Procedure Act (5 U.S.C. 553(b)). Therefore, the Commission hereby amends Title 16, Chapter II, Subchapter D, Part 1630, by adding a new Subpart D, as follows:

Subpart D—Interpretations and Policies

§ 1630.81 Policy on recall of noncomplying carpets and rugs.

(a) *Purpose.* The purpose of this section is to state the policy of the Commission concerning recall of carpets and rugs which are subject to and fail to comply with the Standard for the Surface Flammability of Carpets and Rugs (FF 1-70) (16 CFR Part 1630, Subpart A). In this policy statement, the Commission reaffirms that provisions of the Flammable Fabrics Act (FFA) authorize recall of any product which fails to comply with an applicable flammability standard issued under that Act. Additionally, this policy statement announces general principles which will be followed by the Commission in exercising the authority contained in the FFA to require recall of carpets and rugs from various levels of distribution, including carpets and rugs in the possession of the ultimate consumer.

(b) *Recall from distributors and retailers.* The Commission will exercise the authority contained in the FFA to order recall of carpets and rugs which fail to comply with the Standard for the Surface Flammability for Carpets and Rugs and which are in the possession of any distributor, retailer, or other person or firm in the chain of distribution, where the facts, including the number and pattern of test failures, indicate that such action is necessary and appropriate.

(c) *Recall from consumers.* (1) In cases involving carpets and rugs distributed in commerce by a domestic manufacturer, or imported into the United States, after July 11, 1978, the Commission will exercise the authority contained in the FFA to order recall of carpets and rugs which fail to comply with the Standard for the Surface Flammability of Carpets and Rugs and which are in the possession of ultimate purchasers, including installed carpet, where the facts, including the number and pattern of test failures, indicate that such action is necessary and appropriate.

(2) The Commission may exercise the authority of section 15 of the Consumer Product Safety Act (15 U.S.C. 2064) to order the repair, replacement, or repurchase of any carpets or rugs in the possession of ultimate purchasers, including installed carpet, if such carpets and rugs present a "substantial product hazard" as that term is used in the Consumer Product Safety Act in any case involving carpets or rugs which were distributed in commerce by a domestic manufacturer or imported into the United States, on or before July 11, 1978, or any time thereafter.

AUTHORITY: Sec. 5, 15 U.S.C. 1194, 67 Stat. 112, June 30, 1953; Sec. 5, 15 U.S.C. 45(b), 38 Stat. 719, Sept. 26, 1914; Sec. 15, 15 U.S.C. 2064, 86 Stat. 1221, Oct. 27, 1972.

Dated: January 2, 1979.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc. 79-824 Filed 1-9-79; 8:45 am]

[4410-09-M]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Pentazocine Into Schedule IV

AGENCY: Drug Enforcement Administration.

ACTION: Final rule.

SUMMARY: This rule requires that the manufacture, distribution, dispensing, importation and exportation of pentazocine and its salts be subject to the controls provided by the Controlled Substances Act and regulations of the Drug Enforcement Administration, for substances in Schedule IV.

This rule is issued as a result of the Drug Enforcement Administration's request that the Assistant Secretary for Health, Department of Health, Education and Welfare, provide DEA with a scientific and medical evaluation of pentazocine regarding its placement into Schedule IV of the Act, the Assistant Secretary's transmittal of the requested recommendation and evaluation, publication of a Notice of Proposed Rulemaking to place pentazocine into Schedule IV in the FEDERAL REGISTER (43 FR 40884, Sept. 13, 1978), and receipt and review by DEA of comments submitted in response to the published Notice.

DATE: Effective date of schedule IV control: February 9, 1979, except as otherwise provided in Supplementary Information section of this order.

FOR FURTHER INFORMATION CONTACT:

Howard McClain, Jr., Chief, Regulatory Control Division, Office of Compliance and Regulatory Affairs, Drug Enforcement Administration, telephone 202-633-1366.

SUPPLEMENTARY INFORMATION: A notice was published in the FEDERAL REGISTER on September 13, 1978 (43 FR 40884) proposing that the drug pentazocine, and its salts, be placed into Schedule IV of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966), and that Title 21, Code of Federal Regulations (CFR) Section 1308.14 [Schedule IV] be amended accordingly.

All interested persons were given until October 13, 1978, to submit their comments or objections in writing regarding this proposal.

In response to the notice, nine comments were received by DEA. Of these, five were in support of DEA's proposal to place pentazocine in Schedule IV; two, submitted by the South Carolina Bureau of Drug Control, and by the Assistant Director of Pharmacy for the Methodist Hospital, Memphis, Tennessee, advocated pentazocine for Schedule II; one, by Crouse Irving Memorial Hospital, Syracuse, New York, was informational and advisory; and one, by Sterling Drug Inc., manufacturer of Talwin brand of pentazocine, set forth comments, objections and two requests for hearings concerning Talwin Compound, which is pentazocine combined with aspirin, and butorphanol, a drug newly marketed as an analgesic and currently not a controlled substance.

All the comments thus submitted were reviewed and considered by the Drug Enforcement Administration, and especially noted are the comments, data and materials provided by the Rhode Island Department of Health, Crouse Irving Memorial Hospital, the State of Wisconsin Controlled Substances Board, and the South Carolina Bureau of Drug Control; these submissions were especially helpful in providing profiles of pentazocine abuse cases and a heightened perspective of patterns of pentazocine abuse potential. Although this information and data could well support more stringent controls for pentazocine than are established by this Order, it all is being retained by DEA for use as a basis for further control of pentazocine if, in the future, more stringent controls for the drug are warranted. As to the aforementioned letter filed with DEA by Sterling Drug Inc., it has been reviewed by the Administrator, who has determined that it fails to present reasonable grounds for the proposed rulemaking concerning pentazocine not to be finalized. Sterling Drug Inc. has been notified of this action by letter, dated December 22, 1978.

Additionally, South Carolina, in commenting on the DEA proposal, objected to that proposal and disputed the Schedule IV findings regarding po-

tential for abuse and dependence by the Administrator as set forth therein. South Carolina provided additional information which it asserted would support the findings necessary for placing pentazocine in Schedule II, and advocated that the Administrator issue a proposed rule to that effect.

As noted above, DEA is retaining the information submitted by South Carolina in this regard for possible future use, and has notified the South Carolina Bureau of Drug Control accordingly.

Finally, of historical note, on October 5, 1971, a petition was filed with the Bureau of Narcotics and Dangerous Drugs, predecessor agency to DEA, to place injectable liquid pentazocine into Schedule III of the Act. The petition was filed by Joseph L. Fink, III, then a law student, and six other persons. In respect of the petition, a notice was published in the FEDERAL REGISTER on November 10, 1971, which advised that their petition had been accepted for filing and BNDD would conduct a review thereof to determine if the requested rulemaking proceedings should be initiated.

In view of the August 30, 1978, recommendation and evaluation received from the Assistant Secretary for Health concerning pentazocine, and the instant order issued today in respect thereof listing pentazocine in Schedule IV, the October 5, 1971, petition is hereby denied pending receipt by the Administrator of additional information from petitioners or any other interested person or persons which justifies initiating proceedings to transfer the injectable liquid form of pentazocine from Schedule IV to Schedule III.

No further comments nor objections were received, nor were there any other requests for a hearing, and in view thereof, and based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Assistant Secretary for Health in behalf of the Secretary of Health, Education, and Welfare, received pursuant to Sections 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, pentazocine has a low potential for abuse relative to the drugs or other substances currently listed in Schedule III.

2. Pentazocine has a currently accepted medical use in treatment in the United States.

3. Abuse of pentazocine may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in him by the Act and regulations of the Department of Justice, the Administrator of the Drug Enforcement Administration hereby orders that § 1308.14(f) of title 21 of the Code of Federal Regulations (CFR) be amended to read:

§ 1308.14 Schedule IV.

* * * * *

(f) *Other substances.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts:

* * * * *

(2) Pentazocine 9709

EFFECTIVE DATES

1. *Registration.* Any person who manufactures, distributes, dispenses, imports or exports, pentazocine, or who proposes to engage in such activities, shall submit an application for registration to conduct such activities in accordance with Parts 1301 and 1311 of Title 21 of the Code of Federal Regulations on or before February 9, 1979.

2. *Security.* Pentazocine must be manufactured, distributed, and stored in accordance with §§ 1301.71, 1301.72(b)-(d), 1301.73, 1301.74(a)-(f), 1301.75(b)-(c), and 1301.76 of Title 21 of the Code of Federal Regulations on or before July 9, 1979. From now until the effective date of this provision, it is expected that manufacturers and distributors of pentazocine will initiate whatever preparations as may be necessary, including undertaking handling and engineering studies and constructions programs, in order to provide adequate security for pentazocine in accordance with DEA regulations so that substantial compliance with this provision can be met by (180 days after date of publication). In the event that this imposes special hardships, the Drug Enforcement Administration will entertain any justified requests for extensions of time.

3. *Labeling and packaging.* All labels on commercial containers of, and all labeling of pentazocine packaged after July 9, 1979, shall comply with the requirements of § 1302.03-1302.05 and 1302.08 of Title 21 of the Code of Federal Regulations. In the event this effective date imposes special hardships on any manufacturer, as defined in Section 102(14) of the Controlled Substances Act (21 U.S.C. 802(14)), the Drug Enforcement Administration will entertain any justified requests for an extension of time.

4. *Inventory.* Every registrant required to keep records who possesses any quantity of pentazocine shall take an inventory prusuant to § 1304.11-1304.19 of Title 21 of the Code of Federal Regulations, of all stocks of such substances on hand, February 9, 1979.

5. *Records.* All registrants required to keep records pursuant to § 1304.21-1304.27 of Title 21 of the Code of Federal Regulations shall maintain such records on pentazocine commencing on the date on which the inventory of such substances is required to be taken.

6. *Prescriptions.* All prescriptions for products containing pentazocine shall comply with §§ 1306.01-1306.06 and §§ 1306.21-1306.25 of Title 21 of the Code of Federal Regulations, beginning February 9, 1979. All prescriptions for products containing such substances issued before February 9, 1979, if authorized for refilling, shall as of that date be limited to five refills and shall not be refilled after August 8, 1979.

7. *Importation and exportation.* All importation and exportation of pentazocine shall, on or after February 9, 1979, be required to be in compliance with Part 1312 of Title 21 of the Code of Federal Regulations.

8. *Criminal liability.* The Administrator, Drug Enforcement Administration, hereby orders that any activity with respect to pentazocine not authorized by, or in violation of, the Controlled Substances Act or the Controlled Substances Import and Export Act, conducted after February 9, 1979, shall be unlawful, except that any person who is not now registered to handle this substance but who is entitled to registration under such Acts may continue to conduct normal business or professional practice with pentazocine under this authority between the date on which this Order is published and the date on which he obtains or is denied registration.

9. *Other.* In all other respects, this Order is effective February 9, 1979.

Dated: January 4, 1979.

PETER B. BENSINGER,
Administrator.

[FR Doc. 79-898 Filed 1-9-79; 8:45 am]

[4910-22-M]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

[FHWA Docket No. 78-28]

PART 637—CONSTRUCTION INSPECTION AND APPROVAL

Sampling and Testing of Materials and Construction; Revision

AGENCY: Federal Highway Administration, DOT.

ACTION: Final rule.

SUMMARY: This document simplifies the existing policy and procedures on construction inspection and approval which provides for an assessment of the quality and quantity control of materials and units of work to assure that each project is completed in reasonably close conformity with the approved plans and specifications.

DATES: Effective date: January 11, 1979. Comments must be received on or before April 10, 1979.

ADDRESS: Submit comments, preferably in triplicate, to FHWA Docket No. 78-28, Federal Highway Administration, Room 4205, HCC-10, 400 Seventh Street, SW., Washington, D.C. 20590. All comments and suggestions received will be available for examination at the above address between 7:45 a.m. and 4:15 p.m. ET, Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Ross E. Martinez, Construction and Maintenance Division, Office of Highway Operations, 202-426-0420; or Virginia Cherwek, Office of the Chief Counsel, 202-426-0786; Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The existing regulations were originally published at 39 FR 35649 on October 3, 1974. The revision codifies material contained in the Federal-Aid Highway Program Manual, volume 6, chapter 4, section 2, subsection 7.[1] The regulation simplifies the existing policy and procedures to conform to the recommendations of the Federal Highway Administration (FHWA) policy on minimization of redtape (43 FR 10578, March 14, 1978). This regulation does not contain significant additions to previous requirements nor substantial cost effect.

Anyone wishing to submit written comments related to this regulation is advised to submit them to FHWA Docket No. 78-28. These comments may be considered as a request for rule revision, if necessary, and will be utilized in processing future amendments to this regulation.

NOTE.—The Federal Highway Administration has determined that this document does not contain a major proposal according to the criteria established by the Department of Transportation pursuant to Executive Order 12044.

Issued on: December 26, 1978.

L. P. LAMM,
Acting Federal Highway Administrator.

Part 637, Subpart B of Chapter I, Title 23, Code of Federal Regulations, is revised to read as follows:

Subpart B—Sampling and Testing of Materials and Constuction

Sec.
637.201 Purpose.
637.203 Definitions.
637.205 Policy.
637.207 Procedure.

Appendix A—Guide letter of certification by State engineer.

AUTHORITY: 23 U.S.C. §§ 114, 204, 206, 209, 210, and 315; 49 CFR 1.48(b).

Subpart B—Sampling and Testing of Materials and Construction

§ 637.201 Purpose.

The purpose of this regulation is to prescribe policies, procedures, and guides relating to sampling and testing of materials and construction in Federal-aid highway projects, except those constructed pursuant to 23 U.S.C. section 117.

§ 637.203 Definitions.

(a) The term "acceptance samples and tests" means all of the samples and tests used for determining the quality and acceptability of the materials and workmanship which have been or are being incorporated in the project.

(b) The term "independent assurance samples and tests" means independent samples and tests or other procedure performed by State personnel who do not normally have direct responsibility for process control and acceptance sampling and testing. They are used for the purpose of making independent checks on the reliability of the results obtained in acceptance sampling and testing.

(c) The term "National Reference Laboratories" means the American Association of State Highway and Transportation Officials (AASHTO) Materials Reference Laboratory (AMRL) and the Cement and Concrete Reference Laboratory (CCRL), each operated by the National Bureau of Standards.

§ 637.205 Policy.

(a) *Sampling and Testing Program.* It is the policy of the Federal Highway Administration (FHWA) that each State highway agency shall develop a sampling and testing program which will provide adequate assurance that the materials and workmanship incorporated in each Federal-aid highway construction project are in reasonably close conformity with the requirements of the approved plans and specifications including approved changes. The program shall have provisions for acceptance and independent assurance samples and tests. The program shall be approved by FHWA.

(b) *National Reference Laboratories.* It is the policy of FHWA to encourage all State highway agencies to participate in each regular inspection tour and comparative sample testing program of the CCRL and AMRL.

§ 637.207 Procedure.

Each State's acceptance and independent assurance sampling and testing program shall provide for the following:

(a) The point in the construction process at which sampling and testing is to be done.

(b) A guide schedule for sampling and testing materials which will give general guidance to personnel responsible for the program yet give them reasonable latitude for adaption to specific project needs.

(c) A reasonable portion of the independent assurance sampling and testing be performed by personnel who have no direct responsibility for acceptance sampling and testing using test equipment other than that assigned to the project. The program may permit the remainder of the independent samples and tests to be accomplished by independent observation of the acceptance sampling and testing or with the use of project assigned equipment.

(d) A prompt comparison of acceptance test results with independent assurance test results.

(e) The preparation and submission of a material certification conforming in substance to Appendix A of this regulation to the FHWA Division Administrator for each constuction project.

APPENDIX A

(GUIDE LETTER OF CERTIFICATION BY STATE ENGINEER)

Date _____
Project No. _____
This is to certify that:

The results of the tests on acceptance samples indicate that the materials incorporated in the construction work and the construction operations controlled by sampling and testing were in reasonably close conformity with the approved plans and specifi-

[1] This document is available for inspection and copying as prescribed in 49 CFR Part 7, Appendix D.

cations, and such results compare favorably with the results of independent assurance sampling and testing.
Exceptions to this certification are documented in the project records.

Director of Laboratory
or other
Appropriate State Official

[FR Doc. 79-872 Filed 1-9-79; 8:45 am]

[4310-84-M]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

SUBCHAPTER D—RANGE MANAGEMENT (4000)

[Circular No. 2440]

PART 4100—GRAZING ADMINISTRATION

Authorizing Grazing Use—Payment of Fees

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking establishes the formula for computing grazing fees for public rangelands. The Public Rangelands Improvement Act of 1978 provides for a specific grazing fee formula for public rangelands. The intended effect is to adjust the grazing fee to fair market value in accordance with the statutory grazing fee formula.

DATE: Effective March 1, 1979.

ADDRESS: Director (330), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

Mr. Ronald J. Younger, 202-343-6011.

SUPPLEMENTAL INFORMATION: The principal author of this document is Ronald J. Younger of the Washington Office, Division of Range Management, assisted by Billy R. Templeton of the Division of Legislation and Regulatory Management.

Proposed rulemaking relating to grazing fees was published jointly by the Forest Service and the Bureau of Land Management on pages 60108 through 60110 of the FEDERAL REGISTER on November 23, 1977. Written comments were invited through February 21, 1978, and six public meetings were held in five Western States to provide an opportunity for public input. Comments received by both the Forest Service and the Bureau of Land Management have been considered. These comments are summarized as follows:

Individual comments were received by mail from 13 units of State and local government, 55 special interest groups, and 434 individuals. The comments came from 41 States and Washington, D.C.

Additionally, four petitions bearing a total of 299 names were received.

The public meetings were attended by 476 persons. There were representatives speaking for 31 special interest groups and nine units of State and local government.

SUMMARY OF GENERAL COMMENTS

Those who favored the proposed rulemaking offered the following comments:

1. The proposed grazing fee increase is a means to achieve the objectives of range improvement, wildlife habitat improvement, and range and habitat maintenance. To some, the objective is served by generation of additional moneys for improvements through the "Range Betterment Fund" provisions of the Federal Land Policy and Management Act, (43 U.S.C. 1701, 1751); to others, the objective is served by decreasing the desirability for grazing livestock through higher fees.

2. The general public is entitled to receive fair market value for the use of the public resources.

3. Unless fair market value is charged for public grazing, those who have public grazing leases and permits enjoy an unfair competitive advantage over other livestock producers.

4. The procedure used to determine fair market value is appropriate.

Those who opposed the proposed rulemaking offered the following general comments:

1. Any increase in grazing fees would add an additional financial burden to an industry already burdened at this time by a depressed market for its products and trying to recover from drought-caused financial losses.

2. Few direct objections were offered to the concept of paying fair market value for the use of public resources. However, many objected to the procedures used to determine fair market value. Others believed that they are already paying fair market value, if all factors they consider pertinent would be considered in the determination of fair market value.

SPECIFIC COMMENTS AND RESPONSE

1. A considerable number of comments compared the "Technical Committee proposal" to the proposed regulation. Individuals and groups making these comparisons cited their estimate of the shortcomings in the proposed regulation and suggested replacement of the proposed regulation with the "Technical Committee proposal."

2. It was suggested that a two-tier grazing fee be adopted that would allow a lower fee for livestockmen who would guarantee access to public lands for recreation users.

3. It was suggested that public rangelands be open to competitive bidding to allow any interested person an equal chance to use public rangelands and to assure that fair market value is collected for livestock grazing.

4. It was suggested that the fee should be a variable fee based upon age and weight classes of animals. For example, a yearling consumes less forage than a cow with a calf and, therefore, it was suggested the fee should be lower.

5. Inclusion of permit value as a factor in determining (reducing) the grazing fee was suggested.

6. It was suggested that a variable fee be developed based upon forage production and nutritional value of forage.

7. It was suggested that fair market value be adjusted to account for differences in the cost of livestock operations on private land as compared to costs on public lands.

8. It was suggested that an allowance or credit be given to the permittees in return for permittee contributions to the construction of improvements and for maintaining improvements.

9. A schedule was suggested for a variable fee based upon the current season stocking rate and recent livestock prices. By this schedule, the fee per animal unit month would change by a fixed factor each time an increase or decrease in grazing capacity of one acre per animal unit month occurred and the fee would also change by a fixed amount each time the price per hundredweight of beef increased or decreased by one dollar.

10. It was suggested that permittees be required to post a performance bond to ensure protection of the range and rehabilitation of any damaged areas. This suggestion is not adopted. Livestock operations are generally stable, long-term operations and provisions of existing law and regulations (including cancellation of the grazing permit) are more appropriate means of reaching range improvement objectives than bonding.

The many thoughtful comments received on the proposed rulemaking are appreciated. However, a grazing fee formula was established in the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901). This final rulemaking has been prepared in accordance with that Act.

STATUTORY FEE FORMULA ADOPTED BY CONGRESS

Before final rules were adopted, a moratorium on any change in grazing fees for the 1978 grazing season was imposed by the Congress to provide additional time to study the issue. Then on October 25, 1978, the Public Rangelands Improvement Act (43 U.S.C. 1901) was signed into law. Section 6(a) of the Act adopted the fee formula known as the "Technical Committee Formula." The section 6(a) grazing fee formula may be expressed mathematically as follows:

$$\text{Grazing Fee} = \$1.23\ [FVI + (BCPI - PPI)]/100$$

The components of the formula are:

$1.23 = fair market value for base period 1964-1968.
FVI = Forage Value Index
BCPI = Beef Cattle Price Index
PPI = Prices Paid Index

The following data series, as suggested by the Technical Committee Report, will be used for the component values in the Congressional grazing fee formula.

The economic value of $1.23 established by the 1966 Western Livestock Grazing Survey for the base years 1964-1968 represents the difference between total cost associated with livestock grazing use of private leased grazing lands and total nonfee costs associated with livestock grazing use of allotments on Federal lands administered by the Forest Service and by the Bureau of Land Management in the Western States. The general items of cost included are: loss of animals, veterinary costs, movement of livestock to and from public or private grazing areas, herding and movement of livestock while on the grazing area., salting and feeding, travel by personnel to and from public or private grazing areas, pumping or hauling of water, horse use in movement and management of livestock, maintenance of fences and water facilities, depreciation of fences and other permanent structures, other miscellaneous costs, and costs paid through associations. In addition, payments to the landlord (the grazing lease rate) are included in the cost of using private grazing lands.

Forage Value Index (FVI) represents the annual change in private grazing lease rates from the 1964-1968 base years as collected by USDA using the June Enumerative Survey. The private lease rate value of $3.65 per animal unit month from the base period of 1964-1968 will continue to be the proper base value for the index of forage value.

Data year	Private grazing lease rate	Forage value index
1964-1968	3.65	100
1977	7.29	200
1978	7.11	195

The Beef Cattle Price Index (BCPI) represents the annual change in beef cattle prices in the 11-Western States compared with the base period (1964-1968) price of $22.04 per hundredweight. This data is collected by USDA for a calendar year of November-October and is composed of a weighted average beef cattle (excluding calves) price for the 11-Western States. The selection of the November calendar year does require a special tabulation but the basic price data are those normally published by ESCS in the *Agriculture Prices* series. The weighting by States is based on the volume (pounds liveweight) of marketings.

Data price year	Beef cattle price dol/cwt	Beef cattle price index
1964-1968	22.04	100
1969	27.00	123
1970	29.50	134
1971	29.50	134
1972	36.80	167
1973	43.00	195
1974	39.20	178
1975	35.20	160
1976	36.10	164
1977	36.00	163
1978	47.60	216

The Prices Paid Index (PPI) is developed from selected subindexes of the official USDA, ESCS index of prices paid with weights based on the Cost of Production Survey (COPS). It is an annual index on a November through October calendar year with a base period of 1964-1968 equal 100.

Date year	Prices paid index
1964-1968	100
1969	113
1970	118
1971	124
1972	130
1973	140
1974	168
1975	198
1976	215
1977	230
1978	246

The calendar year November through October was selected for the purpose of using the most recent data for determination of grazing fees. The grazing fee year starts on March 1 and a period of 4 months is needed to assess the data, compute the fee, publish the fee schedule in the FEDERAL REGISTER, compute the grazing billings, transmit the billings to the permittees, and collect the fees in advance of actual grazing use.

Utilizing the 1978 data year component values in the Congressional grazing fee formula results in an economic value grazing fee for the 1979 fee year of $2.03 per animal unit month (AUM):

$$\$1.23\ \frac{[195+(216-246)]}{100} = \$2.03/\text{AUM}$$

The 1979 grazing fee cannot exceed 25 percentum of the 1978 grazing fee; therefore, under this proposal the 1978 fee of $1.51 for BLM public domain lands is increased by 25 percentum to $1.89 per AUM for 1979. The higher grazing fees on some Bankhead-Jones lands and public lands in Western Oregon are also increased 25 percentum for 1979.

Other Federal land such as lands under the jurisdiction of the Department of Army and Veterans Administration, where livestock grazing is managed by BLM under interagency agreements, are not covered by the Public Rangelands Improvement Act of 1978. Competitive bidding will continue to be employed on these areas to establish value for livestock use of the land.

Fees for the grazing years 1979 through 1985 shall be established annually by the Secretary based on the grazing fee formula in the Public Rangelands Improvement Act of 1978. Starting in 1979, grazing fees shall be adjusted annually to the computed economic value subject only to the provision that adjustments shall be limited to not more than plus or minus 25 percentum of the previous year's fee.

Under the authority of the Taylor Grazing Act of 1934 as amended (43 U.S.C. 315); the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751); and the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901), § 4130.5-1, Subpart 4130, Part 4100, Subchapter D, Chapter II, Title 43 of the Code of Federal Regulations is amended as set forth below.

GARY J. WICKS,
Acting Assistant Secretary of the Interior.

JANUARY 4, 1979.

1. Section 4130.5-1 is amended by adding paragraph (a) to read as follows:

§ 4130.5-1 Payment of fees.

(a) Grazing fees shall be established annually by the Secretary based upon the grazing fee formula in the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901).

$$\text{Economic Value (Grazing Fee)} = \$1.23\ \frac{[FVI+(BCPI-PPI)]}{100}$$

The components of the formula are:

$1.23=fair market value for base period 1964-1968.
FVI=Forage Value Index
BCPI=Beef Cattle Price Index
PPI=Prices Paid Index

Grazing fees shall be adjusted annually to the computed economic value; subject only to the provision that adjustments, either increases or decreases, shall not be more than 25 percent of the previous year's grazing fee.

[FR Doc. 79-843 Filed 1-9-79; 8:45 am]

[4910-06-M]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. RSOR-3, Notice No. 18]

PART 218—RAILROAD OPERATING RULES

Blue Signal Protection of Workmen

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Amendment to final rule.

SUMMARY: Part 218 prescribes minimum requirements for certain operating rules utilized by railroads in conducting train operations. This notice amends the requirements for blue signal protection to be afforded workmen engaged in the inspection, repair, testing and servicing of railroad rolling equipment.

DATES: This amendment is effective on January 31, 1979.

FOR FURTHER INFORMATION CONTACT:

PRINCIPAL AUTHORS

Principal Program Person: John A. McNally, Office of Safety, Washington, D.C. 20590. Phone (202) 426-9179.

Principal Attorney: Lawrence I. Wagner, Office of the Chief Counsel, Washington, D.C. 20590. Phone (202) 426-8836.

SUPPLEMENTARY INFORMATION: On October 2, 1978, FRA published an NPRM proposing to revise those provisions of Part 218 that relate to the blue signal protection to be afforded workmen engaged in the inspection, repair, testing and servicing of rolling equipment (43 FR 45416). The purpose of the proposed amendment is to resolve all of the known outstanding issues associated with the existing regulation.

COMMENTERS VIEWS

FRA solicited written comments and views on the proposed changes and indicated that a public hearing would be provided if FRA received a request for such a hearing. FRA did not receive a request for a public hearing and received only four written comments in response to the NPRM. The commenters all expressed support for the proposed changes and two commenters urged rapid action by FRA to adopt the proposal as a final rule. Only one commenter, a manufacturer of derails, urged a change in the regulatory language of the NPRM. This commenter suggested that higher speeds be permitted on tracks where a derail is used to provide protection for workmen. In support of this suggestion, the commenter indicated that field testing had demonstrated the ability of some of its devices to function as intended at speeds greater than 20 miles per hour.

FRA ANALYSIS OF COMMENTS

The low operating speed proposed by FRA pertains only to those specific instances in which a derail is located approximately 50 feet from the area where the workmen are performing tasks on rolling equipment. The low speed provision in this instance is intended to assure that rolling equipment will not travel more than 50 feet after derailment. FRA is concerned that, if rolling equipment encountered a derail at greater speeds, the equipment could endanger workmen in the area beyond the prescribed 50 foot buffer zone. Similarly in those instances where the buffer zone is increased to a distance of 150 feet, this speed restriction is not applicable. Since the distance travelled after derailment, not the effectiveness of a derail, is the safety concern addressed by the speed restriction, FRA has not adopted the change suggested by the derail manufacturer.

After consideration of the comments received, FRA has decided to adopt the regulation basically as it was proposed. However, FRA has made some technical language changes in the final rule. These changes are clarifying in nature.

In the preamble to the NPRM, FRA provided a section by section analysis of the proposed regulation. In view of the limited technical changes being made that analysis is not being repeated in its entirety. However, FRA does wish to point out the changes made in adopting the final rule.

In § 218.5, FRA has added paragraphs (k), (l) and (m). These paragraphs contain definitions that are pertinent to Subpart C of Part 218. They are currently contained in paragraphs (e), (f) and (g) of § 218.5 and have merely been renumbered and restated. In § 218.29, FRA has reworded the proposed language to eliminate cross references to other sections and to make it more understandable. Finally, § 218.31 of the proposed regulation has been renumbered as § 218.30 of the final rule. In addition, clarifying and conforming changes have been made in §§ 218.3(a)(2); 218.5(d)(3) and (j); 218.23(a); 218.25(a) and (b); 218.27(b), (c) and (d); 218.29; 218.30 and Appendix A.

The revision being adopted by FRA will serve to relieve an existing group of restrictions. Therefore, in accordance with the provisions of section 553 of the Administrative Procedure Act (5 U.S.C 553), this amendment is being made effective in less than 30 days after publication.

ECONOMIC IMPACT

FRA has reviewed its prior analysis of the economic impact of this proposal in light of the comments received in this proceeding and FRA has determined that this notice does not contain a significant regulatory proposal. Therefore, a Regulatory Analysis under Executive Order 12044 is not required (E.O. 12044, 43 FR 12661, March 24, 1978).

In addition, FRA has evaluated this final rule in accordance with DOT's existing and proposed policies for the evaluation of regulatory impacts. Since the regulation being adopted will not impose any additional requirements and will permit some cost savings to the railroads, as well as providing some unquantifiable benefits by improving the safety of railroad workers, FRA concluded that the regulatory proposal contained in this notice would have no measurable regulatory impact and that a detailed evaluation is not warranted. (Policies and Procedures for Simplification, Analysis, and Review of Regulations, 43 FR 9582, March 8, 1978; Proposed Regulatory Policies and Procedures, 43 FR 23925, June 1, 1978).

In consideration of the foregoing, Part 218, of Title 49 of the Code of Federal Regulations is amended as set forth below.

1. By amending the Table of Contents at the beginning of Part 218 to read as follows:

PART 218—RAILROAD OPERATING RULES

Subpart A—General

Sec.
218.1 Purpose.
218.3 Application.
218.5 Definitions.
218.7 Waivers.
218.9 Civil penalty.
218.11 Filing, testing and instruction.

Subpart B—Blue Signal Protection of Workmen

218.21 Scope.

218.23 Blue signal display.
218.25 Workmen on a main track.
218.27 Workmen on track other than main track.
218.29 Alternate methods of protection.
218.30 Remotely controlled switches.

Subpart C—Protection of Trains and Locomotives

218.31 Scope.
218.35 Yard limits.
218.37 Flag protection.

Appendix A—Schedule of Civil Penalties

AUTHORITY: Sec. 202, 84 Stat 971 (45 U.S.C. 431); Sec. 1.49(n) of the regulation of the Office of the Secretary of Transportation, 49 CFR 1.49(n)

2. By amending Subparts A and B to read as follows:

Subpart A—General

§ 218.1 Purpose.

This part prescribes minimum requirements for railroad operating rules and practices. Each railroad may prescribe additional or more stringent requirements in its operating rules, timetables, timetable special instructions, and other special instructions.

§ 218.3 Application.

(a) Except as provided in paragraph (b) of this Section, this part applies to railroads that operate rolling equipment on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to—

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation, or

(2) A railroad that operates only on track used exclusively for rapid transit, commuter, or other short-haul passenger service in a metropolitan or suburban area.

§ 218.5 Definitions.

As used in this part—

(a) "Workman" means railroad employees assigned to inspect, test, repair, or service railroad rolling equipment, or their components including brake systems. Train and yard crews are excluded except when assigned to perform such work on railroad rolling equipment that is not part of the train or yard movement they have been called to operate.

NOTE.—"Servicing" does not include supplying cabooses, locomotives, or passenger cars with items such as ice, drinking water, tools, sanitary supplies, stationery, or flagging equipment.

"Testing" does not include visual observations made by an employee positioned inside or alongside a caboose, locomotive, or passenger car.

(b) "Rolling equipment" includes locomotives, railroad cars, and one or more locomotives coupled to one or more cars.

(c) "Blue Signal" means a clearly distinguishable blue flag or blue light by day and a blue light at night. When attached to the operating controls of a locomotive, it need not be lighted if the inside of the cab area of the locomotive is sufficiently lighted so as to make the blue signal clearly distinguishable.

(d) "Effective Locking Device" when used in relation to a manually operated switch or a derail means one which is: (1) Vandal resistant; (2) tamper resistant; and (3) capable of being locked and unlocked only by the class, craft or group of employees for whom the protection is being provided.

(e) "Car shop repair track area" means one or more tracks within an area in which the testing, servicing, repair, inspection, or rebuilding of railroad rolling equipment is under the exclusive control of mechanical department personnel.

(f) "Locomotive servicing track area" means one or more tracks, within an area in which the testing, servicing, repair, inspection, or rebuilding of locomotives is under the exclusive control of mechanical department personnel.

(g) "Main Track" means a track, other than an auxiliary track, extending through yards or between stations, upon which trains are operated by timetable or train order or both, or the use of which is governed by a signal system.

(h) "Locomotive" means a self-propelled unit of equipment designed for moving other equipment in revenue service including a self-propelled unit designed to carry freight or passenger traffic, or both, and may consist of one or more units operated from a single control.

(i) "Switch providing access" means a switch which if traversed by rolling equipment could permit that rolling equipment to couple to the equipment being protected.

(j) "Group of workmen" means two or more workmen of the same or different crafts assigned to work together as a unit under a common authority and who are in communication with each other while the work is being done.

(k) "Interlocking" means the tracks between the opposing home signals of an interlocking.

(l) "Flagman's signals" means a red flag by day and a white light at night, and a specified number of torpedoes and fusees as prescribed in the railroad's operating rules.

(m) "Absolute block" means a block in which no train is permitted to enter while it is occupied by another train.

§ 218.7 Waivers.

(a) A railroad may petition the Federal Railroad Administration for a waiver of compliance with any requirement prescribed in this part.

(b) Each petition for a waiver under this section must be filed in the manner and contain the information required by Part 211 of this chapter.

(c) If the Administrator finds that waiver of compliance is in the public interest and is consistent with railroad safety, he may grant the waiver subject to any conditions he deems necessary. Notice of each waiver granted, including a statement of the reasons, therefore, is published in the FEDERAL REGISTER.

§ 218.9 Civil penalty.

Each railroad to which this part applies that violates any requirement prescribed by this part is liable to a civil penalty of at least $250, but not more than $2,500 for each violation. Each day of each violation constitutes a separate offense.

§ 218.11 Filing, testing, and instruction.

The operating rules prescribed in this part, and any additional or more stringent requirements issued by a railroad in relation to the operating rules prescribed in this part, shall be subject to the provisions of Part 217 of this chapter, Railroad Operating Rules: Filing, Testing, and Instruction.

Subpart B—Blue Signal Protection of Workmen

§ 218.21 Scope.

This subpart prescribes minimum requirements for the protection of railroad employees engaged in the inspection, testing, repair, and servicing of rolling equipment whose activities require them to work on, under, or between such equipment and subjects them to the danger of personal injury posed by any movement of such equipment.

§ 218.23 Blue signal display.

(a) Blue Signals displayed in accordance with §§ 218.25, 218.27, or 218.29 signify that workmen are on, under, or between rolling equipment. When so displayed—

(1) The equipment may not be coupled to;

(2) The equipment may not be moved, except as provided for in § 218.29;

(3) Other rolling equipment may not be placed on the same track so as to reduce or block the view of a blue signal, except as provided for in § 218.29 (a), (b) and (c); and

(4) Rolling equipment may not pass a displayed blue signal.

(b) Blue Signals must be displayed in accordance with §§ 218.25, 218.27, or

218.29 by each craft or group of workmen prior to their going on, under, or between rolling equipment and may only be removed by the same craft or group that displayed them.

§ 218.25 Workmen on a main track.

When workmen are on, under, or between rolling equipment on a main track:

(a) A blue signal must be displayed at each end of the rolling equipment; and

(b) If the rolling equipment to be protected includes one or more locomotives, a blue signal must be attached to the controlling locomotive at a location where it is readily visible to the engineman or operator at the controls of that locomotive.

(c) When emergency repair work is to be done on, under, or between a locomotive or one or more cars coupled to a locomotive, and blue signals are not available, the engineman or operator must be notified and effective measures must be taken to protect the railroad employees making the repairs.

§ 218.27 Workmen on track other than main track.

When workmen are on, under, or between rolling equipment on track other than main track—

(a) A blue signal must be displayed at or near each manually operated switch providing access to that track;

(b) Each manually operated switch providing access to the track on which the equipment is located must be lined against movement to that track and locked with an effective locking device; and

(c) The person in charge of the workmen must have notified the operator of any remotely controlled switch that work is to be performed and have been informed by the operator that each remotely controlled switch providing access to the track on which the equipment is located has been lined against movement to that track and locked as prescribed in § 218.30.

(d) If rolling equipment requiring blue signal protection as provided for in this section is on a track equipped with one or more crossovers, both switches of each crossover must be lined against movement through the crossover toward that rolling equipment, and the switch of each crossover that provides access to the rolling equipment must be protected in accordance with the provisions of subsections (a) and (b), or (c) of this section.

(e) If the rolling equipment to be protected includes one or more locomotives, a blue signal must be attached to the controlling locomotive at a location where it is readily visible to the engineman or operator at the controls of that locomotive.

§ 218.29 Alternate methods of protection.

Instead of providing blue signal protection for workmen in accordance with § 218.27, the following methods for blue signal protection may be used:

(a) When workmen are on, under, or between rolling equipment in a locomotive servicing track area:

(1) A blue signal must be displayed at or near each switch providing entrance to or departure from the area;

(2) Each switch providing entrance to or departure from the area must be lined against the movement to the area locked with an effective locking device; and

(3) A blue signal must attached to each controlling locomotive at a location where it is readily visible to the engineman or operator at the controls of that locomotive;

(4) If the speed within this area is restricted to not more than 5 miles per hour a derail, capable of restricting access to that portion of a track within within the area on which the rolling equipment is located, will fulfill the requirements of a manually operated switch in compliance with subparagraph (2) of this paragraph when positioned at least 50 feet from the end of the equipment to be protected by the blue signal, when locked in a derailing position with an effective locking device, and when a blue signal is displayed at the derail;

(5) A locomotive may be moved onto a locomotive servicing area track after the blue signal has been removed from the entrance switch to the area. However, the locomotive must be stopped short of coupling to another locomotive;

(6) A locomotive may be moved off of a locomotive servicing area track after the blue signal has been removed from the controlling locomotive to be moved and from the area departure switch;

(7) If operated by an authorized employee under the direction of the person in charge of the workmen, a locomotive protected by blue signals may be repositioned within this area after the blue signal has been removed from the locomotive to be repositioned and the workmen on the affected track have been notified of the movement; and

(8) Blue signal protection removed for the movement of locomotives as provided in subparagraphs (5) and (6) of this paragraph must be restored immediately after the locomotive has cleared the switch.

(b) When workmen are on, under, or between rolling equipment in a car shop repair track area:

(1) A blue signal must be displayed at or near each switch providing entrance to or departure from the area; and

(2) Each switch providing entrance to or departure from the area must be lined against movement to the area and locked with an effective locking device;

(3) If the speed within this area is restricted to not more than 5 miles per hour, a derail capable of restricting access to that portion of a track within the area on which the rolling equipment is located will fulfill the requirements of a manually operated switch in compliance with subparagraph (2) of this paragraph when positioned at least 50 feet from the end of the equipment to be protected by the blue signal, when locked in a derailing position with an effective locking device and when a blue signal is displayed at the derail;

(4) If operated by an authorized employee under the direction of the person in charge of the workemen, a car mover may be used to reposition rolling equipment within this area after workmen on the affected track have been notified of the movement.

(c) Except as provided in paragraph (a) and (b) of this section, when workmen are on, under, or between rolling equipment on any track, other than a main track:

(1) A derail capable of restricting access to that portion of the track on which such equipment is located, will fulfill the requirements of a manually operated switch when positioned no less than 150 feet from the end so such equipment; and

(2) Each derail must be locked in a derailing position with an effective locking device and a blue signal must be displayed at each derail.

(d) When emergency repair work is to be done on, under, or between a locomotive or one or more cars coupled to a locomotive, and blue signals are not available, the engineman or operator at the controls of that locomotive must be notified and effective measures must be taken to protect the workmen making the repairs.

§ 218.30 Remotely controlled switches.

(a) After the operator of the remotely controlled switches has received the notification required by § 218.27(c), he must line each remotely controlled switch against movement to that track and apply an effective locking device to the lever, button, or other device controlling the switch before he may inform the employee in charge of the workmen that protection has been provided.

(b) The operator may not remove the locking device unless he has been informed by the person in charge of the workmen that it is safe to do so.

(c) The operator must maintain for 30 days a written record of each notification which contains the following information:

(1) The date and time the operator received notification of the work to be performed;

(2) The name and craft of the employee in charge who provided the notification;

(3) The number or other designation of the track involved;

(4) The date and time the operator notified the employee in charge that protection had been provided in accordance with paragraph (a) of this section; and

(5) The date and time the operator was informed that the work had been completed, and the name and craft of the em-

ployee in charge who provided this information.

3. By amending Appendix A to read as follows:

* * * * *

218.23	Blue signal display.		
218.25	Workmen on main track.....	$750	$2,000
218.27	Workmen on other than main tracks.....	750	2,000
218.29	Alternate methods of protection.....	750	2,000
218.30	Remotely controlled switches:		
	(a) and (b).....	750	2,000
	(c).....	500	1,000

* * * * *

(Secs. 202 and 208, Federal Railroad Safety Act of 1970, as amended (45 U.S.C. 431 and 437); § 1.49(n), Regulations of the Office of the Secretary of Transportation (49 CFR 1.49(n)).)

Issued in Washington, D.C., on January 4, 1979.

JOHN M. SULLIVAN,
Administrator.

[FR Doc. 79-815 Filed 1-9-79; 8:45 am]

[7035-01-M]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER B—PRACTICE AND PROCEDURE

[Ex Parte No. 282 (Sub-No. 1)]

PART 1111—RAILROAD ACQUISITION, CONTROL, MERGER, CONSOLIDATION PROJECT, TRACKAGE RIGHTS, AND LEASE PROCEDURES

Railroad Consolidation Procedures

AGENCY: Interstate Commerce Commission.

ACTION: Revision of regulations.

SUMMARY: The Commission has revised its regulations at 49 CFR 1111.2 in order to clarify the regulatory scheme. The revisions are designed to correct the inadvertant omission of certain carriers participating in transactions under 49 U.S.C. 11343 (formerly section 5(2) of the Interstate Commerce Act) (Act), and to require less information in applications for lease renewals. Also, the regulations are revised to be consistent with other regulations adopted subsequently to the drafting of 49 CFR.

DATES: The revisions will be effective on January 10, 1979.

FOR FURTHER INFORMATION CONTACT:

G. Marvin Bober, (202) 275-7564.

SUPPLEMENTARY INFORMATION: These regulations govern applications filed by two or more carriers seeking merger, consolidation, control, acquisition, lease or trackage rights under section 11343. See 49 CFR 1111.1.

Specifically: § 1111.2(a) is revised to include a regulation advising applicants of the new energy regulations and 1111.2 (b), (c), and (d) are renumbered accordingly; §§ 1111.2 (a), (b), (c), and (d) are revised to include lease renewals among the transactions having minimal market and competition impact; and § 1111.2(c) is revised to include Class III carriers and railroad lessors as participants in transactions covered by the regulations.

Because these modifications, as set forth in the Appendix, merely clarify the regulations and incorporate existing regulations, and because petitioners could immediately utilize these modifications in their lease renewal application, we find that notice and public procedure on these revisions are unnecessary, impracticable and contrary to the public interest within the meaning of 5 U.S.C. 553(6)(B).

H. G. HOMME, Jr.
Secretary.

APPENDIX OF REVISIONS

§ 1111.2 [Amended]

49 CFR 1111.2(a)(11)(iii) is modified as follows:

(a) * * *

(ii) * * *

(iii) * * * or in the event the proposed transaction involves trackage rights, joint use or ownership of a railroad line, a coordination project or a lease renewal, then * * *

* * * * *

49 CFR 1111.2(a) is supplemented as follows:

(a) * * *

(13) As exhibit 13, information and data with respect to energy consumption prepared in accordance with the regulations in Part 1106 of this title of the Code of Federal Regulations.

(b) * * * except for those applications involving trackage rights, joint use or joint ownership of a railroad line, a coordination project or a lease renewal:

(1) As exhibit A-14, * * *
(2) As exhibit A-15, * * *
(3) As exhibit A-16, * * *
(v) * * * under section 1111.2 (b)(3)(ii), (exhibit A-16). * * *
(4) As exhibit A-17, * * *
(5) As exhibit A-18, * * *
(6) As exhibit A-19, * * *

49 CFR 1111.2(c) is modified as follows:

* * * * *

(c) * * * the following exhibits are also requird for applications involving one or more Class II railroads, Class III railroads or railroad lessors or applications involving a Class I railroad and a Class II or Class III railroad or a railroad lessor, except for those applications involving trackage rights, joint use or joint ownership of a railroad line, a coordination project or a lease renewal:

(1) As exhibit B-14, * * *
(2) As exhibit B-15, * * *
(3) As exhibit B-16, * * *
(4) As exhibit B-17, * * *
(5) As exhibit B-18, * * *
(6) As exhibit B-19, * * *

49 CFR 1111.2(d) is modified as follows:

* * * * *

(d) * * *, the following exhibits are also required for applications involving trackage rights, joint use or joint ownership of a railroad line, a coordination project or a lease renewal:

(1) As exhibit C-14, * * *
(2) As exhibit C-15, * * *
(3) As exhibit C-16, * * *

[FR Doc. 79-899 Filed 1-9-79 8:45 am]