

proposed relocation to be surveyed by a professional archaeologist. The project consists of the construction of a 4-lane divided highway (U.S. 23) that begins at the White Creek Road (Ky. 757) and extends northward to a terminal point near the junction of existing U.S. 23 and Ky. 3, two miles south of Catlettsburg. Adverse impacts include the displacement of families, loss of land suitable for wildlife habitat, and construction-related pollution. (ELR Order No. 70984.)

NICHOLAS C. YOST,
Acting General Counsel.

[FR Doc. 77-24119 Filed 8-18-77; 8:45 am]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, August 24, 1977, commencing at 2:00 p.m. The hearing will be held in the Hall of Flags (West) of the Sheraton Hotel, 1725 John F. Kennedy Boulevard, Philadelphia. The subject of the hearing will be applications for approval of the following projects as amendments to the Comprehensive Plan pursuant to Article 11 of the Compact and/or as project approvals pursuant to Section 3.8 of the Compact:

1. *Rohm and Haas Co. (D-75-30)*. A cooling water discharge at the company's plant in Philadelphia, Pa. Approximately nine million gallons per day of cooling water will discharge through a series of outfalls to Frankford Creek and directly into the Delaware River.

2. *City of Newark (D-77-45 CP)*. A well water supply project to augment public water supplies in the City of Newark, New Castle County, Del. Designated as Wells No. 8 and 9, the two new facilities are expected to produce a combined yield of 198,000 gallons per day.

3. *North Penn Water Authority (D-77-57 CP)*. A well water supply project to augment public water supplies in the Authority's service area in Montgomery County, Pa. Designated as NP 14, 42, and 46, one of the new wells is located in Lower Salford Township and two are located in Towamencin Township. The three facilities have an estimated combined yield of 720,000 gallons per day.

4. *Fairmount Park Commission (D-77-40 CP)*. Construction of a fishway at Fairmount Dam, Philadelphia, Pa., to provide passage for anadromous and catadromous fish to their natural spawning and rearing areas in the upper Schuylkill River.

5. *The Estauigh T/A Medford Leas (D-77-46)*. An increased withdrawal from two existing wells supplying Medford Leas Retirement Community in Medford, Burlington County, N.J. Up to 200,000 gallons per day will be used for irrigation and domestic purposes.

6. *Borough of Bellmawr (D-76-123 CP)*. A well water supply project to augment public water supplies in the Borough of Bellmawr, Camden County, N.J. Designated as Well No. 5, the new facility is expected to yield one million gallons per day.

7. *W. L. Wheatley Co., Inc. (D-77-29)*. A well water supply project at the company's Campbell Soup plant in Clayton, Kent County, Del. The project involves reconstruction of an existing well that is designed to yield about 500,000 gallons per day.

8. *Artesian Water Co. (D-76-92 CP)*. A well water supply project to augment public water

supplies in the company's franchise area in Glasgow, New Castle County, Del. Designated as the Caravel Farms well, the new facility is expected to yield 360,000 gallons per day.

9. *Village of Hobart (D-76-84 CP)*. A well water supply project to augment public water supplies in the Village of Hobart in Delaware County, N.Y. The new well is expected to yield 190,000 gallons per day.

10. *City of Lewes (D-77-70 CP)*. A well water supply project to augment public water supplies in the City of Lewes, Sussex County, Del. Designated as Well No. 1, the new facility is expected to yield 200,000 gallons per day.

11. *West Chester Area Municipal Authority (D-75-19 CP)*. An increased surface water withdrawal to augment public water supplies in East Bradford Township and several adjacent municipalities in Chester County, Pa. An average of six million gallons per day will be withdrawn from the East Branch Brandywine Creek.

12. *B. F. Goodrich Co. (D-76-31)*. A cooling water discharge at the company's Oaks plant in Upper Providence Township, Montgomery County, Pa. About 3.9 million gallons per day of uncontaminated cooling water is discharged to Perkiomen Creek.

13. *Dow Chemical Company (D-75-128)*. A bulk chemical storage and distribution facility proposed to be located on the Delaware River in Bordentown Township, Burlington County, N.J. Construction would involve 65 storage tanks. Pier and marginal berthing facilities would extend a maximum of 500 feet channelward from the existing mean high water line. About 307,000 cubic yards of sand, gravel and river silt would be removed to provide adequate channel depth and berthing area for tankers of up to 36,000 deadweight tons. A draft environmental impact statement on this project has been prepared by the Commission and was released for public review on July 15, 1977. (This project will not be acted upon by the Commission on August 24. It is scheduled for public hearing only.)

Documents relating to the above-listed projects may be examined at the Commission's offices. Persons wishing to testify are requested to notify the Secretary prior to the hearing.

W. BRINTON WHITALL,
Secretary.

AUGUST 10, 1977.

[FR Doc. 77-23968 Filed 8-18-77; 8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

LOW-HEAD HYDROELECTRIC ENERGY

Public Meeting

The U.S. Energy Research and Development Administration has awarded a contract to the University of New Hampshire to conduct a workshop to identify and assess constraints to the commercial development of low-head hydroelectric resources. The objective of the workshop is to provide advice to the Division of Geothermal Energy, Energy Research and Development Administration, for use in the formulation of an appropriate program of Federal research, development and demonstration.

The workshop, to be held on September 7, 8, and 9, 1977, at the New England Center for Continuing Education, Durham, New Hampshire, is open to the public on a space available basis. The work-

shop is organized into the following panels: Resource Assessment; Engineering Development; Institutional and Legal Barriers; Environment and Safety; and, Demonstrations.

AGENDA

TUESDAY, SEPTEMBER 6

3:00 p.m.-9:30 p.m., Registration.

WEDNESDAY, SEPTEMBER 7

8:30 a.m., Call to order.
8:40 a.m., Current status of ERDA program.
9:30 a.m., Background Address—David Lallenthal.
10:00 a.m., Status, Canada and Japan.
10:30 a.m.-3:30 p.m., Panel meetings.
3:45 p.m., Status, Europe.

THURSDAY, SEPTEMBER 8

8:30 a.m., General Discussion.
10:15 a.m.-2:00 p.m., Panel Meetings.
2:00 p.m.-5:00 p.m., Visits to hydroelectric sites.

FRIDAY, SEPTEMBER 9

8:30 a.m.-1:00 p.m., Panel Meetings.
1:15 p.m.-2:45 p.m., General Sessions—presentation of panel reports.
3:30 p.m.-6:00 p.m., Panel chairmen discussion.

SATURDAY, SEPTEMBER 10

9:00 a.m.-11:30 a.m., Panel chairman discussion of workshop reports.

Practical considerations may dictate alterations to the above agenda. This will be a working meeting and the Workshop Chairman and Panel Chairmen are empowered to conduct the general sessions and panel meetings in a manner that in their judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items, scheduled above, the following requirements shall apply:

(a) Persons wishing to submit written statements on agenda items may do so by mailing 12 copies thereof, postmarked no later than September 2, 1977, to the Director, Division of Geothermal Energy, U.S. Energy Research and Development Administration, 20 Massachusetts Avenue N.W., Washington, D.C. 20545. Comments shall be directly relevant to the above agenda items.

(b) Information as to whether the meeting has been rescheduled or relocated can be obtained by a prepaid telephone call on September 2, 1977, to Ms. Betty Kitterman on (202) 376-4581 between 8:30 a.m. and 5:00 p.m. (EDT).

(c) Questions at the general session and panel meetings may be raised by the public only when recognized to do so by the general session chairman or panel chairmen.

(d) Seating to the public will be made available on a first-come, first-served basis.

(e) The use of still, movie, and television cameras, the physical installation and presence of which will not interfere with the course of the workshop, will be permitted before and after each day's activities and during any recess. The use of such equipment will not, however, be allowed during the general sessions or panel meetings.

(f) Copies of the final report prepared by the University of New Hampshire will be available at the Energy Research and Development Administration's Public Document Room, 20 Massachusetts Avenue N.W., Washington, D.C. 20545, upon payment of all charges required by law.

Dated at Washington, D.C., this 12th day of August 1977.

DONALD A. BEATTIE,
Acting Assistant Administrator
for Solar, Geothermal and
Advanced Energy Systems.

[FR Doc.77-24096 Filed 8-18-77;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 779-8 and OPP-42011C]

COMMONWEALTH OF PENNSYLVANIA

State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides; Approval Status

Section 4(a) (2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136 et seq.), and the implementing regulations of 40 CFR Part 171, require each State desiring to certify applicators to submit a plan for such purpose, subject to approval by the Environmental Protection Agency (EPA). On April 15, 1976, the Pennsylvania State Plan was approved contingent upon promulgation of necessary regulations implementing the legislation. Notice of contingent approval was published in the FEDERAL REGISTER on May 25, 1976 (41 FR 21402). On July 2, 1977, regulations necessary to implement the Pennsylvania legislation were promulgated. Having reviewed these regulations and finding that all requisite legal authorities required by FIFRA and 40 CFR Part 171 are now enacted and promulgated, the Regional Administrator, EPA, Region III, hereby gives notice that the Pennsylvania State Plan is now a fully approved State Plan.

Dated: August 8, 1977.

ALVIN R. MORRIS,
Acting Regional Administrator,
Region III.

[FR Doc.77-24121 Filed 8-18-77;8:45 am]

[FRL 779-7 and OPP-40005]

FEDERAL AGENCY CERTIFICATION OF FEDERAL EMPLOYEES TO APPLY RESTRICTED USE PESTICIDES

Intent to Recognize Under Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act

Notice is hereby given that the Administrator of the Environmental Protection Agency intends to review for approval Federal agency plans for the certification of Federal employees as pesticide applicators. Such plans may be submitted by the heads of Federal agencies pursuant to Section 4(a) (1) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended [FIFRA] [7 U.S.C. 136b (a) (1)].

I. BACKGROUND

FIFRA, as amended in 1972 and 1975, directs the Administrator to classify certain uses of particularly hazardous pesticides as restricted to use only by "cer-

tified" applicators and persons working under their direct supervision. Pesticide products with uses so classified are termed "restricted use pesticides". In addition, the Administrator is directed to establish standards for the "certification" of applicators of restricted use pesticides. Section 4(a) (1) of FIFRA, which requires the Administrator to prescribe these standards, also implicitly authorizes the Administrator to provide for certification of individuals who wish to use restricted use pesticides.

Under Section 4 of FIFRA, the Administrator may approve individual State Plans for the certification of applicators. Similarly, Section 4 may be implemented through Federal certification programs approved by EPA. At this date, the Administrator has approved a number of State certification plans. In addition, the Administrator intends to exercise his authority to review for approval Federal agency plans for certification of Federal employees to use and supervise the use of restricted use pesticides. Such approved certifications, however, will be valid only for Federal employees engaged in the performance of their official duties.

This notice describes the terms and conditions under which EPA will approve the certification programs of other Federal agencies. (For purposes of uniformity of language, such Federal agency certification programs shall be referred to as "Federal agency plans.")

On March 12, 1975, the Agency published in the FEDERAL REGISTER final regulations governing the content of State plans for certification of pesticide applicators (40 FR 11698, codified at 40 CFR 171.7-171.10). Those regulations contain at 40 CFR 171.9 the description of a joint State/Federal mechanism for granting State certification to Federal employees. Under this mechanism, a Government Agency Plan (GAP) was to be developed. Upon completion of the GAP program, a Federal employee would become "qualified." The Federal employee would then use this "qualification" as the basis for State certification, in addition to meeting any other requirements imposed by individual States. Under Section 171.7(e) (4), States with approved certification plans are expected to respond to the GAP within 60 days of its final approval, either by accepting GAP "qualifications" or by describing additional State requirements necessary for State certification.

Although a GAP mechanism was favored under conditions prevailing at the time 40 CFR Part 171 was written, it was nevertheless envisioned that other alternative approaches to Federal employee certification might be developed in the future. The Agency intends to adopt such an alternative approach, partly in response to two Supreme Court decisions which raise questions concerning the Agency's authority under FIFRA to require Federal agency employees to obtain State certification. (*Hancock v. Train*, 426 U.S. 167 (1976), and *EPA v. California*, 426 U.S. 200 (1976).) While

Federal employees may still voluntarily obtain a State certification in order to comply with the Federal certification requirement, the Agency now considers it appropriate to accept certifications provided by Federal agencies, provided that the certifying agencies develop certification plans which meet the Federal minimum standards for approval of such programs.

II. APPROVAL CRITERIA FOR FEDERAL AGENCY PLANS TO CERTIFY FEDERAL EMPLOYEES TO USE RESTRICTED USE PESTICIDES

The Administrator, in considering approval of Federal agency plans, or any modification thereof, will weigh the following factors, as well as any additional criteria which may be established in the future.

(a) The standards for determining and attesting to the competence of restricted use pesticide applicators established by the Administrator pursuant to Section 4(a) (1) of FIFRA are codified at 40 CFR 171.1-171.6. These standards apply, as a matter of law, to all applicator certification plans, regardless of whether the certifying authority is the Federal Government or a State. Accordingly, all Federal agency plans for employee certification must satisfy these standards.

(b) It is the position of EPA that requirements for the submission, review and approval of individual Federal agency plans should be essentially equal to, or more stringent than, those requirements which are in effect for review and approval of State plans. Accordingly, the criteria established in 40 CFR Sections 171.7 and 171.8 for submission, approval and maintenance of State plans will be applied, as appropriate, to Federal agency plans.

(c) It is the position of EPA that the Federal government has and should exercise, through its various agencies, the same or equivalent enforcement authorities, in regard to Federal employees, as are expected of States as a condition of State Plan approval under 40 CFR 171.7 (b) (1) (iii) (A)-(E).

In particular, Federal agencies will be expected to exercise the same administrative controls over agency employees as States exercise with regard to private citizens under approved State certification plans. Agencies will be expected, therefore, to give assurances that they will exercise their administrative authority, where appropriate, to deny, suspend or revoke certificates of employees who misuse pesticides, falsify records, or violate relevant provisions of FIFRA.

Similarly, EPA will expect assurances to be given that Federal agency employees will be required to keep and maintain for a period of at least two years routine operational records containing information on kinds, amounts, uses, dates, and places of application of restricted use pesticides.

As Federal agencies will be imposing these administrative controls over agency employees only, no distinct authority, by statute or regulation, is required as

in the case of State or Federal regulatory control over private citizens. Such administrative authorities are inherent in the employer-employee relationship.

Such authorities, available to the Federal government in the regulation of Federal employees using restricted use pesticides, are equivalent to those authorities which the Agency expects of States before approving State plans for State regulation of private citizens who use restricted use pesticides. (See 40 CFR 171.7 (b) (1) (iii) (A)-(E)).

(d) Although private contractors who apply restricted use pesticides for Federal agencies are not, as such, Federal employees and do not therefore qualify for certification by Federal agencies, it is expected that Federal agencies will, at the minimum, report instances of pesticide misuse or record falsification to the certifying State agencies for purposes of denial, suspension or revocation of the contractor's State certification, as may be appropriate in each individual case.

(e) In the interest of encouraging cooperative State and Federal efforts toward the control of environmental pollution, EPA restates the policy of Executive Order 11752 as a condition for approval of Federal agency certification plans.

Specifically, under Executive Order 11752, Federal agencies will be expected to adhere to State substantive standards affecting pesticide use. As a condition of EPA approval of agency plans, therefore, other agencies will be asked to provide assurance of their intent to comply with State substantive requirements.

In determining whether a given State requirement is procedural or substantive, EPA will arbitrate any differences of opinion between a State and a certifying agency over the question whether a given State requirement is substantive in nature or merely procedural.

III. APPROVAL PROCEDURES

If any Federal agency, at any time, desires to certify its own employees to apply restricted use pesticides in the conduct of official duties, the head of that Agency may submit a Plan for that purpose to the Administrator of EPA for approval. If the Administrator determines that an agency plan for the certification of its employees as pesticide applicators meets the criteria set forth in this notice, he will publish a notice of intent to approve such an agency plan in the FEDERAL REGISTER. In keeping with Agency policy to give notice and to seek public comment prior to approval of State certification plans, the Administrator also intends to seek public comment prior to final approval of Federal agency plans.

IV. PUBLIC COMMENT

The Administrative Procedure Act [5 U.S.C. 553(b)] provides that the solicitation of comments is not required of Federal agencies for "interpretative rules, general statements of policy, or rules of agency organization, procedure or practice." EPA has determined that this Notice falls within this exemption

from the requirement to solicit public comment. Accordingly, the Agency is not soliciting public comment regarding matters published in this notice.

However, interested persons may submit written comments regarding the policy set forth herein to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Three copies of all comments should be submitted to facilitate the work of the EPA and others interested in inspecting such documents. All comments filed pursuant to this Notice will be available for public inspection in the Federal Register Section, Office of Pesticide Programs, from 8:30 a.m. to 4 p.m., Monday through Friday.

Dated: August 12, 1977.

DOUGLAS M. COSTLE,
Administrator.

[FR Doc. 77-24120 Filed 8-18-77; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

Meetings

In accordance with Public Law 92-463, "Federal Advisory Committee Act," the schedule of future Radio Technical Commission for Marine Services (RTCM) meetings is as follows:

The 7th meeting of RTCM Special Committee No. 70: "Minimum Performance Standards (MPS)—Marine Loran-C Receiving Equipment" was originally scheduled for Thursday, September 1. A Technical Specifications Working Group meeting had been scheduled for Wednesday, August 31.

Both meetings (September 7 and September 8) have been cancelled. The 7th meeting of Special Committee No. 70 and the Working Group meeting will be held on September 8 and September 7 respectively. Details of these rescheduled meetings follow.

Special Committee No. 70 "Minimum Performance Standards (MPS)—Marine Loran-C Receiving Equipment," notice of 7th meeting, Thursday, September 8, 1977—10 a.m. (all-day meeting), Conference Room (second floor), U.S. Coast Guard Marine Inspection Office, Battery Park Building, Battery Park at South Ferry, New York, New York.

Technical Specs Working Group, full-day meeting, September 7, 10 a.m. Same location as September 1 meeting.

AGENDA

1. Call to Order; Chairman's Report.
2. Confirmation of Secretary; Adoption of Agenda.
3. Acceptance of SC-70 Summary Records.
4. Reports on Work Assignments.
5. Approval of Receiver Specifications.
6. Other Business.
7. Establishment of possible meeting date.

Captain Alfred E. Fiore, Chairman, SC-70, U.S. Merchant Marine Academy, Kings Point, New York 11024. Phone: 516-482-8200.

To comply with the advance notice requirements of Public Law 92-463, a comparatively long interval of time occurs between publication of this notice and the actual meeting. Consequently, there is no absolute certainty that the listed meeting room will be available on the day of the meeting. Those planning to attend the meeting should report to the room listed in the notice. If a room substitution has been made, the new meeting room location will be posted at the room listed in this notice.

Agendas, working papers, and other appropriate documentation for the meeting is available at that meeting. Those desiring more specific information may contact either the designated Chairman or the RTCM Secretariat. Phone 202-632-6490.

The RTCM has acted as a coordinator for maritime telecommunications since its establishment in 1947. Problems are studied by Special Committees and the final report is approved by the RTCM Executive Committee. All RTCM meetings are open to the public. Written statements are preferred but by previous arrangement, oral presentations will be permitted within time and space limitations.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc. 77-24071 Filed 8-18-77; 8:45 am]

[Docket No. 21310; RM-1847; RM-1984; RM-2742]

FM QUADRAPHONIC BROADCASTING

Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: Action taken herein extends the time for filing comments and reply comments to a Notice of Inquiry concerning FM quadrasonic broadcasting. Consumer Electronics Group of the Electronic Industries Association states the additional time is necessary so that it can develop a response to the various questions raised in this proceeding.

DATES: Comments must be filed on or before December 16, 1977, and reply comments must be filed on or before January 16, 1978.

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

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

In the Matter of FM Quadrasonic Broadcasting (Docket No. 21310, RM-1847, RM-1984, RM-2742), an Order extending time for filing comments and reply comments.