCHAPTER B—CONSUMER PRODUCT SAFETY
COMMISSION REGULATIONS
PART 1301—BAN OF UNSTABLE REFUSE
BINS

Establishment of Ban

AGENCY: Consumer Product Safety Commission.

ACTION: Issuance of final rule.

SUMMARY: In this document the Consumer Product Safety Commission (Commission) issues a rule declaring that certain unstable metal refuse bins that have a volume one cubic yard or greater are banned hazardous products. The rule is designed to reduce or eliminate an unreasonable risk of injury or death from tip-over of the banned refuse bins.

DATE: The effective date of the rule is June 13, 1978.

FOR FURTHER INFORMATION CONTACT:

Harry I. Cohen, Office of Program Management, 5401 Westbard Avenue, Bethesda, Maryland 20207 301-492-6453.

SUPPLEMENTARY INFORMATION:

BACKGROUND

On January 3, 1975, Stephen R. Redmond, the Commissioner of Health of Dutchess County, New York, petitioned the Commission to commence an appropriate proceeding to establish safe design criteria for the manufacture of refuse bins. A report accompanying the petition gives details of two serious accidents that occurred when children were playing or swinging on slant-sided refuse bins. The bins capsized, injuring two children, one fatally.

The petitioner believes that slant-sided refuse bins are unstable because the center of gravity is offset by virtue of their design and that any weight added to them, such as the weight of children hanging on or swinging on the slant side, tends to topple them. Therefore, he asks that corrective action be taken to prohibit further use of the unsafe bins and that safe design criteria be established for future use.

Thereafter, the Commission staff undertook a study to determine the use patterns and the nature of the alleged hazards associated with the unstable refuse bins described in the petition.

Based on information submitted by the petitioner, its available injury data, and its engineering analysis, the Commission, on October 7, 1976, granted this petition and began development of a proposed ban under section 8 of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2057) to ban certain unstable refuse bins. In the proposal, the Commission preliminarily determined that unstable refuse bins which are available for consumer use and which are being and will be distributed in commerce, present an unreasonable risk of injury and should be declared banned hazardous products be-

cause no feasible consumer product safety standard under the CPSA would adequately protect the public from that unreasonable risk of injury. The background of the development of the proposed banning rule and its consideration by the Commission is more fully detailed in the preamble to the Commission's proposal which was published in the *FEDERAL REGISTER* on January 7, 1977 (42 FR 1484).

In proposing the rule the Commission determined that interested persons should have an opportunity to make oral presentations of any data, views, or arguments and set January 31, 1977 as the date for hearing such oral presentations. In addition, the Commission set February 7, 1977 as the closing date for submission of written comments by any interested persons. As a result of these actions the Commission received a total of 16 timely written and oral comments.

On March 7, 1977, following a preliminary review by the Commission of the written comments and the oral presentations, the Commission announced in the *FEDERAL REGISTER* that primarily because of issues raised regarding the proposed effective date it had decided to extend until June 6, 1977 the period in which the Commission must publish in the *FEDERAL REGISTER* a final consumer product safety rule to declare certain unstable refuse bins as banned hazardous products or to issue a notice withdrawing the proceeding (42 FR 12889).

DESCRIPTION OF THE BAN

This consumer product safety rule bans the manufacture for sale, offering for sale, or distribution in commerce of certain unstable refuse bins that have been determined by the Commission to present an unreasonable risk of injury to the public (§ 1301.4 and § 1301.5). The Commission has further determined that no feasible consumer product safety standard under the CPSA can adequately protect the public from the unreasonable risk of injury associated with unstable refuse bins that are now distributed in commerce. Among unstable refuse bins now distributed in commerce are newly manufactured refuse bins, that are in the possession of the manufacturer or in the marketing chain, and bins that are the subject of rental or lease agreements between bin owners and persons who make such bins available for consumer use. The Commission considers that each rental or lease of an unstable refuse bin in such circumstances is a "distribution in commerce" as that term is used in the CPSA. The matter of rentals and leases as a "distribution in commerce," is covered more fully below under "Response to Proposal, I. Jurisdictional scope of ban."

Unstable refuse bins of metal construction, with an internal capacity one cubic yard or greater are banned if they tip over when subjected to the forces described at §§ 1301.6 and 1301.7 of the rule, and discussed more fully at "Response to Proposal, II. Technical requirements." The Commission believes that many unstable refuse bins can be modified to achieve stability, so that unstable

refuse bins which can be retrofitted need not be discarded. Therefore, the Commission has delayed the effective date of this rule until June 13, 1978 and believes that during this period, modifications needed to achieve stability can be made to unstable refuse bins.

RESPONSE TO PROPOSAL OF JANUARY 7, 1977

As mentioned above, the Commission's proposal of January 7, 1977 to declare certain unstable refuse bins as banned hazardous products elicited 16 timely written and oral comments. The commentators include several U.S. Congressmen; individual consumers; refuse removal firms; a mechanical engineer; a Federal agency; a private testing organization; a municipal official; a private business association; several trade associations; and a manufacturer of non-metal refuse bins. The substantive issues raised by the commentators and the Commission's decisions regarding them are set out below.

I. Jurisdictional scope of ban. Part 1301, as proposed, was intended to declare certain unstable refuse bins, as defined in § 1301.4, as banned hazardous products under sections 8 and 9 of the CPSA (15 U.S.C. 2057 and 2058). It applied to those refuse bins being distributed in commerce on or after the effective date of the rule which do not meet the criteria of § 1301.5 and which are produced or distributed for sale to or for the personal use, consumption or enjoyment of consumers, in or around a permanent or temporary residence, a school, in recreation or otherwise. Further, since rental or lease of a bin is considered to be a "distribution in commerce," the proposal was intended to cover those refuse bins subject to the ban which are rented or leased and are available for use by the public.

A. One commentator states that language used in proposed § 1301.1, specifically, "(t) his ban applies to those refuse bins which are being distributed in commerce after the effective date * * *" is contradictory to language used in the preamble which says, " * * * a consumer product safety rule declaring that certain refuse bins are banned hazardous products can apply to those already in commerce on the effective date of the ban." (emphasis added).

Section 8 of the CPSA provides that a ban applies to a product that "is being or will be distributed in commerce." Thus, the banning rule would apply to a covered product that "is being * * * distributed in commerce" on the effective date of the rule and/or "will be distributed in commerce" after the effective date of the rule. Examples of refuse bins distributed in commerce are those that are newly manufactured, those that are in the marketing chain, and also rented or leased refuse bins that are available for use by consumers.

In order to ensure clarity, the wording of § 1301.1, as issued below, is being changed to cover those unstable refuse bins that are being distributed in commerce "on or after the effective date."

B. Another commentator states that the Commission should carefully consider its petition on whether rental of consumer products, in general, is included in the definition of the term "distribution in commerce" under the CPSA, before issuing this banning rule that includes the rental of refuse bins.

Consideration by the Commission of rental transactions under the other laws administered by the Commission has not yet been completed. Under the CPSA, however, the Commission believes that, in general, rental transactions may be covered by consumer product safety rules. As discussed in the preamble to the Commission's proposal, the statutory definition of "distribution in commerce" at section 3(a)(11) of the CPSA includes a variety of transactions under the umbrella of "distribution." Examples of the types of transactions coming under this umbrella are a sale in commerce, an introduction into commerce, a delivery for introduction into commerce, a holding for sale after introduction into commerce, and a holding for distribution after introduction into commerce. Rentals, although not specifically mentioned in the definition, fit into several of the enumerated transactions.

The definition of "commerce" at section 3(a)(12) of the CPSA is broad in that it includes transactions which "affect" trade, traffic, commerce, or transportation between a place in a state and any place outside thereof. Of great importance here is that the legislative history of this section states specifically that Congress intends the definition to cover transactions in intrastate commerce as well.

Therefore, the Commission considers that each rental transaction between an owner of a refuse bin and a person who makes the bin available for consumer use is a "distribution in commerce" under the CPSA. In order to ensure clarity, the Commission is adding paragraph (c) to § 1301.1, as issued below.

C. A commentator states that the Commission's position that a ban under section 8 is necessary because no feasible standard under the CPSA can adequately protect the public is without merit, and that section 15 of the CPSA is available to deal with unstable refuse bins already in commerce.

The Commission believes that no feasible consumer product safety standard could adequately protect the public and therefore disagrees with the commentator's statement that the basis for proceeding under section 8 of the CPSA is without merit.

In considering whether a feasible standard can adequately protect the public from an unreasonable risk of injury associated with a product, the Commission is not required to look at the entire class of products of which the particular hazardous product is a member. Thus, when the Commission can identify the particular products that present the unreasonable risk of injury by specifying their characteristics in certain performance or design terms, the

Commission can ban those articles. Therefore, with respect to refuse bins having the characteristics identified as hazardous, the Commission finds that no feasible standard for such bins would adequately protect the public, since it is aware of no standard that could render these bins free from the hazard. Elsewhere in the preamble, the Commission has stated that banned refuse bins can be retrofitted so that they are no longer banned. However, the retrofitting procedure cannot be construed as a standard for unstable refuse bins, since, once a bin is retrofitted, it no longer has the characteristics of bins that are banned.

In evaluating the extent of the hazard from unstable refuse bins, the Commission found that refuse bins are used for many years before being discarded. Estimates of their useful life range from 10 to 15 years. Although other products which may be hazardous may also have a long life in the hands of individual consumers, a substantial number of refuse bins are rented and therefore they remain in commerce and are constantly available for use by large numbers of consumers. As discussed previously in section B of the preamble, rental transactions are "distributions in commerce" under the CPSA and therefore bins that are rented or leased remain in commerce and would be subject to a ban under section 8.

The combination of the long life of refuse bins plus the fact that they could remain in commerce and be available for use by many people, persuaded the Commission that no feasible consumer product safety standard under the CPSA could adequately protect the public from the unreasonable risk of injury associated with unstable refuse bins used by consumers. As provided by section 9(d)(1) of the CPSA, a standard "shall be applicable only to consumer products manufactured after the effective date" of a rule. A ban, on the other hand, can apply to products being distributed in commerce on the specified effective date of the consumer product safety rule.

Although, as the commentator points out, section 15 of the CPSA is available to deal with unstable refuse bins already in commerce, the use of section 15 for the initiation of substantial product hazard actions is a matter within the discretion of the Commission and may, of course, be applied notwithstanding the existence of a consumer product safety rule. In this case, however, it is undisputed that unstable refuse bins present an unreasonable risk of injury which can be addressed by issuing mandatory regulations under the CPSA. Therefore, the Commission believes it would be unnecessarily cumbersome to address hazards of unstable refuse bins by pursuing action under section 15 alone, since section 15 involves a quasi-judicial undertaking and, unlike section 8, has been applied piecemeal rather than to all who may distribute items which present a substantial product hazard.

D. A commentator believes the Commission's preliminary finding that no feasible consumer product safety standard

under the CPSA would adequately protect the public is inconsistent with the Commission's proposal of an effective date nine months after publication of the banning rule in order to allow for retrofit of those bins already in commerce. He states that if bins can be retrofitted so as not to present an unreasonable risk of injury, such retrofitting features could be included in any standard developed under section 7 of the CPSA.

In the foregoing discussion, the Commission has explained its reasoning behind the finding that no feasible consumer product safety standard for unstable refuse bins would adequately protect the public. In addition, the Commission observes that it is not prohibited from delaying the effective date of a regulation for a period beyond the date of its publication. One of the purposes of the delay in this instance is to permit sufficient notice of the ban and time for modification of unstable refuse bins. As noted in the proposal, the Commission believes the delay to be reasonable because of the fragmented nature of this industry. In this case, because a ban applies to items in commerce as well as those of new manufacture, it does not appear that a delay of effective date is inconsistent with a finding that no feasible standard can adequately protect the public. Therefore, the Commission sees no inconsistency in its position.

E. Several commentators question the Commission's judgment in limiting the scope of this banning rule to those unstable refuse bins having an actual internal volume greater than one cubic yard.

As stated in the proposal, the Commission found, from six indepth investigations for which dimensional data exists, that the smallest bin involved in any reported incident of injury or death had an internal volume of 1.3 cubic yards. In the proposal, the Commission stated: "to allow for a reasonable margin of safety, it is the view of the Commission that a refuse bin with a volume of less than one cubic yard does not appear to pose an unreasonable risk of injury from tipover." Therefore the Commission proposed to ban bins with an internal volume greater than one cubic yard.

No new data have been submitted or have otherwise come to the attention of the Commission which would support a finding of an unreasonable risk of injury being associated with refuse bins having an internal volume of less than one cubic yard. If, at any future time, data become available to indicate otherwise, the Commission could take the necessary action to amend this banning rule.

As indicated in the above quoted language, the Commission intended to exclude from coverage only those bins less than one cubic yard. Therefore, § 1301.4 (b) of the regulation issued below indicates refuse bins subject to the ban are those "having an internal volume one cubic yard or greater, by actual measurement."

F. One commentator inquired as to whether the proposed ban applied to plastic refuse bins.

Since the Commission had no evidence or unreasonable risk of injury associated with non-metal refuse bins, it specifically limited the coverage of this ban to metal bins (§ 1301.4(b)). If, at any future time, such evidence becomes known to the Commission, the Commission will take whatever action it deems necessary.

II. Technical requirements. The technical requirements contained in the Commission's proposal of January 7, 1977 included the minimum size of bins coming under this ban, the forces to be applied to the bins to test stability, and the conditions under which the bins are to be tested. Some of these requirements, and comments regarding them are discussed in the following section.

A. Test conditions. Section 1301.5, as proposed, lists several conditions under which testing of refuse bins will be conducted. These conditions are necessary to ensure the reproducibility of the test. Section 1301.5(d), as proposed, requires that the stability of refuse bins be tested "without dependence upon non-permanent attachments or restraints such as chains or guys".

Two commentators question the need for prohibiting reliance on nonpermanent restraints. One commentator suggests that unstable refuse bins be restrained by use of eye bolts attached to the bin and to an adjacent building or wall, and that they all be specially locked with systems utilizing the same key. The key would be kept in the possession of the refuse hauler. The other commentator suggests that the bins be fenced within an enclosed area.

The purpose of the ban is to remove from commerce those refuse bins which are unstable and not otherwise dependent upon placement or nonpermanent restraints for proper stability. To depend upon locks or particular placement after unloading leaves much room for human error and would make the rule dependent on human behavior rather than on a product which is safe notwithstanding behavior. Therefore, the Commission must reject the suggestions of these commentators.

B. Test procedure. Section 1301.6, as proposed, requires that a horizontal force of 70 pounds (311 N) be applied at a point and in a direction most likely to cause tipping and that a vertically downward force of 191 pounds (850 N) be similarly applied. These forces are to be applied separately.

1. One commentator noting the Commission's reference in its proposal to the fact that this ban was "suggested" by a draft proposed refuse bin standard developed by the American National Standards Institute (ANSI), inquires as to whether the Commission verified the figures developed by ANSI.

As stated in the preamble to the Commission's proposal of January 7, 1977, the forces prescribed in the ban are, in fact, suggested by the ANSI standard which was based in part on anthropometric and strength data for children. The Commission staff reviewed the record of development of the ANSI standard and also, the Commission staff and the Na-

tional Bureau of Standards measured tipping forces for representative bins. Based on these considerations, it is the Commission's opinion that the forces chosen in § 1301.7, below, are adequate for testing the stability of a bin on a hard, flat surface.

2. Another commentator recommends that, in lieu of the requirement of § 1301.7 for a force of 70 pounds (311 N) to be applied at a point and in a direction most likely to cause tipping, the Commission consider specifying that forces be applied at the uppermost portion of the slant overhang surface, perpendicular to the slant face. He believes this would maximize the rotational moment (torque), thereby making the test more stringent by increasing the tendency of the bin to tip over.

The Commission agrees that this is approximately true. This method of testing was considered in the Commission's deliberations, but the Commission chose only horizontal and vertical forces because this is a relatively simple test procedure. Additionally, it is the Commission's belief that with the forces required in the banning rule the test is as stringent as if a single lower force were applied in the direction of maximum moment as proposed by this commentator.

3. The same commentator questions whether consideration should not be given to also requiring that a vertical upward force be applied at the lower, rear of the bin in addition to application of a vertically downward force required by § 1301.7. He states that this would protect against a bin being tipped over onto a child by another playing at the rear of the bin.

The Commission has studied the injury data available involving refuse bins that have tipped over and the data indicate that, where determinable, the tip-over was caused by climbing onto or hanging from the bin. The data show no incidents of tip over caused by someone lifting the rear of the bin. Therefore, the Commission believes that the forces required to be applied to bins under § 1301.7, as issued below, most nearly simulate actual accident patterns and therefore sees no need to make the suggested addition.

4. To avoid any possible confusion, the Commission has clarified the wording of § 1301.7 to indicate that the vertical and horizontal forces are to be applied separately and that, if the bin tips over when either force is applied, the bin is banned.

C. Retrofit program. Although there are no provisions in Part 1301 requiring the retrofitting of bins subject to this ban, the Commission has encouraged retrofitting as an alternative to discarding and/or replacing bins found to be banned. In the proposal the Commission expressed no preference as to the method or manner of retrofit selected by bin owners affected by this ban.

Three commentators have raised questions concerning one type of possible retrofit, namely, the addition of a front-mounted leg(s) or an outrigger(s), projecting down from the bin and terminating at a point above ground level,

sufficient to prevent tip-over of the bin when subjected to the tests prescribed in the ban.

One of the commentators states that the proposed ban fails to accommodate alterations made to existing products to render them safe. Another states that adding certain outriggers to some bins may then require modification of the rear-loading trucks used with these bins. The third commentator states that many cases have been reported of bins with certain outriggers hitting the ground during the emptying process which then causes the bin to fall from the dumping supports of the truck to the ground, sometimes causing injury to the collector.

As stated previously, the Commission has decided not to require that unstable refuse bins be modified in any specific manner. This decision is in keeping with the Commission's philosophy of encouraging use of performance criteria rather than rigid design requirements. Any method or manner of permanent retrofit which will insure that the bin itself will meet the stability requirements of Part 1302, issued below is acceptable to the Commission. However, the Commission encourages retrofitters to ensure that their actions do not create additional hazards.

III. Effective date. In § 1301.7 of its proposal of January 7, 1977, the Commission proposed that the effective date of this Part 1301 be nine months after publication of the final rule in the FEDERAL REGISTER.

A. A commentator states that all of the affected bins cannot be bought into compliance with the ban within the proposed nine-month period. As an alternative the commentator urges the Commission to adopt either of two phased timetables. Both alternatives have a common completion date of March 2, 1979 which corresponds to that contained in the ANSI Standard for the Stability of Refuse Bins (Z245.3-1977). The commentator's first suggested alternative is a phased timetable extending over the specified period and is predicated on bin locations where the general public is exposed to them, such as at schools, parks and playgrounds and at multi-unit housing areas. The commentator's second alternative is a phased timetable predicated on the relationship between the severity of accidents and size of bins and suggesting that (1) all newly manufactured bins be retrofitted by June 2, 1977; (2) in-service bins greater than 4 cubic yards by September 2, 1977; (3) in-service bins greater than 3 cubic yards by March 2, 1978; (4) in-service bins greater than 2 cubic yards by September 2, 1978; and (5) in-service bins greater than 1 cubic yard by March 2, 1979.

In neither case, did the commentator present statistically sufficient data to support the proposed timetables. Further, the Commission accident data, contained in the April, 1977 in-depth investigations accident report on refuse bins, are not statistically sufficient to support or refute this commentator's contention about the relationship between

bin size and the severity or number of accidents. However, the accident data indicate that the majority of accidents involving refuse bins occurred in or around apartments or multi-unit housing developments. These data tend to refute the commentator's proposed timetable based on location which lists schools as the top priority location.

The Commission has decided to extend the effective date to twelve months, rather than nine months, as proposed. Upon analysis of data included in the comments and the Economic Impact Statement of the Commission's Bureau of Economic Analysis it appears that a nine-month period would be the minimum time needed to modify refuse bins subject to this ban. Any time added beyond the minimum would make modification easier and help minimize business interruptions. The commentator indicates that by March 2, 1979, all modifications would be completed.

The Commission estimates that a twelve-month period between the final promulgation of this banning rule in the *FEDERAL REGISTER* and the effective date is a realistic amount of time to allow dissemination of the regulation to the solid waste industry and to provide sufficient time for bin owners to conduct a retrofit program. The Commission recognizes that a principal variable which will determine the real economic impact on a firm is the amount of time the firm has to comply with the ban. The nine-month period was originally chosen after weighing the impact of the ban on different sizes and types of firms, and on the solid waste industry as a whole and on the need for public safety. However, the Commission determines that an extra three-month period will ensure sufficient time for retrofit. In choosing this period the Commission has taken into account the probable number of bins which might require modification, the probable distribution of ownership of the unstable bins by firms, the per bin and total cost of an industry wide retrofit program and the ability of the industry to obtain capital to finance a retrofit program.

The Commission is aware that some bin manufacturers and bin owners or users have already begun to initiate retrofit programs as a result of the ANSI voluntary standard which went into effect on December 2, 1976. As a result of the Commission extending by three months the time to publish a final rule (42 FR 12889, March 7, 1977), the time for retrofitting could be considered to encompass not only the twelve-month period before the effective date of the consumer product safety rule, but also the three-month period of the extension. Those firms which began to retrofit unstable bins when the ANSI voluntary standard became effective on December 2, 1976 would have an even longer period for retrofitting.

The data available to the Commission, from public and private sources, do not seem to support the contention that, on an industry-wide level, a 25-month period is necessary to complete a modifica-

tion program. The Commission recognizes that a twelve-month period may place some firms in a disadvantageous position within a firm's competitive market. The disadvantageous position can result from a firm owning a relatively larger number of potentially unstable bins than other firms in that market, and, therefore, having to incur a relatively larger cost than other firms. The firm might or might not be adversely affected, however, depending upon its ability to finance this cost relative to the firms with which it competes. The Commission believes that, on an industry wide basis, the impact of a twelve-month effective date for this ban will not adversely affect the competitive structure of the industry.

B. Another commentator questions the impact that the proposed nine-month effective date might have on continuity of refuse collection service as a whole.

Based on the discussion immediately above, the Commission does not foresee any disruption in overall solid waste collection service as a result of the twelve-month effective date.

As indicated in the Commission's three-month extension notice of March 7, 1977, a primary reason for the extension was to further consider the proposed nine-month effective date. Careful evaluation of the comments received shows that the available technical and economic data do not support a need to delay the effective date more than 3 months beyond the proposed effective date. In addition, the extension of time in March operated, in effect, as an extension of time to modify unstable refuse bins. The Commission concludes, therefore, that the effective date of this rule should be twelve months after publication in the *FEDERAL REGISTER*.

IV. *Industry resource considerations.* One commentator presents the results of a telephone survey of 12 companies and a state association of waste haulers representing 106 private firms. Most respondents indicated that they would not be able to retrofit their bins within the nine-month period without hiring additional employees, expending additional financing resources, and establishing additional maintenance facilities to carry out the retrofits.

The sample of firms shown in the table of survey results submitted by this commentator cannot be taken as representative of all firms or any particular market. The description of each firm does not include a profile of the market within which it competes so that these data are not readily applicable to statements about the impact of the ban on competition. It is not clear if the reported number of containers by firm refers to the total number of all types of containers owned by a firm or the number of containers which may be subject to the ban. Although the survey adds interesting data to the overall industry data base, it is not sufficient to draw conclusions about the effects of the ban on the solid waste collection industry.

An economic impact statement of the Commission's Bureau of Economic Anal-

ysis, dated April 22, 1977 and available at the Office of the Secretary, discusses estimated costs of retrofitting and related matters.

V. *Consumer education.* One commentator suggests that if parents exercised proper supervision over their children, the children would not play on or around refuse bins.

Although proper parental supervision might reduce the dangers to small children posed by unstable refuse bins, many parents may be unaware that such a danger exists. To that end, the Commission plans to supplement its enforcement of this ban with an information program aimed at both parents and children. This program will consist of a broad dissemination of written information to the public, as well as announcer copy for radio and television stations on a nation-wide basis.

OTHER CONSIDERATIONS

I. *Environmental effects.* Prior to publishing the proposed ban on January 7, 1977, the Commission considered the environmental effects of its action and determined that the proposed ban will have no significant effects on the environment.

Since issuing the proposal the Commission has found nothing to change the finding. Therefore, it is the Commission's conclusion that the final ban issued below will have no significant effects on the environment and that no environmental impact statement is necessary. An environmental assessment is on file with and available from the Commission's Office of the Secretary.

II. *Adverse effect on the elderly and the handicapped.* Section 9(b) of the CPSA, as amended, requires the Commission to consider and take into account the special needs of elderly and handicapped persons to determine the extent to which such persons may be adversely affected by consumer product safety rules.

After review of all the materials in the public record for this proceeding, the Commission finds that the rule will not make use of refuse bins more difficult for elderly or handicapped persons and will not decrease the safety of such persons; and thus the issuance of this Part 1301 will not have an adverse effect on such persons.

III. *Required section 9(c) findings.* Section 9(c) of the CPSA (15 U.S.C. 2058 (c)) requires that prior to promulgating a consumer product safety rule the Commission shall consider and shall make appropriate findings for inclusion in the rule as to: (1) the degree and nature of the risk of injury that the rule is designed to eliminate or reduce; (2) the approximate number of consumer products, or types or classes thereof, subject to the rule; (3) the need of the public for the consumer products subject to the rule, and the probable effect of the rule upon the utility, cost or availability of such products to meet the need; (4) any means of achieving the objective of the rule while minimizing adverse effects on competition or disruption or dislocation of manufacturing and other commercial practices consistent with the public

health and safety; (5) the necessity of the rule to eliminate or reduce an unreasonable risk associated with such product; and (6) the fact that the promulgation of the rule is in the public interest.

The findings required by section 9(c) have been made by the Commission and are contained in § 1301.3 below.

One commentator states that the Commission should have based its choice of regulatory action on [section 9 of the CPSA] data developed prior to making its proposal rather "than ordering the development of data to justify a proposed course of action."

The Commission disagrees that all data must be developed prior to proposing a rule. Section 9(a)(2) of the Act (15 U.S.C. 2058(a)(2)) requires the Commission to comply with 5 U.S.C. 553 (the Administrative Procedure Act) in issuing rules such as this. 5 U.S.C. 553 (b)(3) requires an agency to publish in the FEDERAL REGISTER a general notice of proposed rulemaking setting forth "either the terms or substance of the proposed rule or a description of the subjects and issues involved."

Once a proposed rule is published for comment, 5 U.S.C. 553 requires agencies to allow the public to submit written data, views, or arguments on the proposal. In addition, Section 9(a)(2) of the Act specifically requires the Commission to provide an opportunity for the oral presentation of data, views, or arguments. These requirements were fully complied with by the Commission.

Section 9(c)(1) of the Act, as well as the legislative history of that section, requires the Commission, prior to promulgating a consumer product safety rule, to consider and make appropriate findings concerning certain of its economic effects for inclusion in the final rule. The legislative history of the Act, however, also indicates that to allow comments on the Commission's findings under Section 9(c)(1) by requiring them to be proposed would be unwise and unnecessary. As noted in the comments section of the Senate Commerce Committee Report:

To require the Agency to announce its findings before receipt of comment on its specific proposal would seem both unwise—because they would not reflect the data and views submitted during that stage of the proceedings devoted to the solicitation and evaluation of comment upon the proposed standard—and unnecessary—since the findings in question are not intended as a basis for comment but as a way of insuring that the grounds for the ultimate decision are made a matter of record. (S. Rept. 740, 92d Cong. 2d Sess., p. 81 (1972)).

Therefore, the Commission believes that it has acted correctly in developing the data required by section 9(c)(1) of the CPSA and presenting it at the time of promulgation of the rule.

CONCLUSION AND PROMULGATION

Based on the injury data set out in § 1301.3(e) below, the engineering analyses compiled in this proceeding, and having considered the published proposal, the oral and written responses to the proposal, the Commission determines

that certain metal refuse bins having an internal volume one cubic yard or greater, by actual measurement, which will tip over when subjected to a vertical downward force of 191 pounds (850 N) or a horizontal force of 70 pounds (311 N) applied at a point and in the direction most likely to cause tipping, present an unreasonable risk of injury. In addition, the Commission determines that no feasible consumer product safety standard under the CPSA would adequately protect the public from the unreasonable risk of injury associated with such bins that are being distributed in commerce and are available for consumer use. Therefore, the Commission declares that certain unstable refuse bins that fail to satisfy the criteria set out below, are banned hazardous products.

Accordingly, pursuant to provisions of the CPSA (secs. 8 and 9), 86 Stat. 1215-17, as amended, 90 Stat. 506; 15 U.S.C. 2057, 2058, the Commission amends Title 16, Chapter II by adding to Subchapter B the following new Part 1301:

- Sec.
1301.1 Scope and application.
1301.2 Purpose.
1301.3 Findings.
1301.4 Definitions.
1301.5 Banning criteria.
1301.6 Test conditions.
1301.7 Test procedures.
1301.8 Effective date.

AUTHORITY: Secs. 8, 9, 86 Stat. 1215-1217, as amended, 90 Stat. 506; 15 U.S.C. 2057, 2058.

§ 1301.1 Scope and application.

(a) In this Part 1301 the Consumer Product Safety Commission (Commission) declares that certain unstable refuse bins are banned hazardous products under sections 8 and 9 of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2057 and 2058).

(b) This ban applies to those refuse bins of metal construction that are being distributed in commerce on or after the effective date of this rule, which do not meet the criteria of § 1301.5 and which are produced or distributed for sale to, or for the personal use, consumption or enjoyment of consumers, in or around a permanent or temporary household or residence, a school, in recreation or otherwise. The Commission has found that (1) these refuse bins are being, or will be distributed in commerce; (2) they present an unreasonable risk of injury; and (3) no feasible consumer product safety standard under the CPSA would adequately protect the public from the unreasonable risk of injury associated with these products. The ban is applicable to those refuse bins having an internal volume one cubic yard or greater by actual measurement, which will tip over when subjected to either of the forces described in § 1301.7 and which are in commerce or being distributed in commerce on or after the effective date of the ban.

(c) When such refuse bins are the subject of rental or lease transactions between owners of refuse bins or between refuse collection agencies and persons who make such refuse bins avail-

able for use by the public, such transactions are considered to be distributions in commerce and therefore come within the scope of this ban. Refuse collection agencies or owners of refuse bins who rent or lease refuse bins to persons who make them available for use by consumers are considered to be distributors; the persons to whom refuse bins are rented or leased are not considered to be distributors.

(d) On or after the effective date of this rule it shall be unlawful to manufacture for sale, offer for sale, or distribute in commerce, the unstable refuse bins described in this rule.

§ 1301.2 Purpose.

The purpose of this rule is to ban those refuse bins which come under the scope of this ban because they present an unreasonable risk of injury due to tip-over that can result in serious injury or death from crushing.

§ 1301.3 Findings.

(a) *Risk of injury.* The Commission has studied 19 in-depth investigation reports of accidents associated with tip-over of unstable refuse bins. The 19 accidents, which involved 21 victims, resulted in 13 deaths. Of the 21 victims, 20 were children 10 years of age and under. Additionally, Commission records show three death certificates for victims, under 5 years of age, who were killed by refuse bins tipping over. Therefore, the Commission finds that unreasonable risks of injury or death from crushing due to tip-over are associated with certain unstable refuse bins having an internal volume one cubic yard or greater, which unreasonable risk this banning rule is designed to eliminate or reduce.

(b) *Products subject to this ban.* (1) The Commission finds that the types of products subject to this ban are those manufactured metal receptacles known in the solid waste collection trade as containers, refuse bins, buckets, boxes or hoppers, with actual internal volumes of one cubic yard or greater, used for the storage and transportation of solid waste. They are fabricated in numerous sizes and configurations for use with rear, side, front, hoist and roll-off loaded trash collection trucks and are used by private firms and public agencies.

(2) Although unstable refuse bins subject to this ban may be in various forms and shapes, the Commission's in-depth investigations into accidents associated with metal refuse containers indicate that most accidents have occurred with slant-sided metal refuse bins which are used by rear and side-loaded trucks. Therefore, the Commission bases its economic analysis of the potential impact of the ban upon the population of these bins. Certain refuse bins such as front loaded, roll-off, box and other types of large or broad based bins, because of their configuration, bulk and weight are likely to be inherently stable and are therefore not included in the population of potentially unstable bins studied in this economic analysis.

(3) The Commission estimates that there may be approximately 638,000-

716,000 slant-sided, metal refuse bins with an internal volume one cubic yard or greater, which may be unstable. The population of potentially unstable bins owned by some 10,000-15,000 private solid waste collection firms in all parts of the United States and its territories is estimated to be 359,000-371,000. These figures are discussed in the Commission's *Economic Impact Statement* of April 22, 1977, which is available for review from the Commission's Office of the Secretary, Washington, D.C. 20207.

(c) *Need of the public for the product and effects on utility, cost, and availability.* (1) The public need for refuse bins is substantial since these products are used for the containment of solid waste and thus contribute to public hygiene. The U.S. Environmental Protection Agency estimates that 135,000,000 tons of solid waste were collected in 1976 from residential, commercial and industrial sources. Approximately 101,250,000 tons (75%) were collected by private firms and the remainder by public agencies.

(2) The Commission finds that the ban will not affect the utility that consumers derive from the general use of refuse bins. The interest of the public is in continuity, availability and price of solid-waste collection. The ban could result in a shift from bins which are subject to the ban to other types of storage containers. Such a shift would not affect solid waste collection and would entail a small price increase for individual consumers. To the extent that injuries and deaths associated with the use of unstable bins are reduced or eliminated as a result of the ban, the public utility derived from the use of the product will be increased.

(3)(i) The Commission finds that, based on its analysis of industrial estimates, newly produced complying refuse bins will cost approximately 1-10% more than currently produced noncomplying bins and that existing inventories of unstable bins can be modified (depending upon size) for about \$45-\$75 each. This modification cost estimate includes the cost of material, shop labor, retrieval and return to service, and the substitution of one bin for another for on-site service.

(ii) The Commission estimates that the ban will not result in any significant price increases for the delivery of solid waste collection service to the general public because of the competitive structure of the solid waste collection industry.

(4) The Commission finds that the ban will have no effect on the availability of solid waste collection service to the general public. Solid waste collection haulers who use products subject to this ban can modify these refuse bins so that these products can continue to be used for solid waste collection.

(d) *Alternatives.* (1) The Commission has considered other means of achieving the objective of this ban, but has found none that it believes would have fewer adverse effects on competition or that would cause less disruption or disloca-

tion of manufacturing, servicing or other commercial practices consistent with public health and safety. The Commission estimates that this ban may, because of capital and testing costs and maintenance capacity limitations, have an adverse effect on individual firms within some markets.

(2) The Commission estimates that the ban will not have an adverse effect on the competitive structure of the solid waste collection industry. The competitive nature of solid waste collection firms is fostered because of low starting costs, particularly if a firm is owner-operated. The rate of entry and exit into and out of the industry for small operators tends to be high relative to larger firms in the industry. The ban will most likely not increase the degree of market concentration among the larger firms nor affect the rate of entry into or exit out of the industry by relatively smaller firms.

(3) Table 3 of the *Economic Impact Statement* indicates that about 85 percent of the private sector trash haulers are those with a fleet size of about 10 trucks and have annual revenues under \$1 million. These might be classified as small business firms. All firms in the trash hauling business would have two possible problems associated with the ban: cost and time to retrofit, and access to capital for retrofitting. The problem of raising capital to retrofit should not be a burden to small firms unless they are denied credit for factors not associated with this ban. The revised effective date from 9 to 12 months will extend both the time to retrofit and the time to search for capital sources, if necessary. We conclude that the small firms in the trash hauling industry will not experience undue hardship relative to their larger competitors.

(e) *Conclusion.* (1) The Commission finds that this rule is reasonably necessary to eliminate or reduce the unreasonable risks of injury associated with refuse bins, as they are defined in § 1301.4, and which fail to meet the criteria specified in § 1301.5.

(2) Based on all of the above findings, the Commission finds that the issuance of this rule is in the public interest.

(3) The Commission is aware of the fact that refuse bins are used for many years before being discarded. Estimates of their useful life range from 10 to 15 years. Although other products which may be hazardous may also have a long life in the hands of individual consumers, a substantial number of unstable refuse bins remain in commerce because they are rented or leased and are constantly available for use by large numbers of consumers. The combination of the long life of refuse bins plus the fact that unstable refuse bins could remain in commerce and be available for use by many people, persuaded the Commission to make this finding that no feasible consumer product safety standard under the CPSA could adequately protect the public from the unreasonable risk of injury associated with those unstable refuse bins coming under the coverage of this ban.

§ 1301.4 Definitions.

(a) The definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) apply to this Part 1301.

(b) "Refuse bin" means a metal receptacle having an internal volume one cubic yard or greater, by actual measurement, which temporarily receives and holds refuse for ultimate disposal either by unloading into the body or loading hopper of a refuse collection vehicle or by other means.

(c) "Internal volume" means the actual volumetric capacity of the container. This may not necessarily correspond to the nominal size rating used by industry.

(d) "Tip over" means that during the application of either test force described in § 1301.7(a), the refuse bin begins to rotate forward about its forwardmost ground supports.

§ 1301.5 Banning criteria.

(a) Any refuse bin of metal construction produced or distributed, for sale to, or for the personal use, consumption or enjoyment of consumers, in or around a permanent or temporary household or residence, a school, in recreation or otherwise, which is in commerce or being distributed in commerce on or after the effective date of this ban and which has an actual internal volume one cubic yard or greater and tips over when tested under the conditions of § 1301.6 and using the procedures described in § 1301.7, is a banned hazardous product.

(b) The Commission considers a refuse bin to tip over when it begins to rotate forward about its forwardmost ground supports.

§ 1301.6 Test conditions.

(a) The refuse bin shall be empty and have its lids or covers in a position which would most adversely affect the stability of the bin when tested.

(b) The refuse bin shall be tested on a hard, flat surface. During testing, the bin shall not be tilted from level in such a way as to increase its stability.

(c) Those refuse bins equipped with casters or wheels shall have the casters or wheels positioned in a position which would most adversely affect the stability of the bin and shall be chocked to prevent movement.

(d) The stability of the refuse bin shall be tested without dependence upon non-permanent attachments or restraints such as chains or guys.

(e) For purposes of enforcement, bins will be tested by the Commission in that position which most adversely affects their stability.

§ 1301.7 Test procedure.

(a) The refuse bin shall be tested by applying forces as described in paragraph (a) (1) and (2) of this section one after the other.

(1) A horizontal force of 70 pounds (311 N) shall be applied at a point and in a direction most likely to cause tipping, and

(2) A vertically downward force of 191 pounds (850 N) shall be applied to a point most likely to cause tipping. (See Figure 1.)

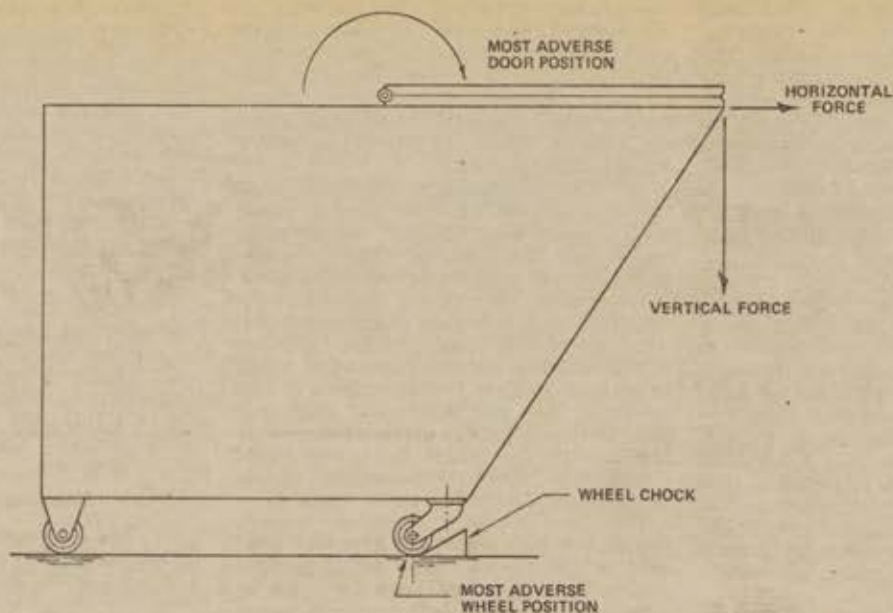


FIGURE 1

(b) These forces shall be applied separately and the bin shall not tip over under the application of either action cited above in paragraph (a) (1) or (a) (2).

§ 1301.8 Effective date.

The effective date of this ban shall be June 13, 1978.

(Secs. 8, 9, 86 Stat. 1215-1217, as amended, 90 Stat. 506; 15 U.S.C. 2057, 2058.)

Dated: June 7, 1977.

RICHARD E. RAPPS,
Secretary, Consumer Product
Safety Commission.

[FR Doc.77-16499 Filed 6-10-77; 8:45 am]

MONDAY, JUNE 13, 1977

PART IV



DEPARTMENT OF
HOUSING AND
URBAN
DEVELOPMENT

Federal Insurance
Administration



NATIONAL FLOOD
INSURANCE PROGRAM

Changes in Base Flood Elevations,
Communities with Special Hazard Areas
and Communities Eligible for Sale of
Flood Insurance

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-2909]

PART 1914—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to list those communities where the sale of flood insurance is authorized under the National Flood Insurance Program.

Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state.

EFFECTIVE DATES: The date that appears in the fourth column of the table is the effective date of authorization for the sale of flood insurance.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202) 755-5581 or Toll Free Line 800-424-8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93-234) requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified for at least one year by the Secretary of Housing and Urban Development. The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or

construction except as authorized by Section 202(b) of the Act, as amended, unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

The addresses of the National Flood Insurers Association servicing companies, where flood insurance policies can be obtained, are published at § 1912.5 (24 CFR Part 1912).

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

Section 1914.6 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 1914.6 List of Eligible Communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
Louisiana	Livingston Parish	Unincorporated areas	May 20, 1977, emergency		220113
New York	St. Lawrence	Russell, town of	May 31, 1977, emergency	Feb. 14, 1975	361428
Do.	Oswego	Sandy Creek, village of	do	Nov. 15, 1974	361388A
Texas	Erath	Stephenville, city of	May 19, 1977, suspended withdrawn	June 28, 1974	480220A
				Jan. 2, 1976	
Colorado	San Miguel	Unincorporated areas	June 1, 1977, emergency		080196
Iowa	Warren	Indianola, city of	do	June 7, 1974	190275A
Nebraska	Hall	Alda, village of	do	Apr. 30, 1976	310291
Do.	Cumby	Wisner, city of	do	June 25, 1976	310040A
			do	Dec. 7, 1973	
			do	Sept. 3, 1976	
Michigan	Van Buren	Arlington, township of	June 2, 1977, emergency		280706
Do.	Cheboygan	Grant, township of	do	Oct. 24, 1975	290110
Do.	Saginaw	Taymouth, township of	do	Aug. 15, 1975	290509
Missouri	Carter	Ellisville, city of	do	Oct. 18, 1974	290469A
			do	Nov. 15, 1975	
South Carolina	Greenville and Laurens	Fountain Inn, town of	do	July 23, 1976	430206
Texas	ReFugio	Austwell, city of	do	May 28, 1976	431261
Do.	Montgomery	Panorama Village, city of	do	Dec. 31, 1976	431261
Wyoming	Carbon	Elk Mountain, town of	do		1540000
Delaware	Kent and Sussex	Milford, city of	June 5, 1974, emergency; June 1, 1977, regular	Oct. 24, 1974	100042B
Do.	Kent	Smyrna, town of	June 13, 1974, emergency; June 1, 1977, regular	May 10, 1974	100017C
			do	Sept. 26, 1975	
Iowa	Scott	Unincorporated areas	Dec. 30, 1977, emergency; June 1, 1977, regular	June 1, 1977	190209
Michigan	Muskegon	Muskegon, city of	May 23, 1973, emergency; June 1, 1977, regular	June 7, 1974	260161B
Minnesota	Hennepin	St. Louis Park, city of	Dec. 22, 1972, emergency; May 23, 1973, regular	May 25, 1973	270184A
Missouri	Randolph	Moberly, city of	Sept. 29, 1972, emergency; June 1, 1977, regular	Mar. 30, 1973	290305A
New Jersey	Middlesex	Highland Park, borough of	Apr. 7, 1972, emergency; June 1, 1977, regular	Apr. 20, 1973	340293A
New York	Broome	Binghamton, city of	Sept. 7, 1973, emergency; June 1, 1977, regular	Apr. 12, 1974	360038C
			do	Apr. 23, 1976	
Do.	Erie	Elma, town of	Feb. 4, 1973, emergency; June 1, 1977, regular	Sept. 21, 1973	260226A
Do.	Erie and Cattaraugus	Gowanda, village of	June 23, 1972, emergency; June 1, 1977, regular	Feb. 8, 1973	260073A
Ohio	Greene	Bellbrook, city of	July 28, 1972, emergency; June 1, 1977, regular	Nov. 2, 1973	260154B
			do	Apr. 23, 1976	
Pennsylvania	Luzerne	Kingston, borough of	Oct. 6, 1972, emergency; June 1, 1977, regular	Feb. 8, 1973	420612A
Do.	Crawford	Meadville, city of	June 16, 1972, emergency; June 1, 1977, regular	Oct. 12, 1973	420351B
Do.	Berks	Ontelaunee, township of	Sept. 5, 1973, emergency; June 1, 1977, regular	Apr. 23, 1976	420366B
South Dakota	Butte	Belle Fourche, city of	May 3, 1973, emergency; June 1, 1977, regular	June 11, 1976	460012B
Do.	Meade	Sturgis, city of	Feb. 9, 1973, emergency; June 1, 1977, regular	Nov. 2, 1973	460015C
			do	Oct. 3, 1975	
			do	Oct. 18, 1974	
			do	Aug. 13, 1976	
Texas	Bexar	Leon Valley, city of	June 25, 1973, emergency; June 1, 1977, regular	Oct. 12, 1973	480042
Wisconsin	Eau Claire and Chippewa	Eau Claire, city of	Mar. 19, 1971, emergency; June 1, 1977, regular	Sept. 20, 1974	530128B
Do.	Sheboygan	Sheboygan, city of	Apr. 23, 1971, emergency; Mar. 15, 1977, regular	Sept. 24, 1976	530400B
			do	June 7, 1974	
Iowa	Polk	Johnston, city of	June 3, 1977, emergency		190745
Do.	Jasper	Kellogg, city of	do	June 21, 1974	190744A
New Hampshire	Coos	Jefferson, town of	do	Jan. 16, 1976	830031A
			do	Feb. 21, 1975	
Pennsylvania	Bulter	Venango, township of	do	Sept. 10, 1976	422250
			do	Jan. 24, 1975	

† New.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: May 26, 1977.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc. 77-16357 Filed 6-10-77; 8:45 am]

[Docket No. FI-2910]

**PART 1915—IDENTIFICATION AND
MAPPING OF SPECIAL HAZARD AREAS**
**List of Communities With Special Hazard
Areas**

AGENCY: Federal Insurance Admin-
istration, HUD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is the identification of communities with areas of special flood or mudslide or erosion hazards as authorized by the National Flood Insurance Program. The identification of such areas is to provide guidance so that communities may mitigate hazards and reduce property losses by adopting appropriate flood plain management or other measures to minimize damage caused by floods or other hazards. It will enable communities to guide future construction, where practicable, away from locations which are threatened by flood or other hazards.

DATES: The effective date of identification is the date listed in the eighth column of the table or July 13, 1977, whichever is later.

**FOR FURTHER INFORMATION CON-
TACT:**

Mr. Richard Krimm, Assistant Admin-
istrator, Office of Flood Insurance,
(202) 755-5581 or Toll Free Line 800-
424-8872, Room 5270, 451 Seventh
Street, S.W., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION:
The Flood Disaster Protection Act of

1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by Federally regulated, insured, supervised or approved lending institutions (1) to finance the acquisition of a residential dwelling occupied as a residence prior to March 1, 1976, or one year following identification of the area within which such dwelling is located as an area containing special flood hazards, whichever is later, or made to extend, renew, or increase the financing or refinancing in connection with such a dwelling, (2) to finance the acquisition of a building or structure completed and occupied by a small business concern, as defined by the Secretary, prior to January 1, 1976, (3) any loan or loans, which in the aggregate do not exceed \$5,000, to finance improvements to or rehabilitation of a building or structure occupied as a residence prior to January 1, 1976, or (4)

any loan or loans, which in the aggregate do not exceed an amount prescribed by the Secretary, to finance nonresidential additions or improvements to be used solely for agricultural purposes on a farm.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

This identification is made in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128).

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas (FHBMs in effect).

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FAME	IDENTIFICATION DATE IS	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
KY	Henry	Henry County (Uninc. Areas) 0001A-0004A	210110	N - 10, 11, 12, 14	I	F	Oct. 18, 1974	May 20, 1977	Roy C. Smith, Co. Judge County Courthouse New Castle, KY 40050 Phone: 502-845-8451
KY	McLean	McLean County (Uninc. Areas) 0001A-0007A	210153	N - 10, 11, 12, 14	I	F	Dec. 6, 1974	May 20, 1977	Wilbur T. Lee, Co. Judge County Courthouse Calhoun, KY 42357 Phone: 502-273-3213
KY	Scott	Scott County (Uninc. Areas) 0001A-0006A	210207	E - 10, 11, 12, 14	I	F	Jan. 3, 1975	May 20, 1977	Charlie Sutton, Co. Judge County Courthouse Georgetown, KY 40324 Phone: 502-863-0349
MI	Mecosta	Village of Barryton 0001A-0004A	260583	N - 5	I	F	May 20, 1977	May 20, 1977	Walter Kirvan, Vill. Pres. 55 Northern Barryton, MI 49305 Phone: 517-382-5670
MI	Ontonagon	Township of Carp Lake 0001A-0004A	260548	E - 5	I	F	May 20, 1977	May 20, 1977	Joseph Lenetz, Twp. Supr. Carp Lake, MI Phone: 906-885-5702
MI	Marquette	Township of Ely 0001A-0003A	260449	N - 5	I	F	May 20, 1977	May 20, 1977	Kenneth A. Tuominen, Supr. P.O. Box 188 Ishpeming, MI 49849 Phone: 906-486-4056
MI	Kalamazoo	Township of Kalamazoo 0001A	260429	N - 5	I	F	May 20, 1977	May 20, 1977	Floyd Griffith, Jr., Twp. Supr. Twp. Hall - 1720 Riverview Kalamazoo, MI 49004 Phone: 616-0381-8080

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD F/MAE	IDENTIFICATION DATE ISI	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
MI	Chippewa	Township of Pickford 0001A-0003A	260376	N - 5	I	F	May 20, 1977	May 20, 1977	Orrles F. Huyck, Supr. Township Hall Pickford, MI 49774 Phone: 906-647-9121
MN	Hennepln	City of Corcoran 01-12	270155B	E - 11, 12, 14	I	F	June 7, 1974 May 28, 1976	May 20, 1977	Frank Larkin, Mayor 21600 Larkin Road Hamel, MN 55374 Phone: 612-425-5561
MN	McLeod	City of Hutchinson 0001B	270264	E - 8, 11, 12, 14	I	F	March 29, 1974 June 4, 1976	May 20, 1977	Marlow V. Priebe, City Engr. 37 Washington Ave., West Hutchinson, MN 55350 Phone: 612-896-1245
MS	Leake	Leake County (Uninc. Areas) 01-35	280293A	N - 5	I	F	May 20, 1977	May 20, 1977	Crawley Alford, Pres. Board of Supervisors Courthouse Bldg., Hwy 35 N Carthage, MS 39051 Phone: 601-267-9864
NC	Washington	Town of Plymouth 0001A-0003A	370249	N - 5	I	F	May 20, 1977	May 20, 1977	William R. Flowers, Mayor P.O. Box 806 132 East Water Street Plymouth, NC 27962 Phone: 919-793-4166

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FINITE	IDENTIFICATION DATE IS	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
OH	Licking	Village of Alexandria 01	390329B	E - 11	I	F	May 31, 1974 Aug. 6, 1976	May 20, 1977	Charlie Revercomb, Mayor Box 102 Alexandria, OH 43001 Phone: 612-927-2522
OH	Mercer	City of Celina 0001B	390393	E - 8, 11, 12, 14	I	F	April 12, 1974 July 9, 1976	May 20, 1977	Dennis E. Zahn, Sec. 426 West Market Street P.O. Box 297 Celina, OH 45822 Phone: 419-586-2311
OH	Lucas	Lucas County (Uninc. Areas) 01-30	390359A	N - 5	I	F	May 20, 1977	May 20, 1977	Millan Forkaps, Co. Adm. County Courthouse Toledo, OH 43624 Phone: 419-248-5911
PA	York	Borough of Hanover 0001A	422212	E - 5	I	F	May 20, 1977	May 20, 1977	Joseph B O'Brien, Bor. Manag 108 Railroad Street Hanover, PA 17331 Phone: 717-637-3877

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FAME	IDENTIFICATION DATE (S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
TN	Rutherford	Town of Smyrna 01-08	470169B	E - 8, 11, 12, 14	I	F	May 31, 1974 July 30, 1976	May 20, 1977	Mike Woods, City Clerk P.O. Box 876 Smyrna, TN 37167 Phone: 615-459-2553
WI	Racine	Racine County (Uninc. Areas) 01-26	550347A	E - 5	I	F	May 20, 1977	May 20, 1977	John Margis, Chairman County Board 730 Wisconsin Ave. Racine, WI 53403 Phone: 414-636-3571
WI	Milwaukee	City of West Allis 0001B	550285	E - 11, 12 14	I	F	April 12, 1974 July 23, 1976	May 20, 1977	Mr. Urban E. Ganser, Mayor 7525 West Greenfield Ave. West Allis, WI 53214 Phone: 414-541-0511

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	INLAND OR COASTAL	HAZARD F/M/A/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
AK	Unorganized Borough	City of Cordova (01-02)	A 020037	E-5	C	F	24 MAY 77	24 MAY 77	Honorable James Poor - Mayor - P.O. Box 938 - Cordova, AK 99574 (907) 424-3237
AZ	Maricopa	City of Chandler (06,10,11)	A 040040	E-5	I	F	24 MAY 77	24 MAY 77	Honorable Paul Mavarrete - Mayor City Hall - 200 E. Commonwealth - Chandler, AZ 85224 (602) 988-2611 Ext. 6954
AR	Uninc. Area	Independence County (0001-0012)	A 050090	N-5	I	F	24 MAY 77	24 MAY 77	Honorable Jes B. Carpenter - County Judge - Courthouse - Batesville, AR 72501 (501) 793-2720
CO	Uninc. Area	Hinsdale County (04-07,10-14,17-21,23-27, 31-32,36-64,66-70,72-73, 77)	A 080081	E-5	I	F	24 MAY 77	24 MAY 77	James Ryan - Chairman - Board of County Commissioners - Courthouse Lake City, CO 81235 (303) 944-2228
ID	Uninc. Area	Canyon County (01,03-04,06-07,09-23,30-32, 34-36,40-41,44-45,47-50)	A 160208	E-5	I	F	24 MAY 77	24 MAY 77	Mr. Bill Anderson - Chairman - Board of County Commissioners - Courthouse - Caldwell, ID 83605 (208) 454-0442
ID	Cassia	City of Declo (01)	B 160044	E-8,11	I	F	6 SEP 74 4 JUN 76	24 MAY 77	Honorable Jones Leonard - Mayor - City Hall - 17 East Main - Declo, ID 83323 (208) 654-6391

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	IN ONLY	HAZARD F/M/E	IDENTIFICATION - DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
IA	Uninc. Area	Benton County (0001-0008)	190845	A N-5	I	F	24 MAY 77	24 MAY 77	Mr. Robert H. Smith - Chairman - Board of County Supervisors - Courthouse - Vinton, IA 52349 (319) 472-2365
IA	Uninc. Area	Chickasaw County (0001-0006)	190855	A N-5	I	F	24 MAY 77	24 MAY 77	Mr. Theodore E. Steege - Chairman - Board of Supervisors - Courthouse New Hampton, IA 50659 (515) 394-2100
IA	Sac	City of Early (01)	190572	A N-11,12	I	F	29 OCT 76	24 MAY 77	Mr. Frank L. Scott - Councilman - City Hall - Early, IA 50535 (712) 273-8811
IA	Uninc. Area	Jackson County (0001-0003,0006-0007,0011)	190879	A N-5	I	F	24 MAY 77	24 MAY 77	Mr. Jim Schroeder - Chairman - Board of Supervisors - Courthouse Maquoketa, IA 52060 (319) 652-3181
IA	Grundy	City of Reinbeck (01)	190646	A N-11,12	I	F	10 DEC 76	24 MAY 77	Honorable William Mark Nash - Mayor - City Hall - Reinbeck, IA 50659 (319) 345-6325
IA	Uninc. Area	Shelby County (01-12)	190905	A E-5	I	F	24 MAY 77	24 MAY 77	John M. Klein - Chairman - Board of Supervisors - Courthouse - Harlan, IA 51537 (712) 755-3733

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	ENVIRONMENTAL NO COASTAL	HAZARD F/M/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
KS	Uninc. Area	Allen County	(0001-0009)	A N-5	I	F	24 MAY 77	24 MAY 77	Mr. R. Keith Hobart - Chairman - Board of County Commissioners - Courthouse - Topeka, KS 66749 (316) 365-2118
KS	Barton	City of Holsington	(01)	B E-11,12,14	I	F	22 FEB 74 24 OCT 75	24 MAY 77	Mr. Harold Tarlton - City Manager P.O. Box 418 - Holsington, KS 67544 (316) 653-4125
KS	Pottawatomie & Riley	City of Manhattan	(01,03,04)	B E-8,11,12, 14	I	F	8 MAR 74 13 DEC 74	24 MAY 77	Mr. Daniel Woelke - City Engineer 11th & Poyntz - Manhattan, KS 66502 (913) 537-0055
LA	Uninc. Area	St. James Parish	(01-19)	A E-5	I	F	24 MAY 77	24 MAY 77	Mr. Paul K. Keller - President, Police Jury - Parish Police Jury Convent, LA 70723 (504) 562-3571
ME	Lincoln	Town of Wiscasset	(01-12)	A N-5	I	F	24 MAY 77	24 MAY 77	Ms. Carroll L. Flanders - Select- man - Town Hall - Water Street - Wiscasset, ME 04578 (207) 882-6231
MA	Middlesex	City of Malden	(0001)	A E-10,11,12, 14	I	F	26 JULY 74	24 MAY 77	Honorable Walter J. Kelliher - Mayor - City Hall - 393 Main Street - Malden, MA 02148 (617) 324-6600

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	INLAND COASTAL	HAZARD F/M/E	IDENTIFICATION - DATES	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
MA	Plymouth	Town of Plymouth (01-22,25-36)	250278	A E-11,12,14	C	F	23 June 74	24 MAY 77	Mr. Ray Frieden - Planning Director - 11 Lincoln Street - Plymouth, MA 02150 (617) 741-0100
MO	Scotland	City of Memphis (0001)	290408	A N-5	I	F	24 MAY 77	24 MAY 77	Honorable Jackie L. Goosey - Mayor - City Hall - Memphis, MO 63555 (816) 465-2267
MT	Uninc. Area	Missoula County (01,05,07-13,15-16,19-23, 28-47,49-50,52-53,55-56, 59-66,68-69)	300048	A E-11,12,14	I	F	30 AUG 74	24 MAY 77	Wilfred V. Thibodeau - Chairman - Courthouse - Missoula, MT 59801 (406) 543-5128
NV	Nye	City of Gabbs (01)	320034	A N-5	I	F	24 MAY 77	24 MAY 77	Honorable Reno Ratti - Mayor - City Hall - P.O. Box 86 - Gabbs, NV 89409 (Operator Assis.- 2671)
NM	Roosevelt	City of Portales (01-02)	350054	B E-8,11,12	I	F	29 MAR 74 12 DEC 75	24 MAY 77	Mr. Tom Plumlee - City Manager - City Hall - 100 West First Street Portales, NM 88130 (505) 356-6562
OK	Lincoln	Town of Davenport (01)	400365	A E-12,14	I	F	22 AUG 75	24 MAY 77	Honorable Marshall H. Sullenger - Mayor - P.O. Drawer H - Davenport, OK 74026 (918) 377-2235

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SD	Uninc. Area	Minnehaha County (01-49)	460057	A E-5	I	F	24 MAY 77	24 MAY 77	Mr. Nils J. Aspeas - Chairman - Board of County Commissioners - Courthouse - Sioux Falls, SD 57102 (605) 339-7224
TX	Uninc. Area	Kendall County (01-45)	480417	A E-10,11,12, 14	I	F	27 DEC 74	24 MAY 77	Honorable John A. Huff - County Judge - Office of the County Judge - Courthouse - Boerne, TX 78006 (512) 249-2541
TX	Uninc. Area	Liberty County (01-03,05-07,09-13,15-21, 23-52,54-56,58-78)	480438	A E-5	I	F	24 MAY 77	24 MAY 77	Honorable Harlan D. Fifiend - County Judge - Office of the County Judge - County Courthouse Liberty, TX 77575 (713) 336-6122
TX	Carson	Town of Panhandle (01)	480727	A N-8,11,12	I	F	25 JUN 76	24 MAY 77	Mr. David N. Maddox - P.O. Box 128 - Panhandle, TX 79068 (806) 537-3517
TX	Uninc. Area	Washington County (0001-0010)	481188	A N-5	I	F	24 MAY 77	24 MAY 77	Honorable William Odie Tomachefsky County Judge - Office of the County Judge - P.O. Box 726 - Brenham, TX 77833 (713) 836-8400
VT	Lamoille	Town of Hyde Park (01-05,07-09,11-12)	500230	A E-8,11,12,14	I	F	6 DEC 74	24 MAY 77	Mr. Lewis Williams - Chairman - Board of Selectman - Hyde Park, VT 05655 (802) 889-3700

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FIVE	IDENTIFICATION DATE IS	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
FL	Lafayette	Lafayette County (Uninc. Areas) 0001A-0010A	120131	E - 5	I	F	May 27, 1977	May 27, 1977	Gidney Adams, Chairman Board of Supervisors P.O. Box 88 Mayo, FL 32066 Phone: 904-294-1600
FL	Merion	Town of McIntosh 01	120575A	N - 5	I	F	May 27, 1977	May 27, 1977	Marsha Strange, Mayor Town Hall McIntosh, FL 32664 Phone: 904-591-1782
GA	Jones	Jones County (Uninc. Areas) 01-28	130434A	N - 5	I	F	May 27, 1977	May 27, 1977	Corbin C. Roberts, Chairman County Commissioners P.O. Box 316 Gray, GA 31032 Phone: 912-986-6405
GA	Lee Sumter	City of Smithville 0001A	130349	N - 5	I	F	May 27, 1977	May 27, 1977	Forrest Gofa, Jr., Mayor City Hall Smithville, GA 31787 Phone: 912-846-2101
IN	Knox	City of Vincennes 01-04	180120B	E - 12, 14	I	F	June 21, 1974 Sept. 24, 1976	May 27, 1977	Allen Clark, Mayor City Hall Vincennes, IN 47591 Phone: 812-882-7285
IN	Wells	Wells County (Uninc. Areas) 0001A-0006A	180288	E - 10, 11, 12, 14	I	F	Dec. 13, 1974	May 27, 1977	Albert Myers, Pres. Board of Commissioners Wells County Courthouse Bluffton, IN 46714 Phone: 219-824-3224

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KY	Knox	Knox County (Uninc. Areas) 0001A-0010A	210131	E - 10, 11, 12, 14	I	F	Dec. 13, 1974	May 27, 1977	Troy Hampton, County Judge County Courthouse Barbourville, KY 40906 Phone: 606-546-6192
KY	Owen	Owen County (Uninc. Areas) 0001A-0006A	210186	N - 10, 11, 12, 14	I	F	Oct. 18, 1974	May 27, 1977	Howard Ellis, Jr., Co. Judge Box 503 Owenton, KY 40359 Phone: 502-484-3405
KY	Whitley	Whitley County (Uninc. Areas) 0001A-0006A	210226	E - 10, 11, 12, 14	I	F	Dec. 20, 1974	May 27, 1977	Jerry Taylor, County Judge Route 3, Box 96 Williamsburg, KY 40769 Phone: 606-549-1330
MI	Sanilac	Township of Moore 0001A-0004A	260517	N - 5	I	F	May 27, 1977	May 27, 1977	Alvin Bulgrien, Twp. Supr. Township Hall Sandusky, MI 48471 Phone: 313-648-2681
MI	Cass	Township of Pokagon 0001A-0004A	260368	N - 5	I	F	May 27, 1977	May 27, 1977	John Keller, Supr. R.D. 4 Dowagiac, MI 49047 Phone: 616-782-6402
MI	Oakland	Township of White Lake 0001A-0004A	260479	N - 5	I	F	May 27, 1977	May 27, 1977	James L. Reid, Twp. Supr. 7525 Highland Road Milford, MI 48042 Phone: 313-698-3300

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FAME	IDENTIFICATION DATE IS	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
MN	Kandiyohi	Kandiyohi County (Uninc. 01-55 Areas)	270629A	E - S	I	F	May 27, 1977	May 27, 1977	Earl Larson, Chairman County Commissioners County Courthouse Willmar, MN 56201 Phone: 612-235-4012
NY	Otsego	Village of Milford 01	361352A	N - 11, 12, 14	I	F	Jan. 10, 1975	May 27, 1977	Morris Liedtke, Mayor Village Hall Milford, NY 13807 Phone: (607) 286-9913
NC	Mitchell	Town of Bakersville 0001A	370162	E - S	I	F	May 27, 1977	May 27, 1977	David L. Buckner, Mayor P.O. Box 53 Bakersville, NC 28705 Phone: 704-688-2113
NC	Forsyth	Town of Kernersville 0001A-0004A	370319	N - S	I	F	May 27, 1977	May 27, 1977	Roger P. Swisher, Mayor P.O. Drawer 726 Kernersville, NC 27204 Phone: 919-993-4551
OH	Gallia	Gallia County (Uninc. 01-37 Areas)	390185A	N - 10, 11, 12, 14	I	F	Dec. 27, 1974	May 27, 1977	Joseph Stewart, Chairman County Commissioners County Courthouse Gallipolis, OH 45631 Phone: 612-446-4612

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD FAME	IDENTIFICATION DATE IS	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
OH	Pike	Pike County (Uninc. Areas) 01-32	390450A	E - 10, 11, 12, 14	I	F	Jan. 31, 1975	May 27, 1977	Samuel Hughes, Chairman County Board County Courthouse Waverly, OH 45690 Phone: 612-947-4817
PA	Jefferson Clearfield	Borough of Falls Creek 0001B	420511	E - 8	I	F	July 26, 1974 April 16, 1976	May 27, 1977	John Britton, Mayor Falls Creek, PA 15840 Phone: 814-371-4967
PA	Luzerne	Borough of Laurel Run 0001A	421618	E - 5	I	F	May 27, 1977	May 27, 1977	Donald Bellis, Mayor R.D. 1, Box 198 Wilkes-Barre, PA 18702 Phone: 717-825-2672

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD F/M/E	IDENTIFICATION DATE US	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
TN	Lauderdale	Town of Gates 0001A	470258	E - S	I	F	May 27, 1977	May 27, 1977	C.J. Baker, Mayor P.O. Box 127 Gates, TN 38037 Phone: 901-234-7501

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	INLAND NO	HAZARD F/M/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
AR	Uninc. Area	Sebastian County (02,05,07-38)	050462	A N-5	I	F	31 MAY 77	31 MAY 77	Honorable Glenn Thomas - County Judge - Office of the County Judge - County Courthouse - Fort Smith, AR (501) 783-6139
CA	Tulare	City of Farmersville (01)	060405	B E-8,11,15	I	F	1 OCT 76	31 MAY 77	Roger Richards - City Engineer - City Hall - Farmersville, CA 93223 (209) 747-0458
CO	Delta	Town of Orchard City (03,05-09)	080258	A N-5	I	F	31 MAY 77	31 MAY 77	County Courthouse - Castle Rock, CO 80104 (303) 688-4231
CT	Fairfield	Town of Newtown (01-21)	090011	A E-10,11,12, 14	I	F	18 OCT 74 ~~31 MAY 77~~	31 MAY 77	Honorable J. Clare Davis - Mayor Town Hall - P.O. Box 21 - Easton, CT 06140 (303) 835-3337
CT	Hartford	Town of Windsor Locks (02-04)	090042	A E-8,10,11,12, 14	I	F	28 JUN 74	31 MAY 77	Ms. Jill Taber - Clerk - Town Hall - Newtown, CT 06270 (203) 426-0131
									Mr. Edward A. Savino - Selectman Church Street - Windsor Locks, CT 06096 (203) 623-3453

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	HAZARD F/M/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
ID	Uninc. Area	Bannock County (10-11,16-19,21-24,27-29, 32-34,38,40,43-45,47-51, 53-57,60-64,66-67,69,71- 74,76-79,82)	160009	A <i>E-19 N 12</i>	F	17 JAN 75	31 MAY 77	Mr. James A. Leese - Chairman - Board of County Commissioners - Courthouse - Pocatello, ID 83201 (203) 232-8231
ID	Uninc. Area	Jefferson County (0001-0006,0008-0010,0012-0015)	160214	A N-5	F	31 MAY 77	31 MAY 77	Mr. Leland Call - Chairman - County Commissioners - Courthouse P.O. Box 275 - Rigby, ID 83442 (208) 745-7755
IA	Polk	City of Clive	190488	A N-12,14	F	1 OCT 76	31 MAY 77	Thomas E. Reinhard - City Manager City Hall - Clive, IA 50533 (515) 229-3793
IA	Uninc. Area	Lyon County	190886	A N-5	F	31 MAY 77	31 MAY 77	Mr. Francis Snyder - Chairman - Board of County Commissioners - County Courthouse - Rock Rapids, IA 51246 (712) 472-2701
IA	Uninc. Area	Muscatine County	190836	A E-5	F	31 MAY 77	31 MAY 77	Ms. Mary A. Bowie - Board of County Supervisors - County Courthouse - Muscatine, IA 52761 (319) 263-5921
KS	Uninc. Area	Atchison County	200009	A N-5	F	31 MAY 77	31 MAY 77	Mr. Al J. Pickman - Chairman - Board of County Commissioners - Courthouse - Atchison, KS 66002 (913) 367-1653

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	INLAND OR COASTAL	HAZARD F/M/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
KS	Uninc. Area	Jackson County	(0001-0011) 200619	A N-5	I	F	31 MAY 77	31 MAY 77	Mr. Jim Barnes - Chairman - Board of County Commissioners - Courthouse - Holton, KS 65436 (913) 364-2891
LA	Uninc. Area	Franklin Parish	(01-53) 220071	A E-5	I	F	31 MAY 77	31 MAY 77	Mr. Roy McManus - President - Office of the Police Jury - County Courthouse - Minnsboro, LA 71295 (318) 435-9429
LA	Uninc. Area	Vermilion Parish	(01-94) 220221	A E-5	I	F	31 MAY 77	31 MAY 77	(318) 232-3021 Mr. Rixby Marceaux - President - Office of the Police Jury - County Courthouse - Abbeville, LA 70510 (318) 893-0108
LA	Uninc. Area	Webster Parish	(01-08,10-45) 220357	A E-5	I	F	31 MAY 77	31 MAY 77	Mr. Morris McClary - President - Police Jury - Parish Courthouse - P.O. Box 389 - Minden, LA 71055 (318) 377-3620
ME	Penobscot	Town of Greenbush	(01-14) 230107	A E-12,14	I	F	17 DEC 76	31 MAY 77	Paul T. Soucie - Town Manager - Town Hall - Greenbush, ME 04475 (207) 732-3644

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NE	Lincoln	Town of Westport (01-08)	230222	A N-11,12,14	I	F	3 JAN 75	31 MAY 77	Mr. John L. Smith - Selectman - R.F.D #2 - Box 416 - Wiscasset, ME 04576 (207) 882-5511
ME	Douglas	Boys Town Village of (01-04)	310353	A N-11,12,14	I	F	6 AUG 76	31 MAY 77	Gregory Searson - Attorneys Assistant - Village Hall - Boystown, ME 04510 (402) 346-6000
ME	Herrimack	Town of Loudon (01-16)	330117	A N-8,10,11,12 14	I	F	2 AUG 74	31 MAY 77	Mr. Guy Deering - Selectman - Town Hall - Loudon, ME 03301 (603) 783-4575
ME	Uninc. Area	Taos County (01-05,08,10-14,15-26,28-32, 34-35,37-42,44,46-50,52,55- 61,63,66,70-73,78-81,87-89, 95-97,103-107,109-110,112- 114,120-121,123,127-129, 133-136,138-141,144-145)	350078	A E-5	I	F	30 AUG 74	31 MAY 77	Mr. Luis Martinez - Administra- tor of the County Administra- tor - County Courthouse - Taos, NM 87571 (505) 758-4281
OK	Creek	City of Drumright (01-03)	400052	A E-8,10,11,12	I	F	23 NOV 73	31 MAY 77	Honorable Cleo J. Hutchison - Mayor - City Hall - Drumright, OK 74030 (918) 352-3455
OR	Uninc. Area	Wheeler County (01-13,15,18-19,24-26,28,30, 32-33,35-59,62-66,69-71,73- 74,76,78-82,85-86,88-89,95)	410245	A E-5	I	F	31 MAY 77	31 MAY 77	Mr. Andrew Leckie - Chairman - Board of County Commissioners - County Courthouse - Fossil, OR (503) 763-4253

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	INLAND OR COASTAL	HAZARD F/M/E	IDENTIFICATION DATES	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
TX	Travis & Williamson	City of Austin (05,07-22,24-58,61-64,66-77)	480624	A E-10,11,12,14	I	F	13 SEP 74	31 MAY 77	Honorable Jeffrey M. Friedman - Mayor - P.O. Box 1088 - Austin, TX 78767 (512) 477-6511
TX	Tarrant	City of Everman (01)	480594	B E-8,11,12,14	I	F	17 DEC 73	31 MAY 77	Mr. T. H. Bryers - Flood Control Administrator - 212 North Race St. - Everman, TX 76140 (817) 293-0525
TX	Uninc. Area	Rockwall County (01-12)	480543	A N-5	I	F	31 MAY 77	31 MAY 77	Honorable Derwood Winpee - County Courthouse - Rockwall, TX 75087 (214) 722-5152
TX	Hopkins	City of Sulphur Springs (01-07)	480358	B E-8,11,12,14	I	F	1 FEB 74 30 JUL 76	31 MAY 77	Norman M. Dykes - City Engineer/Director of Public Works - City Hall - 125 South Davis - Sulphur Springs, TX 75482 (214) 885-7541
TX	Uninc. Area	Upshur County (01-40,42-44)	481036	A N-5	I	F	31 MAY 77	31 MAY 77	Honorable Everett Dean - Judge - Office of the County Judge - Courthouse - Gilmer, TX 75644 (214) 843-3113
TX	Uninc. Area	Wood County (01-0011)	481055	A N-5	I	F	31 MAY 77	31 MAY 77	Honorable Harold Galloway - County Judge - Office of County Judge - County Courthouse - Quitman, TX 75783 (214) 763-2715

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UT	Grand	City of Moab (01-02)	490072 B	E-11,12,14	I	F	21 JUN 74 26 DEC 75	31 MAY 77	Mr. Harold Jacobs - City Administrator - 121 East Center Street - Moab, UT 84032 (801) 259-5121
UT	Uninc. Area	Wasatch County (01-03-05,08-11,15-18,21-30, 32-36,38-43,46-53,55-57,59- 61,70,73)	490164 A	E-5	I	F	31 MAY 77	31 MAY 77	Mr. Thomas I. Baum - Chairman - Board of County Commissioners - County Courthouse - Heber City, UT 84032 (801) 654-0661
VT	Caledonia	Town of Hardwick (0001-0004)	500027 A	E-11,12,14	I	F	28 JUN 74	31 MAY 77	Alfred Lanphear - Town Manager - Town Hall - Hardwick, VT 05243

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AL	Madison	Town of New Hope 01	010154B	E - 15	I	P	June 3, 1977	June 3, 1977	R.A. Carpenter, Mayor P.O. Drawer T New Hope, AL 35481 Phone: 205-723-4327
GA	Hall	Town of Flowery Branch 0001A	130333	N - S	I	P	June 3, 1977	June 3, 1977	Fred Myers, Mayor City Hall Flowery Branch, GA 30543 Phone: 404-967-6371
GA	Washington	Town of Oconee 01	130415A	N - S	I	P	June 3, 1977	June 3, 1977	C.W. Forehand, Mayor City Hall Oconee, GA 31067 Phone: 912-254-7424
IN	Rush	Rush County (Uninc. Areas) 0001A-0006A	180421	E - S	I	P	June 3, 1977	June 3, 1977	Earl F. Priest, Pres. County Commissioners County Courthouse Rushville, IN 46173 Phone: 317-932-3090
KY	Casey	Casey County (Uninc. Areas) 0001A-0007A	210053	N - 10, 11, 12, 14	I	P	Dec. 13, 1974	June 3, 1977	Garfield Griffin, Co. Judge County Courthouse Liberty, KY 42539 Phone: 606-0787-5761
KY	Brecken	City of Foster 01	210272A	N - 11, 12, 14	I	P	Aug. 1, 1975	June 3, 1977	Adrain Reinheimer, Mayor City Hall, Foster, KY 41043 Phone: 606-747-5543
KY	Garrard	Garrard County (Uninc. Areas) 0001A-0005A	210081	N - 10, 11, 12, 14	I	P	Oct. 18, 1974	June 3, 1977	L.G. Hammons, Co. Judge County Courthouse Lancaster, KY 40444 Phone: 606-792-3531

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KY	Taylor	Taylor County (Uninc. Areas) 0001A-0006A	210212	N - 10, 11, 12, 14	I	F	Oct. 18, 1974	June 3, 1977	J. Miller Shreve, County Judge County Courthouse Campbellsville, KY 42718 Phone: 502-465-7729
MI	Chippewa	Township of Bruce 0001A-0006A	260375	N - 5	I	F	June 3, 1977	June 3, 1977	Gordon Andrews, Twp. Supr. Route 1, Box 325 Sault Ste. Marie, MI 49783 Phone: 906-632-7071
MI	Berrien	City of Coloma 01	260556A	E - 13, 14	I	F	June 3, 1977	June 3, 1977	Colen Randall, Mayor P.O. Box 327 Coloma, MI 49038 Phone: 616-468-6506
MI	Van Buren	Village of Lawton 01	260533A	N - 11, 12, 14	I	F	Sept. 26, 1975	June 3, 1977	Horece W. Adams, Attorney at 226 1/2 E. Michigan Law Paw Paw, MI 49079 Phone: 616-657-3194
MN	Red Lake	City of Brooks 01	270388B	N - 11, 12, 14	I	F	Aug. 9, 1974 July 16, 1976	June 3, 1977	Ronald J. Paradis, Mayor City Hall Brooks, MN 56715 Phone: 2180698-4452

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MN	Dodge	City of Mantorville 01	270585A	N - 15	I	F	June 3, 1977	June 3, 1977	Gaylord Harris, Mayor City Hall Mantorville, MN 55955 Phone: 507-635-3861
MS	Chickasaw	Chickasaw County (Uninc. Areas) 0001A-0006A	280269	N - 5	I	F	June 3, 1977	June 3, 1977	Lloyd Collums, Pres. Board of Supervisors County Courthouse Huston, MS Phone: 601-456-2513
NJ	Gloucester	Borough of National Park 0001B	340209	E - 11, 12 14	I	F	April 12, 1974 June 25, 1976	June 3, 1977	Eileen Durning, Borough Clerk 7 South Grove Ave. National Park, NJ 08063 Phone: 609-845-3891
NJ	Ocean	Borough of Ocean Gate 01	340384A	E - 8, 10, 11, 12, 14	C	F	May 31, 1974	June 3, 1977	Clarence G. Cashman, Mayor East Longport Ave. Ocean Gate, NJ 08740 Phone: 201-269-3166
NJ	Camden	Borough of Somerdale 0001A	340145	E - 10, 11, 12, 14	I	F	Sept. 14, 1973	June 3, 1977	James Perry, Mayor Somerdale & Post Roads Somerdale, NJ 08083 Phone: 609-783-6320
NJ	Warren	Township of White 0001A-0003A	340497	E - 10, 11, 12, 14	I	F	Nov. 2, 1973	June 3, 1977	Fred W. Fuchs, Mayor R.D. 1, Box 476A Belvidere, NJ 07823 Phone: 201-475-2693

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NY	Genesee	Town of Alabama 01-12	361067B	E - 9	I	P	May 3, 1974 Sept. 3, 1976	June 3, 1977	Anthony Mudzynski, Tn. Supr. 2408 Lewisport Road Oakfield, NY 14125 Phone: 716-948-6811
NY	Franklin	Town of Altamont 01-33	361162A	E - 9	I	P	July 16, 1976	June 3, 1977	Patrick E. Quinn, Supr. 41 Lake Street Tupper Lake, NY 12986 Phone: 518-359-9261
NY	Greene	Town of Athens 01-09	361117A	N - 9	I	P	Aug. 13, 1976	June 3, 1977	Erich A. Schubert, Supr. Town Building Athens, NY 12015 Phone: 518-945-1052
NY	Westchester	Town of Bedford 01-11	360903B	E - 9	I	P	May 31, 1974 July 9, 1976	June 3, 1977	Albert V. Marchigiani, Supr. Town House Bedford Hills, NY 10507 Phone: 914-666-6530
NY	Putnam	Town of Carmel 01-12	360669B	E - 9	I	P	Sept. 13, 1974 Aug. 6, 1976	June 3, 1977	Thomas Burgin, Supr. Town Hall Carmel, NY 10541 Phone: 914-628-7413

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NY	Rockland	Village of Haverstraw 01-02	350582B	E - 9	I	F	April 12, 1974 June 11, 1976	June 3, 1977	Raphael Mertzel, Mayor Village Hall Maple Ave. Haverstraw, NY 10947 Phone: 914-429-5413
NY	Monroe	Town of Henrietta 01-09	350419B	E - 9	I	F	Jan. 1974 April 23, 1976	June 3, 1977	Robert F. Oakes, Supr. 475 Calkins Road Henrietta, NY 14467 Phone: 716-334-7700
NY	Suffolk	Village of Patchogue 01-04	350803B	E - 9	I	F	June 28, 1974 July 16, 1976	June 3, 1977	Robert T. Waldbaum, Mayor 14 Baker Street P.O. Box 719 Patchogue, NY Phone: 516-475-4300
NY	ST. Lawrence	Village of Rensselaer Falls 01	351466A	N - 5	I	F	June 3, 1977	June 3, 1977	Herb Walcott, Vill. Pres. Village Hall Rensselaer Falls, NY 13680 Phone: 315-344-2462

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NY	Cattaraugus	Town of Salamanca 01-08	360098A	E - 5	I	P	June 3, 1977	June 3, 1977	Don Leiper, In. Supr. Town Hall Salamanca, NY 14779 Phone: 716-945-4775
NY	Allegany	Town of Scio 0001B-0003B	360034	E - 9	I	P	May 3, 1974 Oct. 24, 1975	June 3, 1977	Maynard Boyce, Town Supr. Town Hall Scio, NY 14880 Phone: 716-593-2446
NC	STANLY	City of Albemarle 01-06	370223B	E - 9	I	P	Dec. 28, 1973 April 23, 1976	June 3, 1977	Delbert L. Whitley, Jr., Mayor P.O. Box 190 Albemarle, NC 28001 Phone: 704-982-0131
OH	Mahoning	Village of Sebring 0001A	390371	E - 11, 12 14	I	P	Aug. 8, 1975	June 3, 1977	Ralph C. Muearth, Mayor 127 East Ohio Sebring, OH 44672 Phone: 216-938-2441

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PA	BUCKS	Borough of DOYESTOWN	421410A	E 5	I	F	JUNE 3, 1977	JUNE 3, 1977	MR. W. THOMAS POTTER BOROUGH MANAGER 18 NORTH MAIN ST. DOYESTOWN, PA 18901 PHONE 215-348-5435
PA	MERCER	TOWNSHIP OF FRENCH CREEK	421867A	E 5	I	F	JUNE 3, 1977	JUNE 3, 1977	MR. DENNIS LYONS TOWNSHIP CHAIRMAN R.D. 1 CARLTON, PA 16311 PHONE 814-425-3409

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PA	Dauphin	Township of Middle Paxton 01-17	420387A	E - 10, 11, 12, 14	I	F	Nov. 28, 1973	June 3, 1977	Daniel Ludwig, Chairman P.O. Box 46 Dauphin, PA 17018 Phone: 717-921-8128
SC	Greenville	Town of Fountain Inn 01-02	450209A	N - 9	I	P	July 23, 1976	June 3, 1977	Ben H. Davis, Jr., Mayor P.O. Box 336 Fountain Inn, SC 29644 Phone: 803-862-4421
SC	Cherokee	City of Gaffney 01-04	450046B	E - 9	I	P	June 28, 1974 April 23, 1976	June 3, 1977	L.T. Hope, Mayor P.O. Box 278 Gaffney, SC 29340 Phone: 803-489-6644
SC	Berkeley	Town of Moncks Corner 01	450031B	E - 9	I	P	May 24, 1974 April 23, 1976	June 3, 1977	W.W. Williams, Mayor P.O. Box 276 Moncks Corner, SC 29461 Phone: 803-899-2151
SC	Aiken	City of North Augusta 01-04	450007B	E - 9	I	F	June 28, 1974 July 2, 1976	June 3, 1977	Henry R. McKenney, Mayor P.O. Box 6177 North Augusta, SC 29841 Phone: 803-279-0330
SC	Spartanburg	Town of Pacolet Mills 01	450180B	E - 9	I	F	June 28, 1974 May 28, 1976	June 3, 1977	Charles O'Dall, Mayor P.O. Box 428 Pacolet Mills, SC 29273 Phone: 803-474-3391

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SC	Saluda	Town of Saluda 01-02	450175B	E - 9	I	F	June 28, 1974 April 9, 1976	June 3, 1977	James S. Carley, Mayor P.O. Box 875 Saluda, SC 29138 Phone: 803-445-3522
SC	Lexington	Town of Springdale 01-02	450138B	E - 9	I	F	June 28, 1974 July 30, 1976	June 3, 1977	Leon F. Williams, Mayor 2915 Platt Springs Road Springdale, SC 29169 Phone: 803-794-0408
SC	Dorchester	Town of Summerville 01	450073B	E - 9	I	F	June 14, 1974 April 9, 1976	June 3, 1977	Berlin Myers, Mayor 104 Civic Center Summerville, SC 29483 Phone: 803-873-4310
SC	Colleton	City of Walterboro 01-02	450058B	E - 9	I	F	June 7, 1974 April 30, 1976	June 3, 1977	H. Wallace Dean, Mayor P.O. Box 717 Walterboro, SC 29422 Phone: 803-549-2545

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SC	Lexington	City of West Columbia 01-02	450140B	E - 9	I	F	June 28, 1974 July 9, 1976	June 3, 1977	Paul Walker, Mayor P.O. Box 44 West Columbia, SC 29169 Phone: 803-256-8258
TN	Shelby	City of Bartlett 0001A	47017S	N - 8, 10, 11, 12, 14	I	F	Feb. 22, 1974	June 3, 1977	Oscar T. Yates, Mayor 5727 Woodlawn Bartlett, TN 38134 Phone: 901-386-1414
WV	Doddridge	Doddridge County (Uninc. Areas) 0001A-0006A	540024	E - 10, 11, 12, 14	I	F	Nov. 8, 1974	June 3, 1977	Dennis Wolverton, Pres. County Commissioners Court Street West Union, WV 25456 Phone: 304-873-1001
WV	Preston	Town of Reedsville 0001A	540269	E - 10, 11, 12, 14	I	F	Nov. 15, 1974	June 3, 1977	Robert Stone, Mayor Town Hall Reedsville, WV 26547 Phone: 304-857-5778

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AR	Uninc. Area	Cleburne County	050424	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable Delane Wright - County Judge - Office of the County Judge - Courthouse - Heber Springs AR 72543 (501) 332-2523
AR	Uninc. Area	Cross County (01-14,16-21,23-49)	050056	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable J. H. Smith - County Judge - Office of the County Judge - County Courthouse - Wynne, AR 72395 (501) 232-2451
AR	Uninc. Area	Faulkner County	050431	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable Jesse Carter - County Judge - Office of the County Judge - County Courthouse - Conway, AR 72032 (501) 329-6075
AR	Uninc. Area	Howard County	050438	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable O'Neal Davidson - County Judge - Office of the County Judge - Courthouse - Nashville, AR 71852 (501) 245-2622
AR	Uninc. Area	Poinsett County	050172	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable Frank Dean - County Judge - Office of the County Judge - County Courthouse - Harrisburg, AR 72432 (501) 578-5333
AR	Uninc. Area	White County	050467	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable William L. Davis - County Judge - County Courthouse - Searcy, AR 72143 (501) 268-2111

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CA	Uninc. Area	Asador County (03,05,07-10,13-14,16-20, 24-31,33-47)	050015	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Myron Questo - Chairman - Board of Supervisors - County Courthouse - Asador City, CA 95601 (209) 223-0340
CA	Uninc. Area	Sutter County (01-02,04-05,08-10,12-44)	050394	A E-5,15	I	F	7 JUN 77	7 JUN 77	Mr. Larry Larson - Planning Department - 554 Second Street - Yuba City, CA 95921 (916) 673-7532
CO	Uninc. Area	Custer County (02-06,08,11-16,18-22,25-28, 33-35,39-41,46-47)	080040	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Leonard Ries - Chairman - Board of County Commissioners - Courthouse - P.O. Box 102 - Westcliffe, CO 81252 (303) 783-2441
CT	Windham	Town of Putnam (01-07)	090194	A N-5,15	I	F	7 JUN 77	7 JUN 77	Mr. Fred Chmura - Town Assessor - 126 Church Street - Putnam, CT 06260 (203) 522-4032
CT	New Haven	City of Waterbury (01-12)	090091	A E-11,12,14	I	F	22 MAR 74	7 JUN 77	Mrs. Pat Mulhall - Town Clerk - City Hall - Waterbury, CT 06702 (203) 755-9134
ID	Uninc. Area	Kootenai County (0001-0002,0004-0013)	150076	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Eugene M. Ingalls - Chairman Board of County Commissioners - Courthouse - Coeur D'Alene, ID 83814 (208) 664-6291
IA	Uninc. Area	Suchanan County (0001-0009)	190848	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Ralph Kremer - Chairman - Board of County Supervisors - Courthouse - Independence, IA 50644 (319) 334-2135

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IA	Uninc. Area	Cedar County	(01-33)	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Harvey Weh - Chairman - Board of County Supervisors - County Courthouse - Tippett, IA 52772 (319) 255-6116
IA	Uninc. Area	Cerro Gordo County	(0001-0006)	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Ambrose Cahalan - Chairman - Board of County Supervisors - Courthouse - Mason City, IA 50401 (515) 423-0113
IA	Uninc. Area	Clay County	(0001-0006)	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Richard Kramer - President - Board of County Supervisors - Courthouse - Spencer, IA 51301 (712) 244-1222
IA	Uninc. Area	Crawford County (0001-0002, 0004-0005, 0007-0008)	190091	A N-5	I	F	7 JUN 77	7 JUN 77	Ms. Eileen Heiden - Chairman - Board of Supervisors - Courthouse Derison, IA 51442 (712) 263-3015
IA	Uninc. Area	Mahaska County	(0001-0006)	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Don A. Allgood - Chairman - Board of Supervisors - Courthouse Oskaloosa, IA 52577 (515) 673-7148
IA	Uninc. Area	Mitchell County	(0001-0006)	A N-5	I	F	7 JUN 77	7 JUN 77	Jean Gerlach - Chairman - Board of Supervisors - County Courthouse Osage, IA 50461 (515) 732-3154

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IA	Clinton	City of Wheatland (02)	190090	B N-8,11,12	I	F	28 JUN 74 2 APR 76	7 JUN 77	Honorable Lawrence Bentolt - Mayor - Town Hall - Wheatland, IA (319) 556-4165
KS	Uninc. Area	Miami County (01-35)	200220	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Nelson Cowdy - Chairman - Board of County Commissioners - County Courthouse - Paola, KS (913) 294-3976
KS	Uninc. Area	Wilson County (0001-0006)	200617	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Tom Adams - Chairman - Board of County Commissioners - County Courthouse - Fredonia, KS (316) 378-2166
LA	Uninc. Area	Allen Parish (001-0010)	220009	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Clyde Johnson - President - Police Jury - Parish Courthouse - Oberlin, LA 70555 (318) 639-4356
ME	Washington	Town of Whitneyville (01-05,07)	230329	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Nathan Pennell - Selectman - Town Hall - Whitneyville, ME (207) 255-2230
MA	Suffolk	City of Boston (01-30)	250286	B E-12	C	F	22 NOV 74 11 FEB 77	7 JUN 77	Ms. Lucile C. Sims - Deputy Director of Zoning - Boston Re- development Authority - City Hall 1 City Hall Square - Boston, MA (617) 722-4555

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	ISLAND NO.	HAZARD F/M/E	IDENTIFICATION DATES	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
MT	Uninc. Area	Deer Lodge County (0001-0003, 0005-0007, 0009-0012)	300016	A N-5,15	I	F	7 JUN 77	7 JUN 77	Mr. Val A. Galle - Chairman - Board of County Commissioners - Courthouse - Anaconda, MT (406) 563-2610
NB	Uninc. Area	Seward County	310474	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. John Ehlers - Chairman - Board of County Commissioners - Courthouse - Seward, NB (402) 643-2223
OR	Uninc. Area	Gilliam County	410070	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Leo Barnett - Chairman - Board of County Commissioners - Court- house - Condon, OR 97223 (503) 324-2311
OR	Union	City of Union	410223	A E-11,12,14	I	F	5 MAR 76	7 JUN 77	Honorable Carter Fournes - Mayor - City Hall - Union, OR 97223 (503) 552-5227
SD	Uninc. Area	Lake County	460276	A N-5	I	F	7 JUN 77	7 JUN 77	Mr. Ervin Feistner - Chairman - Board of County Commissioners - County Courthouse - Madison, SD 57042 (605) 256-2276
TX	Uninc. Area	Karnes County	481175	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable B. A. Hartman - County Judge - Office of the County Judge - County Courthouse - Karnes City, TX 78118 (512) 720-3722

STATE	COUNTY	COMMUNITY NAME & NUMBER OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM & CHANGE CODE	ENVIRONMENTAL NO. ON/AVI	HAZARD F/M/E	IDENTIFICATION DATE(S)	EFFECTIVE DATE OF THIS MAP ACTION	LOCAL MAP REPOSITORY
TX	Tarrant & Denton	City of Southlake (01-10)	480512	A E-8,10,11,12 14	I	F	15 FEB 74	7 JUN 77	Honorable Wade Booker - Mayor - City Hall - Carroll Road - Southlake, TX 76051 (817) 481-3557
TX	Uninc. Area	Wise County (0001,0003-0012)	481051	A N-5	I	F	7 JUN 77	7 JUN 77	Honorable Charles Wilhite - County Judge - Office of the County Judge - County Courthouse Decatur, TX 76234 (817) 627-57-3
WA	Uninc. Area	Clark County (01-13,15-23,25-28,30-42)	530024	A N-10,11,12	I	F	6 SEP 74	7 JUN 77	Mr. Jack Wayne - Drainage and Flood Control Engineer - 1000 Franklin Street - Clark County Public Works Department - Vancouver, WA 98660 (206) 693-2432
WA	Uninc. Area	San Juan County (0001-0008)	530149	A N-5	C	F	7 JUN 77	7 JUN 77	Mr. Victor Bartig - Chairman - Board of County Commissioners - County Courthouse - Friday Harbor WA 98250 (206) 375-2161

STATE	COUNTY	COMMUNITY NAME AND NO. OF PANELS	COMMUNITY NUMBER & SUFFIX	PROGRAM AND CHANGE CODE	INLAND OR COASTAL	HAZARD F/TIME	IDENTIFICATION DATE IS	OF THIS ACTION	REPOSITORY
IL	Clinion	Village of Aviston 01	170923A	N - 5	I	F	May 20, 1977	May 20, 1977	EDWARD R. HAKAP 101 West Oak St. Aviston, IL 62216 Phone: 619-228-7523
IL	Lake	Lake County (Uninc. Areas) 01-35	170357A	E - 10, 11, 12, 14	I	F	Jan. 17, 1975	May 20, 1977	John Valen, Chairman County Commissioners 18 North County Street Waukegan, IL 60085 Phone: 312-689-6350
IL	McHenry	McHenry County (Uninc. Areas) 01-42	170732A	E - 10, 11, 12, 14	I	F	Jan. 3, 1975	May 20, 1977	Walter Dean, Chairman Board of Supr. 2200 North Seminary Ave. Woodstock, IL 60098 Phone: 815-338-2040
KY	Bullitt	Bullitt County (Uninc. Areas) 01-26	210273A	N - 5	I	F	May 20, 1977	May 20, 1977	Arson Moore, County Judge County Courthouse P.O. Box 397 Sherpherdville, KY 40165 Phone: 502-543-2263

1. Conversion to Regular Program with FIRM (elevations determined)
2. Conversion to Regular Program with FIRM (no elevations determined)
3. Conversion to Regular Program with no Special Flood Hazard Areas - no FIRM
4. Conversion to Regular Program with no Special Flood Hazard Areas - no FIRM; rescission of FIRM effective on same date as conversion
5. Initial FIRM
6. Revision - Change of elevation; revised FIRM
7. Revision - Change of area designation; revised FIRM
8. Revision - Corporate limit changes
9. Revision - Drafting corrections; Printing errors
10. Revision - Curvilinear
11. Revision - Add Flood Hazard Area
12. Revision - Reduce Flood Hazard Area
13. Revision - Federal Register omission
14. Revision - Refunds possible
15. Attention! A previous map (or maps) has been rescinded or withdrawn for this community. This may have affected the sequence of suffixes.

B - REGULAR PROGRAM B - EMERGENCY PROGRAM K - NOT IN PROGRAM

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (88 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued: May 31, 1977.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc. 77-16358 Filed 6-10-77; 8:45 am]